

appointments for 1976	1
advisory Board Members named to ^(page 48) Boudette Park Bd	20
Reappointment of Foster Watson to Alcoholic Bev. Comm.	116
appointment of Joe Nickolich & Wm Montastelle to Convention Bureau	141
appointment of Charles Weaver Jr. to Airport Auth Dist.	249
appointment of Ins. Committee to be Co. Agent of Record	373
appointment of steward (Earl Schoenbachler) at Auditorium for union	489
appointment of Citizens Board for Brehne Hospital property	513

Agreements

33	Agreement on Town of Darmstadt discussed	33,51,59
74	Agreement with Town of Darmstadt approved	74
93	Agreement with Penn Central RR signed -128	
143	Agreement signed on Penn Central agreement (all signed)	
144	Agreement with the City of Darmstadt.	
211	Penn Central Agreement on St Joe received	
285	Agreement on Parking of Freedom Train	
329	Agreement signed for CETA funds.	
403	Soil Conservation agreement signed effective Oct 1, 1976.	
425	Auditorium Union agreement approved. 442,	
446	Auditorium agreement with union rescinded 446	
454	Amendment to CETA agreement approved	
480	Agreement between Colorm. & Auditorium - Teamsters as agent 496	
513	Agreement with Teamsters Local 215 for Bundette Pk. Emp.	
542	Soil Conservation Renewal Agreement	
577	Perop agreement approved.	

Auditors Financial Report for 1975	45
appeal will be forthcoming on Mortgage Carols	106
Application under Criminal Justice for federal money.	151
announcement - Re Resolution - office hours 8AM to 5 PM	165
announcement on banning bringing food & drink into hearing room	165
amendment on AWE grant, made.	383
Auction at Pleasanton Rest Home - Jucetus	387
Alcoholic Help - if utility meters should be removed	388
accident involving county vehicle at St Joe & Penn.	388
approval for car repair given to Mr. Hotz	412
approval of plans for construction of N. Spring & O'Hara Dr.	468
approval for granting variances of Crossman & Shita's Nursing Home	468
approval of funds for installation of automatic signals	531
approval of funds to upgrade bridge on Mohr Rd.	532
authorization to file suit for damages on County car	536

Authorized to advertise for Bids

- 43 for radios needed by Sheriff's Department cars
- 56 for Engle Rd. Bridge - Structure 22A
- 104 for truck needed by Burdette Park
- 130 opening of bids for Burdette Park truck
- 136 for Franklin Street Bridge
- 137 for Green R Rd - maintenance - property of Stella Hirsch Crowell.
- 156 for a new motor grader for Highway Dept.
- 159 for first phase on Baumgard Rd. Bridge - Structure #88A
- 181 for resurfacing Kuebler Rd, Kleitz Rd. & Meier Rd.
- 188 for Ky. Ave Bridge Structure #116-A
- 267 Authorized to advertise for Slata Processing bids
- 278 authorized to advertise for bids on Co. Health Insurance
- 303 Authorized to advertise for bids for Sheriff's for closed circuit TV
- 326 authorized to advertise for reconstruction of St. Joe
- 340 authorized to advertise Photo copy machine of Recorders
- 345 authorized to advertise for repair of six structures
- 346 authorized to advertise on Green River Rd. Chase II
- 377 authorized to advertise for closed circuit TV - Sheriff.
- 464 authorized to advertise for bids on camping pads at Burdette Pk.
- 467 authorized to advertise for bids for closed circuit TV for Sheriff
- 476 authorized to advertise for BC-8-76 for bridges.
- 476 authorized to advertise for RC-5-76 for roads.
- 500 authorized to advertise for paving roads at Burdette Pk.
- 503 authorized to advertise for van for Sheriff's Dept.
- 518 authorized to advertise for work on Marp Rd.
- 522 authorization of monies for St. Joe Ave
- 530 authorized to advertise for food for prisoners
- 543 opening of bids for Reconstruction of Marp Rd Structure #64
- 559 authorized to advertise for County Insurance (Life)

B

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[illegible]

- 360 Budette Park - Teamsters Local 215 want to represent emps, 444
- 399 Boehne Hospital to be patrolled
- 412 Performance Bonds submitted by Feigel for St. R.R. & Kern & Lamm
- 421 Performance Bond from Pepper Const. Co. - Comfort station at Budette
- 464 Budette Park camping site area bids discussed
- 523 Bonds approved for Lew Wolpe as Treasurer for 1977 - 532
- 542 Public Employees Blanket Bond approved
- 554 Bonds approved for Bob Biener for 1977 as Surveyor
- 567 Bonds submitted for Recorder & Deputy for 1977
- 572 Building code submitted for approval
- 580 Building Code approved
- 581 Bond submitted from Priest Hazelwood on St. Joe

Bids

Invitational bids were received to repair wind damage.	74
Bids opened on Emge Rd. Bridges	88
Bids opened for truck needed by Bundette Park.	88
Bids opened for work on Stella Hirsch Crowell's property	166
Bids opened for Franklin St. Bridge Structure #4	
Bids opened for Baumgart Road Bridge Structure #8A	184
Bids opened for motor grader for Hwy. Dept.	184
Bids opened for construction of Ky. Ave. bridge	202
Bids opened for resurfacing of Kuebler, Kleitz & Meier Rds	202
Bids opened for reconstruction of Baumgart Rd - Phase II	
Bids opened on Construction of Baumgart Rd. Phase II	234
Bids opened on Data Processing	292
Bids opened for County Insurance	299
Bids on County Insurance opened	305
Bids opened on reconstruction of St Joe over Cinn Central	337
Bids opened for Bundette Park Comfort Station	374
Bids opened for Bridge Repairs	374
Bids opened on Co. Hwy Dept. Hydraulic Excavator	376
Bids opened on the resurfacing of Green R Rd.	376
Bids for resurfacing Kern & Laurel Roads	377
Bids opened for Claremont Bridge 56A & for closed circuit TV for Sheriff	443
Bid from Evansville theater supply rejected on closed circuit TV - too late	449
Bids opened on Camping Pads at Bundette Park	481
Bids opened for Bridge Repairs (6 bridges) BC-8-76	491
Bids opened for closed circuit TV for Sheriff's Dept.	492, 498
Bids opened for paving roads at Bundette Park	514
Bids opened for food for Jail for 1977	554
Bids opened on Life Insurance for Co. Employees	578

C

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330	Claims from Bldg. Auth for phone outlet in Km. trip assessor office	
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330	Claim from Kenton Kent Chev. Co. for 1976 Vanja Surveyor
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333	Claim from Seig Bros. on Ky Ave Structure
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334	Claim from Barnett Bros. for Baumgart. Est #2
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342	Claims from City for Co.'s share of combined Sept's.	
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342	Claims from Bob Moran, Service Officer - George Ryan for pipes
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342	Claim from Toman Ins Co. for Insurance for Birdie
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342	Claim for refund on duplicate building permit
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387	Claim from Hunicutt's ass. - Reassessment for Knight Trwp.
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387	Claim from Powers Co on refund for permit
-----	---

387	Claim from Alcoholic Help Inc. for money allocated.
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387	Claim from Veterans Council for Memorial Day Expenses
-----	---

421	Claim from Tergel Constr. Co. for Baumgard Rd.
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Claims

Claim from Deig Bros. for Ky. Ave	380
Claims from City for combined departments	395
Claim from Sheriff De Shoote for prisoners meals	396
Claim from Alcoholic Help for money allocated.	396
Claim from Torian Agency for Blanket Bond - Area Plan	396
Claim from Auto Damage Appraisers on Mr Hotz car	396
Claim from Curran Miller Auction at Pleasantview	397
Claim from G. H. Allen for Franklin St. Bridge	399
Claim from Barnett Bros. for Baumgard Rd.	399
Claim from Priest Hazelwood for St Joe over Penn tracks	399
Claim from Black Expo for rent as approved by Co. Council	408
Claim from Torian Agency - policy for General Fund	417
Claim of credit from Torian Agency - Highway Dept	418
Claim from Brinkes for services in Clerks office	418
Claim from Hunnicutt Assc. on contract - Knight assassin	424
From Dr. Verables for autopsies & from City for Co. Share of depts.	424
From Feigel Constr. Co. for Kern & Laurel Rds.	424
From Deig Bros. for Ky Ave structure 116A & from G. H. Allen - Franklin Bridge	427
From Norman Messel for cleaning ditch W. of Cloven Drive	428
From Whilpool for refund overpayment of Taxes	432
From Co. Clerk for mileage on trip to Ind. Gas. Ind.	432
From Bill Bryant for refund - overpayment on permit	433
Claims from Priest Hazelwood for St Joe over Penn Central tracks	439
Claim from Jebco Inc. for Stella Hirsch property	439
From J. Robert Bernard, Robert Dorsey, Steinhilber & Emily Stewart - travel	459
From Brinkes Inc. for services & Shirley Cox for travel	459
From Hunnicutt & Assc. for work completed	459
From Feigel Constr. Co. for Baumgard Road	463
From Lona Hudson for travel expenses	472
From Good Samaritan Hospital in Vincennes for T.B. patient	472
From Engineer. Assoc. - Lynch Rd project	472
From Key Constr. Co. for repair of 6 bridges & from Feigel Constr. Co. - RC	475
from Deig Bros. for Ky Ave. St. #116A - approved	485
from Priest Hazelwood for St Joe over Penn Central	486
Claims to people for parcels on Murrenbern Rd.	486
from Don Riddle - R/w buyer for Murrenbern Rd.	486
2 claims from Sheriff De Shoote for prisoners meals ^{Aug 15th} _{Oct 14}	491
Claim from Wm. Hepler, Armstrong trustee for travel mileage	491
Claim from Bob Moran, Veteran Service officer for mileage	491

494	Claim from H. H. Allen for Claremont Ave #364	494
494	Claim from Feigel Const. Co. for Green R. Rd.	494
499	Claim for Refund for Wayne Kemper	499
499	Claim from Pyle Electric Co. - Burdette Park	
499	Claim from Torian Agency Inc. for Burdette Park	
499	Claim from Feigel Const. Co. for paving Lauch Lane	
505	Claim against County - J. D. Gilbert	
506	Claim from Frank Stewart MD on T. B. Patient	
506	Claim from Hannicutt & Assoc. - contract - Knight Twp.	
506	Claim from Brinkes for services - Co. Clerk - Nov.	
507	Claim from Priest Hazelwood - \$100 over Penn Central	
508	Claim from H. H. Allen on Claremont Ave.	
508	Claim from Key Construction Co. on Repair of Bridges	
508	Claim from Seig Const. Co. on Ky. Ave Structure	
508	Claim from Feigel Const. Co. on paving of Roads RC-5-76	
514	Claims from City for Joint Sept's for Sept. 1976	
514	Claim from James Angermeyer for services	
518	Claim from Barnett Bros. for Baumgart Rd.	
518	Two claims from Pepper Const. Co. for comfort station at Burdette	
519	Claim from Daniel Riddle for easement on Murrenham	
525	Claim from Sheriff De Dorte for prisoners meals Oct 15 to Nov 4, 1976	
532	Claim approved for bonds for McVulpe - Treasurer for 1977	
534	Claim from Alvin Stucki for travel expenses	
538	Claim from Feigel Const. Co. on Green R. Rd.	
538	Claim from Pepper Const. Co. for camping pads at Burdette	
542	Claim from Curran Miller for auction at Boehne	
542	Claim from Brinkes for services in Clerk's office for Dec	
542	Claim from Bob Schoad for expenses on travel	
543	Claim from Hannicutt Inc. - Knight Twp Re assessment	
543	Claim from Feigel Const. Co. for resurfacing & street approaches	
577	Claim from Miller's Ins. Agcy. on Kn. & Co. Assessor	
578	Claim from Crown Ins Co - Bond - Robert L. Lersey	
578	Claim from Met. Evansville Convention Bureau 2nd qtr.	
578	Claim from Mike Volkman Ins. Co. - Robert Brenner Bond	

Claims

	Claims from Lukens & Sons Ins Co. for Sheriff & Centes trip assessor	97
	from City for Co share of Traffic, Health Dept, Bldg Comm, wgt & measures	97 ^{to}
	from Co. Clerk for travel expenses.	98
	from Co. Attorney for professional service Brune VS Brown.	98
	from Southern Railway for crossing improvement on Green Rd.	102
	from Torian Agency on Bonds for various depts.	106
	from Sheriff De Shoute for prisoners meals Jan to Feb 1976	106
	from Bldg. Authority for remodeling for new courts	121
	from Brinks for Contract Circuit Court	134
	from Crown Ins. for Bond of Dorsey (Big assessor)	134
	from Gas Co. for Old State Rd - Lf Hovey pass main	136
	from Gas Co for Old State Rd & overpass - 50% of GWO	136
	from American Life Ins. Co. for Sheriff's Dept.	146
	from Dave Gudlaum, Dan Hartman, Bob Schoad, Jerry Seitz	146 - 147 Road School
	from Robert Hargrove of Citizens Bank - Sheriff Dept Retirement fund	147
	from P & H Construction for work to Co. building addition	147
	from Holiday Travel Service for airline tickets	147
	from Barnett Bros for Enge Rd. Structure	150
	from Sheriff De Shoute for meals of prisoners - 2/15/76 to 3/14/76	155
	from Gloria Crenshaw for deposition costs - Anna Joeckel case	155
	from Torian Agency for Insurance - Burdette Park	155
	from Torian Agency for Insurance - Burdette buildings	155
	other Insurance claims from Torian Ins. Agency	155
	from Susan Kirk, Edward Knight & Lucille Becking - trip to Indys.	155
	from Seig Brothers for Burdette Pk. Northwest recreation	156
	from Anika Juas for mileage - trip to Bloomington	156
	from James Redwine for 9 trial day for Marion D. Hewallen	180
208	from Welborn Hospital for Paul Smith, indigent - from jail to hosp - died	193
	from Barnett Bros. - final on Smith - Diamond Structure	196
	from Sheriff De Shoute for meals of prisoners 3/15/76 to 4/14	200
	from Unigraphic Inc. for preparation of Brief in Poncia vs. Co. Comm	201
	Claims from City for County's share of various joint departments	201
	from Guyonmin Const. Co. for replacing shed at Co. Hwy.	201
	from Poeders Adequate Wiring for material - lighting system	201
	from Feigel Const. Co. for paving 3 County roads	217
	from JEBCO for work done on Green R. Rd.	217
	from Torian Agency for General Fund & Co. Hwy.	222
	from Brinks for services for Clerk of Circuit Court	223

223	Claim from Jane Griffith for transcript on State vs. Bruene	
223	Claim from Auditorium for ad to fill vacancy of Mgr.	
226	Question of liability on claim from Welborn Hospital	
234	Claims by City for County's share of various depts.	
235	Claim from Ruthetta Graves, Reporter-transcript-Bruner Brown	
235	Claim from James + Dorothy McCutchan - condemnation awards	
246	Claim from Feigel Constr. Co. for resurfacing roads.	
256	Claim from Sheriff for meals for prisoners to May 14, 1976	
256	Claim was submitted by K+W Equips. Co. but amt didn't allow Trade in	
267	Claim from Brinks Inc. for Clerks Office	
270	Claim from L+N.R.R. Co. - Ray Becker Parkway	
270	Claim from Feigel Constr. Co. for paving of Klety, Meier + Kuebler Rd	
270	Claim from Feigel Constr. Co. final payment for paving Co. roads.	
271	Claim from Karen Flittner, Court Reporter for Bruene Transcript	
281	Claim from Torian Ins. Agency for Annual Audit	
281	Claims from City for Co. share of combined departments	
281	Claim from Nat'l City Banks + Bld Auth for rent	
282	Claims from Torian Ins. Agency for Insurance + Bonds	
282	Claim from Co. Attorney Ed Smith for travel expenses	
284	Claim from Barnett Bros. for Baumgart Rd.	
284	Claim from Feigel Constr. Co. for Green R. Rd.	
291	Claim from City for County share of Economic Development	
291	Claim from Gloria Crenshaw for fees - Anna Joekel	
316	Claim from Torian Insurance - Bond - Manager of Auditorium	
316	Claims from Sheriff De Shorte for travel + prisoners meals	
318	Claim from G. H. Allen on the Orchard Rd. Bridge replacement.	
318	Claim from Anna Wartman on easement - St. Joe Ave.	
319	Claim + easement from Arthur + Retha Kuester - St Joe	
319	Claim from Dan Riddle for his purchasing of Penn Central ^{on St. Joe} property	
322	Claim from Anika Juas for travel expenses.	
322	Claim from County Recorder for recording fee - old State - L+N	
322	Claim from Brinks for services for Co. Clerks.	
322	Claim from Mc Gillen + Assoc. partial-environmental - St Joe	
322	Claim from Central Glass Co. for glass at Auditorium	
322	Claim from Barnett Bros. Inc. removal of trees	
322	Claim from Welborn hospital for Paul Smith (deceased)	
329	Claim from Freedom Festival Foundation	
330	Claim from Hannerich + Assoc. for work on Knight top Reassessment	
330	Claim from Div Ind Mental Health for balance of Co's share	

Claims

from City for street lights on Green R. Rd.	7
from Bldg. Authority for moving Legal aid	8
from Co. Attorney Swain for mileage - Indianapolis	8
from Brinks for services to Circuit Court	8
from Bldg. Auth. for remodeling Rooms 214, 211, & 207	8
from Bldg. Auth. for remodeling Room 218	8
from Soil & Water Conservation Dist. for 1976 Grant	8
from Bldg. Auth. for remodeling Room 106	8
from Torian Insurance for policies of employees	15
from S.W. Ind. Mental Health Center - operational expenses	15
from S.W. Ind. & Ky Regional Council of Governments - op. exp.	15
from Bldg. Auth. for furnishing Room 218	15
from Monarch Ins. Agency - Public employees bond	15
denied - from City for lights on Green R. Rd.	16
from Feigel Construction Co. for Green R. Rd. Heckel to Brownville	18
from Barnett Bros. - work done on Smith Diamond Bridge	18
from James Kornblum for expenses - assessors Conference	34
from Roman Gehlhausen - assessors Conference	34
from Shirley & from Alvin Stucke for assessors Conference	34
from Cooke Chevrolet for repairs to coroners vehicle	34
from Jane Griffith - Court Reporter - for transcript	34
from Bldg. Auth. for R 200 & 201 remodeling - legal aid	34
from Bldg. Auth. for Room 207, 211 & 214 remodeling for courts	35
from Cooke Chevrolet for repairs to Coroners vehicle	44
from Torian Agency Inc. - Glass policy for Auditorium	44
from Sheriff Lee Monte for travel expenses	44
from Bldg. Auth. for new court room & library -	44
from Urban Transportation Study - County share E.V.T.S.	44
from Karen & Gary Wagner for travel to Conference	45
from Robert Dorsey, Cogen Assessor for travel	45
from Jerry Zeller - Real Estate Dep for Pig Assessor to travel	45
from Sheriff Lee Monte for prisoners meals 12/15/75 to 1/14/76	45
from M. Angermeyer, Co. Assessor for travel (2)	54
from Torian Agency - Burglary coverage - Co. Clerks.	55
from Brinks for services, provided Co. Clerk.	55
from D.E. McGuillem & Assoc. - Environmental Study on St. Joe	73
from Carl E. Stocker Insurance Co. surety bond - Perry assessor	73
from Veterans Service Office for travel expenses	97

- 54 Check received from Gallagher Bassett Ins - damage to Sheriff's car
- 6970 Check received from Union Bank in Calif. payment on claim - ^{wallboard} ~~Hypnum~~
- 99 Changes in Precinct boundaries -
- 120 Check received from Towan agency - Wind Damage
- 183 Closing of Complex for Good Friday - 1976
- 188 Concrete available for County use.
- 234 Check received from Citizens Realty - Refund on Surety Bond.
- 244 Check received for Insurance settlement on truck -
- 281 Insurance Dividend check received from American United
- 290 Check received from Circuit Court for judgment award on Ey camps
- 316 Check received from Federal Topics Program - Reimbursement
- 330 Check received on scrap iron that was sold.
- 331 Check received from City for their share on N. Ky Ave approach
- 447 Check received in settlement of wrecked County car.
- 461 Check received from Royales - reimbursed for curtain
- 481 Check received for patrol car window.
- 481 Checks on Bonds for bids on Closed Circuit TV Returned
- 540 Check received for surplus equipment sold

Claims Cont

- 560 Claim from Associated Land Surveyors - Pigeon trap. assessor
- 560 Claim from Charles H. Osterholt of Area Plan

Contracts

	Contract awarded to Motorola for Sheriff's car radios	62
	Contract awarded to Barnett Bros. for Enge Rd. Bridge #22A	92
	Contract awarded to Key Motors for truck - Budette Park	136
	Contract awarded on Green R. Rd. ditch work - Jeko	173
	Contract awarded on Franklin St. Repair - J.H. Allen	173
190	Contract awarded on Motor Grader to K & W Equipment	190
	Contract awarded on Baumgard Rd. Bridge to Barnett Bros.	191
	Contract awarded on emergency of Orchard Rd. to J.H. Allen.	192
	Contract awarded on Kuebler, Kleitz & Meier Rd. to Feigel Const. Co.	203
	Contract awarded on Ky. Ave Bridge to Seig Bros.	210
	Contract signed for Seig Bros - Construction of Ky Ave Bridge	217
	Contract awarded to Key Ford for Surveyors van - ^{Emergency} declared	246
	Contract awarded to Feigel Const. Co. for Baumgard Road.	247
	Contracts approved on Boone Brucellous	320
	Contract signed for Freedom Festival Foundation	329
	Contract awarded to Feigel for Kern & Laurel Rds.	382
	Contract awarded to Feigel Const. for Green R. Rd.	382
	Contract awarded to Key Const. for 6 bridges	382
	Contract awarded for comfort station to Pepper Const.	392
	Contract awarded to Engineer Assoc. for preparing plans on Lynch Rd.	394
	Contract awarded on gradall to Kitchen Machinery - subject to money	398
	Contract with Blue Cross signed for County Insurance	404
448	Contract with Fink, Roberts & Petrie signed for St. Joe.	442
	Contract approved with Engineering Assoc. for Lynch Rd.	442
	approval given for Area Plan to purchase a Ford	443
	Contract awarded to J.H. Allen for Claremont Ave. Bridge	448
	Contract approved on inventory of signs in County	471
	Contract awarded for Budette Park Camping Pads	488
	Contract awarded for Road Resurfacing Pine Place etc. RC-5-76	492
	Contract awarded for Bridge Repair - 6 Bridges - BC-8-76	498
	Contract awarded to Tele-star for closed circuit TV	503
	Contract awarded for paving roads at Budette	521
	Contract awarded for Closed Circuit TV for Sheriff	543
	Contract awarded for Marp Rd. Reconstruction	545
	Contract awarded for Van in transporting prisoners	554
	Contract awarded for meals of prisoners for 1977	565
	Contract awarded for resurfacing roads at Budette Park	565
	Contract for removing copy machine from Recorder's office	565

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|-----|--|--|
| 70 | Comments on deadline for Rezoning Petitions | |
| 105 | Changes made in precinct boundaries | |
| 120 | Comment on travel to Road School | |
| 126 | Code of Family Dwelling under review. | |
| 217 | Certificate & Performance Bond - Feigel Constr. Co. | |
| 223 | Comment on voting procedures in Vand. Co. | |
| 291 | Comments on letter from Ins. agent of Record. | |
| 299 | Committee named to study Insurance bids. | |
| 332 | Concrete sinking on sidewalk at Auditorium | |
| 344 | Comment on Judge's bench that is surplus. | |
| 399 | Comment on Insurance in moving copy machine from Recorder's office | |
| 457 | Copy machine in Recorder's office discussed | |
| 519 | Check received for 64.00 to cover damage on Co. vehicle 519 | |
| 532 | Check returned from Mr. Vaughn - insufficient funds. | |
| 560 | Clarification on actions taken by Commissioners by Comm. Willner | |
| 572 | Comments on underground storage tanks at Pleasantview. | |
| 574 | Comment on Mr. Lawson's salary at Boekne. | |
| 580 | Condemnation Proceedings Authorized. | |

County Owned Surplus Property

Parcels of County owned property sold 1/19/76	30
21-21-11 - 488 E Sycamore - Roger Klassy	
21-22-5 - 511 John St " "	
21-47-15 - 410 E Cherry St. " "	
24-19-15 - 606 E. Sycamore St. " "	
24-39-48 - 804 E. Sycamore St. " "	
26-37-13 - 112 W Illinois St. " "	
24-39-35 - 823 John St. " "	
21-28-16 - 504-506 Olive St. " "	
24-19-12 - 612 E Sycamore St. " "	
24-29-12 - 616 E Walnut St. " "	
24-29-13 - 612-614 E Walnut St. " "	
24-45-13 - 662 E Cherry St. " "	
22-76-20 - 1817 S Gawin Dallas Hughes	
28-56-7 - 1810 Grove St. " "	
Mr Hughes had bid on 34-166-10 at 2709 Siftware but changed his mind	
31-134-17 - 774 Cardinal St. - Dallas Hughes	
28-7-27-1124 W Georgia St. - Mr C. Preston Almond	
2-195-44-1601 Allens Lane - Mr John L. Sanders	
8-16-3 - off Shawnee Dr. - Mr Fredrick Bunch	
21-32-5 - 311 Olive - St. Mr Paul H. Farrow	
21-59-27 - 771 S. Governor - Mrs Georgia Benson	
22-64-11 - 228 Cass Ave - Mrs. Maria Jones	
15-11-9 - 1229 Sycamore St - Bob Goff	52
21-57-11 - 717 S. Governor St - Bob Goff	"
21-56-8 - 517 E. Mulberry St - Mr Mitchell	115
21-60-17 - 730 Bayard Pl. Dr - Mr Walter Kimbrow	190
30-34-16 - 1911 W. Illinois - Doris Lever	219
18-160-34 - Next to 363 Craig - Jack Elliott	230
21-59-14 - 788 Line St. - Jack Elliott	"
21-65-12 - 713 Line St - Jack Elliott	"
21-65-11 - 715 Line St - " "	"
21-78-10 - 901 Line St. " "	"
22-76-1 - 1800 S. Elliott St - Roy & Lucille Wills	247
29-106-5 - 1408 W. Maryland St. & Mr Gibson	328
14-22-16 - Next to 2250 E Gunn - Charles Swope	356
21-69-30 - Back lot off code 21-69-2 - " "	"
22-15-11 - Between 22424 Jefferson - " "	"

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Claims

By Key Construction Co for repair of 6 bridges	551
By Geigel Consts Co. for Green R Rd RC-4-76	551
Seig Bros. - final on Ky ave Structure 116A	562
J. H. Allen for Claremont Ave - Structure 56A	562
J. H. Allen for 6 bridges Structure 44A, 94, 98A, Schutte + Kansas Rd.	562
Millers Ins. Co for premium on Recorder & her deputy for 1917	571
Sheriff De Shote for meals of prisoners	571
Evansville - Vand Bldg. Auth rental on Co. Bldgs.	571
National City Banks for fixed rental of Bldgs.	571
Good Samaritan Hosp. for James Hamilton	571

Complaints

by Law firm for Uncle Charleys Sausage on Locust Creek Ditch	16
Complaint on County property on Mulberry St & Line St.	42
Complaint of signs needed on St Joe at Knott	46, 57
Complaint from Jerry Hoover as to deep hole on swinging way	93
of holes in Young Road from Thomas Glasser	94
on dump on outer St Joe Avenue	112
by C Kent Roberts - drainage agreement Green R. Rd.	121
by Mr Hotz - Vandalism at Boekne Lake	168
by Mr. Siebeking on coal trucks ruining road & ^{Lost Bend La + Old Boonville Hwy.} plastering.	204
Complaint on drag racing on Broadway	244
Complaint by Mr. Crooks on house on Old Petersburg Rd.	397
Complaint by Ms. Hordynski on house on N. Burkhardt.	402
Complaints of dumping on Sen-Becker Rd.	493
Complaint on damages by a M. Martin	527
Complaint on damages by a M. Mitchell	527
Complaint of dust on N. Grove St.	534
Complaint on County Line Road	538
Complaint by Anthony Hazelwood on settlement with County	543 543

Cuts In

- | | | |
|-----|---|-----|
| 10 | Indiana Bell to cut into Old State Rd | |
| 18 | Indiana Bell to cut into Boonville-New Harmony | |
| 76 | Indiana Bell to cut into Capella Drive | |
| 112 | Indiana Bell Telephone Co to cut into Outer St. Joe. | |
| 137 | water Co - to cut into Opmeer Rd, Spring Valley & Autumnwood way | |
| 149 | Raymond Steinkuhl - to cut into St Joe Ave | 156 |
| 159 | Indiana Bell to cut into Outer St Joe + Old State Rd | |
| 159 | water Co. to cut into Mesker Pk Dr., Schutte Rd. + Mahlenholz St. | |
| 159 | water Co to cut into Aspen Drive + Forest Glen | |
| 169 | Problems on road cuts | |
| 170 | Ind. Bell Telephone Co. to cut into Resner Rd. | |
| 181 | water Co. to cut into 7652 Old Boonville Hwy. | |
| 187 | Request by Mr Steinkuhl to cut across St. Joe ave | |
| 216 | Boring under roads for Tap Ins - Green Constr. Co. | |
| 218 | water Co. to make cut in Mesker Pk Dr. matter held up. | |
| 228 | water Co. to cut into 4225 Mesker Pk Dr. | |
| 229 | Telephone Co. to cut into Petersburg Rd. south of SE Browning | |
| 229 | Telephone Co. to make under pavement cut into Orchard Rd. | |
| 246 | Ind Bell Co to do push job under Kiatzville Rd. | |
| 259 | water Dept cuts that were held, approved. | |
| 260 | water Co requests to cut into Little Schaefer Rd. | |
| 260 | Telephone Co requests to cut into Bayou Creek Rd. | |
| 270 | Emergency cut on Detroit Rd. approved | |
| 270 | water Co requests to cut into Rosenburger | |
| 270 | Comments on problem of cuts made by water Dept. | |
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| 293 | water Co requests to make shoulder cut on Meadow Drive | |
| 326 | Telephone Co requests to cut into Fisher Rd | |
| 333 | Indiana Bell requests to cut under Outer Harmony way | |
| 333 | water Co requests to cut into Keenland Blvd. | |
| 345 | water Co requests to make shoulder cuts in Saratoga + Old State Court | |
| 366 | Ind. Bell Telephone Co requests to cut - push on outer St. Joe | |
| 379 | Ind Bell requests permission to cut into Buente Rd,
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| 127 | Comments made by Mr. Liebeking on Road School |
| 153 | Comment on rules of carrying drinks into building. |
| 204 | Comment on Highway Contractual account |
| 215 | Comments on use of Law Library |
| 270 | Comment on problems of cuts made by water Co. |
| 320 | Comments on truck traffic on Kuebler Rd |
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| 539 | Easement for R/w accepted on Kansas Rd |
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| 480 | Cert. of Ins. on Larry Aiken - Nutcracker Ballet at Auditorium |
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467	Report of Clerk of Circuit Court & Pleasantview Rest Home for Sept 1976.
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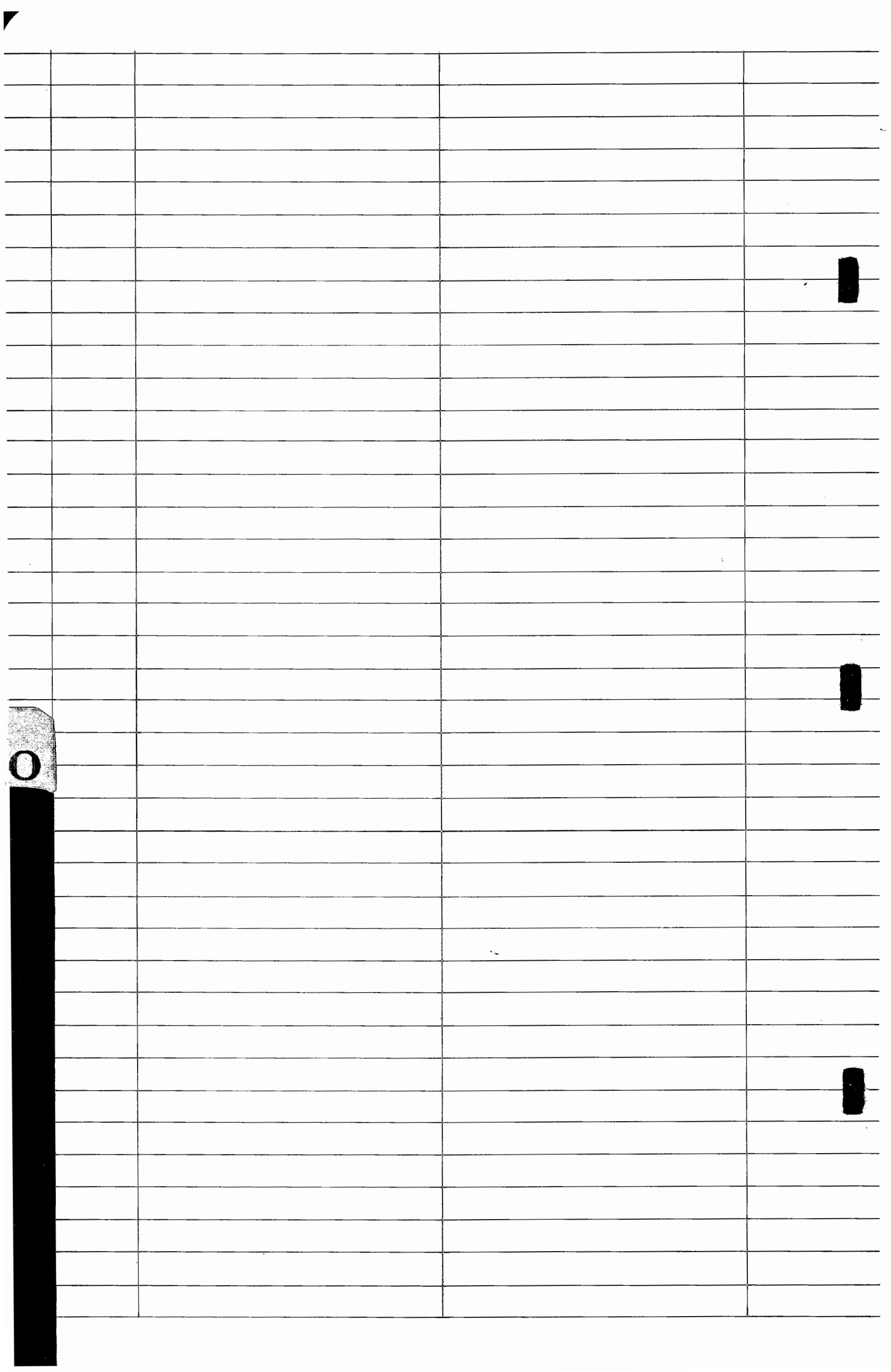
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| 232 | Outstanding disabled veteran of the year named. |
| 234 | Order of Garnishment Safeway Finance vs Sam Robinson Jr |
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- 99 Precinct Boundaries changed. (combined)
- 107 Problem of traffic on Kasson Rd.
- 108 Problem of money for Co Engineer when we have none.
- 109 Problems on Volkman Rd & Reis Ave
- 121 Problem of Mr. Niederhaus with Gas Company
- 125 Problem of Mrs. Behme's property on Spry Rd.
- 128 Problem of trash on roads
- 227 Problem of glass at Auditorium for safety.
- 244 Problem of floodlight of Oil Refinery on Dixie Hwy to light
- 246 Pavement sinking at bridge on Boonville - New Harmony
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- 254 Petition for repair of Elm & Woods ave.
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- 458 Permission granted for people to live in Behme Hosp ⁴⁵⁸ bldg.
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271	Charles Kratzer - 1630 E. Franklin - Pigeon	
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562	Michael Moore - 417 John St. - P. 562	
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| 526 | Question on unsold county surplus beds. |
| 568 | Question on authority of Commissioners - money request matters |
| 575 | Question on organizational meeting of Commissioners for 1977 |

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- 244 Lipie Flyer Expressway - dangerous intersection - 259
- 244 Oak Hill Deteriorating - needs sealer
- 245 Baseline Road bad - school bus won't travel it
- 245 Green River Rd to be closed for approximately 6 wks.
- 261 Wright Drive - Tom Savage wants to move the road
- 262 Evergreen Acres - drainage problems - 269 - app - 464
- 268 Hobart & St. Joe Ave. intersection needs work done
- 269 Setroy Rd - water leaks found
- 269 Larch Lane - water problem
- 271 Road plans submitted on Orchard Hgts & St. Joe Village
- 282 Boonville - New Harmony Rd & Hwy 65 - work needs done
- 282 Baseline Rd & Old Princeton Rd. - need signs
- 283 Westchester & Whitman St. - storm sewers backing up
- 283 St. Joe Ave - water standing in ditch
- 284 Wumberg Rd & Lincoln Ave.
- 304 Access road off Old Boonville Hwy accepted for maintenance (Mimsa La.)
- 306 Franklin Street to be closed to repair bridge
- 318 St Joe Ave. project forthcoming
- 321 Anthony's Drive accepted by County
- 325 Roads & Streets - Discussion of Repair - 344
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- 366 Kingland Blvd - Plans for storm sewer
- 375 Industrial Park subdivision to construct access Road
- 387 Heckel & Heerdink Lane - need culverts
- 388 Intersection of Boonville - New Harmony Rd & Hwy 65
- 398 Allens Lane closed by RR for repairs
- 398 St Joe Road - problems with barricades
- 398 Kern & Laurel Rd - work to get under way - 411
- 398 Intersection of Boonville - New Harmony & Hwy 65 - banks to be cut
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- 409 Problem of property on N. Burkhardt Rd
- 409 Traffic problem on Old State Road.
- 410 Laurel & Kern Rds. - job well done - 411
- 413 Whetstone Rd & Hwy 57 - Comments also on McClatchamville
- 413 Old Henderson Rd. discussed
- 420 Felstead Road - drainage problems.
- 421 Lanbecher Hgts. subdivision
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- 228 R+S application re-submitted for \$12,500 - R+S for St. R. Rd. extension
- 265 Rates raised by Brinks for Treasurers office
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- 438 Report that house at Breckin Camp be leased to Administrator
- 438 Report from Traffic Director Parking Restrictions on St. Joe
- 438 absentee Report for Co Hwy Dept submitted week ending 9/29/76
- 447 absentee Report for Co Hwy Dept submitted for week ending 9/27/76
- 447 Grievance Report filed by James Allen.
- 461 Report by Mr. Judd on signs on Kissel Rd.
- 461 absentee Report of Co Hwy employees for week ending 10/4/76
- 462 Railroad crossings will be repaired.
- 462 Grievance Report on Co Hwy. Employee - James Allen
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- 187 absentee Report of Co Hwy employees - week ending 4/12/76
- 196 absentee Report of Co. Hwy Dept employees - week ending 4/19/76
- 196 Report by Mr Liebekerg on repairing stretch of St Joe
- 197 Report on Coliseum - since they have worked on it
- 202 Ronald Reagan to campaign here - 1976 election 203
- 213 Report by Jack Barnes on strip mining
- 216 Report by Mr. Brooks on home being sold on Spy Rd.
- 216 Report of Absentees at Co Garage - week end 5/3/76
- 227 Absentee Report of Co. Hwy employees - week ending 5/10/76
- 232 annual Report of Comm to State Superintendent of Public Insts.
- 243 Report on Construction work on Hirsch property
- 244 Absentee Report on Co. Hwy Employees - week ending 5/17/76
- 255 General Revenue Sharing Planned Use Report
- 258 Report by Mr Hotz on glass windows at Auditorium
- 259 absentee Report of Co Hwy Employees - week ending 5/24/76
- 268 absentee Report of Co Hwy Emps - week ending 6/1/76
- 282 Report by Mr Hotz on Frank Arnold not tearing down building
- 283 Absentee Report on Co Hwy Emps - week ending 6/7/76
- 304 by Mr Crooks on Mr Barrett's property not being repaired
- 304 absentee Report of Co. Hwy Employees for week ending 6/24/76
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- 320 Report of collections on Gross Income taxes ending 6/30/76
- 325 absentee Report of Co. Hwy. Dept - week ending 7/5/76
- 330 Report on TB Patients at Good Samaritan Hosp.
- 332 absentee Report on employees of Co. Hwy. Dept - week ending 7/12/76
- 344 absentee Report on employees of Co. Hwy Dept ending 7/19/76
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- 379 Report by Mr Hotz on surplus items not sold
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- 398 absentee report of Co Hwy Dept - week ending 8/23/76
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- 402 Report submitted by Mr Stahl - Statistical Report.
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186	Request from Volunteer Action to go before Council for 3,000.	
187	Request for guard rails at St Joe Ind. Church	
196	Request of Mr. Trillinghausen to purchase property.	
212	Request to delay action on Inc. at Auditorium by Katie Appuhn	
222	Request for lane to be named Henry Lane.	
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254	Request for phone hook-up from Judge Swain.	
256	Request of flight time to be charged by Co. attorney	
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286	Amoco Requests permission to bore under roads.	
289	Request for access road off Old Boomville Hwy to be County maintained	
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304	Request for access Rd (Mimosa La) to be accepted for maintenance only	
305	Request for reconstruction of roads referred to City	
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318	Request by Mr. Siebeking to get figures on needed machinery	
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382	Request for mileage by Shirley Cox, Co Clerk	
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35	So. Ind Gas & Electric Co. A to M2	35
35-36	Charles W. Riggs A+R1 to C-1B	35
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 160 Resolution on Office Hours of 8 to 5 for Co. employees.
 415 Resolution approved on United way.
 Resolution opposing passage

Rezoning

- 387 Victor J & Helen Baumgart - A to R3 - apt. Complex 452

- 473 Roads being torn up by trucks -
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- 332 Kuebler Rd - problem of trucks
 418 Old State Rd - Traffic Problem
 418 Murrenbern & Red Bank - sign installed
 419 Green River Rd & Oak Hill Rd - disintegrated in case of
 419 Green River Rd - ditches & culvert taken care of - 420
 420 Old Petersburg Rd - needs cleaned up.
 420 Murrenbern Rd - Preliminary Plans - R/w buyer named - ⁴⁶¹448
 427 Laubscher Hgts. Sub accepted by County for maintenance
 427 Brownville - New Harmony Rd. - to be paved by Rudolph Const. Co.
 438 Heerdink Lane - R/w papers to be signed
 439 Evergreen Acres - Plans approved for Section M
 447 Red Bank & West Haven signs checked & Kissel Rd signs
 447 Baumgart & Heinlein - work finished but need guard rails
 508 457 Outer Lincoln Avenue - Warwick Co & Vand Co speed not same ⁴⁷⁸⁻⁴⁸⁶473
 462 Heinlein Rd to be looked at - needs repaired
 463 Vernonwood Pl. & Vernonwood Cid - R/w in question
 464 Outer St Joe being paved. needs striped - 473
 472 Peck Road needs speed limit signs.

S

Rezoning Petitions - Con'd:

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Lautscher Hgts. Subdivision	427
Evergreen Heights #2 accepted for maintenance	449
Vernonwood Court accepted for maintenance	475
Cliftwood St. accepted for maintenance	475
Heerdunks Lane accepted by Co. for maintenance	500
Roads in Browning Road Estates accepted by County	508
Valley Downs #1 Subdivision accepted	528
Village Acres Subdivision Section A accepted	528
Ridgeway St & Ext of woodland Lane #30	539
Barberry Lane accepted - Amendment # 31	539
Strawberry Hill Drive accepted by County	580
Section K & Min Evergreen Acres accepted	580

- 75 Status on Federal Court Suit on Ordinance of Massage Parlors
114 Statement of understanding between Vond Co + Red Cross
224 Strip mining Ordinance discussed. -235, 251
259 Speed limit set on Broadway
324 Surplus equipment to be sold at Auditorium
336 Saint Joseph Church intersection - property - clearing of dead need
362 Sale of surplus equipment - Auction - checker submitted
366 Storm sewers discussed
377 Sale date set at Pleasantview for surplus Co property
410 Signs need to be posted on Nuremberg + Red Bank
425 Sale of Co surplus items discussed.
427 Statute that grants Surveyor authority to establish flood limits.
437 Statement made by Lorn Schoad + Assenbergeron refusing raise in pay.
479 Statement of Assurance signed for Revenue Sharing
528 Street plans approved for Bohannon E states

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U

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V

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	vanderburgh Co. title II slot Extensions - letter	489

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420 water & Sewer Dept's to be billed on cuts

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X

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Y

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Z

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COUNTY COMMISSIONERS MEETING
JANUARY 1, 1976

The meeting of the County Commissioners was held on Thursday, January 1, 1976, at 9:00 a.m. in the Commissioners Hearing Room.

The meeting was opened by Deputy Sheriff Dan Hape, this being the first meeting of the month.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

At this time, Commissioner Ossenberg stepped down as President and asked Mr. Schaad to take over the meeting for the election of officers.

RE: ELECTION OF PRESIDENT

Mr. Ossenberg nominated Mr. Schaad as President of the County Commissioners for the year of 1976. Mr. Schaad seconded the motion. So ordered by consent.

RE: ELECTION OF VICE PRESIDENT

Mr. Schaad nominated Mr. Ossenberg as Vice President of the County Commissioners for the year of 1976. Commissioner Ossenberg seconded the motion. So ordered by consent.

RE: APPOINTMENTS FOR 1976

COUNTY COMMISSIONERS

1st. District - Thomas L. Ossenberg
2nd. District - Robert L. Willner
3rd. District - Robert Schaad

EXECUTIVE ASSISTANT

Marsha Smith

COUNTY ATTORNEYS

Thomas M. Swain
Paul Wendel

AUDITORIUM

Doyle Dressback

COUNTY JAIL PHYSICIAN

Santi Vibul, M.D.

AREA PLAN COMMISSION

Robert L. Willner

LAW LIBRARY

Doris Gaiser

PLEASANTVIEW REST HOME

Jack Harness

SOIL CONSERVATION CLERK

Anna Lee Niethammer

COUNTY BUILDING SUP'T.

Herman T. Hotz

COUNTY HIGHWAY SUP'T.

Jack Seibeking

VETERAN'S SERVICE OFFICER

Robert Moran

BURDETTE PARK BOARD

Thomas L. Ossenberg

LICENSE EXAMINING BOARD

Thomas L. Ossenberg

INSURANCE

Agent of Record for Health Insurance:
Robert Barthel

Agent of Record for Life Insurance:
Jerry Dauble

ALL OTHER INSURANCE

Hahn & Becker
Torian Agency

PART TIME SECRETARY TO CO. COMMISSIONERS

Susan K. Norman

COUNTY COUNCILMEN

Daniel C. Kollker
Robert Lutz
Irene Mooney

Otto Niethammer
Wendell Lensing
Tommy A. Hobdy

RE: EMPLOYEES FOR 1976AUDITOR

Curt John
 Alice McBride
 Dona Reheman
 Lucille Musgrave
 Peggy Powless
 Gloria Evans
 Letty Freihaut
 Sylvia Williams
 Margie Meeks
 Janice Decker
 Jean Wilkey
 Mildred Fuquay
 Martha Schenk
 Georgia Benson
 Dorothy Wilson
 Janice Jackson
 Beverly Nance
 Lily LeBlanc
 Martha Calkin
 Lucille Elliott
 Virginia Landers
 Marian Ellsperman
 Helene Sprinkles
 Bette Carrigan
 Delores Gugin
 Connie Skinner
 Janet Zeller

LEGAL AID

R. Stephen LaPlante
 Thomas H. Barefoot
 Patricia Ross
 Margaret S. Ruedlinger

SUP'T. OF CO. BUILDINGS

Herman T. Hotz
 Alvin H. Jones
 Bennie Gossar
 James K. Shaffer

CLERK OF THE CIRCUIT COURT

Shirley Jean Cox
 Helen L. Kuebler
 Linda M. Delano
 Nancy Kleiman
 Florence Hess
 Joyce Fields
 Imogene Haney
 Jane Steber
 Barbara Bruner
 Doris Cato
 Jean Schaefer
 Rose Smith
 Velma Knight
 Grace Wohlhueter
 Barbara Thayer
 Sharon Taylor
 Deborah Hunter
 Beatrice Phillips
 Jennifer Bright
 Carol Nicholas
 Sylvia Schnerr
 Jacqueline Trail
 Judy Stucki
 Jean Hammond
 Janet Edwards
 Donna Dugan

TREASURER

Florence Bruck
 Mary Schimmel
 Elsie Fae Shirley
 Carolyn Seib
 Sylvia Reutter
 Constance Laubscher
 Etta Mae Mueller
 Marjorie Keeney
 Lucille Vestingmeier
 Suzanne Demsey
 Helen Middleton
 Matilda Vance
 Barbara Hedges
 Harriett Higdon
 Katharine Harker
 Virginia Seybold
 Betty Burton
 C. Glenn Meeker

CO-OP EXTENSION SERVICE

Jane E. Heramb
 Janice Breiner
 Allen E. Boger
 Betty M. Bumb
 Anna J. Reine
 Elizabeth Rapp

PART TIME

Rosemary Coley
 Rosalie Mesker
 Joyce McCutchan
 Marilyn Statz

CLERK - CON'T.

Cynthia Nonweiler
 Kathy Stonestreet
 Thelma Raley
 Patricia Patton
 Dprtha Buente
 Dorraine Dean
 Sharon Owen
 Bertha Greubel
 Ruth Porter

SURVEYOR

Richard G. Nussmeyer
 Kenneth M. Ludwick
 Danny Kares
 Curran Bridges
 Gary Gullledge
 Lloyd Rittenour
 Marvin Karch
 Gene Kautzman
 David W. Brown
 Charles Davis
 Thomas Reisinger
 Dan M. Schmidt
 Lillian Tibbals
 Daniel G. Hartman
 Dave Guillaume
 Alvin Paul
 John Singer

COUNTY HIGHWAY DEPT.

Jack Seibeking
 Jerry Linzy
 William C. Korff

PLEASANTVIEW REST HOME

Jack K. Harness
 Helen B. Harness
 Phyllis Butler
 Brenda Limberger
 Bonnie Goodge
 Edwin Zenthoefer
 Dr. Robert Walter
 Dixie Lunkenheimer
 Betty Guinn
 Reuben Bell
 Landis Mead
 Tillie Mancini
 Sheryl Lunkenheimer
 Gladys Lane
 Mary Alvis
 Lee Bracken
 Mae Cobb
 Marilyn Johnson
 Linda Swope
 Rosie Jost
 Lois VanWay
 Mary Ann Cobb
 Jearldeen Whitledge
 Mary Jackson
 Geneva Sweeney
 Dorothy Hoover
 Willare Hughes

RECORDER

Clyde "Buddy" Cole, Jr.
 Louis H. Grewe
 June J. Cosgrove
 Aline M. Payne
 Connie Sue Terry
 Regina M. Cole
 Debra Sue Schroeder
 Sally A. Ziccardi

COUNTY HIGHWAY DEPT. CON'T.

Gilbert D. Harris
 Ella Mae Sheets
 Virginia K. Hobbs
 Linda P. Jones
 Clarence Rueger
 Robert White
 Thomas Schmitz
 Barry LeVine
 Harry Woods
 Philip Adcock
 Donald Gartner
 William Hilliard
 Mark Krueger
 Dennis Merideth
 Larry Babbs
 Charles Kelsie
 Urban H. Kahre
 James Bell
 George Cummings
 Albert Gartner
 Tony Harvey
 Albert Knarian
 Roger Kissel
 Harold Steckler
 Paul D. Liggett
 Allen Brigham
 James Caldwell
 Joseph Folz
 James Howell

COUNTY HIGHWAY DEPT. CON'T.

Clayton Jenkins
 Sam Robinson
 Michael O'Brien
 Walter Swope
 Orbie R. Davis
 William Martin
 Wallace Plunkett
 Charles E. Smith
 Homer Ray
 Monroe Mullen
 Victor Bryant

PROSECUTING ATTORNEYS OFFICE

William J. Brune
 J. Douglas Knight
 Carl Heldt
 Jerry Atkinson
 Roy A. Tyler
 Ronald J. Freson
 Kenneth W. Macke
 Stephen Bohleber
 Michael J. Hayden
 David Zengler
 David M. Shaw
 Dorathea M. MacGregor
 Deborah Marshall
 R. Stephen Barron
 Christy Reiter
 Mary Laugel
 Sue Vance
 LaTosha Pitt
 Mabel Winkler
 Mark R. Owen

BURDETTE PARK

Robert H. Hertzberger
 Henry H. Dersch
 William E. Stanley
 Shirley J. Hape
 Emily Fowler
 Donald Henry
 Scott Brinkley
 Charles Hertzberger
 James Evans
 William Wells
 Gregory Smith
 Harold Babbs
 Lawrence Ellington
 Katoya Ellington
 Sherry Brooks
 Larry Jones
 Bruce Wright
 Mary Jane Little
 Barbara Hertzberger
 Deryl Blackburn
COUNTY ASSESSOR

James L. Angermeier
 Mary L. Garrison
 Thomas M. Lindsey
 Monica E. Mindrup
 Madge Bunker
 Zreeta Hardin
 Meraloyd Stansberry
 Cheryl Lawrence

PIGEON TWP. ASSESSOR

Robert T. Dorsey
 Estella Moss
 Jerome R. Zeller
 Mary D. Williamson
 Judith Stricker
 Paula Hardenbrook

KNIGHT TWP. ASSESSOR

Roman F. Gehlhausen
 Maxine F. Ginger
 James L. Kornblum
 Roberta Burkhardt
 Patricia Schlachter
 Louise Gunther

PIGEON TWP. TRUSTEE

Robert M. Morrison
 Ole J. Olsen
 Raymone J. Wilm
 Edward A. Brunck
 Lester W. Wharton
 Rachel J. Altheide
 Robert E. Olsen
 Ruth E. Anslinger
 Myrtle Bowling
 Cova Harrison
 Estel Ragsdale
 Margaret H. Sallee
 Phyllis Vititoe
 Nancy Walters
 Ethel Bryant
 Bettye Duggins
 Mary L. Lockett
 Modesta Harl
 Judith Diekhoff
 Mary J. Gies
 Marilyn Baggett

KNIGHT TWP. TRUSTEE

Mary E. Mueller
 Albion I. Burch
 Dorothy Alsop

CENTER TWP. TRUSTEE

Wilbur J. Schmitt
 Viola Winiger
 Mildred Derrington
 Georgiann Schmitt
 Victor Ahrens
 Richard Eykamp
 Thomas Shetler
 Edward Wessel

PERRY TWP. TRUSTEE

Norman "Red" Mosby
 Betty J. Boyd
 Betty J. Hempfling
 Marcella Strange

SHERIFF'S DEPARTMENT

James A. DeGroote
 James H. Wallace Sr.
 Charlie Gibbs
 Richard H. O'Risky
 Michael Cr addock
 Kenneth Collins
 James E. Allen
 Soney Banks
 Terry Hayes
 Gary Kassel
 John Lancaster
 Earl Russell
 Clifford Trainer, Jr.
 Jimmie Tucker
 S. Lee West
 Thomas Brandsasse
 William Droll
 Robert Etheridge
 James Fravel
 Stanley Garrett
 Marlin Beck
 Robert Beckham
 Otis Bell
 Richare Bennett
 Paul Bice
 James Brinkman
 Merrill Carr
 Gary Castrup
 Robert Coleman
 Clarence Cotton
 Jerry Crawford
 John Crosser
 Mary J. Davis
 Michael Daws
 Billy Denton
 Michael Forshee
 Carl Gardner
 Stephen Griggs
 Danny Hape
 Ronald Hartmann
 Keith Hocker
 Donald Humston
 Randall Korff
 Timothy Lennartz
 David Ludwig
 Mark Mabrey
 Robert Miller
 James Moers
 Stephen Moser
 James Neighbors
 Ronald Newman
 Gary O'Risky
 Kenneth Patterson
 Roy Perkins
 William Pierce
 Arella Ray
 John Reutter, Jr.
 William E. Roberts
 Lois Scruggs
 Margaret Smith
 Stephen Sparks
 Steven Schnell
 William Speicher
 Philip Strange
 Curtis Sturgeon
 Peter Swaim
 Michael Taylor

SHERIFF'S DEPT. CON'T.

Anne Therber
Robert Tribble
Joseph Winfield
William Young II
Mamie Gold
Barbara Williams
Robert M. Carl

Henry H. Dersch
Edward Lander
Thomas G. Overfield
Dwight L. Rounder
John H. Shackelford
Sandra H. Shuler
Thomas P. Rademacher

RE: HOLIDAYS FOR 1976

New Year's Day.....Thursday, January 1
Lincoln's Birthday.....Monday, February 9
Washington's Birthday.....Monday, February 16
Good Friday.....Friday, April 16
Election Day.....Tuesday, May 4
Memorial Day.....Monday, May 31
Independence Day.....Monday, July 5
Labor Day.....Monday, September 6
Columbus Day.....Monday, October 11
Election Day.....Tuesday, November 2
Veteran's Day.....Thursday, November 11
Thanksgiving.....Thursday, November 25
Christmas.....Friday, December 24

All County offices will close at noon on December 31st.

RE: EMPLOYMENT CHANGE.....RELEASE

VANDEBURGH AUDITORIUM

Charles Chrisman 2151 Holiday Lane Maint. Supt. \$8,682.00 Yr. Eff: 12/31/75

RE: NOTICE OF SUIT

A notice of suit was presented to the Commissioners that was on Beverly Ussery, which had been presented previously.
This notice was referred to the County Attorney.

President Schaad wished everyone a very Happy New Year on behalf of the Commissioners.

The meeting recessed at 9:12 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberg

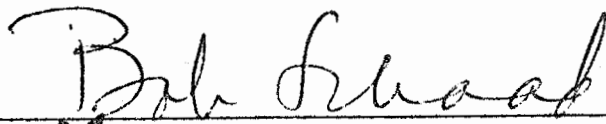
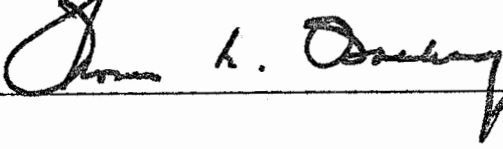
COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

BOARD OF COUNTY COMMISSIONERS

5

COUNTY COMMISSIONERS MEETING
JANUARY 5, 1976

The meeting of the County Commissioners was held on Monday, January 5, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The approval of the minutes for the meeting of January 1 will be held in abeyance until January 12, 1976.

RE: COUNTY OWNED SURPLUS PROPERTY

The sale of the new listing of County-owned Surplus Property was to be held today but an error had been made, in that the parcels must be advertised four times in both newspapers, each a week apart, so the sale will be held on January 19, 1976.

A gentleman appeared and said he was interested in code #24-19-12 which is located at 612 E. Sycamore Street, thinking the sale was today.

Former County Attorney Stephens checked the law and found that surplus property must be advertised the four times so the advertising dates were changed and since he is no longer County Attorney, the County Commissioners weren't informed of this.

County Attorney Swain told the gentleman, that in order to protect his interest in the parcel, he should again appear on January 19th.

There were no other bidders today on the parcels that are presently for sale. The bidding will remain open and the sale will continue.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PLEASANTVIEW REST HOME

Anna L. Fyffe	Hwy 41 North	Aide	\$2.30 Hr.	Eff: 1/5/76
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BURDETTE PARK

C.E.T.A. Willie J. Wisdom	904 Line St.	Ground Crew	\$2.30 Hr.	Eff: 1/5/76
C.E.T.A. John W. Hill	1715 Grand Ave.	Ground Crew	\$2.30 Hr.	Eff: 1/5/76
C.E.T.A. Roy Pointer	210 Oakley St.	Ground Crew	\$2.30 Hr.	Eff: 1/5/76
C.E.T.A. David G. White	1931 S. Bosse	Ground Crew	\$2.30 Hr.	Eff: 1/5/76
C.E.T.A. William Jennings	2804 Madison	Ground Crew	\$2.30 Hr.	Eff: 1/5/76
C.E.T.A. Edward R. Jones	60 Herndon	Ground Crew	\$2.30 Hr.	Eff: 1/5/76
C.E.T.A. Bryan S. Wells	363 S. Craig	Ground Crew	\$2.30 Hr.	Eff: 1/5/76
C.E.T.A. Charles L. Newton	R.2 Old Hend. Rd	Ground Crew	\$2.30 Hr.	Eff: 1/5/76
Pat Murphy	7409 Pine Ridge	Security	\$2.00 Hr.	Eff: 1/1/76
C.E.T.A. William Mangum	Garvin Pk. Apt. 2357	Ground Crew	\$2.30 Hr.	Eff: 1/5/76

HIGHWAY DEPARTMENT

Barry Levine	1127 Lincoln Ave.	Truck Driver	\$4.05 Hr.	Eff: 1/2/76
Harry Woods	2425 W. Indiana	Laborer	\$3.947 Hr.	Eff: 1/2/76
Larry Phillips	1905 S. New York	Dog Catcher-Driver	\$4.05 Hr.	Eff: 1/2/76
Arthur L. Berry	828 Bellemeade	Dog Catcher	\$3.947 Hr.	Eff: 1/2/76
Albert E. Knarian	1512 W. Florida	Night & Grease Man	\$4.21 Hr.	Eff: 1/2/76
Urban Kahre	11113 Darmstadt Rd.	Gas Man	\$3.95 Hr.	Eff: 1/2/76
Victor Bryant	1558 Maxwell Ave.	Tool Crib Man	\$3.95 Hr.	Eff: 1/2/76
Russell C. Schroeder	10024 Upper Mt. Vernon	Laborer	\$3.95 Hr.	Eff: 1/2/76
Walter Swope	6016 Rockford Dr.	Truck Driver	\$4.05 Hr.	Eff: 1/5/76
Mark K. Krueger	2708-B Rockford Dr.	Equip. Opr.	\$4.368 Hr.	Eff: 1/5/76
Gary Chamberlain	910 W. Tennessee	A.W.E.	\$3.00 Hr.	Eff: 1/5/76
Leslie Schmitt	506 Boehne Ave.	A.W.E.	\$3.00 Hr.	Eff: 1/5/76
Anthony L. Risley	208 E. Columbia	A.W.E.	\$3.00 Hr.	Eff: 1/6/76
C.E.T.A. James W. Allen	1610 Cumberland	Laborer	\$3.95 Hr.	Eff: 1/5/76
C.E.T.A. Mark Montgomery	1913 New Hampshire	Laborer	\$3.95 Hr.	Eff: 1/5/76
C.E.T.A. Eugene Follis	1416 E. Indiana	Laborer	\$3.95 Hr.	Eff: 1/5/76
C.E.T.A. Kirk Humphrey	3209 N. Red Bank	Laborer	\$3.95 Hr.	Eff: 1/5/76

RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

Henry Dersch Jr.	Burdette Park	Asst. Mgr.	\$6,583.00 Yr.	E66: 1/1/76
Pat Murphy	7409 Pine Ridge	Security	\$2.00 Hr.	E66: 1/3/76

COUNTY HIGHWAY

Barry LeVine	1127 Lincoln Ave.	Dog Catcher-Driver	\$3.73 Hr.	E66: 12/31/75
Harry Woods	2425 W. Indiana	Dog Catcher	\$3.627 Hr.	E66: 12/31/75
C.E.T.A. Larry Phillips	1905 S. New York	Laborer	\$3.627 Hr.	E66: 12/31/75
C.E.T.A. Arthur L. Berry	828 Bellemeade	Laborer	\$3.627 Hr.	E66: 12/31/75
Victor Bryant	1558 Maxwell Ave.	Janitor	\$3.63 Hr.	E66: 12/31/75
James H. Gorman	723 Jefferson	Tool Crib Man	\$3.63 Hr.	E66: 12/31/75
Fred M. Huber	2529 W. Pennsylvania	Gas Man	\$3.63 Hr.	E66: 12/31/75
Albert E. Knarian	1512 W. Florida	Equipment Opr.	\$4.048 Hr.	E66: 12/31/75
Urban Kahre	11113 Darmstadt Rd.	Truck Driver	\$3.73 Hr.	E66: 12/31/75
Russell C. Schroeder	10024 Up. Mt. Vern.	Laborer	\$3.63 Hr.	E66: 12/31/75
Walter Swope	6016 Rockford Dr.	Laborer	\$3.627 Hr.	E66: 1/2/76
Mark Krueger	2708-B W. Franklin	Truck Driver	\$3.73 Hr.	E66: 1/2/76
A.W.E. James W. Allen	1610 Cumberland	Laborer	\$3.00 Hr.	E66: 1/2/76
A.W.E. Mark A. Montgomery	1913 New Hampshire	Laborer	\$3.00 Hr.	E66: 1/2/76

RE: CIVIL RIGHTS SUIT FILED

County Attorney Swain reported that they have their first Civil Rights Suit. He said it is filed by a Mr. Bruner and a Mr. Cates who are at the Pendleton Reformatory, against Judge Newman, Judge Miller, Theodore Sendak and Jerry Riney. He said he has talked to Judge Newman about it and that he will appear for Jerry Riney, who will work something out with Judge Miller and Judge Newman. He said he thought that they would either appoint him or his firm to defend them and order it paid when the time comes.

RE REQUEST TO MAKE CHANGES IN JAIL

Deputy Sheriff Collins appeared and submitted the following letter of request:

Dear Sirs:

I am requesting the removal of metal bunks and a portion of cell bars from a cell block known as 10-B.

A drink machine used to store milk and soft drinks for jail inmates commissary, that is now in the inmates personal property room, will be moved there to enlarge the inmates personal property storage. The bars need to be removed to permit entry for the drink machines.

Thanking you for your prompt attention in this matter, I remain,

Sincerely yours, Lt. Kenneth R. Collins, Jail Commander

Mr. Collins said they have no estimates and that they have no money in their account for this remodeling to be done and that he would like to do the work himself, since no materials are involved.

Commissioner Schaad said that if the Building Authority agrees to let them do the work themselves, he thought it would be okay for them to do it.

County Attorney Swain said that the Sheriff should work it out with Gil Ruston and if this can be done he didn't see any reason for the Commissioners to object to it, however, that the Commissioners should give them permission, stating that the Sheriff must work it out with Gil Ruston, because of the liability.

Commissioner Ossenberg moved that it be approved and that it be pursued with Gil Ruston to see if the Sheriff's Department can do it or if Gil has to do it, subject to the approval of County Council if any money is involved.

A copy of this letter will be sent to Mr. Ruston.

Commissioner Schaad seconded the motion. So ordered.

RE: TELEPHONE REQUEST

A request was received from the Small Claims Court, as follows:

Gentlemen:

On behalf of the Superior Court we would like to request that there be installed

in the Small Claims Court a total of five (5) telephones with three (3) different numbers.

The phone located in the Judge's office would have the number and the remaining four (4) would have two (2) different numbers and be located in the office area.

Thanking you for your cooperation, I remain, Very truly yours,

Maurice C. O'Connor, Court Administrator

Commissioner Ossenberg said that verbal approval was given on this last week, and he moved that this request be approved. Commissioner Schaad seconded the motion. So ordered.

RE: TRAVEL REQUEST

The following letter of request was received by the Commissioners from Roman Gehlhausen:

Dear Sirs:

We would appreciate permission to travel for the following:

Roman F. Gehlhausen, Knight Township Assessor

James L. Kornblum, Deputy Knight Township

They will be traveling to Indianapolis, Indiana for the January 12th, 13th, and 14th Annual Assessors Conference.

Attached, you will find a copy of the letter advising us of the dates and amounts allowed for each person plus mileage.

Sincerely, Roman Gehlhausen, Kn. Twp. Assessor

Commissioner Ossenberg moved that permission be granted for them to travel to Indianapolis for this Conference. Commissioner Schaad seconded the motion. So ordered.

RE: DAM 48 DISCUSSION

Commissioner Schaad said he has talked to Emily Fowler, who is President of the Vanderburg County Park Board, on this matter and he understands that Bob Hertzberger also called in regard to this. He said that Deryl Blackburn has his degree from Indiana University and will be here from now on, since he said he would be able to attend every meeting, so they should be able to have a forum tonight.

He said, in regard to Dam 48 Recreation, it was previously moved and seconded in the Commissioners minutes that the County accept this property and they are to lease it at \$1.00 per year as of January 1, 1976 and he thought the Commissioners even signed the lease but held it up because of the Insurance problem.

Mrs. Smith said she would contact former County Attorney Stephens to see if the matter had been cleared up.

Commissioner Schaad said this needs to be cleared up if they are going to accept it, also that when they do take it over, there should be representatives of the County Park Board and the Corp of Engineers as well, to look at the property to see what condition it is in and maybe even take pictures because he understands they can cancel the lease within a 30 day notice and the understanding is that if they do this, the property is to be returned to them in at least as good a condition as it was when the County gets in and he wants them all to agree on it's condition.

He said if the Insurance has been taken care of, the lease will be mailed to the Corp. of Engineers. A copy was also given to County Attorney Swain so he can see what the County has to live with.

RE: CLAIMS

A claim was submitted by the City of Evansville for street lights on the East side of Green River Road, in the amount of \$2,135.00.

Commissioner Schaad said that he thought that when the City asked the County to participate in the cost and light the other side that was in the County and they would supply the poles.

Commissioner Ossenberg said that according to the State Statute, we were forced to do this.

Commissioner Schaad said they had gone to the County Council and asked them to appropriate money for this and they said they weren't going to start this because it would establish a precedent and they refused the money.

Commissioner Ossenberg said this has been his question of the County Auditor, as to what account would this be taken from.

Commissioner Schaad said that according to Burns Statute 48-3327, the County paying for street lights, he understands the County has no choice.

Commissioner Ossenberg said he didn't think the County Council understood this and they didn't appropriate the money so he didn't know how they were going to pay it unless the law makes them pay it.

Commissioner Schaad wondered if they could pay it out of the Contractual Account of the County Highway Garage.

County Auditor Curt John said he thought it could be paid from this Account, or else, they could go before the County Council and send them a copy of the statute and show them that, by law, they are going to have to pay it.

Commissioner Schaad said that this is probably what they should do and he asked if there were any other street lights in the County that we are paying for.

Mr. Siebeking said that we pay for the blinker lights on Oak Hill, Lynch Road, Boonville & New Harmony, St. Joe and for the dusk to dawn lights at the entrance of Burdette Park and he didn't think there was enough money in this account to pay for any more lights because it was just set up for these lights.

Commissioner Ossenberg moved that the County Auditor advertise for the Council Call of January 21st. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for the moving of Legal Aid to Room 201, Courts Building as per authority of Tom Ossenberg in letter dated 10/6/75, in the amount of \$3,737.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by County Attorney Swain for mileage to and from Indianapolis for the Indiana Association of County Attorneys, in the amount of \$33.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by Brink's Incorporated for services to the Circuit Court, by contract in the amount of \$85.80.

Commissioner Ossenberg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for remodeling Rooms 214, 211 and 207 (Law Library) in removing connector and patching carpet and furnishing two covers for supply and return ends and the repainting of all plastered walls in the amount of \$538.34.

Commissioner Ossenberg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for the remodeling of Room 218, New Court Room, for labor and material to furnish jury box and stain and varnish all mill pieces, in the amount of \$456.80.

Commissioner Ossenberg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by the Vanderburgh Soil & Water Conservation District, for 1976 Grant to the District, less the Secretary's salary of \$5,919.00. The amount of this grant for six months is \$3,627.00. The amount of the claim is \$7,254.00 which is for the full year of 1976.

Commissioner Ossenberg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for remodeling Room 106 for the Juvenile Judge in rearranging air conditioning and ventilation in rear of room 106, Judges chambers and installing new light switches and carpet in the amount of \$385.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

RE: PUBLIC HEARING SET

Commissioner Schaad made an announcement, in that tomorrow evening at 7:00 p.m. in the Vanderburgh County Civic Auditorium at 715 Locust Street, the Indiana State Highway Commission is having a Public Hearing on the I-164 Spur and they are trying to decide which of the various proposals would be the best route to take.

RE: JESSE CROOKS

Mr. Crooks said he has received a Performance Bond from P & H Construction Company for the addition to the County Garage, that County Attorney Swain has looked at it and thought it to be satisfactory.

Mr. Crooks said he has submitted a re-write of the County Building Code. He said he gave it to former County Attorney Stephens last year but they didn't quite make it in getting it passed.

County Attorney Swain said there are a lot of mistakes in the Code.

Mr. Crooks said this is a copy of the old Ordinance but needs to be re-passed because of the corrections and the fact that it needs to be consistent throughout in its terminology.

He also said that in the Bonding Section, they talk about Surety Bonds and Performance Bonds, so he thought it should be re-written, also that it should be the same in the City and in the County.

After further discussion, County Attorney Swain said he would work with Mr. Crooks on this.

RE: BILL JUDD

Commissioner Schaad said he had called Mr. Judd about street signs on Springtime but he was out at the time so he asked Mr. Judd to call August Kloke on Old Lower Mt. Vernon Road who is an interested citizen and is concerned about the problem. He said that he was told that a school bus turns around out there and that it is sort of a blind spot and he didn't know how the situation could be helped.

Mr. Judd said he would call Mr. Kloke and possibly the school to see what the problem is and what can possibly be done to help the situation.

RE: HERMAN HOTZ

Mr. Hotz said he has some information for the Officeholders and this is that in moving the desks and things, there is some equipment that the County Officeholders can use and he is under the impression that this is Township property and he doesn't know how to oblige them. He asked if the Officeholders can use the equipment.

Commissioner Ossenberrg asked if this equipment was furnished by the Building Authority and Mr. Hotz said "no".

County Attorney Wendel said that he will research this matter and see what can happen to the equipment that was owned by the J.P. Courts, what has happened to it and who can use it and report back to the Commissioners.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report of the County Garage employees for the past week.

Report received and filed.

RE: JACK SIEBEKING

Mr. Siebeking said he has a request from a person that lives out on St. Joe Avenue so he asked Mr. Judd to remain for a minute. He said it runs from Boonville-New Harmony, North, for one mile on St. Joe Avenue. He said there are hills out there and that several of the drives come out on St. Joe Avenue just over the peak of the hill and they had a bad accident out there a week ago yesterday and they were wondering if some stop signs couldn't be put out there to try and slow the traffic a little. He said all County roads have a 55 mile per hour speed limit, unless otherwise posted and they wondered if the speed limit couldn't be cut to 35 miles per hour in that area.

Mr. Judd said he would check this out and submit a recommendation on it next week.

Mr. Siebeking said he has been in conversation with the County Attorney on Seven Hills Road, East of 57, since they have a lot of problems out there and that the road is nearly all washed away again. He said there is a lawsuit involved on the ditch that was dug and that County Attorney Swain said he would check into it right away and that the road is almost impassable now and there is a school bus that comes through there and he didn't think a car could even get through there now. He said they have put a lot of rock on the road to try to keep it open for cars but it is a losing battle because every time we get a big rain, it is washed out. He thought the problem could be solved by some ditch work plus a catch basin plus a big tile under the road but he felt that those involved should share the cost. He said that the problem was created by the ditch that was dug and he thought if they shared in the cost, they could get the work done but he didn't think anything should be done until County Attorney Swain checks to see where we stand in the lawsuit so they can enter into an agreement on it with the City. This matter was continued until next week.

Mr. Siebeking said they are also working with the City on the Bridge, this morning, out on Buena Vista Road. He said that Mr. Nussmeyer and Mr. Eifler got together and he has agreed that the County will tear the Bridge out and they are going to lay some pipe in there and then the City will cover it and take care of the guard rails.

RE: RICHARD NUSSMEYER

Mr. Nussmeyer said he has heard from the L & N Railroad Co. He submitted a drawing of the new by-pass, showing the section that Penn Central is abandoning and that the L & N is taking over.

Commissioner Schaad said this isn't what the Commissioners are interested in.

Mr. Nussmeyer said he just wanted the Commissioners to see what is going on, also that Greg Server is going to try to do something about it.

RE: CUTS IN

Indiana Bell Telephone requests permission to cut into Old State Road at the intersection of Old State Road and Inglefield to bore under road to replace defective cable. This is a push job.

Commissioner Ossenbergh moved that this cut be approved. Commissioner Schaad seconded the motion. So ordered.

RE: NORTH KENTUCKY AVENUE BRIDGE

Commissioner Ossenbergh asked Mr. Nussmeyer if they had any further progress on the North Kentucky Avenue Bridge.

Mr. Nussmeyer said they are ready as far as the County is concerned but that they may need a little more money for Right of Way.

RE: LETTER CONCERNING LOCUST CREEK DITCH

A letter was received by the Commissioners from the Law Firm of Fine, Hatfield, Sparrenberger & Fine which reads as follows:

Gentlemen:

This firm represents Uncle Charlie's Sausage Co., Inc. As you probably know, client's main plant is located at the southeast corner of the intersection of St. Joseph Avenue and Locust Creek Ditch. Client advises that it has had continuing water overflow and flooding problems from this ditch. Recently, over client's objection, the city of Evansville located a land fill operation near this same ditch on the west side of St. Joseph Avenue. Client is fearful that general flooding in the area of the land fill may cause contamination of water in the ditch which may in turn back up on client's property when flooding conditions again occur in this general area. If contaminated water should back up around or into client's plant, due to sanitary regulations and requirements of the meat processing industry, client could suffer severe financial damage.

As you know, we are now approaching the time of year when flooding and water problems in this area are at their worst. For this reason, client wishes to make a written record of having called this problem to the attention of the board in the hopes that something can be accomplished before the flooding season arrives in late winter and/or early spring. Client had understood that the county had certain plans which included widening of St. Joe and the widening of the ditch and bridge

in this area which might help alleviate the situation. It is hoped that the board will take the necessary action forthwith.

Of course, in the event client is damaged as indicated above, client would seek regress in the Courts; however, it is not the desire of client to become involved in litigation which, at best, is a poor substitute for proper preventative action. Thus, is urgently requested that the Board take such action as may be necessary and proper in this area without further delay.

Very truly yours, Fine, Hatfield, Sparrenberger & Fine
Signed by James E. Marchand

Commissioner Schaad suggested that this matter be referred to Fred in the Soil and Water Conservation office.

Commissioner Ossenberg said in order to straighten this mess out, they would have to start in the area of the zoo and do the whole thing.

Commissioner Schaad said this isn't a legal drain and it isn't on the County Road Right of Way and he wondered where we enter into it.

Commissioner Ossenberg said the only way they could do anything with it would be to constitute it by putting it under a bridge program.

Commissioner Schaad wondered if it was really the responsibility of the County Commissioners.

Mr. Nussmeyer said he thought any drain was the responsibility of the County, whether it was a legal drain or not.

County Attorney Swain said he has no recommendation on this, that Locust Creek is no legal drain.

Commissioner Ossenberg said they will build St. Joe and if the water gets on it, it is going to ruin a brand new road and that they ought to start looking at it because St. Joe Avenue is due to start this year.

Mr. Nussmeyer said he thought it would be a good idea to take it from the creek up, in the contract and include as much drain as they can.

County Attorney Swain will answer the letter on this matter from the Law Firm.

RE: POLICY ON SICK LEAVE

Commissioner Schaad said that something was mentioned the other night by one of the County Council members regarding the policy on sick leave in the County and it was referred to the Commissioners. He said he has a copy of the policy for the City and it would be a good idea if they could make them pretty much the same, also they should look at the union contract they have with the County Garage. He said he has asked Mrs. Smith to look into the union contract as far as the policy is concerned and report back to the Commissioners.

County Attorney Swain said they should also look into compensatory time, as well as sick leave, because they will be granting compensatory time instead of sick leave. He said he would work with Mrs. Smith on this.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberg

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberg

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 12, 1976

The meeting of the County Commissioners was held on Monday, January 12, 1976, at 9:35 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the two previous meetings which were held on January 1 and January 5, were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

Commissioner Schaad said that the sale date for the new list of County-owned Surplus Property is set for January 19, 1976, which is next Monday.

There were no bids today on the present list of County-owned Surplus Property, so the bidding will remain open and the sale will continue.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

HIGHWAY DEPARTMENT

James R. Mattingly	Graff Road	Lead Man	\$4.21 Hr.	Eff: 1/12/76
Charles Gee	700 Rheinlander	Laborer	\$3.947 Hr.	Eff: 1/12/76

VANDEBURGH AUDITORIUM

Earl Schoenbachler	217 S. Kerth	Maintenance	\$3.33 Hr.	Eff: 1/1/76
Jessie Byers	208 Madison	Maintenance	\$2.86 Hr.	Eff: 1/1/76
Hallene Moore	436 Evans	Maintenance	\$2.86 Hr.	Eff: 1/1/76
Henry Overby	1915 S. Elliott	Parking Lot	\$2.40 Hr.	Eff: 1/1/76
Ruby Norris	1120 Lincoln	Coat Check	\$2.00 Hr.	Eff: 1/1/76
" "	"	Parking Lot	\$2.40 Hr.	" "
Phillip Roth	1009 N. Kerth	Maintenance	\$3.00 Hr.	Eff: 1/1/76
James Mitchell	825 Line St.	Maintenance	\$2.45 Hr.	Eff: 1/1/76
Anita Glover	802 Line St.	Coat Check	\$2.00 Hr.	Eff: 1/1/76
Katherine Appuhn	201 N. Lemcke	Secretary & Asst. Mgr.	\$8,682.00 Yr.	Eff: 12/31/75

CORONER'S OFFICE

Earl K. Cox	1304 S. Red Bank	Dep. Coroner	\$10,230.00 Yr.	Eff: 1/1/76
Mary K. Westfall	309 W. Maryland	Clerk	\$ 5,940.00 Yr.	Eff: 1/1/76

CENTER TOWNSHIP ASSESSOR

Alvin E. Stucki	6650 Stucki Dr.	Assessor	\$8,640.00 Yr.	Eff: 1/1/76
Shirley E. Stucki	6650 Stucki Dr.	Chief Dep.	\$6,780.00 Yr.	Eff: 1/1/76
Betty A. Bawel	1235 Laubscher	Real Estate	\$6,240.00 Yr.	Eff: 1/1/76
Sherry L. Wheeler	2918 S. Villa	First Dep.	\$6,024.00 Yr.	Eff: 1/1/76
Joyce A. Fields	7200 Sweet Gum	2nd. Dep.	\$5,970.00 Yr.	Eff: 1/1/76
Pt. Time Evelyn E. Meyer	1515 Laubscher	Office Dep.	\$15.00 Day	Eff: 1/1/76

BURDETTE PARK

Raymond Wolf	Nurrenbern Rd.	Asst. Mgr.	\$6,883.00 Yr.	Eff: 1/6/76
Scott Brinkley	201 Glenview	Security	\$2.25 Hr.	Eff: 1/7/76
A.W.E. Raymond Myers	2302 N. Heidelberg	Grounds	\$2.30 Hr.	Eff: 1/5/76
A.W.E. Tony Austin	2100 S. Alvord	Grounds	\$2.30 Hr.	Eff: 1/8/76
A.W.E. Jeffrey Smith	2100 S. Alvord	Grounds	\$2.30 Hr.	Eff: 1/8/76

JOINT DEPARTMENT OF LEGAL SERVICES

Margaret S. Ruedlinger	6731 Old State Rd.	Clerical	\$1,000.00	Eff: 1/1/76
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PROSECUTORS OFFICE

505.35.1 J. Robert Kinkle	1006 Bryan Rd.	Deputy	\$15,000.00 Yr.	Eff: 1/1/76
505.35.1 & 505.33.1 Sue G. Vance	1307 Savannah	Sec.	\$ 7,000.00 Yr.	Eff: 1/1/76
J. Douglas Knight	8521 Larch La.	Deputy	\$12,000.00 Yr.	Eff: 1/1/76
Carl A. Heldt	5612 Madison Ave.	Deputy	\$12,000.00 Yr.	Eff: 1/1/76
Roy Tyler	5820 Madison Ave.	Deputy	\$10,000.00 Yr.	Eff: 1/1/76
Mabel Winkler	7608 E. Cherry	Receptionist	\$ 5,874.00 Yr.	Eff: 1/1/76
Christy Reiter	451 S. Weinbach	Para-legal Asst.	\$ 8,500.00 Yr.	Eff: 1/1/76

PROSECUTORS APPOINTMENTS.....CON'T.

Mary Laugel	2122 W. Michigan	Para-legal Asst.	\$8,500.00 Yr.	Eff: 1/1/76
Jerry Atkinson	C/O Court Bldg.	Deputy	\$10,000.00 Yr.	Eff: 1/1/76
Kenneth W. Macke	Old Rivertown-Kelly Blvd.	Deputy	\$10,000.00 Yr.	Eff: 1/1/76
Ronald Freson	2214 Heritage	Deputy	\$10,000.00 Yr.	Eff: 1/1/76
Steven L. Bohleber	1112 S. Harlan	Deputy	\$10,000.00 Yr.	Eff: 1/1/76
Michael Hayden	6519 Whetstone	Deputy	\$ 7,500.00 Yr.	Eff: 1/1/76
David Zengler	Hwy. 261	Deputy	\$ 7,000.00 Yr.	Eff: 1/1/76
David Shaw	1112 W. Mill Rd.	Deputy	\$ 6,000.00 Yr.	Eff: 1/1/76
Doratheia MacGregor	641 Jefferson	Counsellor	\$ 8,400.00 Yr.	Eff: 1/1/76
Steve Barron	2515 W. Indiana	Counsellor	\$ 8,100.00 Yr.	Eff: 1/1/76
Deborah Marshall	1409 Harrelton Dr.	Counsellor	\$ 7,350.00 Yr.	Eff: 1/1/76
LaTosha Pitt	1119 E. Blackford	Secretary	\$ 6,500.00 Yr.	Eff: 1/1/76
Mark R. Owen	101 Court St.	Director	\$10,200.00 Yr.	Eff: 1/1/76

VANDEBURGH SUPERIOR COURT

John D. Rawlings	Judge	\$ 9,500.00 Yr.	Eff: 1/1/76
Sharon J. Boarman	Riding Bailiff	\$ 7,615.00 Yr.	Eff: 1/1/76
Mary T. Webb	Clerical Assistant	\$ 6,020.00 Yr.	Eff: 1/1/76
Francis E. Carr	Bailiff	\$ 7,615.00 Yr.	Eff: 1/1/76
Robert W. Lensing	Judge	\$ 9,500.00 Yr.	Eff: 1/1/76
Cynthia A. Ewing	Court Reporter	\$ 9,552.00 Yr.	Eff: 1/1/76
Dorothy E. Leitz	Clerical Assistant	\$ 6,020.00 Yr.	Eff: 1/1/76
Donald R. Scott	Bailiff	\$ 7,615.00 Yr.	Eff: 1/1/76
Robert S. Matthews	Misdemeanor Referee	\$ 7,500.00 Yr.	Eff: 1/1/76
Marlon H. Lowe	Misdemeanor Referee	\$ 3,000.00 Yr.	Eff: 1/1/76
Joseph Lutz III	Probation Officer	\$ 9,491.00 Yr.	Eff: 1/1/76
Virginia N. Lomax	Probation Officer	\$ 8,800.00 Yr.	Eff: 1/1/76
Robert W. Terry	Public Defender-Misdemeanor	\$ 7,104.00 Yr.	Eff: 1/1/76
Thomas Lockyear	Public Defender-Misdemeanor	\$ 7,104.00 Yr.	Eff: 1/1/76
William D. Stephens	Judge	\$ 9,500.00 Yr.	Eff: 1/1/76
Patricia A. Ross	Clerical Assistant	\$ 6,020.00 Yr.	Eff: 1/1/76
Mark C. Russler	Probation Officer	\$ 8,800.00 Yr.	Eff: 1/1/76
Joann Stevens	Court Reporter	\$ 9,552.00 Yr.	Eff: 1/1/76
Katherine Flittner	Riding Bailiff-Misdemeanor	\$ 7,615.00 Yr.	Eff: 1/1/76
Ronald R. Goebel	Probation Officer	\$ 9,800.00 Yr.	Eff: 1/1/76

CIRCUIT COURT

William H. Miller	711 S. Alvord	Judge	\$ 9,500.00 Yr.	Eff: 1/1/76
Nadine Brady	530 S. Spring	Court Reporter	\$ 9,500.00 Yr.	Eff: 1/1/76
Brenda Boyd	738 E. Powell	Clerk	\$ 3,083.00 Yr.	Eff: 1/1/76
Louise DeVoy	4915 Rolling Ridge	Bailiff	\$ 7,500.00 Yr.	Eff: 1/1/76
Roland McCraey	1123 E. Iowa St.	Bailiff	\$ 4.00 Hr.	Eff: 1/1/76
Norman Hooe	1100 W. Florida	Bailiff	\$ 4.00 Hr.	Eff: 1/1/76
Ralph Wilson	Box 60, Oakland City	Bailiff Intern	\$25.00 Wk.	Eff: 1/1/76
Robert J. Hayes	7517 Taylor Cir.	Crt. Comm.	\$ 5,000.00 Yr.	Eff: 1/1/76
John G. Bunner	821 S.E. Riverside	Pub. Def.	\$13,800.00 Yr.	Eff: 1/1/76
William F. Carr	6128 Kratzville	Investigator	\$ 8,413.00 Yr.	Eff: 1/1/76
Willard L. Walls	1556-A S. Ky. Ave.	Prob. Off.	\$10,700.00 Yr.	Eff: 1/1/76
John C. Behme	500 Greenleaf Dr.	Chief Prob. Off.	\$13,700 Yr.	Eff: 1/1/76
Robert L. Saunders	1319 Ravenswood	Prob. Off.	\$ 9,500.00 Yr.	Eff: 1/1/76
Maxine Buchanan	1214 Tree Top La.	Clerk	\$ 6,500.00 Yr.	Eff: 1/1/76
Mildred Harp	5217 Memory La.	Sec. Pub. Def.	\$ 3,180.00 Yr.	Eff: 1/1/76
John Harl	501 N. Wabash	Bail Bond Comm.	\$11,000.00 Yr.	Eff: 1/1/76
Janet McConnaughay	1681 Broadmoor	Admin. Asst. B. Bond & WR	\$1,797.52 Yr.	Eff: 1/1/76
Joseph Adams	3515 Wansford	Asst. B. Bond Comm.	\$ 8,240.00 Yr.	Eff: 1/1/76
Cynthia A. Reising	856 Vann Ave.	Typist	\$2.10 Hr.	Eff: 1/1/76

RE: EMPLOYMENT CHANGES.....RELEASESVANDEBURGH AUDITORIUM

Elvis Barnett	2607 Roosevelt Dr.	Maintenance	\$2.45 Hr.	Eff: 12/10/75
William Bell	311 Canal St.	Maintenance	\$2.45 Hr.	Eff: 12/31/75
Katherine Appugn	201 N. Lemcke	Secretary	\$5,652.00 Yr.	Eff: 12/31/75

EMPLOYMENT CHANGES.....RELEASES CON'T.

BURDETTE PARK

Scott Brinkley	201 Glenview	Grounds	\$2.25 Hr.	Eff: 1/6/76
C.E.T.A. William Mangum II	- Garvin Ph.	Grounds	\$2.30 Hr.	Eff: 1/5/76
C.E.T.A. Willie Wisdom	904 Line St.	Grounds	\$2.30 Hr.	Eff: 1/5/76
C.E.T.A. Roy Pointer	210 Oakley	Grounds	\$2.30 Hr.	Eff: 1/6/76

JOINT DEPARTMENT OF LEGAL SERVICES

Patricia Ross	837 E. Blackford	Clerical	\$ 5,336.00 Yr.	Eff: 12/31/75
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PROSECUTOR'S OFFICE

J. Robert Kinkle	1006 Bryan Rd.	Deputy	\$10,000.00 Yr.	Eff: 1/1/76
Robert W. Lensing	6112 Twickingham	Deputy	\$10,000.00 Yr.	Eff: 1/1/76
James M. Redwine	7307 E. Powell	Deputy	\$16,000.00 Yr.	Eff: 1/1/76
Sue Vance	1307 Savannah	Secretary	\$ 6,000.00 Yr.	Eff: 1/1/76
Roy A. Tyler	5820 Madison	Deputy	\$15,000.00 Yr.	Eff: 1/1/76
Katherine Miller	301 N. Barker	Receptionist	\$ 5,843.00 Yr.	Eff: 1/1/76
Christy Reiter	451 S. Weinbach	Asst. Para-legal	\$3,500.00 Yr.	Eff: 1/1/76
Mary Laugel	2122 W. Michigan	Asst. Para-legal	\$3,500.00 Yr.	Eff: 1/1/76

VANDEBURGH SUPERIOR COURT

Joann Stevens	Riding Bailiff	\$ 7,314.00 Yr.	Eff: 1/1/76
Katherine Flittner	Clerical Assistant	\$ 5,833.72 Yr.	Eff: 1/1/76
Ronald R. Goebel	Juvenile Probation Officer	\$ 9,190.00 Yr.	Eff: 1/1/76

RE: MONTHLY REPORT

The Report of the Pleasantview Rest Home was submitted for the month of December, 1975.
Report received and filed.

RE: REQUEST TO USE RIGHT OF WAY

Mr. Raymond J. Weber appeared before the Commissioners and requested that he be permitted to use some right of way. He said he has 13 acres on Peerless Road, with a subdivision on either side where the 30 foot of right of way at the end of each of them come to his ground and he would like to get permission to use the right of way on the south part of it to get access to the back half of his ground since he is thinking about selling some of his property since he has no use for it and he would like the right of way at the end of Syls Drive, West so he could build a road to get access to his ground.

Mr. Nussmeyer said he can't see anything wrong with this as long as the County doesn't get stuck with the maintenance of it.

Mr. Ludwick said this matter was brought up before the Commissioners about two months ago and at that time, Mr. Weber asked about extending the road on Huckleberry Lane but since that time, he has changed his mind so he asked Mr. Weber to come back and go through the process again so everyone would understand what he was referring to. He explained that the right of way was deeded to the County and there is a 30 foot wide easement for roadway purposes and Mr. Weber is asking for the use of this 30 feet.

Commissioner Willner said if this is right of way that was deeded to the County, no one can stop Mr. Weber from using it, even though the County hasn't accepted it.

Commissioner Schaad suggested that if Mr. Weber does put in the road, that he try to get what more ground it takes and build it in accordance with the County standards if he plans on subdividing it.
The ground in question is at the end of Syls Drive, West.

RE: REQUEST FOR RELOCATION OF TELEPHONE

The following request for the relocation of phone #5443 was received from the Health Department:

COUNTY COUNCIL

Paul Ahrens

1032 E. Columbia

424-0654

~~Tom Hobdy~~

~~3404 Oak Hill Road~~

~~479-0492~~

~~47711~~

Daniel C. Kollker

705 S. Burkhardt

476-9575

47715

~~F. Wendell Lensing~~

~~5306 Cunningham~~

~~477-8886~~

~~47711~~

Robert Lutz

1701 Rollets Lane

423-2296

47712

William Taylor

1022 Keller

424-5294

47710

Irene Mooney

560 S. Kelsey

476-4377

47714

Otto Niethammer

13600 Old State Rd.

867-2682

47711

Harold Buck
1219 Autumn
422-7722

Robertson

27.25

40

—

at Special Drawing

2

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The Nursing Division requests the relocation of phone #5443 due to the recent relocation of the nurses desks to more private areas and #5443 has been left in the open area with no one stationed nearby. Mr. House says charge would be \$28.00.

Bernice King, R.N., Nursing Division, Health Dept.
Arnold W. Brockmole, M.D.

Commissioner Ossenberg moved that this request be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR CHANGE OF TELEPHONE JACK

A request was received from the Department of Public Welfare which reads as follows:

Due to a re-arrangement of our office we request a change of the telephone jack at Hillcrest-Washington Home.

Thank you,

Sincerely, Denzil Reed
Superintendent of Hillcrest-Washington Home

Commissioner Ossenberg moved that this request be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Torian Agency Inc. for General Fund-Insurance, BND 189 67 16 - Public Employees Blanket Bond - Treasurer's Office in the amount of \$469.00 and BND 174 91 94 - Recorder's Office in the amount of \$63.00, making the total of the claim to be \$532.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency for General Fund-Insurance as follows:

BND 189 67 28 - Frank H. Tilford - County Treasurer at \$625.00

BND 189 67 30 - Herman T. Combs - County Coroner at \$20.00

BND 189 67 31 - Earl K. Cox - Deputy Coroner at \$20.00

BND 189 67 33 - Louis H. Grewe - Asst. Co. Recorder at \$20.00

BND 189 67 32 - Clyde "Buddy" Cole - Co. Recorder at \$20.00

The total amount of the claim is \$705.00

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Southwestern Indiana Mental Health Center Inc. for Acct. 506-130-543.1 for the first half payment of 50% which is Vanderburgh County's share of operational expenses for the Southwestern Indiana Mental Health Center for 1976 in accordance with IC 1971 16-16-1. This agreement is by contract. The amount of the claim for the first six months of 1976 is \$70,733.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Southwestern Indiana and Kentucky Regional Council of Governments for the first half of 1976 appropriation for the operation of the agency. January 1, 1976 through June 30, 1976 at \$11,728.50, less six months rent at \$875.00 per month, making the amount of this claim to be \$6,478.50.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for Room 218 - Courts Building, for the furnishing and installations of Spectator Seats, Jury Seats and coat racks in the amount of \$7,528.65.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Monarch Insurance Agency, Inc. for Public Employees Blanket Bond... Bond # 10 061 391 of the Indiana Insurance Company in the amount of \$50,000 - Faithful Performance Blanket Bond Coverage at \$626.00 for the period of one year from 1/1/76 to 1/1/77 for the Clerk of Vanderburgh County Circuit Court less credit of \$440.00, making the amount of the claim to be \$186.00.

Commissioner Schaad explained that there were several people that were under a Blanket Bond and not everyone was included so now we are given credit for those people and everyone is included in the Blanket Bond.

Commissioner Ossenberg moved that the claim in the amount of \$186.00 be approved. Commissioner Willner seconded the motion. So ordered.

RE: MEETING SET

Commissioner Schaad announced that there will be a meeting tomorrow evening at 7:00 p.m. in the Commissioners Hearing Room to air some of the problems on the Dam 48 Recreation Program.

He said it seemed that the Commissioners came by this thing rather easily on their part and the citizens were active in it, also that the County was offered a lease on it for \$1.00 per year but it seems that there are a lot of problems with it and he thought it would be best to hear them all and air it.

He said the meeting will be called for the attendance of the County Park Board, The Citizens Advisory Committee, Tom Hobdy, who is the liaison man between the County Commissioners and the County Council, the County Commissioners and the County Attorney's, also that he has asked County Auditor, Curt John, to have his secretary take minutes of this meeting.

He explained that the Commissioners agreed to sign the lease and then it was a matter of Insurance and until the Insurance has been cleared up, they haven't sent the lease in and that the Vanderburgh County Park Board has asked the Commissioners to hold this matter up until they can sit down and talk about it.

RE: OLD BUSINESS

CLAIM FROM CITY DENIED

A claim was submitted last week by the City of Evansville for the street lights on the East Side of Green River Road at the yearly charge of \$84.00 per light for 11 lights in the amount of \$924.00 and for 7 street lights at the intersection of Morgan Ave. & Green River Road at yearly charge of \$173.00 per light in the amount of \$1,211.00. The total amount of the claim was \$2,135.00.

The Commissioners were going before the Council for this money but County Attorney Wendel was asked to check on the matter and he said that he read the statute and the County does have the right of way but doesn't own any property there and he recommended that the claim be denied.

Commissioner Willner then moved that the claim be denied. Commissioner Ossenberg seconded the motion. So ordered.

POLICY ON SICK LEAVE

The policy on sick leave was discussed last week and County Attorney Swain was to work with Mrs. Smith on this matter.

Commissioner Schaad said they were still working on it and the matter will be taken up after they have completed their research on it.

USE OF EQUIPMENT.....MR. HOTZ

Last week, Mr. Hotz asked the Commissioners if the officeholders could use some equipment that is available and County Attorney Wendel said he would check on it. Today, County Attorney Wendel said that the Township is the owner of this equipment so he thought the officeholders would have to get the permission of the Trustee in order to use the equipment.

SEVEN HILLS ROADMR. STEBEKING

Commissioner Schaad asked if anything has been done on the checking of the law suit on Seven Hills Road where they have been having problems, East of 57 and the road is nearly washed away and County Attorney Swain said that nothing has been done on this matter as yet.

Commissioner Schaad said that this will be taken up again next week.

COMPLAINT ON LOCUST CREEK DITCH.....UNCLE CHARLIE'S SAUSAGE

A letter was received last week from the Law Firm of Fine, Hatfield, Sparrenberger & Fine who represents Uncle Charlie's Sausage, stating that they would file suit if the water backed up in the creek and damaged their property so County Attorney Swain was requested to answer their letter.

County Attorney Swain sent Mr. James Marchand of the Law Firm, the following letter on the matter of the Locust Creek Ditch:

Dear Sir:

As County Attorney, your letter of January 2, 1976 (sic) has been handed to me by the Board of County Commissioners for a reply.

Locust Creek Ditch is not a legal drain and, therefore, does not come within the responsibility of the Vanderburgh County Drainage Board.

The Board of County Commissioners has requested that upon the widening of St. Joe Avenue, provisions be made to alleviate your problem. We cannot, however, at this time offer any temporary relief as the problem created is not that of the Board of County Commissioners.

Yours truly, Trockman, Flynn & Swain
Thomas M. Swain

LOWER SPEED LIMIT NEEDED ON ST. JOE.....MR. SIEBEKING

Last week, Mr. Siebeking asked if the speed limit couldn't be lowered to 35 miles per hour on St. Joe Avenue since there are several hills where a number of the residents' drives come out, so Mr. Judd was to check on this and submit a recommendation this week, which he has done and it reads as follows:

It is my recommendation that a 35 mile per hour speed limit be posted on St. Joseph Avenue going in a northerly direction, from Boonville-New Harmony Road to Baseline Road.

The Board of County Commissioners approval is requested.

Signed William T. Judd, Traffic Director

Commissioner Ossenberrg moved that the 35 mile per hour speed limit be approved.

Commissioner Willner said there is one area in this direction that does need signs, however, that it is a small portion and he would hate to see the whole thing be set at a speed limit of 35 miles per hour.

Mr. Judd said that down farther, closer to Baseline Road, they have almost the same problem. He said he felt the same way as Commissioner Willner until he got down there.

Commissioner Willner said he would rather mark those areas that need it.

Mr. Judd said that Commissioner Willner had said, a couple of months ago, that he would like for the speed limit to be uniform and this is what he is trying to do from Boonville-New Harmony Road to Baseline Road.

Commissioner Willner asked how about Boonville-New Harmony Road to the bridge.

Mr. Judd said this is something they will have to work on. He also said that the speed limit has been dropped down at the bridge.

Commissioner Schaad explained to Commissioner Willner, since he wasn't present at the time this was discussed, that what brought this up was that Mr. Siebeking had said that some people that live in this area who asked about this particular section wanted something done and Mr. Judd and Mr. Siebeking had been asked to check it out and nothing was said about the rest of it at that time and he supposed that is why it was done this way.

Commissioner Willner said he would like to see the overall picture and he would like to do something with the whole County. He asked if it wouldn't be advisable for them to take all the major roads into the City, East-West and make the speed limits uniform. He said that as they are now, it is almost impossible for a person to stay within the speed limits in Vanderburgh County.

Commissioner Ossenberrg said he agreed with this but that it would take time and he could see the critical need here.

Mr. Judd said that each road will need to be worked out separately by considering the width, safety factors, etc.

Commissioner Schaad said they should solve this problem now and work on the rest of them by asking Mr. Judd to check the rest of the roads and in the meantime, since they have had a request on St. Joe, to take it from 460, all the way to Baseline Road.

Mr. Judd said if they are going to take it all, he will come back with a recommendation next week.

Commissioner Willner asked if Mr. Judd could possibly make the speed limit 40 miles per hour at this location except for the bridge area.

Mr. Judd said that he would drive it a couple more times and come back next week.

Commissioner Ossenbergh withdrew his previous motion and no action will be taken on this matter until next week.

RE: COMMENT BY COMMISSIONER WILLNER ON BOONVILLE-NEW HARMONY ROAD

Commissioner Willner said as the Commissioners all know, there was a serious accident on Boonville-New Harmony Road at the two bridges where they had tried before to put the new bridges in and the property owners on both sides remonstrated and hired an attorney so the Commissioners let it drop and he would like for the County Surveyor to try again on the property out there since he thought he would probably have better luck this time. He said it is in dire need and if they don't come up with something, they will have to go in and repair the buttons. He said he didn't want to condemn the property if they didn't have to. This matter will again be taken up when Mr. Nussmeyer has the floor.

RE: BUILDING COMMISSIONERS MONTHLY REPORT

Mr. Crooks submitted the Building Commissioners report for the combined period of December, 1975 and the years of 1975 & 1976 as to the permits that were issued. The amount to date for 1975 was \$14,845 and the amount to date for 1976 is \$21,010.00. Report received and filed.

RE: MR. NUSSMEYER

Mr. Nussmeyer said this concerns the Railroad bridge over St. Joe, that he found out that the Highway Department is letting the contract on January 20, 1976 so he called them and submitted the results at this time which is only Posey County.

Mr. Ludwick explained that what it amounts to is that the County will get the same agreement that the State Highway Department received on Hwy. 65 over Penn Central tracks, that is, that the National Rail Association will not abandon the tracks at all and they will give the State and the County permission to fill in over the structure and then at a given date, the County will be given a 24 month notice prior to opening or wanting to re-use the tracks at these locations. He thought that this would be about all the Commissioners would get from the National Railway Association. He said that Mr. Server and Mr. Thompson are working very hard in trying to get this agreement through. He said he has talked to a Mr. Cunningham who is in Engineering at Penn Central Railroad, who stated that the agreement would be sent down here, probably within a week and the matter could be cleared up within two weeks, that the County could go in there and tear out the bridge of fill it in or do whatever they wanted to do.

Commissioner Schaad said there are only two things they can do, either put in a structure which would probably cost a lot or else to fill it in. He asked Mr. Ludwick to submit the letter to him when he receives it. He said it would be better to wait until they get it before they take further action.

RE: CUTS IN

Indiana Bell Telephone requests permission to cut into Boonville-New Harmony Road to bury a telephone cable.

Commissioner Ossenbergh moved that the cut be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Feigel Construction Corp. for the Green River Road Project from Heckel Road to Boonville-New Harmony Road, Progress Estimate No. 4, less the 5% retention fee, Acct. #216-3774, in the amount of \$8,204.19.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Barnett Bros. for work done on the Smith Diamond Bridge Structure #125, Acct. #203-3759.10 & 216-3773 in the amount of \$16,562.00.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: BOONVILLE-NEW HARMONY ROAD, CON'T.

Commissioner Willner said that he would like to get Mr. Nussmeyer's drawings back out, to appoint a right of way buyer and go back to see if they can't get the necessary right of way so they can get this job done.

Mr. Siebeking said he thought they could fix this thing themselves, meaning the Highway Department and he didn't think they needed any more right of way. He said it measures 18 feet now, inside the abutments and that there are some that are a lot narrower than that in this county. He said he didn't see why they couldn't go out there and knock those two abutments off and come out with the wall on both sides, in line with the box culvert, put a cap over it and fill it in on top. He said they have about 40 feet of right of way, also that if the Commissioners decide to tear it completely out and buy right of way, they will have to reline that ditch and the pipe on the North side of the road would have to be taken out. He said that he would like to meet with someone out there and look at it but that he thought the Highway Department could do the work. He said he thought there were other bridges in the county that are more important than that one.

Commissioner Willner asked that they let him know when they plan to go out there since he would like to go with them.

RE: POOR RELIEF

Ruth Tinsley of 319 Read treet had requested transportation from the Pigeon Twp. Trustee and was to appeal to the Commissioners today but she failed to make an appearance so no action could be taken at this time.

The meeting recessed at 10:44 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenbergh
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY'S

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Don L. Owsen

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

DAM 48 RECREATION
JANUARY 13, 1976

A special meeting was called by the County Commissioners and was held on Tuesday, January 13th. at 7:00 p.m. in the Commissioners Hearing Room with President Schaad presiding.

Commissioner Schaad said that Mr. Bernard Schenk first told the Commissioners about Dam 48 as a possible recreation site which was followed by correspondence back and forth but there wasn't any conversation on it until there was a possibility of the County leasing this property at just \$1.00 per year. He said the Commissioners went out and looked at it and thought it would be a wonderful opportunity but not knowing exactly what could be done, they decided to form a Citizens Advisory Committee to look into it, to study it and come up with some suggestions, strictly in advisory capacity to the County Park Board which is also known as the Burdette Park Board.

The members of the Advisory Board that were appointed by the Commissioners are as follows:

Joe Aaron.....928 W. Illinois Street
Charles H. Schutte..1835 Rollets Lane
Ray Alderson.....955 E. Idlewild
Bernard Schenk.....1732 Glendale
Robert McIntosh.....Rte. 13 Box 285 Denzer Road
Georgia Hartmann....1600 Hillside Terrace

Commissioner Schaad then introduced the County Commissioners, the County Attorneys and Emily Fowler who is the President of the Burdette Park Board, and she, in turn, introduced Bob Lutz who is a Burdette Park Board member as well as Tom Ossenbergh. She said the other members were notified but haven't shown up at this point. She also introduced Bob Hertzberger who is the manager of Burdette Park.

Commissioner Schaad said that Bob Lutz is not only the County Council's appointment to the Park Board but is a member of the County Council and regardless of how they all feel about Burdette Park or Dam 48, it will take money and of course the County Council will be the body who has to approve it. He also introduced Tom Hobdy who is a member of the County Council and also is the liaison man between the County Commissioners and the County Council. He then introduced Curt John who is the County Auditor, Margie Meeks, the Auditor's secretary who takes the minutes and Marsha Smith who is the Commissioners Executive Assistant.

Commissioner Schaad then explained that if there is to be a lease, it is the County Commissioners responsibility but as far as operating the park in Vanderburgh County, that is the responsibility of the Vanderburgh County Park Board. He then asked Mr. Schenk to start from the beginning and explain to those present how this all came about.

Mr. Schenk said that around the 4th of July in 1975, he was told by his Brother-in-law that he had been down to Dam 48, that it was being abandoned and that it was a nice place to fish so he and his wife took a trip down there and he loved what he saw and that prior to just recently, no one was allowed on this property because it was government owned. They found out it was being abandoned and his first thought was that he wondered who owned it so he called the Corp of Engineers in Evansville and he talked to Mr. Pang who informed him that it would become abandoned property and he gave him an outline of the procedures of how it might benefit our community and said that when the government abandoned any property, it would first go to any other U. S. Government agency who might be able to use it and there being none, it would then be offered to the State of Indiana and not being desired by the state, it would then be offered to the County in which it is located, not desired by the County, it would then be sold as abandoned property by the General Service Administration, to the public.

He said he then wrote to a Mr. Wilson of the Corp of Engineers in Louisville, who immediately answered his correspondence and re-affirmed what Mr. Pang had told him. Mr. Schenk said he was so enthused about the possibilities of the benefits of Vanderburgh County and being a fisherman, he has fished the area, both, with a boat and without and this area provides an opportunity for fishermen so it just fit his need so he kept corresponding with various people which included Senator Hartke, Senator Bayh and Congressman Hayes and that they all co-operated with this program but felt that this was an impossible dream of his, that it could be used by the people in the area.

He said that the people in Vanderburgh County have nothing and have had nothing to offer and this is the most attractive opportunity for the facilities and what it can be developed into and the beautiful Ohio River could be used to the benefit of all the people, to attract tourists and to do everything that Joe Aaron had complained about in many of his newspaper articles.

He said that in his correspondence to the Commissioners, he tried to get connection with them and he supposed they couldn't believe what he was telling them.

He said he had the property appraised by GEBJA Inc. and that if the existing structure had to be replaced at today's cost, it would be in excess of \$3,135,000.00 which includes the esplanade and bank wall only.

He explained that an esplanade is a level open stretch of paved or grassy ground which extends from the road to an apron of concrete and there is 600 feet by 100 feet of concrete apron plus 600 feet of guide wall and there is 18 feet of water there and is concreted down 35 feet into the bed of the river.

He said the reason he used GEBJA Construction Co. was because this is the company that built the esplanade for the new dam that replaced the old one and with his maneuvering and correspondence, he was able to salvage this since they were determined to blast it out and riprap it and he told them to leave that wall and it would eliminate the possibility of erosion of the bank. He said the United States Government has been sued for \$135,000,000.00 for bank erosion since they have raised the level of this river.

He said they believed him and salvaged this and even though they have drilled holes in this 1200 feet of the finest fishing area that we could possibly salvage for our community, it has not been destroyed. They also told him that they could not get anyone in the City or County interested and the City couldn't do it because it would have to go through the Park Department and only Vanderburgh County could do this and this is the reason he has contacted the County Commissioners. He said they gave him about 13 days and he has a contract with them for \$1.00 in his name and all he had to do was to supply the Insurance requirements.

He said there are ten houses on this property that have a replacement value of not less than \$30,000 per home and with the other buildings, we have an opportunity to have \$500,000.00 worth of property not including the esplanade, for \$1.00 per year and the County Commissioners, when he presented the program, bought the idea and he said that it is just wonderful for the things that can be developed down there and the experience and know how that has been demonstrated by people like Bob Hertzberger and the Burdette Park Board, they can make this a thing that will not cost the County anything and we can make this a profitable venture and it will belong to the people in the area and not to private enterprise as he could have had it and made a profit on it.

He said that he felt it was needed for us because when a person tries to launch a boat in this area, there is only one place to do it and that is at Dress Plaza and if anyone is familiar with this type of program, they are also familiar with the congestion and the problems that go with it.

He said here is an opportunity for everything we could dream about, that Joe Aaron complained about, the lack of facilities for the people who travel who come here and have no place to go, that this place can be developed, that there is possibly 30 acres of land and properly developed, we can always be proud of it.

Commissioner Schaad said that when Mr. Schenk told them about Dam 48, he and Commissioner Willner went down to look at it and that of the ten houses that are there, four 6-room brick homes and six 7-room frame homes which have all been boarded up and there is also a large building which was a power plant and everything seemed to be in a pretty good state of repair, also that there is a tool shed of corrugated steel plus a few other buildings. He said some of the property is on the Kentucky side that is owned by the Corp of Engineers but that there is about 26 acres on the Indiana side.

He said that the Commissioners had agreed that they would sign the lease for \$1.00 and that it is on a 30-day cancel basis, and as he had explained before, the Commissioners can take this action but as far as the money is concerned, to operate and maintain it, that has to come from Council.

He said there are some C.E.T.A. funds that can be used to pay the people that they will need to hire to work out there and they have applied for this which will permit them to hire seven people but this doesn't give them any money to purchase what they will need to work with, that there is no money at all in the budget, also that they aren't clear on the Insurance and this is why they have County Attorney Swain here, and there was some difference of opinion as to just what the requirements on the Insurance is, as far as a governmental agency is concerned.

County Attorney Swain explained that the requirement of Insurance on this lease agreement is \$150,000.00 for any one person and \$1,000,000.00 for any one incident which is liability, but the policy we have has specific exclusions and it would of course protect the third person but it isn't designed to protect us against our own liability, as to a lessee or lessor, that this is specifically excluded from the policy. He also said that this Insurance does not apply to property damage and property owned or occupied or rented by the insured, property used by the insured or property in the care, custody and control of the insured as to which the insured is for any purpose exercising physical control. He said there is also an exception to the exception which is a side track agreement and isn't applicable in our case.

He said if someone went in and got hurt, that the policy would cover it but it does not cover our liability to the Federal Government and it seems to him, potentially, that our liability to the Federal Government is much greater than what our liability might be to a third person.

Mr. Schenk said that he met all the Insurance requirements and that when he told Colonel Ellis that the County Commissioners agreed to take it over, he said he could waive all the Insurance requirements because the County is self-insured as far as the Federal Government is concerned.

County Attorney said lets assume for the purpose of argument that this is true, what if all the buildings blow down, is this something they will put on the back of the taxpayer? He said the self assurance only comes through the tax rate, assuming we are self-insured, that they may waive any insurance requirement for a governmental agency but they don't waive the requirements that we put the property back in as good condition as we got it. He said he is concerned about the physical damage to the buildings, themselves, such as fire, theft, vandalism or soil erosion and all the things that are named in paragraph one in the lease, which they require.

Mr. Lutz suggested that before the Commissioners pursue this any further, that they write the Corp of Engineers, Planning Division in Louisville, Kentucky. He said he talked to them and they have a master plan which was supposed to be completed in December of 1975, that are supposed to set up a number of parks up and down the river and one of them is suppose to be in Union Township, that the parks are built with grants and can be taken over, after they are built.

Mr. Schenk said he was aware of this and they have two sites, one at Angel Mounds and one near Dogtown but that these are in a planning stage where they have \$300,000.00 to develop two of them and here, we have something that is already there and he again said that this is the finest opportunity that has ever been offered to Vanderburgh County and there is no way this county could afford to build these ten homes that they could rent out for productive money to help pay the cost and no way for this county to buy this acreage and for \$1.00 per year, he couldn't see where there could be any question on it.

Commissioner Ossenberrg said that in the conversations of Mr. Schenk and of Mr. Pang, that Mr. Pang told them that they could not rent those houses out.

Commissioner Schaad said that the way he understood it was that they could rent it out to weekenders or for a few days but they couldn't be rented out on a long term lease by some individual living there who isn't there just for recreation.

Mr. Schenk said that Mr. Ellis told him that they will do anything that the county wants them to do, that he has had a lot of correspondence with them and he never encountered such co-operation and willingness to do something for this county. He said the county could try it out for a few years and if it didn't work, they wouldn't be losing anything.

Commissioner Schaad said that on the Insurance requirement, we would have to take additional Insurance other than that which will cover our blanket policy as County Attorney Swain had said, to protect ourselves.

County Attorney Swain said that there is one more problem with this and it is that the houses are all unoccupied and he didn't know if they can get Insurance on unoccupied property.

Mr. Schenk asked if all the buildings at Burdette Park are insured.

Mr. Hertzberger said they have to repair any damages they have at Burdette Park themselves.

County Attorney Swain said he thought they are only covered in this policy for liability.

Commissioner Schaad said if one of the cottages burnt down or the wind blew the roof off or if there was some vandalism, it would be the county's responsibility to replace since there is no insurance on it, but in the instance of Dam 48, since they are obligated to the Federal Government, to return those if they should give up their lease, in the same condition that they were when the County took them over and if they didn't have the Insurance, then the taxpayer would have to pay for it.

Mr. Schenk said it would be no problem to get Insurance on the unoccupied houses, that he could get it tonight.

Commissioner Schaad said these are some things that they need to have entered and checked out and the Insurance is the responsibility of the County Commissioners and if they find that the program is feasible, they will have to be covered as far as the Federal Government is concerned.

He said that after the Advisory Committee was appointed, he talked to Emily Fowler since she is the President of the Burdette Park Board and they also informed the Advisory Board of what the Commissioners were intending to do and that the lease has been signed by them but that it hasn't been sent in, pending the outcome of the Insurance.

The following letter was submitted to Commissioner Schaad by Emily Fowler after the subject was discussed at the meeting of the Advisory Board:

Dear Mr. Schaad:

The Vanderburgh County Park Board met on January 5 with members Robert Lutz, Thomas Ossenberg, Darryl Blackburn, Don Henry and Emily Fowler present. As a result of our discussion concerning Dam 48, we agreed to send to the County Commissioners a list of our concerns regarding this project. This list is not arranged as to priorities of greatest concerns but just as they were brought up at our meeting.

1. Concern about sewage disposal that would meet requirements of EPA with an Environmental Impact study. There is only one septic system for all of the houses.
 2. Potential danger of river front area. There is a drop of some 30 feet right off of the concrete apron front. One child this summer drowned off that area.
 3. Flooding dangers...to homes as well as to the total area.
 4. Only one road leads in and out of the area. Right now that road is flooded and people cannot get out. The road is substandard at best.
 5. Patrolling of area...almost a requirement for constant watch or for a person to live there year round.
 6. Lack of equipment already owned by Burdette Park to do the extensive cutting of grass. The Park has only one bushhog mower and one truck.
 7. Lack of complete understanding as to what can and cannot be done to the property and buildings as explained in the lease. The houses are in need of extensive repair and renovation, and what would be the potential leasing or renting privilege? These are the concerns of our board, and we would like to recommend that any action concerning Dam 48 be held up until the Commissioners could meet with our Board for some clarification of these matters for all concerned.
- Please advise us when this meeting would be convenient for you and we will so arrange.

Sincerely, Emily Fowler

Commissioner Schaad said that he did a little more checking since they could put seven employees down there if they decided to go ahead with it so he called Clyde Cavannah and there was surplus equipment available including hand tools, ropes, paint, chain saws and things of that kind that they could use and they would only need to go to Indianapolis to get it and they could get it at a nominal cost. He said he also called Mr. Siebeking and found that there are two trucks out there that aren't being used at the present time and could be used to haul tree limbs and such. He said he was just furnishing this information but that it would still require money appropriated by the Council for the Insurance and for the other operation of the Dam 48 project. He also said that Mr. Pang suggested that they also have a caretaker out there such as they have at Burdette Park so they could look out for the area. He said he didn't know where to go from here, also that he didn't know what the physical condition of it was, such as the septic system for all ten houses, whether it was good or bad and how much money would have to be spent to get it in good condition.

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He said that the Advisory Committee is doing some investigating and checking on it and that they might have something more to report as to what they should do about the project.

Ms. Fowler said in relation to the No. 1 of her letter, related to the sewage disposal, that in the lease under Item 18, said that within the limits of their respective legal powers, the parties of the lease shall protect the project against pollution of its waters. The lessee shall comply properly with any regulations, conditions or instructions affecting the activity hereby authorized, if and when issued by the Environmental Protection Agency and/or Estate Water Pollution Control Agency.

She noted that there is a new Federal Sewage Disposal regulation which is going to affect a lot of private church camps, etc. where they don't have the proper disposal system according to the Federal Government's regulations.

Commissioner Schaad said that even if they went before the Council, it would be difficult at this time to say how much money they would need to operate the facility.

Ms. Fowler said that she asked Mr. Hertzberger if he could give a brief run-down on what could be some possible expenditures on what would have to be done.

Mr. Hertzberger said they have been over this several times and that for the seven employees that they would use down there would cost somewhere around \$29,000, plus a caretaker that would cost approximately \$6,000 and they haven't had access to check on it but he would say that it would cost at least \$100 to \$200 to repair the windows, also they don't know what damages there may be on the inside of the houses that need to be repaired.

He said he could see where they would have to have a bushog down there all the time and that he asked for one in their budget for this year and it was cut out and that the one they have now at Burdette Park runs 8 hours a day and by the time they finish, it is time to start over again in cutting the grass.

He said there would also be gasoline and they were talking about using Burdette Park's gas and that it is around 28 miles round trip, down there, plus there would be the hours of traveling, oil, lumber, etc, also that they can't send people out there to bare buildings, that they are going to have to think about furnishing them if they want to charge anything for them.

He said that he understands that the plumbing fixtures are antiquated and he didn't know what kind of shape it is in and this is something else they will have to think about, that even they talk about \$1.00 per year to lease the facility, they have to consider all the other costs they will have.

He said he could see where it would be a big expense but he could also see where it would be a great facility in the summertime since it has a lot of possibilities, but he thought they were kidding themselves when they thought they were going to get it for nothing.

He also said that Mr. Lutz had stated that the septic system is in bad shape and he said it is very expensive to replace it and it would be hard to say how much would be involved, moneywise, for this facility.

Ms. Hartmann said that they had stoker furnaces in the houses out there to heat them.

Mr. Lutz said they have one central water system with a pump which forces the water into the water tower and this, in turn, gives it pressure for all the homes.

Ms. Hartmann said she didn't know what condition the frame houses were in but that the brick homes were well built, also that if one septic system carried all those homes when people were living in them, it surely wouldn't be all that much to put in a septic system to carry week-end traffic.

In regard to the child that drowned out there, she thought this was true of any area that is not patrolled and she agreed with Mr. Schenk, that if there was a boat dock or ramp there with traffic in and out and if it was patrolled better and had signs put up, maybe this wouldn't happen.

Mr. Lutz had said he was told that if a barge hit it, the wall could be blown up at any time and she wondered why there couldn't be lights put up around it so it wouldn't be hit by the barges.

Ms. Hartmann said, in regard to No. 4 of Ms. Fowler's letter, of the fact that there is only one road down there, that it is substandard and that it needs repairing, she didn't think there would be any more traffic on that road if they had a park down there because they have a camp about two miles from the dam and that the road is more dangerous than the river.

Ms. Fowler said this was mentioned because if there are people down there and the road is flooded, then they can't get out, that the road into Burdette Park is flooded frequently but they do have another road behind the park so that people can get out and the fact that there is only road down there seemed to be a concern for consideration.

She also said that she had no idea what they could charge for the rental of cottages or of the houses down there.

Mr. Hertzberger said that the charge at Burdette Park for the cottages is a base rate of \$15.00 per day for one or two people and after that, they charge \$2.00 per person, that the cottages hold five people each, also after the first two people, they get their swimming and skating free. He said that the cottages are furnished and the only thing the people have to bring is their food.

Ms. Fowler said they are setting within a time slot of April through September, having revenue, hopefully, coming in and it costs over \$100,000.00 per year to operate Burdette Park, excluding salaries.

Commissioner Schaad said he didn't know where to begin on this thing, that it would take some investigation by an Engineer or by someone to check the plumbing, the septic system, the heating plant, etc. and if they intend to rent out the houses, they will have to be furnished some way to even come up with a figure to what it would take to even go to Council to see if there is a possibility of getting the money that is needed for the facility.

Ms. Fowler said that if they do charge fees, admission, entrance or user fees may be charged by the lessee for entrance to, and use of the premises, provided prior written approval of the District Engineer is obtained. She said there are all kinds of obligations to the government and they also have the right, that all the monies that are collected have to be used for the maintenance, operation and development of the premises, since any fees collected and not used for these things, goes back to the U. S. Corp for the District Engineer, also that they have the right to perform an audit on the books.

Mr. Hertzberger said this is where they run into problems with the County, because all of the revenue they bring in at Burdette Park cannot be used in that park, that it goes back into the General Fund and the only money they are allowed to quietus back into their account is Insurance money, if someone destroys something in the park.

County Attorney Swain wondered if the Corp of Engineers would lease the land to the County that is just south of the road.

Mr. Schenk said he has no way of knowing, that he assumed the Commissioners had been in constant contact with them and had all the answers by now and that he is surprised that they don't.

Commissioner Ossenbergh said they had a former County Attorney that became a judge and he was the go-between and this was where the conflict was.

Mr. Schenk said he thought that the houses was the most important thing down there and they have so many opportunities and if they don't take advantage of this, it will all go right down the drain. He said he can't imagine them not understanding the opportunity for Vanderburgh County in having an attraction such as this, handed to them on a platter and no one seems to recognize it. He said he can't understand their quibbling of dollars and cents instead of the future income and attraction to Vanderburgh County that will be a tourist attraction. He said it is unbelievable.

Commissioner Schaad said that if they can come up with something and come before Council, that this is the only way they can do it. He asked Mr. Schenk if they aren't given anything by the Council, if he is still interested in this property.

Mr. Schenk said that he was still interested but that he didn't think private enterprise should have it.

County Attorney Swain said that the reason he mentioned the area that is south of the road is because, it seemed to him, that they would at least have a picnic area and access to the river and it has been his experience that none of these things pay their own way, so it is going to be a loss, also that Burdette Park doesn't pay it's own way and neither does the Auditorium or the stadium, when they figure the bond issue, so if they can just take this land south of the road, they will eliminate the headaches and most of the cost and he thought this might be a better deal.

Commissioner Willner said that he was at the site twice and as far as only one septic system is concerned, anyone would be absolutely out of their mind to put one in for each house. He said he didn't know what condition it is in but in looking at everything else down there, he would bet it was in good shape since it is in good shape but he wouldn't know what it would cost to clean it up and do whatever else is needed.

He also said, as far as the potential danger to the riverfront area, we have the same danger here at Dress Plaza and this is the same thing, also that the fact that there is only road that goes in and out of the area, this is the County Commissioners and if they want a good road in there, he guessed they would build it if not, they would leave it as it is, since people travel it now and they could travel it after it is a park.

He said he didn't see the big problems and as to patrolling the area, they would just have to have someone to live out there, that the lack of equipment is a problem so there will be some expense. He said he hoped that this thing would eventually pay for itself but knowing government as he does, he doubted it, that maybe the thing to do would be to let the National Campers & Hikers take the place over and he would be willing to bet that they would do a better job. He said they would have to first poll the Council, since without any funds to start with, it is a lost cause.

Commissioner Schaad said he thought they needed to get some idea as to how much is needed.

Commissioner Willner suggested that they just ask the Council if they would be willing to fund some repairs.

Mr. Lutz suggested that a survey be made of all the homes out there and see what it would cost to make the needed repairs.

Commissioner Ossenberg suggested that they contact the Building Commissioners office, since they have the expertise and have them come up with a recommendation. He said they can contact Mr. Stevens in Newburgh to get the keys so they can go through the houses, also that it will cost quite a bit to furnish these houses and he didn't think they could be rented without being furnished.

He said he thought this would be the way to pursue it, since Mr. Crooks has all the expertise and knowledge and is familiar with all the E.P.A. standards, having been the chief of the E.P.A. locally. He also suggested that Bill Staff be included in this and that he go down there with Mr. Crooks.

Commissioner Ossenberg reported, having served on the Council of Governments, knowing that the most powerful agency today, in this country, is the Environmental Protection Agency without any question or doubt, and Vanderburgh County had \$100,000.00 H.C.D.A. request in, for repair of homes in the county, to update them to meet the codes and every bit of that money for this district has gone into sewer projects, so consequently, he wouldn't make the statement that the government is moving toward the direction of repairing homes first.

He said he is quite sure that they will find that there will be a need for the replacement of the septic system out there, because the government is taking a different stand on everything, also that Commissioner Willner had said they could build a road down there and now the state has come along and said that if we build a road in there, we have to have an environmental impact statement, if we are going to build roads in this county, or they will cut off our money of state, so these are things they are going to have to pursue and they need to get some sort of ball park figure.

Commissioner Schaad said they will get in touch with Mr. Stevens and see if he has keys to the place and if he will meet with Mr. Crooks and Mr. Staff so they can go take a look at the situation to see what it will require to bring it up to a minimum standard as far as housing is concerned and repairs as far as the septic system and everything else that will need to be done.

He said they could also pursue the suggestion that was made by County Attorney Swain and see if they would be interested in just leasing the land that is from the road to the river.

He said that after they get a figure, the only thing he knows to do is to go before Council and make the proposal and see how they feel about it.

County Attorney Wendel said that the lease is for one year and he asked if there was any type of informal commitment that this would be renewed, on the part of the U.S. Government.

Commissioner Ossenberg said, only on their audit and satisfaction.

Mr. Hobdy said he just learned of all this tonight and he doesn't really feel qualified to speak but that he agrees with Mr. Lutz, in that the sad thing is, that they are in a situation with the Council, in that the County is strapped for money and it would cost the taxpayers but the really sad thing is that it is such an excellent idea. He said that as he understands it, the Federal Revenue Sharing money is set aside for these kind of things and unfortunately, most of this money is being spent. He said if the taxpayers want this, it should be kept in mind that it would cause an increase in the tax rate.

Commissioner Schaad said they couldn't do this either, since the tax rate is frozen at the present time.

Mr. John said there is a possibility of a bond issue, since the interest is very low and there is bonding capacity to spare and the rate isn't frozen, that it is a separate rate.

Commissioner Willner pointed out that he understands the government, at some point and time, want to rid themselves completely of this project, and if so, they could give it to the County, and that Mr. Pang had stated that this might be done within the year, if Vanderburgh County would submit a request to own this property, they would take it under advisement.

Mr. Lutz said, in Park Planning, they will build a park for the County and turn it over to us and the County just maintains it and keeps it up.

Mr. Schenk said the Corp of Engineers has built Kentucky Lake and Berkeley Lake and this is his complaint, because he wondered why we should be left out and they told him that they were trying to do something for us but they can't get us to respond, that this is exactly what they have been telling him and he has it in writing.

Commissioner Schaad said he didn't even know it was available.

Mr. Schenk again said he thought the Commissioners were in constant contact with the Corp of Engineers on this.

Commissioner Ossenberrg said they were in contact with them, but Mr. Pang was transferred.

Mr. Schenk said that they have to deal with Colonel Ellis because he is the top man and that he would be glad to supply the Commissioners with all this information. He said the Commissioners would find that these people are the most co-operative people they would ever want to deal with, that they couldn't believe that the Federal Government was this nice, wanting to co-operate with us.

Commissioner Schaad said that with this particular project, that unless they can come up with some money, there is no way they can do it.

Mr. Schenk said he thought the Commissioners had the answers.

Commissioner Schaad said they haven't gone before Council because they haven't had any figures to present them with, since they don't really know what the condition of the property is, nor do they have any keys to get in to see what condition the houses are in, that Mr. Schenk has handled the ball all along, that he has had no meetings with them until after they saw the copies of the letters coming through and he had it all ready and said "here it is, you can have it for a buck," that this is when they first had personal contact with him and not to criticize him but they didn't even sit down with them to see if they could work it, that they only saw copies of letters so the conversation wasn't even too good between him and the County Commissioners, that all they have had is rumors and they haven't appeared before the Council, also that the money is tight with the tax rate being frozen and with everyone wanting more money, there is no way that can be that easy and he has heard some comment that if anything is going to cost money, it's out, because they just don't have it and the Revenue Sharing money has all been appropriated, that they even tried to get \$200,000 to fix the county roads and didn't get it, also tried to get \$25,000 to re-do Pleasantview Rest Home, which is antiquated and needs redone but they didn't get it and here, they take on a new project and asked what he thought their chances were of getting it.

Mr. Hobdy said, as liaison, he would introduce a finance ordinance to the Council to pay for the project if the Commissioners can put a proposal together, because he felt that it was a good idea and if the Commissioners recommend it to him, he will recommend it to the County Council.

Ms. Hartmann said that Commissioner Schaad had spoke of furnishing the homes. She asked if he realized that most of them are seven room homes and said that it would only be necessary to furnish the four rooms on the main floor and she thought this should be pointed out.

Commissioner Schaad said he would contact Mr. Stevens in Newburgh to see if he has a key and if he would come to let them in, that he would also contact Mr. Crooks to come down, along with whatever staff he needs, along with the man from E.P.A. and go down there to look into the situation and come back with a figure as to what it is going to cost to get the place up to minimum standards as far as heating, lighting, plumbing and painting, also repairs and maintenance plus the appliances, furniture, etc.

Commissioner Schaad asked Mr. Hertzberger if he could give them any idea of the cost of one of his cottages at Burdette Park, in the furnishing of it.

Mr. Hertzberger said that the furniture has been there for a long time, but that they just bought a new unit which is a small refrigerator, with sink and stove combined and one of them runs in the neighborhood of \$400.00.

Commissioner Schaad said if he could get some figures together, he would appreciate it and they would just go from here and as far as the Insurance is concerned, they will have to take out another policy if they are going to satisfy the government so that if the homes are demolished, or wrecked in some way and have to be put back in their present condition, we would be covered by Insurance on that but that we are okay as far as liability is concerned.

Mr. Alderson said he would also like for them to get some idea of cost for a few camping sites, as far as the water supply and sewer is concerned, that it didn't have to be anything elaborate.

After further discussion, Commissioner Schaad said that what really concerns him is the fact that he thought they were going through a lot of motions here, when he doesn't think they are going to come up with it, that he hated to be negative and he can see Mr. Schenk's point and there isn't anything that money can't solve, that this is a wonderful idea but that it will take money to do it. He said that Burdette Park is a facility that is already there and it needs some things to be done, also they have roads and other things to do but they can't even get money to do these things, so he asked what chance they thought they would have in getting money for a new project. He said that they would follow through with what they have said and that when they go before Council, they would certainly like to have the members of the Citizens Advisory Committee and the County Park Board to be present, to discuss it with them and explain what they want.

Mr. Hobdy said that with camping sites, the first year of operation would cost more than \$200,000.00, that the first thing they would have to find out is how much the bare minimum would be to get this thing going and get it into operation. He said there is money designated for other things and he wondered if they could do a little trading off.

Commissioner Schaad thanked everyone for coming and said they would get on this tomorrow morning so they could get the figures together as to what it will take and go before Council..

He asked if they should go through it formally and go before the Council to make the request of if they should see how the Council feels about it, informally, because he would hate to go through a lot of detail and a lot of work, on the part of a lot of people, when they know that when they go in, they aren't going to get it.

Mr. John said the first thing they needed to do was to do some type of cost analysis on the initial cost and what the yearly budget would be and to approach the Council before it is advertised and see what they have to say.

Commissioner Schaad again thanked everyone for being here and he said that as soon as he has something more to report, they will hear from the Commissioners.

The meeting adjourned at 8:40 p.m.

PRESENTCOUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

ADVISORY BOARD MEMBERS

Bernard G. Schenk
Georgia Hartmann
Ray Alderson
Charles Schutte

COUNTY COUNCIL MEMBERS

Tom Hobdy
Robert Lutz

BURDETTE PARK

Emily Fowler -
President of Park Board

Bob Hertzberger -
Manager of Burdette Park

Commissioners Executive Assistant - Marsha Smith

Other interested parties

Secretary: Margie Meeks

Bob Schaad

Thomas L. Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 19, 1976

The meeting of the County Commissioners was held on Monday, January 19, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting plus the Special Meeting which was held on January 13, 1976, on the Dam 48 Recreation, were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

County Attorney Swain explained that all the people that buy these parcels will get a tax deed and that there will be no other description than by tax code. He said the County does not guarantee and does not warrant, but that they are just given what we have.

The sale of the County-owned Surplus Property began and the following parcels were purchased by Mr. Roger Klassy of 3315 E. Mulberry St.:

#4.....Code 21-21-11.....408 E. Sycamore St..... \$50.00
 #5.....Code 21-22-5.....511 John St.....\$100.00
 #6.....Code 21-47-15.....410 E. Cherry St.....\$100.00
 #17....Code 24-19-15.....606 E. Sycamore St.....\$200.00
 #18....Code 24-39-48.....804 E. Sycamore St.....\$100.00
 #19....Code 26-37-13.....112 W. Illinois St..... \$50.00
 #25....Code 24-39-35.....823 John St..... \$50.00
~~#42....Code 21-28-16.....504-506 Olive St.....\$100.00~~
 #51....Code 24-19-12.....612 E. Sycamore St.....\$500.00
 #52....Code 24-29-12.....616 E. Walnut St.....\$350.00
 #53....Code 24-29-13.....612-614 E. Walnut St.... \$50.00
 #54....Code 24-45-13.....662 E. Cherry St.....\$100.00
 #42....Code 21-28-16.....504-506 Olive St.....\$100.00

Commissioner Ossenberg moved that the purchase of these parcels by Mr. Klassy be approved at prices as stated. Commissioner Willner seconded the motion. So ordered.

The following parcels were purchased by Mr. Dallas Hughes Sr. of 401 Buena Vista:

#14....Code 22-76-20.....1817 S. Garvin St..... \$50.00
 #20....Code 28-56-7.....1810 Grove St..... \$50.00
 #21....Code 34-166-10.....2709 Sixth Ave.....\$100.00
 #57....Code 31-134-17.....774 Cardinal Dr..... \$50.00

Commissioner Ossenberg moved that the purchase of these parcels by Mr. Hughes be approved at prices as stated. Commissioner Willner seconded the motion. So ordered.

#35.....Code 28-7-27.....1124 W. Georgia St.....Mr. O Preston Ormond offered \$50.00 for this parcel and asked that it be put in the name of O. Preston & Eleraw Ormond.

Commissioner Willner moved that this parcel be sold to Mr. Ormond for \$50.00. Commissioner Ossenberg seconded the motion. So ordered.

#36.....Code 2-195-44.....1601 Allens Lane.....Mr. John L. Sanders offered \$50.00 for this parcel.

Commissioner Ossenberg moved that the purchase of this parcel be approved in the amount of \$50.00 by Mr. Sanders. Commissioner Willner seconded the motion. So ordered.

#41.....Code 8-16-3...Off Shawnee Drive.....Mr. Frederick Bumb bid \$50.00 for this parcel and asked that it be put in the name of Frederick Bumb and Mr. Mueller.

Commissioner Ossenberg moved that this parcel be sold to these gentlemen at the bid price of \$50.00. Commissioner Willner seconded the motion. So ordered.

#43.....Code 21-32-5.....311 Olive Street.....Mr. Paul H. Farrow had explained that he had lived in this house for several years and had paid some of the taxes and had thought the owners had paid the rest of them but they hadn't and the property went to the County so he would like to now purchase it at the appraisal price of \$100.00.

Mr. Klassy had bid on this property but after hearing the circumstances, he withdrew his bid.

Commissioner Ossenberg moved that parcel #42 be sold to Mr. Farrow for \$100.00. Commissioner Willner seconded the motion. So ordered.

#47.....Code 21-59-27.....771 S. Governor St.....Mrs. Georgia B. Benson offered \$50.00 for this parcel.

Commissioner Ossenberg moved that this parcel be sold to Mrs. Benson for \$50.00. Commissioner Willner seconded the motion. So ordered.

#50.....Code 22-64-11.....228 Cass Avenue.....Ms. Mina Jones of 232 Cass Avenue bid \$100.00 for this parcel.

Commissioner Willner moved that this parcel be sold to Ms. Jones at the price of \$100.00. Commissioner Ossenberg seconded the motion. So ordered.

There being no further offers on the County-owned Surplus Property today, Commissioner Schaad said that the bidding will remain open and the sale will continue.

RE: LETTER TO RESCIND REQUEST OF REMODELING ROOM 214

Commissioner Schaad said that sometime ago, a joint letter was sent to Mr. Ruston from the Mayors office as well as from the County Commissioners, regarding space of Room 214, since they were going to remodel the Election office to take care of the new City Clerk but this has all been worked out so they now need a letter to rescind what they had asked him to do before.

The following letter to Mr. Ruston was submitted to be made a part of the minutes:

Dear Mr. Ruston:

The Board of Commissioners of Vanderburgh County and the City of Evansville have agreed that the memorandum dated December 8, 1975, sent to you by the undersigned regarding the reallocation of Room 214 Administration Building should be rescinded, and no changes in the allocation of that office space should be made.

Very truly yours,

Signed by Russell Lloyd, Mayor &
Robert Schaad, President of Co. Comm.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Jeffrey L. Wilson	2150 E. Gum	Zoning Admin.	\$10,300.00 Yr.	Eff: 1/1/76
Kenneth D. Nelson	840 Bayard Pk.	Ex. Director	\$18,500.00 Yr.	Eff: 1/1/76
Clifton H. Seabee	325 Ridgeway	Draftsman	\$7,000.00 Yr.	Eff: 1/1/76
Dorothy C. Grubb	504 E. Columbia	Secretary	\$6,186.00 Yr.	Eff: 1/1/76
Mary E. Keown	1134 Stanley Ave.	Secretary	\$6,186.00 Yr.	Eff: 1/1/76
Ann R. Schmidt	2721 N. New York Ave.	Planner I	\$4.95 Hr.	Eff: 1/1/76

CENTER TOWNSHIP ASSESSOR

John B. Thomas	2517 Vista View Dr.	Field Deputy	\$15.00 Day	Eff: 1/16/76
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COUNTY SURVEYOR

Lloyd Rittenour	1404 MacArthur Dr.	Instrumentman	\$7,900.00 Yr.	Eff: 1/19/76
Don Fink	2117 Southeast Blvd.	Draftsman	\$6,300.00 Yr.	Eff: 1/19/76

SHERIFFS DEPARTMENT

Edward Lander	431 S. Kentucky	Prob. Patrolman	\$9,352.00 Yr.	Eff: 1/1/76
Henry H. Dersch	5111 Nolan	Prob. Patrolman	\$9,352.00 Yr.	Eff: 1/1/76
Sandra H. Schuler	1413 Venice	Civilian Legal Secy.	\$7,200.00 Yr.	Eff: 1/1/76
Thomas P. Rademacher	6203 Rockford	Civilian Dispatcher	\$7,500.00 Yr.	Eff: 1/1/76
Thomas G. Overfield	1633-B E. Mich.	Prob. Patrolman	\$9,352.00 Yr.	Eff: 1/1/76
Dwight L. Rouser	3318 E. Chandler	Prob. Patrolman	\$9,352.00 Yr.	Eff: 1/1/76
John H. Shackelford	411 W. Posey-Newburgh	" "	\$9,352.00 Yr.	Eff: 1/1/76
Robert M. Carl	1709 Stinson	Prob Patrolman	\$9,352.00 Yr.	Eff: 1/1/76

COOPERATIVE EXTENSION SERVICE

Joe A. Milner	708-B Fairway Dr.	Agent	\$4,744.00 Yr.	Eff: 1/1/76
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RE: EMPLOYMENT CHANGES.....RELEASESHIGHWAY DEPARTMENT

James Mattingly	Graff Rd.	Lead Man	\$4.21 Hr.	Eff: 1/14/76
Arthur L. Kibby	219 Waggoner	Grease Man & Nightwatch	\$3.89-Hr.	Eff: 1/16/76

PLEASANTVIEW REST HOME

Mary Alvis	Marion Kentucky	Cook	\$2.10 Hr.	Eff: 1/8/76
Anna Fyffe	Hwy. 41 North	Aide	\$2.30 Hr.	Eff: 1/8/76

RE: MONTHLY REPORTS

The Report of the Clerk of the Circuit Court was submitted for the month of December, 1975.

Report received and ordered filed.

The Report of the County Treasurer was submitted for the month of December, 1975.

Report received and ordered filed.

RE: CHECK RECEIVED

A check in the amount of \$1,905.00 was received by the County Commissioners from the Federal Topics Program.

Mr. Ludwick explained that this check is for work that was done by the County Surveyor, the Engineers office, from 1965, through 1971. He said a letter was given to the County Auditor for the State Highway Department, for funds that the County could receive back, on this particular project, for that time span so there wasn't a lot he could do. He said he went through some of the records and verified some of the time that these survey and engineering people put in on this project and he turned in a bill for \$14,000.00 for aerial photographs on St. Joe Avenue, etc. but the State Auditor automatically cancelled \$10,000.00 right off the bat because it wasn't programmed right to begin with so that is down to \$4,000.00 of the original bill that he came up with and that is 30% of the final figure, that the Federal Government was involved in, so this is the reimbursement from the Federal Government on the St. Joe Avenue project. He said he thought this money should go into the County Highway Account #201.

Commissioner Ossenbergh moved that the check in the amount of \$1,905.00 be accepted and deposited to the correct account. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST.....VETERANS SERVICE OFFICER

The following request was received from the Vanderburgh County Veterans Officer:

I request permission to attend the quarterly meeting of County Service Officers sponsored by the Indiana Department of Veterans Affairs. It is to be February 6th at Ft. Benjamin Harrison, Indianapolis, Indiana. Thank you

Signed, Robert J. Moran, Service Officer

Commissioner Ossenbergh moved that Mr. Moran's request for travel be approved. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST.....PIGEON TOWNSHIP ASSESSOR

The following request was received from the Pigeon Township Assessor:

Dear County Commissioners, This is a request for me and my Real Estate Deputy, Jerome R. Zeller, to get your approval to attend the annual conference of the Township Assessors, to be held in Indianapolis, Indiana on January 12, 13 and 14th, 1976, by the Indiana State Board of Tax Commissioners. Please excuse this late request this was due to an oversight.

Thank you, Robert T. Dorsey, Pigeon-Twp. Assessor

Commissioner Ossenbergh moved that Mr. Dorsey's request be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FROM JUDGE MILLER ... ROOM ALTERATIONS

The following letter of request was received from Judge Miller:

Gentlemen:

We wish to have a glass window installed in the wall between two of our rooms. The reason for this is that it is our plan to make an office out of one of our enclosed witness rooms. I am advised that the correct procedure for a room alteration within the Circuit Court Chambers, Probation Department, is to request same of you and submit an estimate as provided by Mr. Gilmore Ruston. We also will need another telephone for that additional office, which will require an alteration in our present system.

Please authorize this slight alteration to be made, and an additional telephone installed.

Thank you for your consideration in this matter.

Sincerely, William H. Miller, Judge

The following letter was submitted to the Judge by Mr. Ruston, of estimate on work that was requested:

Dear Judge Miller:

In reply to your letter of January 14, we quote you as follows:

Furnish labor and material to install two (2) 20" X 24"
aluminum frame openings with tempered glass in wall of
room 210-C, Courts Building..... \$176.00

If you desire us to go ahead with this project, please give us written authorization from the County Commissioners insuring us that payment will be forthcoming after installation.

Sincerely, C. G. Ruston, General Manager

Commissioner Schaad said he understands that there is no money in the alteration account, so the County Auditor will have to advertise the \$176.00. He said there is no point in approving the telephone until the money for the alteration has been approved.

Commissioner Ossenbergh moved that the advertising be approved for the money and alterations be made, subject to the County Council's approval of the money. Commissioner Willner seconded the motion. So ordered.

RE: AGREEMENT.....TOWN OF DARMSTADT

County Attorney Swain said that Darmstadt has an agreement here to be signed by the County Commissioners, which states roughly, that part of the town boundaries run along the center line of Fleener, St. Joe and Inglefield Roads and it states that Vanderburgh County received all the maintenance road funds for these roads and it is desired by both parties to have an agreement whereby the County agrees to maintain county roads which have a common border with the City and the money that comes from this, the County gets to keep.

He said he thought that at one time, the County got all their money and then, they came back and said they wanted the money that was allocated under the first 6¢ of the gasoline tax money and he guessed that this, then, instead of covering that, is to cover what is common boundary.

He said this was just a bare allegation by their attorney and he didn't know whether it is correct or not, as to if the County gets all that money.

Commissioner Ossenbergh said he thought that they researched it last year and that they found the County did get this money.

Commissioner Schaad said it would be how it was broken down and the Commissioners didn't know if it was or wasn't and they couldn't act on it until they know.

Commissioner Ossenbergh moved that the County Attorney and the Attorney for Darmstadt get together and work it out to see just what the breakdown is. He said that Mr. Siebeking could probably help them with it. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by James Kornblum, the Knight Township Assessor, for expenses of per diem and travel mileage in attending the Annual Assessor's Conference on January 12, 13 & 14, in the amount of \$102.12.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Roman Gehlhausen for expenses in attending the Annual Assessor's Conference on January 12, 13 & 14, in the amount of \$102.12.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Shirley Stucki for expenses in attending the Annual Assessor's Conference on January 12, 13 & 14, in the amount of \$103.68.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Alvin Stucki, the Center Township Assessor, for expenses of per diem and travel mileage in attending the Annual Assessor's Conference on January 12, 13 & 14, in the amount of \$103.68.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Cook Chevrolet for repairs to the Coroner's vehicle, in the amount of \$325.82.

A memo on the claim stated that the total amount of the damage to the car, after hitting a chuckhole at the corner of Governor & Division Sts, was \$661.55 and the City has agreed to pay half of it.

County Attorney Swain said this is a matter of compromise and settlement without court action, since streets are excluded from their policy.

Commissioner Ossenberg said that the Insurance Co. paid the cost of another instance such as this.

Commissioner Ossenberg then moved that this claim be denied and said they will check with the City to see if they have an Insurance Carrier to pay this, since it isn't the responsibility of the County. Commissioner Willner seconded the motion. So ordered.

County Attorney Swain noted that this claim is made on the Coroner's budget and not the Commissioners.

Mr. John said they had tried to take this out of their Autopsy Account and that with a letter, it could probably be transferred and he could set up a repairs account. The Coroner's office will be contacted on this matter.

A claim was submitted by Jane Griffith, Court Reporter for the Superior Court, for services rendered in the preparation of transcript of hearing, in the amount of \$63.00.

County Attorney Swain explained that this is for the transcript and preliminary hearing on the Brune versus County Council. He said he has a copy of the transcript. He said that this would be paid from the Account of Awards, Indemnities & Judgements.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority, for revamp return air and ventilation system in room 200 and 201 because of Legal Aid construction in remodeling the courtst, in the amount of \$600.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority, for revamp return air and vent system in room 207, 211 and 214, Law Library, in the remodeling of the courts, in the amount of \$700.46.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION WITHDRAWN

Docket No. 76-03-PC VC-22-75...Petitioner: Carl J. and Minnie E. Burgdorf. Premises affected are situated on the east side of Cypress Dale Road, a distance of 1,000 feet north of the turn in said road where said road changes from an east-west to a north-south direction and there is no commonly known address for this real estate.

Requested change was from A to M-2 for the use of concrete products including central mixing and proportioning plant and associated concrete by-products.

This petition was withdrawn by a letter from their attorney, Mr. Robert S. Matthews.

County Attorney Swain said he thought a man had an absolute right to withdraw a petition with no questions asked.

Commissioner Ossenbergh moved that the withdrawal be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION Docket No. 76-01-PC VC-20-75

PETITIONER AND OWNER OF RECORD....CURTIS E. HUBER

Premises affected are situated on the west side of U.S. Highway 41 North and formed by the intersection of said U. S. Highway 41 North and Inglefield Road. The requested change is from A to M-2 and proposed land use is the development of an Industrial Park.

At the Area Plan meeting, this petition was approved by eight affirmative votes and one abstention.

RE: REZONING PETITION.....Docket No. 76-02-PC VC-21-75

PETITIONER AND OWNER OF RECORD.....SOUTHERN INDIANA GAS & ELECTRIC CO.

Premises affected are situated on the west side of U. S. Highway 41 North, a distance of approximately 2,662.4 feet north of the corner formed by the intersection of said U. S. Highway 41 North and Inglefield Road.

The requested change is from A to M-2 and proposed land use is the development of an Industrial Park.

At the Area Plan meeting, this petition was approved by eight affirmative votes and one abstention.

Mr. Bill Foreman, representing the petitioners, said he is pleased to present to the Commissioners, matters which they are confident, will result in substantial economic benefit to Vanderburgh County. He said he represents both petitioners, Curt Huber and the Gas Company, that the tracts of land are adjoining tracts, that the Huber tract is located on Inglefield Road and is approximately 85 acres and to the North of that, is the tract of the Gas Company which is a little over 20 acres and he said that they are both bound by Highway 41. He presented an aerial photo of the area of discussion.

He said this is in the nature of a co-operative plan of development by both, Mr. Huber and the Gas Company and that Mr. Biggerstaff has prepared a plat of the intended Industrial Park for both clients, to demonstrate the results as a whole, which he also presented. He said this land is approximately 3 1/2 miles South of I-64, also that others have this same concept and he presented a letter from the Waterworks Department, pertaining to their interest in this development and that the concept, they believe, is that Highway 41, from the North of the City, all the way to I-64 is going to be the logical area for future development in this County.

The letter reads as follows:

Gentlemen:

For your information, the Evansville Waterworks have final plans and specifications for construction of a 16 inch water main from Boonville-New Harmony Road, through Inglefield and along U. S. Highway 41 to I-64.

We have purchased necessary right-of-way for this construction to a point well north of Inglefield Road, and are currently negotiating for all right-of-way to I-64.

We have also secured all necessary State Highway Permits for this construction.

The Board feels that this is a prime area for industrial development and for this reason we initiated this planning early in 1975.

Mr. Lennartz, Area Economic Development Director, with the Chamber of Commerce, said that they also provide staff-support to the Evansville Industrial Foundation and on behalf of both these bodies, he would like to re-affirm points that have been made to encourage the Commissioners to pass favorably on these two rezoning petitions. He said the remark that was made about the logical thing in the Highway 41 corridor North from the City, all the way to I-64 as a prime Industrial Area for future Industrial growth, is also shared by both those bodies. He said that in dealing with Industrial clients, they find that good developed sites are one of the prime criteria they look for when they consider locating an Industry in Evansville, also that they are in need of those kinds of sites and that the Chamber of Commerce thinks this represents the first serious and extensive effort to go about developing those kinds of sites out the Hwy. 41 corridor and that they are in full support of Mr. Huber, in his request and he would encourage the Commissioners to act favorably in that regard.

Mr. Foreman then introduced Mr. Huber, Mr. Joiner of the So. Indiana Gas & Electric Co. and Sam Biggerstaff who has been doing the engineering work for both clients. He said if anyone had any questions of any of these gentlemen, they are available.

Commissioner Ossenberrg said that he would like to add one thing for the benefit of Mr. Huber, Mr. Biggerstaff and Mr. Joiner, and this is that all the curb cuts were approved, the frontage road was approved by Urban Mass Transportation, and that Inglefield Road as well as the inlet and outlet were approved so he has met all criteria that was requested of him.

There were no remonstrators on either petition.

Commissioner Willner said he had a few things to bring up on these zonings and one of them is drainage, that there is no particular drainage problem on this particular parcel of ground that is included in both petitions but he finds that the run-off does run off into the Pond Flat Ditch and that every hard rain floods Darmstadt Road, and Old Princeton Road, so they do have a problem with drainage. He said he has talked with the Area Plan Commission and they say this can be done on the theory that a holding pond be established on the property. He said he would like to see this made a part of the petition before it is voted on.

Mr. Alcott who is with the Soil & Water Conservation District, said, in reviewing his report, that he was asked by the Area Plan, to do an inventory and evaluation on the site of these two petitions and in his report, he had one particular type of soil which has a high water table and he recommended that they be cautious about building because there is seasonal high water tables near the ditch itself, that drains through the property, however, that he is convinced that the area isn't in a flood plain.

He quoted one particular item that he recommended and that was that, "prior to any construction, to check with the County Drainage Board to see what affects increased run-offs would have on existing farm land North of this property."

He said that the drainage ditch that runs from this property to Pond Flat's ditch, is the only drainage that the farmers have, North. He said that with a number of things such as roof-tops, parking lots, etc. being built, he felt that an engineer should have come up with facts to see just how much capacity the ditch will have, going North.

He said he has looked at the ditch and that right now it looks like its minimum for farm land so he said this should be looked at cautiously, that possibly the ditch might need to be dredged again if there is going to be a significant change in the area to be developed.

He also recommended a Soils Type Analysis, since all the soils have severe limitations for septic filter fills. He said that if there is development in the area, he would recommend that it be on a sanitary sewer because of the seasonal high water, and this would pretty much solve their problem.

Mr. Foreman said there is no intent to hide from it, that they are aware of the report and are prepared to meet the plans and any requirements that may be involved in the development, that they are getting into the engineering phases of it but that there is nothing that can't be worked out, but it will have to be worked out when development commences. He said that one thing about trying to design it immediately is that they really don't know the extent or nature of development but that one of the recommendations is the retention area to retard the flow of water. He said that Mr. Huber is quite aware of this possibility and is willing to do it if necessary. He said as far as sanitary sewers are concerned, there plans afoot now and they have asked us for the right-of-way out there and it has been granted, both for the water and the sewer.

Mr. Foreman said they are talking about a co-ordinated development, that these people want to do it right and they are fully aware of the problems and are quite prepared to meet them but they must get the zoning first in order to get going on the other things.

Commissioner Schaad said as long as it is understood that they have a problem and that they will solve it themselves, he didn't think there would be any trouble.

Mr. Foreman said he thought it would be perfectly in order to suggest to the Building Commissioner that these problems are there, that they have to be met when the building permits are applied for.

Commissioner Willner said he wants the developer to stand the drainage problems at his own expense, that this is all he is asking.

Commissioner Schaad said that as far as the rezoning is concerned, when it gets right down to it, when they apply for a building permit, then is when they have to meet the criteria of the drainage according to the County Code and this is where it will be caught.

Commissioner Willner said yes, but then they come back before the Commissioners and want the County to do it and in the past, they have been doing it and will probably continue to do it and the taxpayers are tired of this.

Commissioner Ossenberg said he disagrees with Commissioner Willner, that what you enjoy out of the tax revenue, of those new businesses out there alone, comes back into this county in revenue. He said he thought government should help any industrial site that comes into this town.

Commissioner Willner said he did measure from the present sewer to I-64, that it is 5.7 miles and a sewer would cost \$1,400,000.00 to run it up to I-64 and it will be spent by the City and will be paid for by present sewer users and in that distance, the sewer can serve four gas stations, a massage parlor and twenty-two homes and that is ten homes across the highway, so it would probably be 30 or 40 years and depending on development, before it could possibly pay for itself and the same is true on the water, that the water line is approximately five miles from I-64 and using the engineers table, it would cost \$400,000.00 to run the water up there and could only serve three businesses, thirty-one residents, plus properties across the highway so they are getting into a big expense when they say, per se, that Highway 41 should be industrial property to I-64. He said there is no gas in the area and gas lines need to be run and most importantly, this piece of property is fine for agriculture and according to the Wall Street Journal, there is only forty-four million acres of fine agricultural land left in the United States and we are using it at the rate of two and one-half million acres a year so it doesn't take very good mathematics to find, in twenty-two years, that we'll be out of fine agricultural land at the rate we are going. He said that just one and one-half miles from this particular ground, we have an M-2 zoning that this Board zoned for Potter Brumfield, who elected not to take it and it is still zoned that way and it isn't fine agricultural land. He said we have two Industrial Developments South of that, the East Side Industrial Park and the West Side Industrial Park and absolutely none of them are full, so what we are doing is building on the fine agricultural land and leaving the non-agricultural land with nothing on it. He said there is absolutely no shortage of industrial land in Vanderburgh County and there is a wide choice of it so there is absolutely no need for this and if the Chamber of Commerce will check into this particular facet of it, he is sure they would say there is no need for any additional industrial zoning.

He said if there were a need, he would be the first to say they should do everything they can to rezone the property and help the business that is coming in. He said he understands there has been no one standing in line to buy this particular property or to move into this area so he does object strongly, to take prime agricultural land and turn it into industrial land and the sewer, the water and the gas, the sewer and the water would be paid by the people who are using it now and not the developer and he feels that there is only one prime reason for this being rezoned and this is dollar-wise and therefore, he is against these rezonings.

Mr. Foreman said he assumed that Commissioner Willner was talking in terms of the Northeast Industrial Park. He said there are approximately 80 acres out there and of these 80 acres, if they take away the lots that have been sold as well as the sites they have options on, from significant industry, they will wind up with 4 1/2 acre sites which still have to be filled so they have about 16 acres left of this 80 acre site. He said he assumed that the other Industrial Park that Commissioner Willner was talking about was the Kauai Industrial Park and they aren't filled yet but

they are also filling up and the point they were trying to make is that they can't wait until the parks are completely filled before they begin to develop areas and the 4 1/2 acre sites they have in the Northeast Industrial Park did not offer an effective inventory for them to show an Industrial Plan, particularly if he needs a larger site.

He said the property that the Southern Indiana Gas & Electric Company and Mr. Huber are developing out there, he thought, represented larger sites which will help attract larger clients.

Mr. Huber said there was a lot of merit in some of the points Commissioner Willner presented, however, he thought it should be said, that it is the history of every community that he knows anything about, that when an Interstate Highway runs near a city, then the natural tendency is for the City to expand toward that Highway because transportation is so vitally important and becoming more-so for any kind of industrial development.

He said the reason they bought this property over twenty years ago and held it all these years and not made some other disposition of it such as a residential development is because it has very unique characteristics for industrial development and he didn't know of another piece of ground in another area that is so located in our County where it has good highway accessibility on our number one arterial route and also has the L & N Railroad main line which provides rail transportation which major industry normally requires and for this reason, he feels that it can certainly be to an economic advantage of our community to have quality industrial sites in this particular kind of a setting and many of our top industries like the exposure, in addition to the accessibility to the transportation.

He also said he agreed 100%, that any time a property is developed, it should be developed in such a manner not to aggravate drainage problems or to cause them, however he thought there is a tendency, more and more, in government, that they can't use this property because it is in a flood plain or because for one reason or another, it isn't ideally adapted for such use and if they follow this line of reasoning to its extreme, they can take maybe half of Vanderburgh County and say it can never be used for anything except its present use and he thought this was a fallacy. He thought that any piece of ground, anywhere, can be used if enough money is spent to make it usable.

He said that Miami Beach is an example, since this land was out in the ocean, but after the developers filled it with sand, it became a sight of many millions of dollars worth of development to the advantage of the state of Florida and all who go there.

Commissioner Ossenberrg moved that petition #76-01-PC VC-20-75 of Mr. Curt Huber be approved. Commissioner Schaad seconded the motion.

The vote being in the affirmative by majority with Commissioner Willner voting "no", the motion carried.

Commissioner Ossenberrg moved that petition #76-02-PC VC-21-75 of the Southern Indiana Gas & Electric Company be approved. Commissioner Schaad seconded the motion.

The vote being in the affirmative by majority with Commissioner Willner voting "no", the motion carried.

RE: REZONING PETITION

PETITIONER AND OWNER OF RECORD.....CHARLES W. RIGGS

Premises affected are situated on the West side of Green River Road and Highway 57 The requested change is from A and R-1 to C-1B and proposed land use is Used Car Sales.

At the Area Plan meeting, this petition was approved by eight affirmative and one negative vote.

The staff field of the Area Plan Commission gave the following recommendation on this petition:

There is commercial activity in the area and there presently is a non-conforming use on the premises. The staff recommends approval if the curb cuts are approved by the traffic department.

The size of the area in question here is about 4.4 acres.

There were no remonstrators present, nor was there anyone to speak for the petition.

County Attorney Swain said that if he remembers correctly, all they are doing here is zoning to an existing use.

Commissioner Ossenberg moved that the petition of Charles Riggs, #76-04-PC - VC-23-75 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REQUEST BY MR. REYNOLDS

Mr. Bob Reynolds, Representative for the Brotherhood of Locomotive Engineers of the L & N Railroad, appeared before the Commissioners and said that the membership had requested that he explain to them about a problem they are having on Old Henderson Road, south of the stockyards, that they have put up a metal building out there since they have a lot of crew changes with three shifts, yard jobs, etc. and they have a ditch stopped up along Henderson Road that runs over into the parking lot and the men are concerned about it, and they would like to have something done to take care of the problem.

Mr. Siebeking said he would take care of this problem for them.

RE: ANNUAL REPORT BUILDING COMMISSION

Mr. Crooks submitted his yearly report on the number of permits that were issued during 1975, as well as that of the year for 1974.
License Revenue for the year of 1974.....\$21,010.00
License Revenue for the year of 1975.....\$14,845.00
Report received and ordered filed.

RE: DAM 48 RECREATION

Commissioner Schaad said that Mr. Crooks has been down at Dam 48, that he got the keys to the houses and has made a complete survey with the people from the Corp of Engineers and he will report on it at another time. He said he appreciated Mr. Crooks' co-operation.

RE: SPEED LIMITS ON ST. JOE AVENUE

The following recommendation for speed limits on St. Joe Avenue was submitted by Mr. Judd, the Traffic Director:

The Board of County Commissioners approval is requested for the placement of certain speed limits on certain sections of St. Joe Avenue as listed below:

From 460 north to Mill Road	30 M.P.H.
From Mill Road north to within 300 ft. south of the wooden railroad bridge	40 M.P.H.
From 300 ft. south of the wooden railroad bridge to 300 ft. north of the railroad bridge	20 M.P.H.
From 300 ft. north of the wooden railroad bridge to Frontage Road	40 M.P.H.

Commissioner Ossenberg moved that the recommendation of Mr. Judd, as to these speed limits on St. Joe Ave. be approved. Commissioner Willner seconded the motion. So ordered.

RE: ST. JOE BRIDGE

Commissioner Willner said the speed limit on the bridge should have been lower this morning, that the steel plate in the bridge floor which was put in last Friday, has bounced out already.

Commissioner Schaad said that Mr. Siebeking had called him last week on this and he told Mr. Siebeking that his opinion was to spend as little as possible to try to make it safe and that Jack thought maybe this steel plate would hold and he didn't know what else to do without spending a lot of money.

Mr. Siebeking wondered if they could maybe go in there and cut some holes in the plate and put a leg screw through it to hold it down. He said he will try this because this is the only thing he knows to do with it.

RE: MR. HOTZ

Mr. Hotz reported that they had some wind damage at the Highway Department last week and that a building that was previously used to house the dogs, was destroyed. This matter was referred to the Insurance Company.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the County Highway employees for the past week.
Report received and ordered filed.

RE: MR. SIEBEKING

Mr. Siebeking said that on the culvert down at the Railroad that Commissioner Willner was talking about, he wondered if the Railroad Company would pay for the pipe if the work needs to be done. He said the County doesn't furnish the tile but they will put it in, that it is the driveway into their building and it looked to him like it was mashed flat.

Commissioner Schaad said he would suggest that Mr. Siebeking take a look at it and if this is the case, he should contact the Railroad and see if they will pay for it.

Mr. Siebeking said the County has cleaned the ditches on the north side of it, so the water will drain out okay but he was sure the tile was mashed down where they cut in and out there.
He said if he sees that it needs replaced, he will check with the Railroad and see if they will pay for it.

RE: WOODLAND HILLS DRIVE

Commissioner Willner said he received a letter on Woodland Hills and that he thought they have a petition to chip and seal that drive and this is just a reminder that they would like to have this work done in this fiscal year.
This matter was referred to Mr. Siebeking.

Mr. Siebeking said there is another thing they will have to clear up and he can check with Mr. Ludwick on it, but he wondered just how far back they go on Woodland Hills Drive.

Commissioner Willner said his understanding was that they go to those two concrete pillars.

Mr. Siebeking said he thought that the letter probably referred to the area from the pillars to the dead-end because this is where it is in really bad shape.

RE: ACRE DRIVE

Commissioner Schaad said that Acre Drive also needs some attention and asked that Mr. Siebeking put it on his list.

RE: BRIDGE OVER ST. JOE AVENUE

Mr. Ludwick said he has received the letter from the Penn Central Transportation Company and submitted the following:

SUBJECT: Evansville, Vanderburgh County, Indiana
Proposed Removal of O.H. Bridge 151.93 - Evansville Secondary
Line 8438 (File: WRA)

Dear Mr. Ludwick:

Please refer to recent telephone conversations with my office concerning subject bridge removal and replacement with fill.

Attached is agreement draft patterned after one with the State on a similar project on this line for your use in preparation of the Agreement in its final form, if terms and conditions are acceptable to the County.

It may be necessary to secure permission from the United States Railroad Association to abandon a short segment of track at bridge site to permit your proposed construction.

Very truly yours, J. T. Sullivan,
Chief Engineer

Mr. Ludwick said that a letter was submitted, last week, by Mr. Hallock, the Chief Engineer of the State Highway Department and that it gives a step by step process that the County Attorney's will have to go through to get this agreement. He said that he had also received a copy of a letter that Mr. Hallock had sent Mr. Sullivan who is the Chief Engineer in Philadelphia, Pennsylvania, in reference to Posey County. He said that some words would have to be changed on the agreement so they could get this bridge taken care of, also that between

the two reports, it will take about two weeks to get the agreement signed by the National Railroad Association.

Mr. Ludwick noted that the bridge number at the top of the letter under "Subject" will have to be referred to at all times, in reference to this bridge.

This matter was referred to the County Attorney's so they can prepare the proper papers, since it is of the utmost importance to get something done as soon as possible.

RE: POOR RELIEF

Birda Mae Burks.....1935 Linwood.....Pigeon Township.....Mrs. Vitatoe, Investigator

Ms. Burks was to have appeared before the Commissioners today, since she had requested help on her rent from the Trustee and was refused, but she failed to appear.

REQUEST DENIED

Mrs. Vitatoe said that she wanted to report to the Commissioners that Ms. Burk has \$488.00 of tax-free money coming into the household per month, that \$329.00 is from A.D.C. and \$159.00 from Social Security.

She said that Ms. Burks lives in a project and her rent is only \$73.00 per month and that she has twelve people in the household, including three daughters and their children which are also based with the A.D.C. income.

She said that Ms. Burks can only account for \$218.00 of the \$488.00 which includes 162.00 for \$450.00 of food stamps, plus she pays an insurance payment and a time payment to A. G. Duncan and she pays the book rental at school which totals out to \$218.00, also including her rent.

She said that Ms. Burks wanted the Trustee to make this month's rent and that she denied it on the basis of sufficient income.

Commissioner Willner moved, on the facts that were available, that Ms. Burks request for rent be denied. Commissioner Ossenberg seconded the motion. So ordered.

RE: NURRENBERN & RED BANK ROAD

Mrs. Smith asked the Commissioners what the status was on the corner of Nurrenbern & Red Bank Road and asked if there was any way this could be widened. She said that her son was almost killed there Saturday, that a man came around that corner and almost hit him. She said the man called later and apologized and said that he was going too fast and didn't see her son.

Commissioner Ossenberg said that Mr. Nussmeyer has drawings right now to bring Short Nurrenbern up and around the cemetery, that they have a call in for \$225,000 from the County Council and it depends on their approval. He said that she can check with Mr. Ludwick and Mr. Nussmeyer on this.

The meeting recessed at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 26, 1976

The meeting of the County Commissioners was held on Monday, January 26, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the County-owned Surplus Property today. The bidding will remain open and the sale will continue next week.

Last week, there were twenty-two parcels sold and \$2,400 realized from this sale. Commissioner Schaad said the most important thing about the sale is that all of these parcels will again be placed on the tax role and the County will again be collecting taxes from them.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PLEASANTVIEW REST HOME

Correction - Phyllis Butler 8 Tulip Ave. L.P.N. \$7,950.00 Yr. E&B: 1/1/76

CIRCUIT COURT

Marguerite Harding 1509 Lincoln Ave. Rep. Grand Jury \$200 Pay E&B: 1/1/76
Jerry Brandenberger 2105 Covert Ave. Bail Bond Interview \$3.00 Hr. E&B: 1/1/76
Charles Smith 1315 Cass Ave. Bail Bond Interviewer \$3.00 Hr. E&B: 1/1/76

SUPERIOR COURT

Teri L. Wallace Rte. 5 Newburgh Sec. Ind. Ct. Admin. \$6,100.00 Yr. E&B: 1/26/76

RE: EMPLOYMENT CHANGES.....RELEASES

PLEASANTVIEW REST HOME

Correction - Phyllis Butler 8 Tulip Ave. L.P.N. \$8,223.00 Yr. E&B: 1/1/76

BOARD OF COUNTY COMMISSIONERS

Susan Kay Norman 3205 Tremont Secretary \$2.82 Hr. E&B: 1/23/76

RE: COMPLAINT ON COUNTY PROPERTY ...REQUEST TO RAISE HOUSES

Mr. Harold Taylor of the Housing Inspection Department, appeared and explained that there are two properties which are on the present list of County-owned Surplus Property and that both of them are definitely dilapidated. He said they do have ample funds in their spot demolition program to get rid of these houses, also that these houses are located at 517 E. Mulberry St. and at 901 Line St. and the one on Mulberry Street has been in litigation for quite some time and it has apparently come out of litigation now and he requested permission from the County Commissioners, to raise these two parcels of property.

County Attorney Swain said that the woman may have dropped the litigation but it is still subject to the outcome of the lawsuit.

Commissioner Ossenberg moved that the property at 901 Line Street be demolished. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner said he just wanted to be sure that the County own this property, clear, and that there are no lien's against it.

Mr. Taylor said the owner gave this property to the Board of Public Safety since he didn't want it and he said that they could tear it down, that he wasn't going to do it.

Commissioner Ossenberg moved that the parcel at 517 E. Mulberry be referred to the County Attorney so he can get the litigation on it straightened out. Commissioner Willner seconded the motion. So ordered.

RE: LETTER OF RESIGNATION

The following letter was received from Mr. Dressback, that was dated January 23, 1976, by the Commissioners:

This is to advise that I am resigning my position as manager of the Vanderburgh County Auditorium & Convention Center, effective March 4, 1976.

It has been a pleasure serving under your regime.

Sincerely, Doyle Dressback

Commissioner Ossenberg moved that Mr. Dressback's resignation be accepted. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE.....RADIO'S FOR SHERIFF'S DEPARTMENT

Mr. Huffman presented specifications and Notice to Bidders. He requested the permission of the Commissioners to proceed with the advertising for bids.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

Grant money will be used to pay for these radio's.

The advertisement dates will be January 29th. and February 5th. with the opening dates of the bids to be February 10th. 1976..

Commissioner Ossenberg moved to make these dates part of his motion. Commissioner Willner seconded the motion which included the dates. So ordered.

RE: LETTER OF COMPLAINT.....RAINTREE DRIVE

Commissioner Schaad presented a letter from a Mrs. Brunson of 6500 Raintree Drive. The letter reads as follows:

Gentlemen:

I'm writing in regard to the repaving of our lane on Raintree Drive. It has been patched many times and is in very bad shape. It is located off Hogue Road, right past Perry Heights School where you turn off Hogue Road onto Westmore Drive and Raintree is down that lane and off to the left. I would appreciate if something could be done. The road is in real bad shape, especially now with the weather as bad as it is.

Mr. Siebeking said the road is in bad shape and does need some attention. He said it isn't over two-tenths of a mile.

Commissioner Schaad said that nothing can be done about this road until springtime anyway, so he will call Mrs. Brunson.

RE: LETTER OF REQUEST....GERMAN TOWNSHIP ASSESSOR

Commissioner Schaad said that Gary Wagner is the new Assessor out in German Township and he submitted the following letter:

COUNTY COMMISSIONERS:

Due to an oversight on our part, we failed to ask for permission to attend the Assessor's Conference.

Since this is our first year, we hope you will excuse our negligence. We did not know that we had to write this letter until we had already turned our mileage in. We hope you will give us an okay.

Thank you very much,

Gary W. Wagner

Commissioner Willner moved that permission be granted for the travel that was necessary to attend the Assessor's Conference.

Commissioner Ossenberg seconded the motion. So ordered.

RE: YEARLY REPORT.....TRAFFIC DEPARTMENT

The report of the Bureau of Traffic Engineering Department was submitted for the year of 1975.

Report received and ordered filed.

RE: VISITOR RECOGNIZED

Commissioner Schaad introduced Mr. David Elkins who is a student at University of Evansville and is present to observe how the County Government is run. He told Mr. Elkins that the Commissioners would do anything they could to help him and invited him to come back at any time.

RE: CLAIMS

A claim was submitted by Cooke Chevrolet Co. Inc. last week, for the repairs made to the Coroner's vehicle, after being damaged by hitting a chuckhole. The total cost is \$651.64 and the City had agreed to pay half of it. After checking, Curt John said that the Coroner could transfer money from Acct. #213 into Acct. #252 by submitting a letter of request.

This has now been done so the claim in the amount of \$325.82, to be paid from the Coroners budget, is again presented for the Commissioners approval.

Commissioner Ossenberg moved that this claim now be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency Inc. for Continental Plate Glass policy #PG 5 T7 72 47 covering Auditorium & Convention Center in the amount of \$798.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Sheriff DeGroote for reimbursement of expenses incurred while he attended meetings with the Indiana Sheriff's Association & the Law Enforcement Training Board that was held on Jan. 19th. 1976, in Indianapolis, in the amount of \$55.83.

Commissioner Schaad explained that Sheriff DeGroote was going to drive to Indianapolis to attend these sessions but that the weather was so bad, that he decided to fly instead so this claim is for his plane fare.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

There was some question as to if whether the County exemption number, by being filed, if they could eliminate the state tax on this claim for air travel.

Mr. John said he didn't know if it would work on this airline or not but that the County does have a tax exempt number.

Commissioner Schaad asked Mrs. Smith to check with the airlines on this matter and said that the claim should be paid to reimburse Mr. DeGroote & ask if it is possible to use the tax exempt number, that a memorandum be made on it. The amount of taxes paid on this claim which is included in the total amount is \$4.05.

A claim was submitted by the Evansville-Vanderburgh County Building Authority, for the new court room #223, to fabricate 15" x 48" x 8" plywood filler piece for jury box and construct enclosure end for witness stand in the amount of \$202.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority, for the Law Library, to furnish labor and material to erect 8-ft. low vinyl partition with 3' x 7' used solid door, in the amount of \$300.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said there is to be one more bill on these repairs and that will finish it, also that the bill will be less than the estimate, hopefully.

A claim was submitted by the Evansville Urban Transportation Study, for the county's share of the E.U.T.S. in the amount of \$12,561.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Karen A. Wagner, the Deputy Assessor of German Township, for expenses incurred in attending the Annual Conference of the County Assessor's and Township Assessor's on January 12, 13 & 14 of 1976, in the amount of \$60.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Gary W. Wagner, the German Township Assessor, for expenses incurred in attending the Annual Conference of the Assessor's, in the amount of \$60.00. It was noted that no mileage is requested on either of these claims and it is allowed.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Robert T. Dorsey, the Pigeon Township Assessor, for expenses incurred in attending the three day Conference in Indianapolis, in the amount of \$102.12.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Jerome R. Zeller for expenses incurred in attending the Annual Conference of the Assessor's, in the amount of \$102.12. Mr. Zeller is the Real Estate Deputy for Pigeon Township.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Sheriff DeGroote for meals served the prisoners from December 15th. 1975, to January 14th. 1976, for a total of \$7,982.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: AUDITOR'S FINANCIAL REPORT

The Auditor's Financial Report for 1975 was submitted to the Commissioners for approval.

Commissioner Ossenberg moved that the report be approved and authorized the Auditor to advertise the report, as required. Commissioner Willner seconded the motion. So ordered.

RE: DAM 48 RECREATION SITE

Commissioner Schaad explained that the Commissioners had a special meeting on January 13, together with the Citizens Advisory Committee and the County Park Board, to discuss what they might do with Dam 48. He said the Commissioners could lease it for \$1.00 per year, to be used as a park. He had asked Mr. Crooks to look into this matter and study it, to see what would be necessary in the way of expense, to check the condition of the houses and the septic tank, since they had heard so many reports on them and to report back to the Commissioners with a recommendation and to put together some figures as to what it might take to use the acreage at Dam 48 for a camping site.

He said that Mr. Crooks has been working on this and has done a very fine job on it, that he has seen the preliminary report but that Mr. Crooks told him, this morning, that he was going to Indianapolis and talk to the Health Department to try to come up with some other ideas as to what they could do with the sewage. He said, since it floods, they can't use just the septic tanks and Mr. Crooks has some ideas on that and he is also projecting some approximate costs and in the meantime, Mr. Lutz has brought something up that he was unaware of, in that, about three years ago, the Corp of Engineers started providing recreational sites when they take out dams up and down the river and he understood from Mr. Lutz, that the Corp of Engineers had purchased about 22 acres of land near the vicinity of Dogtown, to be used for both, boat launching and recreational sites including picnic benches, parking areas, etc.

He said he called the Corp of Engineers last week and talked to a man with the Corp and was told that there is a lady engineer that is a planner there and he understands she has plans on what they are planning to do with this acreage near Dogtown and he was going to contact her and get back with the Commissioners and let them know exactly what they are planning there because he understands, which is just hearsay, if the Corp should build a recreation facility there, at Dogtown, after they build it, at their own expense, it must be turned over to some agency

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to operate it, so, since it is in the County, he thought it would be the responsibility of the County Commissioners and they would have to agree, if it is built, that the Commissioners will take it over and maintain and run it. He said he asked the man, why they were buying the site at Dogtown and spending money there when they knew that they were going to be giving up Dam 48 and they could use this acreage and the man told him, very frankly, that Dam 48 wasn't a suitable site.

Commissioner Schaad said he was going to contact the Corp again this afternoon and see if they can give the Commissioners more information on the site at Dogtown, what they plan to do and when, and then, he proposes to call another joint meeting of the Commissioners, the Citizens Advisory Board, together with the Park Board and other interested citizens and then get some publicity on it but he thought it was best to wait until they get it all together so they know where they stand.

Mrs. Doris Eicher, who represents the Garden Club, the Boy Scouts and the Audubon Society, appeared and asked if the Commissioners knew just how much acreage was available to the public with public access at the Dogtown site.

Mr. Lutz said it was right on the Old Henderson Road and that it goes all the way to the river.

Commissioner Schaad said they were going to have to move rather quickly because he had a call from the Corp and was told that they were going to have to do something about tearing all that concrete out at Dam 48 and the Commissioners will have to make a decision and let the Corp know before February 20th, as to what their feelings are on it. He said if they should decide that the County won't lease it, then the only thing the Corp can do, as he understands it, is that they will turn it over to the General Service Administration who will dispose of it, also that he was told that if the County still has an interest, even though they don't want to lease it and maintain it, according to the lease, he would be glad to tell the General Services Administration that the County still has further interest in it, perhaps to buy it of for them to give it to the County for \$1.00 and if this should happen, the Commissioners may look at it a different way, but this will have to be talked about at a different time.

He said that it shouldn't take Mr. Crooks long to get his report together, also that Mrs. Eicher will be contacted when they have the joint meeting.

RE: TRAFFIC PROBLEMS

Commissioner Schaad said that Mr. Judd is unable to be here this morning, but that several weeks ago, he had asked Mr. Judd to check on some signs needed on Old Lower Mt. Vernon Road, as requested by a Mr. Kloke, who is an interested person who had said that a school bus turns around out there and it is a dangerous situation and Mr. Judd was to contact Mr. Kloke, but he called and said he hadn't heard from anyone so he wanted to remind Mr. Judd to call Mr. Kloke.

Commissioner Schaad said some else called him to say that there were no stop signs at K-Mart on St. Joe Avenue and that people drive right out on St. Joe Avenue from the parking lot and it seemed to him that some stop signs should be installed out there to keep the people from driving right out in front of the traffic.

Commissioner Ossenberrg said he thought this was the responsibility of K-Mart.

Commissioner Schaad said that perhaps they should contact K-Mart, for the safety of their customers.

County Attorney Swain said he thought it to be the County's responsibility and that they would want to take it even if it wasn't their responsibility, otherwise they will get about seventy-five different kind of stop signs out there and they should be uniform.

Commissioner Schaad said he wasn't aware of this situation and that Mr. Judd should be told about it.

RE: MR. SIEBEKING

Mr. Siebeking said that Mr. Reynolds came in last week, representing the L & N Railroad Co., about a driveway in the South Howell building. He said he checked it out and that the culvert is in bad shape, so he talked to the Chief Engineer for L & N, who said they will furnish anything that is needed to correct the problem and he said they would like to widen it so they can get a bigger radius on it because it was his men that are mashing in the culvert.

Mr. Siebeking said his men are digging it out this morning.

Mr. Siebeking also reported that he did have to close the bridge on Emge Road last Friday evening, through the recommendation of Mr. Nussmeyer and the County Highway Department, since it is in very bad shape.

Mr. Nussmeyer suggested that it be declared an emergency and that he will have the plans ready next week. He said they could use the old abutments and replace the steel that has gone bad with concrete and that he figured it would cost between \$10,000 and \$15,000.

Commissioner Ossenberg moved that this bridge be declared an emergency. Commissioner Willner seconded the motion, but said that he does want to see competition in bidding. So ordered.

Mr. Nussmeyer said he would get several bids and submit them to the Commissioners next week.

Mr. Siebeking said they have signs up at the bridge and that they will keep an eye on them so the barricades stay up out there.

Commissioner Schaad said all necessary departments have been informed of the bridge's closing.

RE: ABSENTEE REPORT

Mr. Siebeking submitted his report of absentees on the employees of the County Highway Department for the past week.
Report received and ordered filed.

RE: STREETS ACCEPTED FOR COUNTY MAINTENANCE

Mr. Nussmeyer presented a resolution and list of the following streets for approval of acceptance by the County for maintenance:

VALLEY DOWNS SUBDIVISION

Kings Run - from the intersection of Saratoga Drive to the intersection of Boxwood Lane. One tenth of a mile.

Boxwood Lane - from the intersection of Kings Run to the intersection of Pirates Alley. One-tenth of a mile.

Pirates Alley - from the intersection of Boxwood Lane to the intersection of Saratoga Drive. One tenth of a mile.

The above mentioned streets have been recommended for approval by the County Surveyor and the County Engineering Department.

Commissioner Ossenberg moved that these streets be accepted for county maintenance. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM AND EASEMENT

A claim was submitted by Maude Heinlin for the grant of an irrevocable easement of right of way for widening of Baumgart Road, Acct. #203-2251 and includes a temporary right of way, in the amount of \$2,500.00.

Mr. Nussmeyer said that he is about finished with the plans on this project.

County Attorney Swain asked Mr. Ludwick if he was satisfied with this claim, since it states that additional reimbursement will be made for loss of crops, etc.

Mr. Ludwick said he was satisfied with it and that they have to have this right of way to get started on the project.

Commissioner Willner said he would like to see the finished drawing before they buy the right of way.

Commissioner Ossenberg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered. Commissioner Willner passed.

The easement was signed by Commissioner Ossenberg & Commissioner Schaad.

RE: PENN CENTRAL STRUCTURE

Commissioner Schaad asked what the latest information is that they have on the old Penn Central structure and asked how soon they could get started on it.

County Attorney Swain said they are waiting on him.

RE: ST. JOE AVENUE

Commissioner Willner asked for the plans for St. Joe Avenue, from K-Mart, to the Railroad tracks. He asked if they were ready to let the contract.

Mr. Nussmeyer said they weren't ready to let the contract yet.

Commissioner Willner asked if they were going to get it under contract this year.

Commissioner said that this project comes second, after the Lynch Road Project, but that it depends on Federal Funding and he understands that it is just about to come through.

Commissioner Ossenberg said the final E.I.S. Statement is due in April and they can't move on St. Joe Avenue without that.

Commissioner Willner said that something is wrong here, that St. Joe has been on the list for about ten years and that somebody is dragging their feet on it.

Commissioner Ossenberg explained that they chose to take St. Joe Avenue, not as a County project but as part of a Federal project, then the E.I.S. statements came through and the Federal Government says that you cannot get one penny until you get an E.I.S. statement and that the Commissioners hired a man out of Indianapolis who is doing that statement presently, also that part of the money that was received by Vanderburgh County, last week, on a federal deal, was documented evidence of what engineering we had done on St. Joe Road. He said that Mr. Nussmeyer has updated his engineering but has to go over it and nothing can be done until April, when this man is done with the E.I.S. statement, then hopefully, St. Joe Road will be let for contract this year and he is looking for a target date of June or July.

RE: GREEN RIVER ROAD

Commissioner Willner asked if Green River Road was going to be finished from Boonville-New Harmony Rd. to Hwy. 57.

Commissioner Ossenberg said that if the money is available, he would like to go all the way to 57, however, that he did find out that from Theater Drive to the bridge is in the committed system and heretofore the Federal Highway Administration has said, depending on where I-164 goes, that they would not do anything in the line of monies toward Green River Road.

He said appraisals are being made out there and that at that particular time, the Federal Highway Administration came up with a total count of 3,000 to 4,000 cars out there, which they all know is as false as anything coming and going.

He said that he thought, at present, it is showing a travel count of something like 20,000 to 25,000 cars out there per day and now they will evaluate and probably will give us money for, from Theater Drive, out to the bridge.

He said that Feigel isn't done with the project out there and he asked Mr. Nussmeyer when Mr. Feigel was going back to work out there.

Mr. Nussmeyer said he will get in there about April.

Commissioner Willner said that while he has his equipment out there, the Commissioners should decide whether or not they are going to do it with county funds.

Commissioner Ossenberg asked Mr. Nussmeyer if he had any further completions of drawings.

Mr. Nussmeyer said that as far as the drawings are concerned, he has completed them all the way to 57. He estimated that it would cost approximately \$100,000 to go from Boonville-New Harmony, where they stopped, to Hwy. 57.

Commissioner Ossenberg suggested that this matter be brought back in February so they can see where they stand and perhaps their money can go on it and they can complete this job.

Mr. Nussmeyer said he will give the Commissioners a little better picture on this matter next week.

RE: DISCUSSION OF FEDERAL REVENUE FUNDS

Commissioner Willner said he would like to get a matter cleared up, since two members of the County Council are present.

He said the Commissioners did request \$200,000 of Revenue Sharing money and he is unsure as to whether it was approved or disapproved by the Council and that he would like to have some input on it.

Mr. John said it was not officially allowed and he estimated that there was at least \$200,000 left over, using the 3% to 5% that the State Board of Tax Commissioners said would be left at the end of 1975, plus the \$68,000 that was projected to be left over at that time, without ever being appropriated, plus using \$50,000 per year interest which the county had been receiving but that the rates are much lower now and last year, the County only received about \$25,000 instead of \$50,000, so instead of \$200,000 being left, there is only about \$60,000 left in there right now. He said, however, there is a surplus in the Highway Department.

Judge Lensing said that in 1976, the County Commissioners will receive approximately \$1,300,000.00 for the County in Federal Revenue Sharing money and according to the estimate of the County Council, they appropriated \$1,100,000.00 of the Revenue Sharing money to take care of the Sheriff's budget and if they appropriate the \$200,000 to \$250,000 of Revenue Sharing money for the roads, then that means the Sheriff isn't going to get all of his money unless they have money left over and that Mr. John had said that there was approximately \$60,000 left from 1975, plus interest earned and whatever there is, the County Council recognizes that the County Commissioners have the say-so and if they say that \$225,000 comes out of the Revenue Sharing money before the Sheriff gets his money, then they will probably have to float a loan in order to get through 1976 and they won't know how they stand until the State Tax Board comes out with the final figure.

Commissioner Schaad said that Judge Lensing has said he recognizes that it is the Commissioner's responsibility to show where the Revenue Sharing money goes and he asked if the Commissioners didn't request of the County Council, before budget time, the \$200,000 and didn't they ignore it?

Judge Lensing said that the Commissioners stated, by resolution, that they wanted it noted, that the \$200,000 to \$250,000 of Revenue Sharing money was going to be applied to roads in 1976 and the Commissioners have the say-so.

Commissioner Schaad said, "but the County Council didn't do it.

Judge Lensing said they took it all into consideration and then put it in the Sheriff's budget. He said if the Commissioners insist on it, they can have the money but then they will have to float a loan.

Commissioner Schaad said the Commissioners made this request before budget time and this should have been planned back then.

Judge Lensing said it was planned back then.

Commissioner Schaad said it wasn't planned, that it was ignored, that they were told that there was at least \$500,000 in the Revenue Sharing funds that hadn't been appropriated, so they thought that if they didn't take it out of the 1976 budget, they would get it out of the money that wasn't appropriated.

Judge Lensing said the Commissioners have the authority to control how Revenue Sharing money is spent by not signing the Revenue Sharing checks when they are received from the Federal Government and if they had refused to sign the check, they wouldn't have the money.

Commissioner Ossenberrg said that he thought Mr. John had explained to him that there was \$500,000, approximately, left over from Revenue Sharing money, also that the Commissioners made the request and dropped the amount from \$600,000 to \$225,000, \$200,000 that was earmarked for County Highway and \$25,000 earmarked for Pleasantview Rest Home. He said there are also things that need to be done at Burdette Park and he was going to talk to the Commissioners about earmarking some of the money for this but Mr. Lutz was under the opinion that the County Council left the \$225,000 over to the side, which never took place and he couldn't understand how the Council did not allow for it.

Commissioner Ossenberrg said that Revenue Sharing was not intended to be a tax reducer and that this is why the County Council has been losing income every year. He said he didn't understand why the other Commissioners didn't pursue this, since Revenue Sharing money is, in fact, for Recreation or Capital Improvements and not to reduce taxes, and why they are applying this to jobs, etc, since it is a one-shot deal.

Commissioner Ossenberg asked Judge Lensing how he proposed to finance the Sheriff's Department if the Federal Revenue Sharing money runs out this year.

Judge Lensing said that if the Revenue Sharing money runs out this year and the Federal Government doesn't re-appropriate it for another four years, Vanderburgh County is going to have to either do away with the Sheriff's office or they are going to have to come up with the necessary money by borrowing it.

Commissioner Schaad reminded Judge Lensing that it was the County Council who chose to use the Revenue money for the Sheriff's Department and not the County Commissioners, and he wondered why they didn't use it somewhere else.

Judge Lensing said he didn't misrepresent anything, that he knew they were spending \$1,300,000 when they appropriated \$250,000 for the County Commissioners budget, of Revenue Sharing money for the Mental Health, so he knew this had to come out of the \$1,300,000 and he also knew that when they appropriated \$1,100,000 for the Sheriff's budget, that it had to come out of that \$1,300,000 and by putting it together, he knew they were spending all of the Revenue Sharing money.

Commissioner Schaad said that the Commissioners and even some of the Council members were of the opinion that there was some Revenue Sharing money left and this is why the Commissioners again asked for the \$200,000.

Mr. Lutz said that there was over \$9,000 left in the Revenue Sharing money from last year and to give the Sheriff's Department, their salary raises, this money was also put in the Sheriff's budget.

Judge Lensing said that the cost of government, due to inflation, is going up again and again next September, because there isn't any office in the County that is going to be able to operate on the same amount of money that they operate on this year, and they hope that the assessed valuation goes up, and if this happens, maybe there will be a little extra money, but there is never enough.

Mr. John said that one thing that will help next year too, is that they won't have their \$1,000,000.00 reassessment budget in the frozen rate.

Commissioner Schaad said that the Council had two other opportunities and that they turned down the occupational tax.

Judge Lensing said that he had made a motion for the tax but no one seconded his motion, also that when the Council rejected the tax proposal, the Commissioners did not come to the meeting and voice support for the tax, that the only ones that appeared were the unions and the Chamber of Commerce and they were both opposed to it.

Mr. John said that there is a surplus in the Highway fund that was not foreseen, of about \$260,000 so he couldn't see why they couldn't get the money they needed from this.

Commissioner Ossenberg said that Mr. John is just talking about one deal, that last year, they built \$75,000 worth, that this was all they got out of County Council.

Commissioner Schaad said they would need much more than the \$250,000 because they also have a drainage problem on the East side that is a severe problem and they are trying to get some funds under H.U.D. to do something about it and he is sure that if they get any money at all, it won't be enough to do the whole project and that it will have to be a matching thing and they are going to ask if some of the highway funds can be used because it is right along Burkhart Road and that is a county road drainage problem and they could even possibly use some bridge funds to complete this project that has needed to be done for years and years.

Judge Lensing said that he favors the improvements of the work on the drainage projects and he thinks that Vanderburgh County needs \$10,000,000.00 to straighten out its drainage problems and he favors the County Commissioners requesting a bond issue.

Commissioner Schaad explained that there will be \$835,000 coming to the five counties under the Council of Governments to be distributed among them and if they can make some kind of an arrangement with Warrick County so it will also help them, that they will go along with us and not ask for any of the money so we can solve some of our problems. He said we have a selling job to do since other counties are involved and we will have to see if they will lay off of some of their projects to help us now and that maybe we can help them next year.

Judge Lensing said that he is in favor of the drainage problems being done to the extent that the Commissioners decide to do it, but he believed that they would wind up in having to float a bond issue.

Commissioner Schaad again said that back when the County Council knew they were having their problems with their finances, they had a chance for a local option tax and they turned it down and that they also turned down the occupational tax and they could have had more money here if they needed more to run the County.

RE: AGREEMENT.....TOWN OF DARMSTADT

The roads in Darmstadt were discussed last week and an agreement was submitted, whereby they want the County to agree to be responsible for all road maintenance on the roads in which the common boundary line of the county and town runs down the center of the road and that all monies due by reason of such maintenance and repair shall be the property of Vanderburgh County.

It states that parts of the boundaries of the Town run along the center of portions of Fleener Road, St. Joseph Avenue and Inglesfield Road.

There was a question as to who gets this money and how it is broken down, so County Attorney Swain was asked to contact Mr. Schuttler who is the attorney for Darmstadt and to find out just what the breakdown is.

County Attorney Swain said if his calculations are correct, Vanderburgh County gets roughly \$2,000 per mile and if the County starts doing their roads for them, it will cost us somewhere between \$12,000 and \$15,000 per mile. He said that in his opinion, the County would be better off if the Commissioners let Darmstadt have the money for their half to maintain the roads.

Commissioner Willner said that Darmstadt is taking over their roads that are inside the city limits without question of the County Commissioners and what they are asking is that someone maintain the roads where the line runs down the center, so the County should either take their half or give them the county's half, that it doesn't make any difference which but that they should do one or the other.

After further discussion, the Commissioners decided that Darmstadt take the roads over for maintenance.

County Attorney Swain was asked to get with Mr. Schuttler and see if this is agreeable and to draw up the necessary papers.

County Attorney Swain said he would have County Attorney Wendel take care of it. Mr. Siebeking said he thought the line should be determined on Fleener Road as to exactly where it is, since there is some question on it.

RE: REQUEST BY JUDGE LENSING

Judge Lensing said he has a rezoning petition to be filed and he wondered if the Commissioners would have the first reading on it next Monday so that the Area Plan Commission could act on it in March.

Commissioner Ossenbergh explained that all rezoning petitions are heard on the third Monday of the month by the Commissioners, but will be on February 17th, on a Tuesday, this month, because of a holiday and the petition will still come before Area Plan on March 3rd.

The meeting recessed at 10:55 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenbergh
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Thomas Swain

Secretary: Margie Meeks.

Robert Schaad

Thomas L. Ossenbergh

Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 2, 1976

The meeting of the County Commissioners was held on Monday, February 2nd. 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

Deputy Sheriff Jim Tucker opened the meeting, this being the first meeting of the month.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There was a bid of \$25.00 from Bob Goff on each of the following parcels:

#40.....15-11-9.....1229 Sycamore Street, appraised at \$50.00
#45.....21-57-11....717 S. Governor Street, appraised at \$100.00

Commissioner Ossenberg moved that the parcel at 1229 Sycamore St. be sold to Mr. Goff for \$25.00. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg then moved that the parcel at 717 S. Governor Street be sold to Mr. Goff for \$25.00. Commissioner Willner seconded the motion. So ordered.

There being no further bids today, Commissioner Schaad said that the bidding will remain open and the sale will continue next week.

County Attorney Wendel noted that of the parcels that Dallas Hughes bought on January 19th., he has decided against taking parcel #21, Code No. 34-166-10, which is located at 2709 Sixth Avenue.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY COMMISSIONERS

Doris Wolf 3029 W. Virginia St. Secretary \$2.82 Hr. Eff: 1/29/76

BURDETTE PARK

William Wells 911 Oakley St. Maintenance \$2.75 Hr. Eff: 1/28/76

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

C.E.T.A. Lloyd Steele 641 Jackson Ave. Grounds \$2.30 Hr. Eff: 2/7/76
A.W.E. Wm. B. Jennings 2804 Madison Grounds \$2.30 Hr. Eff: 1/31/76
William Wells 911 Oakley St. Grounds \$2.25 Hr. Eff: 1/27/76

RE: MEETING DATES CHANGED

Commissioner Schaad said that in-as-much as we have two holidays coming up, the Vanderburgh County Commissioners will meet on February 10th., on a Tuesday, instead of on Monday, the 9th. and also will meet on Tuesday, February 17th., instead of Monday, February 16th. These changes are due to the County offices being closed on both Monday's, in honor of Washington & Lincoln's birthday.

RE: PUBLIC HEARINGS SET

Commissioner Schaad also announced that on Tuesday, February 10th and on Thursday February, 12th, there are going to be public hearings in the Commissioners Hearing Room at 7:00 p.m. both evenings. He said that these meetings have been advertised and that the reason for these meetings, are to have input from the people in Vanderburgh County, as to what they think the needs are in Vanderburgh County and for the purpose of discussing the Housing & Development Act of 1974, so the Commissioners will know what the needs are and so they can apply for these federal monies. He said that he understands there is in the neighborhood of \$835,000.00 for the five counties and they have to make application for these H.U.D. funds.

He said these are meetings that are called by the County Commissioners and the secretary is requested to take minutes on them, since it is a requirement, by law.

RE: FIRE EVACUATION ALARM TEST SET

Commissioner Schaad said that there has been a bulletin issued to all offices on this matter but he would like to stress that everyone under the Vanderburgh County Commissioners jurisdiction, take part in the evacuation alarm test that will be held on Friday, February 6th. at 10:00 a.m.

He said that he hopes we will never have to use it but the test will help everyone to know what to do in case there is need for evacuation.

RE: REQUEST TO TRAVEL

A letter of request was received by the Commissioners, from Shirley Cox, the Clerk of the Circuit Court, which reads as follows:

The State Election Board announced a called meeting for all Clerks of the State of Indiana, to be held in Indianapolis on February 10th. She asked the permission of the Commissioners to attend this meeting, at County expense.

Commissioner Ossenberg moved that Mrs. Cox have permission to attend this meeting. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FROM THE AUDITORS OFFICE

The following request was received by the Commissioners from Alice McBride, the Chief Deputy Auditor:

Dear Sirs:

We would like permission to have an electrical receptacle installed in the Addressograph Room of the Auditor's office.

At present we are using an extension cord, which we understand, is not permitted.

Commissioner Ossenberg moved that permission be granted for the receptacle. Commissioner Willner seconded the motion. So ordered.

RE: SCHUESSLER ROAD

Commissioner Schaad said that Mr. Siebeking had requested that Mr. Jess Schuck be placed on the agenda this morning, since he wanted to discuss something that has to do with Schuessler Road but that Mr. Schuck isn't here so the matter can't be discussed at this time.

RE: RESOLUTION AMENDING MASTER TRAFFIC CONTROL CODE

This Resolution was presented to the Commissioners two weeks ago but Mr. Judd did more study on the matter and again submitted it today. It reads, in part, as follows:

SECTION 1. It is hereby determined and declared that Section 3 of the Master Traffic Control Code be and the same is hereby amended to read as follows:

(I) It shall be unlawful to operate a motor vehicle in excess of (20) miles per hour upon and along the following streets, and highways, to-wit:

(H) On St. Joseph Avenue from 300 feet South of the wooden railroad bridge to 300 feet North of said bridge.

(II) It should be unlawful to operate a motor vehicle in excess of thirty (30) miles per hour upon and along the following roads, streets, and highways to-wit:

(U) St. Joseph Avenue from U. S. 460 North to Mill Road.

(V) It should be unlawful to operate a motor vehicle in excess of forty (40) miles per hour upon and along the following roads, streets and highways to-wit:

(H) St. Joseph Avenue from Mill Road North to within 300 feet South of the wooden railroad bridge.

(I) From 300 feet North of the wooden railroad bridge to the frontage road South of Interstate Highway 64.

PASSED by the Board of Commissioners of the County of Vanderburgh on the 19th day of January, 1976, and upon said day signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

Signed by the Board of County Commissioners

The Commissioners signed the Resolution at this time.

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RE: CHECK RECEIVED

A check in the amount of \$1,286.15 was submitted by the Gallagher-Bassett Insurance Service, made payable to the County Sheriff's office, in regard to an Insurance Claim after someone hit one of the Sheriff's cars.

Mr. John said that he would check to see if the repairs have been paid by the Sheriff's Department and that he would deposit the check in the proper account.

RE: ST. JOE AVENUE BRIDGE

Commissioner Schaad said this matter has to do with the agreement covering the ruling of the old wooden highway bridge out on St. Joe Avenue and he asked County Attorney Swain to explain it.

County Attorney Swain said the agreement is prepared between the County and the Penn Central Railroad Co. and he has to figure out what the procedure is. He said as near as he can figure, they have to have some publication in the Federal Register and approval by the U. S. Rail Association and apparently the Commissioners can't sign it until it is approved by them. This matter was held up for the time being.

RE: LETTER FROM MR. HALLECK

Commissioner Schaad said the Commissioners received a letter from G. K. Halleck, the Chief Engineer of the State of Indiana, regarding federal requirements for annual programs for the use of federal aid highway funds and that there are certain forms that must be filled out.

He said this came in before and he referred it to Keith Lockmueller and that this letter is a follow-up and it must be filled out and returned if we are going to get any federal funds here in Vanderburgh County, to build any of our roads.

This matter was referred to Keith Lockmueller.

RE: LETTER RECEIVED

A letter was received by the Commissioners from D. E. McGillem & Associates. Commissioner Schaad said these are the people that were hired to do an environmental study on Outer St. Joe Avenue so that the County could get federal funds to widen St. Joe Avenue. The letter was addressed to Mr. Hinton of the Evansville Urban Transportation Study.

The letter reads as follows:

Dear Mr. Hinton:

This letter is to serve as our current status report detailing our effort toward the development of the environmental impact statement for the proposed improvement of St. Joseph Avenue.

The preliminary draft of the environmental impact statement has been completed. We are presently making final revisions to this version of the report. This preliminary draft of the statement will be submitted to you for your review and comment hopefully by January 31, 1976. The report will be submitted to you prior to submission to the Indiana State Highway Commission for their review and comment.

Please feel free to contact me if you have any questions concerning the project.

Respectfully yours, Robert E. Hittle
Environmental Specialist

This letter was referred to Mr. Ludwick.

RE: CLAIMS

A claim was submitted by James Angermeier, the County Assessor, in the amount of \$145.65, which is for reimbursement for motel accommodations and for attending the Conference for three days, which was previously approved by the Commissioners.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was also submitted by Mr. Angermeier, in the amount of \$130.00 for travel expenses to seven cities for reviewing questioned properties and other related matters as well as in attending the Annual Conference on January 12, 13 & 14, 1976, as approved by the Commissioners.

Commissioner Ossenberg moved that the claim for mileage be approved. Commissioner Willner seconded the motion. So ordered.

County Attorney Swain noted that the County Attorney's were not consulted on these claims.

A claim was submitted by Torian Agency Inc. for Continental Bond #BND 178 81 49 for Burglary Coverage for Clerk of Vanderburgh County in the amount of \$285.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Brinks Inc. for services provided the Clerk of the Vanderburgh Circuit Court, #253029210, in the amount of \$85.80., by contract, for February.

Commissioner Ossenberg moved that this claim be approved for payment. Commissioner Willner seconded the motion. So ordered.

RE: DAM 48 REPORT

Commissioner Willner said he read in the newspaper where the report on the Dam 48 recreation site was completed and he asked if it was ready to be presented at this time.

Commissioner Schaad said there were three copies of the report delivered to the Commissioners office and that he would be glad to talk about it but that he thought a couple of things needed to be clarified first. He said he talked with an engineer of the Planning Division of the Corp of Engineers in Louisville and she said that sometime ago, there was a discussion between them and Mr. Torgerson, regarding the future, as to whether they are going to do anything about developing the site at Dogtown and/or Angel Mounds, that apparently the Board has purchased property there for future development and she said it was their intention that perhaps there would be a boat launching site and also parking facilities for boats and boat trailers and perhaps some picnic benches but they wouldn't do it until they had an agreement with someone to maintain and operate the facilities after the Corp built them at their own expense and she hadn't heard anymore about it so they hadn't done anything more about it either.

He said he discussed the Dam 48 site with her and she said that it was undesirable and not suitable for what they wanted it for, since it was very deep and the channel is on this side of the river.

He said he thought they needed to get the whole story on it, also that he has talked to the new president of the Park Board and said that the City now has a new Director who is Vern Hartenburg and he wanted to see if they had any input on the matter and that he thought they should then have another citizens meeting before they make a final decision, since they do have until February 20th. to let the Corp know what the County is going to do about Dam 48.

Mrs. Smith said she would see that all interested parties would get a copy of Mr. Crooks report on Dam 48.

Commissioner Schaad said the Commissioners were going to see what they were going to do about Dogtown and Angel Mounds and that it should be forthcoming this week.

RE: ADMITTANCE TO PLEASANTVIEW REST HOME

Mr. Harness submitted an application for the admittance of one James Marvin Griggs to the Pleasantview Rest Home and recommended approval of same.

Commissioner Ossenberg moved that the admission of Mr. Griggs be approved. Commissioner Willner seconded the motion. So ordered.

RE: JERRY LINZY.... (COUNTY HIGHWAY)

Mr. Linzy is representing Mr. Siebeking this morning, since Mr. Siebeking is due to have an operation this morning.

Commissioner Schaad said he received a call last week about the bus that was previously out at the Boehne Hospital and then for awhile, it was at the County Garage and then, he thought it was loaned to the City and they repaired it and used to haul the green thumbers around. He said he understands that the City no longer has a need for it and they want to know what to do with it.

He said he thought that perhaps there might be some other need in the County for the bus, and if not, they could store it at the County Garage until they can find a place for it.

Mr. Linzy said that he could use the bus right now to get the A.W.E. people out on the job.

Commissioner Ossenberg moved that Mr. Linzy contact whoever has the bus and ask them to bring it out to the County Garage. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Linzy submitted the absentee report of the employees at the County Highway Garage for the past week.
Report received and filed.

RE: AUTHORIZED TO ADVERTISE

Mr. Nussmeyer submitted the plans on Emge Bridge, Structure 22A which had been declared an emergency. He also submitted a Notice to Bidders and the specifications for this project and said that the Commissioners could go ahead and advertise if they wanted to, since it would only delay the project for one week.

Mr. Nussmeyer said they are just planning to take the old bridge off, to build up the abutments and to use pre-cast iron. He said that he would guess it would cost in the neighborhood of \$15,000.00.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise for bids. The advertisement will appear in both newspapers on February 5th and February 12th, the bids to be opened on February 17th.

Commissioner Willner seconded the motion. So ordered.

The Commissioners signed the plans for the project at this time.

RE: BAUMGART ROAD

Mr. Nussmeyer submitted the plans for Baumgart Road, which had been okayed previously but he said that Commissioner Willner had some question on it. He said they had discussed various ways they could go but that Mrs. Heinlein insists on going a certain route. He said he thought she was listening to her tenant farmer and her attorney, so this is the best plan he could work out under the circumstances, unless someone else could sell Mrs. Heinlein the idea of changing the plans. He said he knew better ways to go but that he can't convince the property owners that this is the thing to do.

Commissioner Willner looked at the plans and said that it isn't a good engineering program, that it would be creating the same hazards as we have now and that he would rather pay her damages and do the work right.

Commissioner Ossenberg said that he is in favor of doing this work.

Commissioner Willner said that he didn't know what it would take but that he was going to hold out for this to be done right, that we are talking about \$225,000.00 and he can't see spending this kind of money and not get it done as it should be. He said he won't approve the plans as they are now and that the other Commissioners will have to make up their minds as to whether they will go along with the plans as they are. He said if the Commissioners want him to contact Mrs. Heinlein, he will.

Mr. Ludwick said they have been dealing with Mrs. Heinlein for about six weeks now and as with all the other property owners out there, they had certain restrictions that they wanted as far as signing any easements and they are sort of stuck now, like Chase Virginia who has their building plans already and the County is committed to those plans.

He said that Mrs. Heinlein, at first, was going along with the new ditch line, East of Mt. Pleasant Road, so they designed the ditch and gave her the set of plans but then, she changed her mind.

He said they have to have the right of way to even do the road work, much-less the realignment of the ditch and Mrs. Heinlein doesn't want to split her ground any different than it is, so the property owners are going to have to agree to do this or they won't do the project.

Mr. Ludwick said he didn't think the engineering was wrong but that he thought there was a better solution and if the property owners would go along with it, they could do a lot better job.

Commissioner Willner said that he would talk to Mrs. Heinlein and to her attorney and see if they can't come to a better solution.

This matter will again be taken up next week.

Mr. Nussmeyer said they would like to make the ditch and the bridge job, one contract and then come back with the road later. He said he thought they had enough money to complete this project.

RE: ST. JOE AVENUE

Mr. Ludwick said they have a utility meeting once a month with the various utilities, involving county projects, etc. and the Commissioners have St. Joe Avenue in mind for construction by June 1 or thereabouts. He said the utility companies had money appropriated about two years ago for the moving of all the utilities along St. Joe Avenue and, the first time around, when the plans were dropped, they switched their money to other areas such as Green River Road. He said he thought it would be advisable for the County Commissioners to write a letter to each of the three utilities, of their intentions, to get the St. Joe Avenue project going again, since they have to have one-year, in advance, before they will touch it. He said he would check to see just which utility companies are involved. He said that in 1973, the Commissioners had received letters concerning St. Joe Avenue, on this same thing.

Commissioner Ossenbergh moved that letters be written to the necessary Utility Companies.

Commissioner Willner seconded the motion. So ordered.

Mr. John said that he has been asked by one Township Assessor, if when they start on their re-assessment, if the employees, on the per diem basis, can be the same as county employees and be on the P.E.R.F. plan and be on the county insurance. He said he has checked with the state on the P.E.R.F. and they said if the county wishes for them to be regarded as county employees, it was fine, that they would accept that. He said the reason being, that he would like to put some of his present employees on the per diem basis because they have worked with re-assessment before. He thought it would be an added expense to the county. He said it will be five days yet before they will know if there will be a re-assessment or not but he is sure that if it isn't this year, that it will be next year.

Commissioner Schaad said he thought they should wait and cross the bridge when they come to it and at that time, they can see what the situation is, that it may not be a problem, and a decision can be made at that time.

RE: MR. JUDD

Mr. Judd said that he has contacted Mr. Kloke and is to meet him on the problem of Old Lower Mt. Vernon Road, where a school bus has to travel and where there is a dangerous situation where it turns around.

Commissioner Schaad said that he and Mr. Judd had discussed a situation before the meeting, regarding the complaints that he has been getting on the customers of K-Mart on Outer St. Joe Avenue, just coming out of the parking lot, into the line of traffic without stopping, since there are no signs there. He said that there is a law that states that no one can just drive right out onto the highway without first stopping, so the law takes care of it but apparently these people don't know that, so he has asked Mr. Judd if he would talk to the management at K-Mart and tell them that the Commissioners have had some complaints and see if he will co-operate and put up some signs and that if he does, they should be uniform stop signs so they won't be any different from the signs that the county uses, also that the signs will be at K-Mart's expense.

RE: POOR RELIEF

ROBERT EARL GIBSON.....1311 W. Illinois St....Pigeon Twp....Mildred Anslinger, Inv.

Mr. Gibson was asking for a hospital bill to be paid.

Ms. Anslinger, the Investigator, said that the hospital bill was for a Valada Craft.

She explained that Ms. Craft makes her home at this address, also that the income is \$375.70 per month in their home for two people which is more than the guidelines permit.

Commissioner Willner asked if these two people were married.

Ms. Anslinger said they are not.

Commissioner Willner asked Ms. Anslinger to break the income down.

Ms. Anslinger explained that Mr. Gibson has \$218.00 in Social Security, that Ms. Craft has \$49.70 in S.S.I. and V.A. in the amount of \$108.00. She said that when weather permits, Mr. Gibson sells hot tamales.

She said that the only expense they have listed for Ms. Craft is \$47.41 which is rent and she has talked to the hospital and found that Ms. Craft has made one payment of \$5.00, also that the hospital will go along with her on any kind of payment that she can set up.

County Attorney Swain asked how far this bill went back.

Ms. Anslinger said that Ms. Craft was in the hospital December 18th until December 21st. of 1975, and the amount of the bill owed is \$529.24.

She said that the girl that took the application while she was off, told Ms. Craft that since she had no expense except for her rent, that she thought they could make the payments to the hospital.

She said that Ms. Craft is 48 years of age and Mr. Gibson is 58 years of age.

County Attorney Swain asked if there was an emergency about the admission of if it was elective surgery.

Ms. Anslinger said she didn't know but that it was for colon trouble.

Commissioner Schaad said that according to the guidelines, he saw no way they could help her and he asked Ms. Craft if she didn't think she could pay it.

Ms. Craft said that she would try and that she was going to make a payment today.

Commissioner Ossenberg moved that this application be denied. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad told Ms. Craft that she should make arrangements with Welborn Hospital to pay this bill, since with the facts that they now have and according to the guidelines, there wouldn't be any way the Commissioners could okay it.

RE: DAM 48 CON'T.

Bob Bernard, the Union Township Trustee, appeared and said that he wasn't speaking as Trustee but he thought it wasn't a good idea to lease Dam 48 as a recreation site, that the Advisory Board has discussed this and they don't think it is the right thing to do.

Commissioner Schaad explained that this has been discussed previously and that Mr. Crooks has prepared a report on it, also they find that this project would be quite expensive and they have had other calls on it and they have to make a decision on it by February 20th. He said that he would see that Mr. Bernard gets a copy of the report.

He said that the Commissioners thought, at first, that it was a desirable site but after checking into it, they aren't so sure since it will cost well over \$200,000.00 to get it in shape and then there will be annual expenses to keep it up and this would be on the taxpayers.

He said there will be another special meeting on this subject and that it will be advertised in the newspaper, as to when it will be held.

Mr. Bernard said he knew it would be quite costly to maintain and he couldn't see the rental or income from those houses out there to begin to cover what it would take to remodel them.

Commissioner Schaad explained to Mr. Bernard that the Corp, in the agreement, won't let the Commissioners lease the houses to anyone on a year-round basis to get revenue from them, that it has to be on a recreational basis whereby it is to only be leased for a week-end or for a short stay, just for recreational use, but the Commissioners need to pursue it just to satisfy everybody.

Commissioner Schaad also explained that the Corp of Engineers have purchased about 22 acres of land near the vicinity of Dogtown & that they will be willing to put in a boat ramp, parking facilities and picnic benches at their expense and then someone like the Commissioners or the Park Board will have to take it over to maintain it and operate.

He said he asked them why would they buy this property when they knew they would have the Dam 48 site and they told him that the Dam 48 site wouldn't be suitable at all, for what we wanted it for.

He said that he would like for Mr. Bernard to be present at the special meeting so he can express his opinions and that he appreciates Mr. Bernard being here.

RE: AGREEMENT.....TOWN OF DARMSTADT

An agreement was submitted to the Commissioners, two weeks ago, whereby they want the County to agree to be responsible for all road maintenance on the roads in which the common boundary line of the County and Town runs down the center of the road and that all monies due by reason of such maintenance and repair shall be the property of Vanderburgh County, but the Commissioners decided against this and thought it would be better if the Town of Darmstadt took these roads over for maintenance. It was also mentioned that they take half and the County take half.

Commissioner Schaad asked County Attorney Swain if he had talked to Darmstadt's attorney, Mr. Schuttler, about this.

County Attorney Swain said that he hadn't, that he was going to let County Attorney Wendel talk to him but Mr. Wendel wasn't here last week so he left him a note, that he didn't see it but that he will talk to Mr. Schuttler. This matter will be taken up at another time.

The meeting recessed at 10:40 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberger
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberger
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 10, 1976

The meeting of the County Commissioners was held on Tuesday, February 10th. 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County Owned Surplus Property. The bidding will remain open and the sale will continue next week.

County Attorney Wendel presented a number of deeds to the Auditor, on parcels of County owned Surplus Property that was previous sold to various people, so he can have them recorded.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PIGEON TOWNSHIP ASSESSOR

Lillian Young	762 E. Virginia	Deputy	\$15.00 Day	E66: 2/5/76
June Hallenberger	1409 Fountain	Deputy	\$15.00 Day	E66: 2/4/76

PERRY TOWNSHIP ASSESSOR

Emily Stewart	719 Klemeyer	Chief Deputy	\$5,970 Yr.	E66: 1/2/76
Helen Bockstege	3034 W. Maryland	Clerk	\$15.00 Day	E66: 1/2/76
Rose Marie Owens	5730 Ridgeway	Clerk	\$15.00 Day	E66: 1/2/76
Lee Taylor	2908 Schoenfeld	Field Man	\$12.00 Day	E66: 1/2/76
W. L. Winternheimer	802 Harmony Way	Field Man	\$12.00 Day	E66: 1/2/76

RE: EMPLOYMENT CHANGES.....RELEASED

JOINT DEPARTMENT OF LEGAL SERVICES

Gale P. Rohner	Rural Evansville	Clerical	\$5,536.00 Yr.	E66: 1/31/76
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RE: AUTHORIZED TO OPEN BIDS

Commissioner Schaad authorized the County Attorney's to open the bids that were received on the radio's for the Sheriff's Department.

RE: MONTHLY REPORT

Mr. Harness submitted his report of the Pleasantview Rest Home for the month of January, 1976.

Commissioner Ossenberger moved that this monthly report be approved and signed by the Commissioners. Commissioner Willner seconded the motion. So ordered.

RE: TRANSFER OF BRIDGE FUNDS TO R & S ACCOUNT

Commissioner Schaad said that he had asked Mike Ludwick and Mike Hinton to get together on this matter since the County needs some money in the R & S Account to finance some of these projects that are to be funded by federal money and they are going to transfer some bridge funds.

Mr. Hinton submitted the following report:

During the past several months it has come to the attention of the County Commissioners that many of the Vanderburgh County bridge projects are being constructed with the use of funds from the Local Road and Street Account. On numerous bridge projects applications for funds were approved which appropriated 90% of the necessary funds from the R & S Account and only 10% from the Cumulative Bridge Funds. Because of this procedure Vanderburgh County has watched their R & S Account dwindle down to a mere \$241,103, while in excess of \$1,000,000 remained in the Bridge Account. This situation is unfortunate and unnecessary since bridge projects may receive 100% funding from the Cumulative Bridge Account; and because the Local Road & Street Account is nearly the only source of money available to serve as local match for federal funding on extensive roadway projects, it is critical that the present policy of financing bridge projects be re-evaluated.

The County Commission, realizing the seriousness of the situation, has expressed to us its desire to devise a way to remedy the present sad state of the R & S Account.

Due to the present situation as explained above, it seems of paramount importance that the desire of the County Commission be heeded and that a means be developed for replenishing the R & S Account. Therefore it is proposed that the R & S responsibility of six (6) bridge projects to be closed out and that the R & S portion of each project be transferred back to the R & S Account for use on roadway projects. Each of the projects would then be reimbursed by the Cumulative Bridge Account.

This is a completely acceptable process, already receiving the "go ahead" from the Department of State Aid with the Indiana State Highway Commission. A letter of endorsement by the Commission of this action accompanied by the appropriately completed forms for "closing out" these projects are all that the I.S.H.C. will need in order to acknowledge such a transaction.

The following table depicts the proposed transfer:

ACCOUNT #	R&S	PROJECT DESCRIPTION	TOTAL ESTIMATED PROJECT COST	CUMULATIVE BRIDGE ALLOCATION	R&S ALLOC.
216-3763	7	Bridge at Weinbach Ave over Eagle Slough	\$ 80,000	\$ 20,000	\$60,000
216-3764	8	Bridge at Burkhardt Rd. over Boesche Ditch	\$110,000	\$ 20,000	\$90,000
216-3770	13	Bridge Street #126 at Cypress Rd over Bayou Cr.	\$ 50,000	\$ 5,000	\$45,000
216-3771	14R	Bridge St. #148 at Upper Mt. Vernon Rd. Carpenter Creek	\$ 55,000	\$ 5,500	\$49,500
216-3769	15	Bridge St. #122 at Old Mt. Vernon Hwy over Sanders Cr.	90,000	\$ 9,000	\$81,000
216-3773	17R	Bridge St. #125 at Cypress Dale Rd over Sanders Cr.	\$160,000	\$ 16,000	\$144,000
TOTAL			\$545,000	\$ 75,500	\$469,500

If these transfers are approved the Vanderburgh County Local Road and Street Account would appear as:

\$469,500.00	(Transfer from Bridge projects)
\$395,805.34	(R&S left in inactive County projects)
\$293,813.85	(Balance at State)
<u>\$1,106,408.34</u>	

Sufficient funds exist in the Cumulative Bridge Account to make these transfers feasible.

The following depicts Immediate Obligation of R & S Funds:

	F.A.U.	COUNTY R & S	CITY R & S
St. Joseph Ave. Construction	\$1,050,000	\$450,000	
Lynch Road P.E. & R/W	\$ 400,000	\$171,600	
Red Bank Rd. P.E. & R/W	\$ 472,732	\$148,504	\$54,094
Total	\$1,923,132	\$770,104	\$54,094

If these obligations are approved the replenished R&S Account would be affected as follows:

\$1,106,408.34	(Replenished R&S)
\$ -770,104.00	(Obligated)
<u>\$ 336,304.34</u>	

Commissioner Schaad said they have discussed this previously and this will permit them to go ahead with these federally funded projects with this money in the R&S Account.

Mr. Nussmeyer said that the Act that was enacted in 1969, gives the County four years to use that money in the R & S Account.

Mr. Hinton said that the R & S money that we are transferring back would be immediately obligated to those jobs, therefore, it would be used so it won't have to go back to the state, that all they do is to re-obligate it to another job and the Commissioners would be allowed to keep it here but it would be in effect to use because it would be committed to a job, that it is just a paper transfer.

Mr. John said he could see how this could be done and that he is going to work with Mr. Hudson of the State Board of Accounts to make sure that it is done legally.

Commissioner Schaad asked if this is put in writing.

Mr. Hinton said it isn't in writing but that if we can't do it, they will stop us so he didn't see a problem here.

County Attorney Swain said, not necessarily, that they might let us go ahead and then change their mind but he could get it in writing from up-state since there are rules on the R & S and Bridge Accounts that make it legal to go from one to another so it is a fully legal process.

Commissioner Ossenberg moved that they proceed with the closing out of the six projects and that the R & S portions of these projects be reimbursed by the Cumulative Bridge Accounts.

Commissioner Willner said he hasn't seen the final plans or even the preliminary plans on either, the Lynch Road or the Red Bank Road project and he would hate to commit himself to this amount of money at this time.

Mr. Hinton said this is what we are committing the money to, so they can get those plans.

He said that they have \$400,000 of federal money right now that is waiting for a local match and if we don't match it, then we lose that money, also that all the \$171,600 will serve for is the county's local match of the \$400,000 of federal money.

Commissioner Willner said he didn't believe that the transfer would obligate the Commissioners of either of the projects.

Commissioner Schaad said that it wouldn't, that it was just to get the money in the account and that they would have to prove it before it gets that far, because there would be plans and the engineering that would have to be done.

Commissioner Willner said he didn't mind putting this amount of money back into the R & S Account but he hated to put it on these particular jobs at this time because he wanted to be sure they would go before he committed himself.

Commissioner Ossenberg said they had to earmark it somewhere.

Commissioner Willner said they started Green River Road last year and asked if they were going to finish it this year.

Commissioner Ossenberg said that he had told Commissioner Willner that he would go along with Green River Road but that this would be done with local monies, that no federal money is involved here, that they have R & S monies and that they have a request in to the County Council for \$200,000, also they want federal revenue sharing money for this project.

Commissioner Willner said he thought the request to the County Council was for Baumgart Road.

Mr. Ludwick said that Baumgart Road is already funded with bridge funds.

After further discussion, Commissioner Willner seconded the motion that was made by Commissioner Ossenberg, in that the funds be transferred. So ordered.

RE: AWARDING CONTRACT FOR RADIO'S

There were two bids submitted for the five radio's needed by the Sheriff's Dept. which are as follows:

Tri State Communication.....	\$9,803.00
Motorola.....	\$8,923.00

Mr. Huffman of the Purchasing Department said that both bids meet the specifications and he recommended that they accept the lowest bid of Motorola, also that the decision meets with the approval of Sheriff DeGroote and that the money is available through a federal grant.

Commissioner Ossenberg moved that the contract be awarded to Motorola. Commissioner Willner seconded the motion. So ordered.

RE: DAM 48

Commissioner Schaad explained that the Commissioners had appointed a Citizens Advisory Committee to study the possibility of Dam 48 as a recreation site and they had one meeting on it and hadn't made an investigation, other than it seemed like a heck of a good idea for the County to be able to lease it for \$1.00 per year, without realizing what it would take to get the job done, so he asked Mr. Crooks and his staff to make a study of it. He said that Mr. Crooks has submitted his report and that all those interested received a copy of same.

Mr. Crooks said that Commissioner Schaad had contacted the Corp of Engineers and then had asked him to contact them again to determine what will happen with the Dogtown and Angel Mounds projects of theirs, which he has done and reported that not too much has happened on either of them because they couldn't do anything until someone agreed to sponsor them and that they would again open it up if the Commissioners were interested and that there should be maps in the mail today, showing both locations.

He said there was a question as to if whether Angel Mounds was in Warrick County or in Vanderburgh County and he has been assured that it is in Vanderburgh County and that there was also a question about the site of Angel Mounds being a little low and having some flooding problems but that the lady he talked to seemed to think the Dogtown project would be appropriate and would make a good site, so as of now, he understands that these things are in abeyance until someone, locally, agrees that they want to proceed.

Commissioner Schaad said that when he talked to the Corp of Engineers, the lady who is in charge of Planning, told him that the Corp would build the facility, only when someone would contract with them, to agree to manage it and maintain it after the Corp builds it at their expense.

Mr. Crooks said he was at Dam 48 over the weekend and that he saw no concrete or esplanade, but the water was a little high and all that he saw was a couple of piers sticking out of the water.

Commissioner Schaad said that one reason they are hurrying this along is because he had a call from the Corp and that they are under contract with someone to take out the dam and they need to know the Commissioners decision by February 20th. at the latest, on Dam 48.

He said that the cost would be about \$230,000 for construction alone, to build what they would have to build, since there is no sewage plant and that the raw sewage can't just be dumped into the river.

Mr. Crooks said the big problem with the sewer is that they would have to build it up to keep it from flooding, that this is a requirement of the State Board of Health and this means that they would have to build a treatment facility up on the parking ground by the carport and it would also have to be built up about seven feet in order to clear the 100 year flood level.

Commissioner Schaad then asked if there was anyone who cared to speak either for or against this project.

Mr. Bernard Schenk, who is a member of the Advisory Committee, appeared and commended those responsible for the detail and apparent thoroughness of the report. He said that what he has to say, is in no way a criticism to them or to the Commissioners because he has confidence in them.

He then said that he knew the Commissioners didn't have the money in the budget to rent Dam 48 for one year so he donated the \$1.00 for the rent of the site for one year.

He said there are two items of which he has knowledge, one of which is Insurance and the other is the subject of the nine cottages for rental, that he has just rented a home that isn't the quality of this property, at \$185.00 per month which is unfurnished and without utilities, so he can see that if the caretaker lives in one house and the Commissioners rent out the others, they can bring in an income of \$125.00 per month and there is no question of being able to rent them out. He said if the Insurance figure and the rental figure represent anything like the rest of the report, he didn't think they have given it proper time for feasibility study or of cost study, that it was done hurriedly and it takes time to work something like this out.

He said that he knew what it would cost to insure the houses because as the Commissioners know, the lease was in his name, but he didn't think there was enough time given to the study of the feasibility and the cost of the opportunities of this project.

Mr. Schenk said that the Commissioners recently had a demonstration as to how they could acquire the site for \$1.00, as they recently had for the Post Office and that this is a similar deal and asked why throw away an opportunity that is and does provide about 1/3 of a mile of fishing area that is unbelievable. He asked the Commissioners to not throw away this opportunity, that they now have the money to lease it. He thanked the Commissioners for the opportunity of speaking to them on this matter.

Commissioner Schaad said that the Commissioners did check into the rental and found that they can't rent these houses in the matter of which he spoke, that they can only be rented out for a weekend or for a short period of time, to people for recreational use, but not for longer periods, that the County isn't in the home renting business and that the purpose of the site is for recreational use, so the figures of Mr. Schenk's aren't quite applicable.

Ms. Doris Eicher appeared and said that she is interested in keeping a site as an open space and a part of the County park, that she doesn't see it as a housing project and she doesn't think that the County should be in the rental business, also that she couldn't see renting out the houses because of the cost of the roads, the high water, etc. and she wondered if the County took over the property, if they could move the houses to another location which would be out of the high water and maybe then rent them out.

Commissioner Schaad said that they weren't allowed to move the houses, under the lease. He said that if the County don't take the lease, then the site will be turned over to the General Services Administration and he was told that if the Commissioners wanted, that it could be made known to them that the Commissioners might be interested in purchasing the property for this dollar that Mr. Schenk has given and that the Commissioners has graciously accepted and will put in a trust fund, and if this were done, then the Commissioners could do whatever they wanted with it, but not under the lease.

Mr. Bernard, the Union Township Trustee, appeared and said that he has a number of the residents from Union Township that are not in favor of this project, also in regard to the rental of the houses, he knew of people who lived and worked at the dam and wouldn't live in the houses, mostly because they couldn't get their children to school, but of course, the houses couldn't be rented to them anyway, for permanent living, but he thought the Commissioners were missing the boat a little bit, since the government owns some property that they have promised to put boat ramps on and to develop into a park, which is near Dogtown and they also have some property for the same type of thing in Knight Township. He said that he thought the Dam 48 site would be much too expensive to develop and maintain, and that all of the people that have contacted him were not in favor of developing the Dam 48 site.

Commissioner Schaad said that when he talked to the gentleman of the Corp of Engineers, he asked him why they would be purchasing property at Dogtown when they know that they will have the property at Dam 48 soon and he was told that the Dam 48 site was very undesirable and wasn't at all suitable for developing into a recreational site and that they purchased the property at Dogtown because it was higher.

He said the Commissioners were going to have to make a decision by February 20th and he asked the Commissioners if they wanted to consider it some more and again take the matter up next week.

Commissioner Ossenbergh said that he really doesn't have any thoughts on the matter other than he doesn't see that it is feasible for Vanderburgh County to afford it.

Commissioner Willner said that he thought they were approaching it in somewhat of an awkward way, that he was impressed with the site of Dam 48 and he thought it would answer some of the recreational needs of Vanderburgh County, but to lease it for \$1.00 per year and not own it and put over \$200,000 into it or whatever it took, it would be absolutely ridiculous. He also said that to lease it for \$1.00 per year and not do the necessities, he thought would also be a mistake too, so at this time, he would say that Vanderburgh County should probably not be in this position and he would probably vote against it, but he would think that if the Commissioners would lease it for \$1.00 per year, with the option to buy, that he would probably go the other way, since he thinks it does have some potential, but he isn't for spending this kind of money on it.

Mr. Crooks said that in going through the project, it would appear to him, rather than going at it now on the February 20th date, that as a Vanderburgh County project, it would be to the County's advantage, to let it go back to G.S.A. and then if the Commissioners want it, they should buy it from G.S.A. as Commissioner Willner had suggested, that they can then go at it for whatever facility they want to use it for and that the Commissioners would probably have to pay the price of the land, for the facility, and it would be his thought to dispose of the houses as well as the rest of the buildings and make this a primitive site and then they would have to install sewer treatment facilities which would be the big hang up but he thought they would come out ahead in the long run than to try to plan on a year-round facility.

Commissioner Schaad explained that the channel of the river at Dam 48 is on this side and it isn't at Dogtown, so the boats coming up and down the river would be very close to the Indiana shore and the water is rather deep there. He said the Commissioners have given this matter a lot of thought, for example, Mr. Schenk had mentioned the fishing site, in that it is the best fishing ever, but he has talked to other fishermen and they say that after that dam is removed, it isn't going to be the fishing site that it once was, that it wouldn't be any different than fishing elsewhere.

Mr. Kent Robuck said that he thought the Commissioners would be wise in spending their dollar and taking the site for one month, that dynamiting is quite an expensive project and he would suggest that the Commissioners go ahead while the dynamiting is being done as the Commissioners will probably end up in having to pay for that too.

Commissioner Schaad said this is the very point, that if the Commissioners don't make a decision by February 20th. they can't go ahead with the Corp taking the dam out and if then, the Commissioners do put it off and it then ever has to be taken out, it will probably be at the County's expense.

Commissioner Ossenberg asked Randy Shepard if the City purchased the old Post Office.

Mr. Shepard said that the City has made a preliminary application for it.

Commissioner Ossenberg moved that the Commissioners reject Dam 48 and that they are interested, if G.S.A. takes over and at that particular time, to bid on it. Commissioner Willner seconded the motion. So ordered.

Mr. Shepard, executive assistant to the Mayor, said that the City does have an interest in the possibility of a lease and asked the Commissioners if it would be possible for them to furnish the City with the various correspondence concerning Dam 48. He said that he thought in checking out the further possibility of a future sale of the site is a good idea but said that this would probably cost the County more than the cost of the lease, since they would have to do other things. He said the City has had discussions with members of the Commission before, about the Dogtown site and other developments, so they do have an interest in the Dam 48 site and that they would have to check some legal possibilities since it isn't clear that the City has the authority to own land outside the City boundaries for that purpose.

Mr. Shepard then introduced Vern Hartenburg who is the new Parks Director, and said that he would appreciate the Commissioner's waiting a few days before writing their letter to the Corp of Engineers, so they would have a chance to look over whatever documents that have been received on this matter.

Mr. Hartenburg was welcomed by the Commissioners and Commissioner Schaad explained that Mr. Hartenburg has taken the position of Parks Director to replace Mr. LaMoine Torgerson.

RE: EAGLE SLOUGH CULVERT

Mr. Jerry Krietzer appeared and explained that what they would like to have done, is that there is a big culvert going under Waterworks Road right at the Marina Dock Corp. and they would like for some kind of a gate put there because when the river goes up to 35 feet, the water can back in there and flood their farmland out so they would like some kind of a gate put there, that is operated manually, since it would have to be opened if the water went over 35 feet. He said this is on the Eagle Slough.

Mr. Nussmeyer said they would have to deal with the Corp of Engineers and the Levee on this matter.

Mr. Krietzer said that they sent him to the Commissioners, since they had control of the Eagle Slough Ditch.

Commissioner Schaad said that this is a legal drain so that it comes under the Drainage Board.

Commissioner Ossenberg said that he and Bob Lutz met these gentlemen downstairs in the hall and that he is inclined to believe that anywhere they go around that levee, they are dealing with the Levee authorities.

Mr. Nussmeyer said that he still thought that Mr. Krietzer would have to deal with the Levee and the Corp of Engineers.

After further discussion on the matter, Mr. Nussmeyer said that he would investigate the legality of it and find out what is involved here.

Mr. Albert Mueller appeared and said that in 1972, they pursued this quite a bit but due to a lack of interest, they just dropped it, however they did receive a letter from the Department of the Army in Louisville, the Corp of Engineers, which stated names of companies that they might contact to determine prices for flood gates.

He said that it didn't seem like it would take too much to do this because there was a time when the farmers had some iron plates that they left in front of the culverts with a cable which was a dangerous job, but it saved hundreds of acres of crops and everyone knows if the farmers lose some crops, the less food there will be. He said that this is something that needs to be looked into, that it will not only help the farmers but will help the landowners and the people, in general. He said that they feel they should have help on this, since they have received help in Union Township.

Mr. Nussmeyer said that the Corp is saying that engineering plans should be drawn up and sent to them for approval so the County can build it and then the people who benefit by it, will pay for it through assessments.

Mr. Nussmeyer will look into the matter and see what he can come up with.

RE: DRAINAGE PROBLEM LETTER OF INTENTION

Mr. C. Kent Robuck, representing Stella Hirsch Crowell Estate on behalf of Ruth M. Robuck and Citizens National Bank Trust Company, appeared and presented a layout of the ground he is talking about. He explained that at first, he will be talking about the Stella Hirsch Crowell property on Green River and from thereon, he will be talking about the property from Theater Drive to the Oscar Folz property line.

Mr. Robuck then read the following letter of intention which was signed by Wendell Lensing who drew up the letter, by Sam Biggerstaff who was the County Surveyor, by Robert Goff, representing the Board of Commissioners of Vanderburgh County and by his Grandmother:

I'm presenting to the Commission a letter of intention concerning the purchase of right-of-way and the completion of drainage work on the property of Stella Hirsch Crowell. The work described in the aforementioned agreement was to be completed no later than 27 October 75.

As of today's date 10 February 76, the work not only has not been completed, it has not even been started. We have waited over 6 years for this work to be completed and we feel this is long enough. We want the work described in the Letter of Intention completed within 60 days, so as to help eliminate the problems caused by the spring rains.

The problems we and all the Landowners on New Green River Road (from Theater Drive to Evansville Day School) have concerning drainage, have been compounded by the fact that the ditches on both sides of New Green River Road were turned over to the County in 1952, and the last time the County cleaned them was 1953. That means that the County Surveyor's Office and the County Drainage Board have been negligent in the performance of their duties for 23 years as outlined in the 1965 Indiana Drainage Code (as amended in 1969 and 1971). During this time the New Green River Road has been widened and elevated twice, further narrowing the ditches each time.

I have a Group Enterprise Request to present to the Commission authorizing Fred Alcott, U.S. Conservation Service to make recommendations on our behalf to the Commission.

I am also presenting a petition to the Commission, representing 100% of the Landowners requesting that New Green River Road ditches on the East and West side of the road be dredged or back-hoed to sufficient depth to permit adequate drainage of the road and fields from Theater Drive on the South to Oscar Folz property line on the North.

Our drainage problems have been further complicated by the installation of a water line by the City of Evansville through the County right-of-way to the Evansville Day School. This water line broke field tiles draining into what is left of the ditches. Since the Fall of 1974 we have had an increasing amount of water standing on some of the best agriculture land in Vanderburgh County. Also Indiana Bell Telephone Company buried a telephone cable on the West side of New Green River Road from Theater Drive North. I am aware of utilities right of Eminent Domain, along with their obligation to repair or reimburse adjacent property owners for damages. Since the utilities went through the right-of-way purchased by the County from the Landowners mentioned here-in we would appreciate any assistance the Commission could give us in this matter.

We would like a firm commitment at this time from the County Commission that the dredging or back-hoeing of Green River Road be completed within 90 days.

I have taken the time to read the minutes of the Vanderburgh County Drainage Board for 1976, all of 1975, and parts of 1974 and 1973. I must say that I find the performance of the Drainage Board and the Surveyor's Office to be apathetic and abominable to say the very least. This reflects directly upon the County Council and Commission who should have been guiding and coordinating their activities to see that the laws of the State of Indiana Drainage Code were being complied with. Especially laws under Article One Section 109, 110-Article Three Section 307, in order to avoid forcing the land owners to use Article Five Section 506 B and C, in order to seek recourse under the law. Also Article Six Section 602 is not being complied with as evident by the problems mentioned here-in Article Six Section 603 enforcement by the Council and Commission would solve the problems created by the utilities. A culvert should be installed at the intersection of Green River Road and Theater Drive.

Specifically I'm concerned with Article Seven Section 701 General Drain Improvement Fund; Improvement Contracts; Financing: A-B-C-D

As amended Public Law 215
As amended Public Law 129

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1971
1971

Lack of enforcement of these laws by the County Council and Commission is a flagrant disregard of the rights of all the citizens of Vanderburgh County. I realize this problem has been ignored by previous Councils and Commissions and the present Council and Commissions inherited most of these problems, but some of the members have been members of previous Councils and Commissions.

These matters have been further complicated by the Councils and Commissions, granting zoning changes and permits for Industrial, Commercial, and Residential establishments, without giving proper consideration for drainage problems they would create. Example: Old Boonville Highway from Indiana Bell to Green River Road, our family's fields are having to carry this water. Problems created in the Erie Canal along Boonville Highway by Big G, Stevens Lumber Company, Kight Lumber Company, the bottlenecks in Harper Ditch, Vogel Road Hesmer Foods, Asphalt Co. Stockwell Road and Boonville Highway area, Hirsch Ditch, Stockfleth Ditch, and etc, etc,. I could go on for a number of pages pointing out drainage problems and shortcomings.

The only favorable statement I could make to the Council and Commission would be its recent decision starting in 1974 to use the A-95 process to seek Federal Funds for the East Side (Crawford-Brandeis Ditch) Harper Ditch) submitted to HUD by Mr. Bowman 20 January 75 disapproved by HUD insufficient data, request new study be made. What you are asking HUD to do is provide Federal Funds to fill the gaps produced by the social irresponsibility of the City and County Council and Commission.

The present application to HUD by Vanderburgh and Warrick County for Federal Funds in the amount of \$300,000 of the total of \$835,000 is a step in the right direction, but as far as Vanderburgh County is concerned, once again you are asking the Federal Government to solve the problems that have been created by the inefficiency of past and present Councils and Commissions when under present and past state laws we had the means to acquire the funds to solve our own problems. Example: General Fund, Bond Issue, Gas Tax, Contractual Services, Cumulative Bridge Fund, Highway Fund, etc. Also the County has passed up opportunities for Bridge Funds from the State and Federal Government for a number of years.

In 1974 the National Flood Insurance Act was passed. The gist of which concerns the obtaining of Federal Insured Mortgage Loans. These loans are not available in a Flood Plain, which parts of Vanderburgh are located in, and more parts of Vanderburgh County are becoming due to poor drainage.

Despite the political unpopularity of obtaining additional funds through

bonding and increased taxes, I think it is high time our Elected Officials do the job they were elected to do and protect the value of property owners. In the Drainage Board Minutes I noticed that the Developers had to spend \$200,000 to elevate the ground Washington Square was built on to get above the Flood Plain. It's expenditures like this that inhibit the growth of the Metropolitan Area.

Sincerely, C. Kent Robuck

Commissioner Schaad said that Mr. Robuck has covered a lot of areas and in regard to Green River Road, in the dredging along each side, he asked if this was a legal drain or not, since Mr. Robuck was reciting the drainage code.

Mr. Ludwick said that it isn't a legal drain and doesn't come under the drainage code.

County Attorney Swain said that he doesn't agree with Mr. Robuck's facts or with his interpretation of the law.

Commissioner Schaad said that the Drainage Board may have been negligent, that the Commissioners sit in on both, the Drainage Board and the Board of County Commissioners, but this doesn't come under the Drainage Code and Mr. Robuck is reciting the Drainage Laws, and unless it is a legal drain, by definition, the ditches along Green River Road aren't applicable.

Mr. Robuck asked what their interpretation was, under the law, of a legal drain.

County Attorney Swain explained that the legal drains are drains that were designated as legal drains on February 2nd. of 1965 and are so listed in the minutes of that date.

Mr. Nussmeyer said that from the practical standpoint, it seemed to him that something could be done on the roadside drainage there at Green River Road.

After further discussion of this problem, Mr. Robuck said that Fred Alcott attended the meeting of the landowners last Friday.

Mr. Alcott said that Mr. Robuck called him over a week ago and asked him to come out and discuss the problems with the group. He said that he walked over the area and he felt that the tile lines that are broken on both sides of the road, can be repaired, also that a little searching will have to be done in locating these tiles and that he has prepared a statement as far as recommendations are concerned, in that after the tile is located, that the needed repairs be made and that it is recommended that if the county road ditches are cleaned and widened, to establish a grass sod on this so that they can be mowed and that they not be plowed into during farming operations as presently occurs, and that it would do little good to clean the road ditches if this practice continues. He said that if the ditches are cleaned, seeded and properly maintained, the drainage problem in the overall area would be reduced.

Commissioner Willner asked how much ditch they were talking about, also roughly, how many feet of tile.

Mr. Alcott said they were talking about a mile on each side, of ditch and from 1,000 to 2,000 feet of tile, that it looked about like a six inch tile coming across.

Mr. Robuck said that to be perfectly honest, he thought they could survive without the tile in the ditch but they need the ones replaced that are coming from the field to the ditch.

Mr. Nussmeyer said they could go out and widen out the ditches which would provide for any further improvement, which he thought should be done so they won't have to be redone later.

Commissioner Schaad said that they were talking about treating both sides of Green River Road between certain points and that it wouldn't be Drainage Board, that it would be the County Commissioners because it is along the County road right-of-way, that it isn't a legal drain, so it would be done here, but the rest of the problems Mr. Robuck has mentioned isn't and if he has a better solution in getting federal money, they would like to hear it.

Mr. Robuck asked, why over the years, they haven't established the drainage as allowed by law and been doing periodic maintenance all along, rather than to get themselves in a bind like that.

Commissioner Schaad said that the legal drains have been maintained, that they possibly haven't been reconstructed or brought up to date as quickly as they should have.

Commissioner Ossenberg said that he was in half-way agreement, that they will get to the point where they will have to float a bond issue in this county to take care of the drainage.

Commissioner Schaad asked Mr. Nussmeyer to study the problem and to come back in two weeks with a suggestion as to what should be done to solve the problem, also that maybe all the people in the area should be notified by letter.

Commissioner Schaad told Mr. Robuck that if he wanted to talk about the other drainage problems in front of the Drainage Board, that they would see what kind of a solution they could come up with. He said that he wasn't aware of the agreement that was signed in 1969 and it seemed to him that something should have been done in seven years.

Mr. Robuck said this is all part of the same water shed as the Crawford Brandeis and he asked if the Commissioners would like to roll it in on the HUD request.

Commissioner Schaad explained that the maximum amount of money they can apply for under the HUD is \$300,000 and to get it off and running, they hope to join Warrick County in making the Mann Ditch, perhaps the number one phase and then come back and re-apply every year.

He said that some of them thought maybe they had better go to a bond issue, if necessary, if it is going to be more money than they can possibly come up with, even if they get federal help.

Mr. Robuck said he glanced in Ken Nelson's office, at the request and the outlines and he read the state law where they should consider the whole water shed.

Commissioner Schaad said they were considering the whole water shed and that they were making an application for the overall project, going all the way from Lincoln Avenue, North and then talking about a small section, they are going to run the Hirsch Ditch into another ditch, making it a by-pass and this is all part of it but it can't all be done at one time, that there isn't enough money, so they are going to do it in phases and he hopes they can make this first phase fly, and if not, the only alternative, as he sees it, would be to float a bond issue to finance it.

RE: COUNTY EMPLOYEES MAY WORK IN RE-ASSESSMENT

Mr. John said this is the same thing he talked about last week, that some of the Township Assessors want to switch some of their regular office personnel and put them on the Re-assessment and they want to know if they do this, if they can continue to pay P.E.R.F. on these employees and keep them under the County Insurance. He said they would be on the per diem basis and he has checked with the Public Employees Retirement Fund in Indianapolis and they said that if the County Commissioners want to pick these people up on this plan, it is fine with them.

Commissioner Ossenberg asked how we are stacked up in money there.

Mr. John said they never know until the end of the year.

Commissioner Schaad said he thought both the other Commissioners realized what they are trying to do which is to use the people they used before that are knowledgeable rather than using new people on the re-assessment.

Mr. John said he thought they were only talking about two townships at the most because Knight Township is going professional and both the others will only use part time basis and not use people that are working in the offices at the same time and he didn't think it would be any problem as far as the money is concerned.

Commissioner Ossenberg moved that the employees of the Township Assessors be permitted to do as requested. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED

A check in the amount of \$4,978.18 was received from the Union Bank in California with attached letter that reads as follows:

In Re Gypsum Cases

Pursuant to a final judgment entered by this Court on December 30, 1975, there is enclosed herewith the second and final payment of your claim in the Gypsum Wallboard litigation. You previously received the first installment on your claim, which checks were mailed to governmental body claimants on November 4, 1974. This check represents the unpaid portion of your total recovery as computed from your pro rata share of all claims approved by this court. Your payment was computed

on the basis of building construction costs awarded in the years 1966 and 1967 as set forth on the claim form which you submitted. Your total payment was calculated after deduction for attorneys' fees and costs of administration of the settlement which were awarded and approved by the Court.

The enclosed check will be valid for ninety days from the date reflected on the check, (2/2/76) and will be void thereafter. Endorsement of the check constitutes acknowledgement of payment in full of amounts due from settlement of the litigation known as *In Re Gypsum Cases*, Civ. No. 46414-A AJZ, United States District Court, Northern District of California.

Commissioner Schaad explained that this is in regard to where the Gypsum Wallboard litigation was involved in price fixing and they were instructed to refund the money and is to be deposited into the General Fund of the County.

Commissioner Ossenberg moved that the check be accepted. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON CHECK RECEIVED LAST WEEK

A check was received last week in the amount of \$1,286.15 from the Gallagher-Bassett Insurance Service, made payable to the County Sheriff's Office, as a result of an Insurance Claim after someone hit one of the Sheriff's cars. Mr. John said that he has checked with the Sheriff's Department and found that this check covers all damages.

RE: COMMISSIONERS MEETING DATE SET

Commissioner Schaad announced that the Commissioners meeting will be held next week on Tuesday, February 17th instead of Monday, due to Monday being Washington's Birthday, also that the Complex will be closed on Monday, February 16th.

RE: PUBLIC HEARINGS SET

Commissioner Schaad said there will be a Public Hearing tonight at 7:00 p.m. in this room, regarding the use of H.U.D. funds and there will be another meeting on the same subject at the same time and place on Thursday night, February 12th.

RE: JOINT APPLICATION FILED

Commissioner Schaad said it should be in the record that the Commissioners have filed a joint application between Warrick County and Vanderburgh County to apply for the \$300,000 for drainage on the East side and that it was necessary for the two present County Commissioners to write a letter of intent to co-operate with one another in this venture. He said he received a letter from Virgil Gerhardt who is the President of the Warrick County Commissioners and he has sent Mr. Gerhardt a letter of intent which reads as follows:

Dear President Gerhardt:

This letter is written for the purpose of complying with H.U.D. Requirements for submission of joint applications from Metro Discretionary applicants.

This letter is also intended to confirm the understanding between the Vanderburgh County Commissioners and the Warrick County Commissioners with regard to the Co-operative effort of said two commissions and the joint drainage board serving said jurisdictions authorized pursuant to I.C. 1971 19-4-1-14 covering the Mann Ditch.

We, the Vanderburgh County Commissioners, agree to cooperatively submit a joint application for H.C.D.A. funding for the improvement of legal drains in Vanderburgh County and Warrick County and we do also agree to work with and through the Joint Drainage Board created and cited above.

We suggest that the Joint Drainage Board now in existence for Mann Ditch be amended to include the larger area. This can be done by enlarging the joint drainage area within the Existing Joint Drainage Board as an instrument to carry out the proposed activities set forth in the joint application to be submitted by the Warrick and Vanderburgh County Commissioners.

Sincerely, Bob Schaad, Pres. Brd. of Co. Comm.

RE: COMMENTS ON DEADLINE FOR REZONING PETITIONS

Commissioner Schaad said there seems to be a little problem as far as the deadline for filing Rezoning Petitions and he said they ought to have a definite policy and hold to it, that the deadline for filing Rezonings shall be the first Monday of each month in order for the Commissioners to hear them on first reading at their meeting which is held on the third week of the same month and if the petition is

received after the first Monday of the month, it will be held until the following month for the County Commissioners to hear it.

County Attorney Swain and Commissioner Ossenberg both said they didn't see any reason for this policy and Mr. Swain said that the first reading is automatic.

Commissioner Ossenberg said that if the first Monday is on the first of the month and if a person files a petition on the second of the month, he still has ten days before his petition is heard by the Commissioners.

County Attorney Swain said that if a person complies with his notice part of it, ten days before it is heard, that is all that is necessary.

Mr. John asked how this was checked on.

Commissioner Ossenberg said that there used to be Zoning Inspectors that checked on them.

Commissioner Schaad said that what he wondered was, how does the Zoning Inspector know that an application has been made.

Commissioner Ossenberg said that in the city, the City Clerk immediately notifies Area Plan that a petition has been filed.

County Attorney Swain said that it could be made a part of the affidavit by noting the date that the sign is posted.

Commissioner Ossenberg then moved that the affidavit include the date that sign is posted, ten days before the Commissioners hear the petition on first reading. Commissioner Willner seconded the motion. So ordered.

RE: LETTER ON HOUSE RESOLUTION 21

Commissioner Schaad said that he has received a letter from State Representative, Mike Phillips, that sometime ago, a County up North objected to the fact that the state was arbitrarily giving certain state roads back to the Counties and the Commissioners agreed to go along with them and a suit was filed on it. The letter that was received reads as follows:

Dear Board Member:

Inclosed is a copy of House Resolution 21, which was adopted by unanimous Voice Vote.

I think you will agree that this resolution speaks strongly to a problem area that we are all deeply concerned with.

I knew that you were interested in seeing a copy of the resolution, and I am sure you approve of the suggested action embodied in the language of it.

Sincerely, Michael K. Phillips, State Rep.

House Resolution 21 reads as follows:

WHEREAS, provisions now exist in the Indiana Code for the transfer of responsibility for the maintenance of certain public thoroughfares from its Indiana State Highway Commission to local units of government; and

WHEREAS, proper advance planning and cooperation with local units of government before making any such transfers by the State Highway Commission is essential to prevent disruption of the continued maintenance of such roads; and

WHEREAS, it has been determined that improperly planned transfers have taken place, resulting in hardships on local units of government and lack of proper care to certain public thoroughfares;

Therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA:

SECTION 1. That the Indiana State Highway Commission is hereby requested to declare immediately a moratorium, extending through April 30, 1977, on the transfer of responsibility to local governmental units of the maintenance of any roads currently within its jurisdiction.

SECTION 2. That a copy of this resolution be transmitted by the Principal Clerk of the House of Representatives to the Chairman and Executive Director of the Indiana State Highway Commission.

Signed by Phillips and Roach, Representatives

Commissioner Ossenberg said that the Southwestern Indiana Council of Governments has this same resolution.

RE: REQUEST FOR VACATION OF EASEMENT

A letter was received from the Law Firm of Bamberger, Foreman, Oswald and Hahn, dated February 4th. 1976, on behalf of Guthrie May & Co. requesting the vacation of an easement granted by Guthrie May & Co. Inc. to the City of Evansville, Indiana, for the public purpose of constructing, installing, maintaining, improving and reconditioning the right of way of Covert Avenue, by a certain "Easement" dated May 19, 1969.

A copy of the petition, Declaratory Resolution and Notice was also enclosed.

County Attorney Swain said that the Board of Public Works has granted the preliminary resolution and that the reason the Commissioners received this notification is because we are the adjoining land owner and they have to assess benefits and damages against us of which are both zero so we do nothing and if they want to vacate it, it is okay and can follow its natural course.

Commissioner Willner said that the notice states that C.H. and Mae W. Battin conveyed to Vanderburgh County by a warranty deed dated October 14, 1909, a strip of land 50 feet in width, lying North and adjacent to the 20 foot easement and if they conveyed this to Vanderburgh County, it would be ours.

County Attorney Swain said he thought that they were vacating 20 feet south of that 50 feet.

Commissioner Schaad suggested that this matter be deferred for one week so that County Attorney Swain can check with John Cox on this matter.

RE: ALCOHOLIC RECOVERY CENTER REQUESTS THREE CETA SLOTS

The following letter was received from the Alcoholic Recovery Center:

Dear Sirs:

The Alcoholic Recovery Center respectfully requests three CETA (PSE) slots for positions presently needed at the Center in order to maintain the service component to the County and area.

The designation of PSE slots to the Center would alleviate salary expenses for these needed personnel and promote a smooth flow of service to the people served at the Center. The request for these slots would not be in violation of the LEAA Grant since they are positions not funded by the Grant, yet essential to the operation of the Center. These people would have to be paid from project income, an impossibility at the present time.

The estimated project income for this year, as projected last year for the current LEAA Grant was \$91,000.00. It is now seen to be unrealistic. The over-estimation was caused by three factors: 1) An increase in an indigent population from approximately 45% to 73%. 2) Insignificant third-party payments from insurance companies, trustees and welfare. 3) Relatively poor economic conditions in the area. The combination of these three elements, particularly the first, has caused a reassessment of project income at \$40,000.00 to \$45,000.00.

The Center through critical and evaluatory corner-cutting will be able to stabilize its condition if it received some support in the form of personnel slots, donations and grants. It has already sufficiently stabilized that I.C.J.P.A. is comfortable to extend the remainder of their LEAA Grant to the Alcoholic Recovery Center.

The Center requests from the County Commissioners, three necessary slots which would have to come from insufficient project income. It feels that its service to the County, City, and area has proven its value. Its service over last year included 323 persons, 695 service days in detoxification and approximately 152 persons in the residency program. In addition to these main elements of the program, there was DWI (Driving While Intoxicated) Counter-attack school which served 310 in four months, the out-patient services and use of the facility and staff for internship training to students from the University of Evansville, Indiana State University Evansville, I.U. Medical students, and Deaconess Hospital School of Nursing.

We are proud of a success rate of between 40 and 50% in our program over the past four quarters. The Center asks your assistance in helping to maintain our program. Enclosed will be found the three job descriptions and suggested salaries for these personnel. These positions are important, and the PSE slots are critical to the maintenance of our program.

Sincerely, Blonnie Acton, Acting Administrator
Mr. Ubelhor was present on behalf of the Alcoholic Recovery Center and he explained their difficulties and said that his request of the County Commissioners is the possibility of funding three slots that aren't funded by their LEAA grants and asking that the Commissioners help them to keep the facility open as a service component to the community.

Commissioner Schaad said that the three slots are those of a Counselor-Statistician

at a salary of \$7,000, a Bookkeeper at a salary of \$7,000 and a Secretary at a salary of \$5,000.

Mr. Ubelhor said that he has made appeals to the County and the City for funds in anyway possible and asked the City if they could possibly extend PSE slots to them, that Mr. Akin is aware of all these petitions, as is the Mayor and they are simply, as a County facility, applying to the County Commissioners with the possibility of receiving some PSE slot help from them which would then not be taken out of their project income.

Commissioner Schaad asked if the requests of the City and County are duplicated.

Mr. Ubelhor said no, that they have tried to divide them up as best they could and they are hoping that there is some co-ordination between the two in some way or another and that they haven't asked for any overlap.

Commissioner Schaad asked what if it isn't possible for the Commissioners to get this for them through CETA.

Mr. Ubelhor said they will need additional funds to continue to operate, that they have continued to cut as many expenses as they could and that with any decent breaks at all, they are stabilized until September 1st. of this year, at which time will end their LEAA grant and it will be decreased substantially, however, they have asked that it not be decreased substantially.

Commissioner Ossenberg said that the question is, are those things going to be continued under the federal program, that he would be inclined to go along with Mr. Ubelhor if they have some available slots, to see that they have enough personnel out there.

Mr. Ubelhor said they cannot decrease the present personnel because they are funded through the LEAA and if they would decrease those people, they would automatically lose the grant.

He said these people are people that were not originally funded by the LEAA which are still supplemental and facilitating people to the program.

Commissioner Ossenberg said that his comment, then, would be for Mr. Ubelhor would be in contact with Tom Akin to see if the County has any available slots and if so, at that time they can re-evaluate.

Commissioner Schaad said he didn't think there were any available slots at the present time but said that there were four places from CAPE at \$3.00 per hour for one year but he didn't know if this would help them or not.

Mr. Ubelhor said they have been in communication with CAPE at the insistence of Mr. Akin sometime in December and that very recently, CAPE had indicated that there were a couple of slots that were open, that they may be specialized slots and things they can't use.

Commissioner Ossenberg said that the program is called SCOPE and he thought it should be looked into.

Commissioner Schaad said he would find out who to talk to and will let Mr. Ubelhor know so he can call the gentleman and see if he could use the slots available, however these only pay \$3.00 per hour.

Mr. Ubelhor said that this is what he meant by saying that co-ordination was needed between the City and the County since the monies could possibly be transferred back and forth if he was able to get together with those involved to work it out. He thanked the Commissioners and said that he would keep in contact with them.

RE: CLAIMS

A claim was received from D.E. McGuillem & Associates in the amount of \$3,472.20 for partial payment in the Environmental Study made on St. Joe Avenue.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Carl E. Stocker Insurance Agency for a surety bond for the Perry Township Assessor in the amount of \$20.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

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RE: AGREEMENT WITH TOWN OF DARMSTADT APPROVED

County Attorney Wendel presented the following agreement between the Board of County Commissioners of Vanderburgh County and the Town of Darmstadt, Indiana:

WHEREAS, the Town of Darmstadt is an incorporated town within Vanderburgh County and receives from the State of Indiana certain funds for road maintenance and repair for those roads located within the corporate limits of Darmstadt, and

WHEREAS, parts of the boundaries of the Town run along the center of portions of Fleener Road, St. Joseph Avenue and Inglefield Road, and

WHEREAS, Vanderburgh County received all the road maintenance funds for those roads which constitute the boundary between the county and the corporation boundary line, and

WHEREAS, it is desired by both parties to formalize an understanding as to the responsibility for the care and maintenance of the portions of those roads in which the common boundary line is in the center of the road, now therefore,

IT IS MUTUALLY AGREED AS FOLLOWS:

That for a period of four years commencing upon the date of the proper adoption of this agreement by both parties, Vanderburgh County agrees to be responsible for all road maintenance, servicing and care, including ditch areas, along those county roads in which the common boundary line of the county and town runs down the center of the road and the Town of Darmstadt agrees that all monies due by reason of such maintenance and repair shall be the property of Vanderburgh County.

This agreement adopted and approved by the Board of Commissioners of the County of Vanderburgh this 10th day of February, 1976, at a regular meeting of said Board.

County Attorney Wendel said that the agreement is the same as it was before, except that it has a four-year time limit on it, due to the fact that they don't know what might happen during that time to the roads.

Commissioner Ossenberg moved that this agreement be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. HOTZ

Mr. Hotz said that recently, they had some wind damage to building at the County Garage and he talked to the Insurance Co. and was instructed to receive some bids which he has done and they also instructed him that they would accept the low bid.

There were two bids submitted which are:

Peyronnin Construction Co.....\$2,375.00.....Alternate of additional \$825.00
 Deig Lumber & Constr. Co.....\$2,494.00.....Alternate of additional \$858.00

Mr. Hotz recommended that the work be done by Peyronnin in the amount of \$2,375.00 without the alternate, since the building is separate so the concrete blocks aren't needed. He said that the Insurance Co. will pay all of the cost except for \$100.00.

Commissioner Ossenberg moved that the contract be awarded to Peyronnin Construction Co. in the amount of \$2,375.00. Commissioner Willner seconded the motion. So ordered.

RE: QUESTION OF NOTARY FEE ON DEEDS TO BE RECORDED

Mr. John said that some time ago the Commissioners stated that the Auditor should record the deeds on parcels of County owned Surplus property that were sold to individuals and then charge them the recording fee, since one of the reasons for selling them reasonably was to get them on the tax roles and many of the people that bought this property failed to have the deeds recorded, therefore it remained in the name of Vanderburgh County and he wanted to know if the people should be charged the 50¢ notary fee.

Commissioner Ossenberg moved that the notary fee of 50¢ be charged. Commissioner Willner seconded the motion. So ordered.

RE: MR. HARNESS

Commissioner Schaad said that some time ago there was a Citizens Advisory Committee appointed and he asked Mr. Harness if there had been any meetings concerning the Pleasantview Rest Home.

Mr. Harness said there was meeting in January but not enough people were present to make a forum so no business was conducted, that there was no meeting in December.

Commissioner Ossenbergsaid that the Pleasantview Rest Home was given \$20,000 by County Council, to sort of upgrade the furniture, etc. and he asked Mr. Harness if this has been discussed by the committee.

Mr. Harness said they discussed it last year but haven't discussed it this year as yet.

Commissioner Willner said that there was some question as to if they had the \$20,000 and at the last meeting, he didn't know that they did.

Commissioner Ossenbergsaid that this money is in the Pleasantview Rest Home's budget and that it is federal revenue money.

RE: INSURANCE CO. REQUESTS TITLE TO WRECKED CAR

Mrs. Smith said that the Insurance Co. called and they need the title on the wrecked car that belonged to the Sheriff's Department. They had submitted a check one week ago that took care of all the damages.

Commissioner Ossenbergsaid that the Auditor be authorized to sign the title for the Commissioners and that the title be turned over to the Insurance Co. Commissioner Willner seconded the motion. So ordered.

Mrs. Smith said that there seems to be a problem as to what to do with a County owned wrecked car, that there has been two ways to dispose of them and one is that it be advertised as trade in on a new vehicle and the other being that the vehicle be declared as surplus and sold at auction but this vehicle had been totaled and the Insurance Co. had forwarded the check for damages which was accepted by the Commissioners so legally, the Insurance Co. owns the car. She said that she and Mr. John talked to Mr. Hudson of the State Board of Accounts and he said that all that was necessary was for the County Attorney to say that the car was scrap and the County had received the check for damages so the wrecked car belongs to the Insurance Company.

County Attorney Swain said the Insurance Company has a right to the car under these conditions and he didn't think the Commissioners were running any risk in turning it over to them.

RE: HILLSIDE DRIVE

Commissioner Willner said that he has had several calls on Hillside Drive, off Broadway where the City put a water line up and he understands the road is almost impassible.

Jerry Linzy will check on this matter and get with the Water Company on it.

RE: MASSAGE PARLORS

Commissioner Willner said that for awhile the Massage Parlors were closed down and now they were starting to open up again, that he has several calls on this.

Commissioner Schaad said that he understands that two employees of a Massage Parlor have been sited for operating the business, not in compliance with the ordinance.

County Attorney Swain said he thought there were some charges in City Court but he didn't know what their status was.

RE: STATUS ON FEDERAL COURT SUIT

County Attorney Swain said that the status on the Federal Court Suit is that he has filed an answer, alleging that, in his opinion, that it is constitutional, siting four different cases from four different jurisdictions, one of which is the false church, which was pretty much the model for their ordinance. He said that Judge Dillon is in town but he didn't know if the Judge would rule on it while he is here or not.

RE: ABSENTEE REPORT

Mr. Linzy submitted the absentee report of the employees for the County Highway Department for the past week.
Report received and filed.

RE: MR. LINZY....HIGHWAY DEPARTMENT

Commissioner Schaad asked Mr. Linzy if he knew about a Mr. Mitchell calling on a problem off Boonville-New Harmony Road, North, on Young Road, in that he wanted the street graded.

Mr. Linzy said he went out there and the street was frozen so he talked to the lady this morning and that he will take care of it, also that there is no place out there for ditches and that the street has an eight foot road bed.

Commissioner Willner said that the portion of road that he is inquiring about is dedicated but hasn't been accepted by the County and his understanding is that the portion that is accepted by the county is in pretty good shape.

Mr. Linzy said that the county has rocked and graded this road for the last six years.

Commissioner Schaad wondered if Mr. Mitchell should come in and ask that the portion of the road in question be accepted for maintenance.

Commissioner Willner said they were only talking about a small portion of road and if they aren't taking about a lot of money or blacktopping it, he thinks they should go ahead and do the work.

The Commissioners agreed that Mr. Linzy should see that the street is graded.

Commissioner Schaad said that he talked to Mr. Siebeking and that he is feeling much better but he is concerned about the men that are out there now and they have the problem as far as the union is concerned and they can't move someone up to a group leader and with so many people that they get from CETA, that they don't come up with a group leader because they don't have anyone to look after them and tell them what to do.

Mr. Linzy said he wondered if they could get a volunteer that was suitable.

Commissioner Schaad said that Mr. Linzy would almost have to pick one and then ask him to volunteer.

Mr. Linzy said that he would have to pick one that has a chauffeurs license in order to drive a truck, also that he would have to check and see if this is okay with CETA.

The Commissioners agreed that Mr. Linzy see what he can do in finding a volunteer and that if he has any problems he should come back and the Commissioners will see if they can work out something.

RE: YEARLY REPORT OF COUNTY HIGHWAY

The Annual Operational Report for the County Highway Department, for year ending December 31, 1975, was submitted to the Commissioners.

The Commissioners signed the yearly report at this time so that it can be sent to Indianapolis, Indiana.

RE: CUTS IN

Indiana Bell Telephone Company submitted a request to cut into Capella Drive, a push job under Capella Drive to bury cable along Spry Road..

Commissioner Ossenbergh moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

RE: EASEMENT ON BAUMGART ROAD

An easement was submitted from Chase Virginia so the work can be done on Baumgart Road.

Commissioner Ossenbergh moved that the easement be approved. Commissioner Schaad seconded the motion. Commissioner Willner passed. So ordered.

RE: BAUMGART ROAD

Commissioner Willner said that he has talked to Mrs. Heinlein about the realignment of the ditch on Baumgart Road and that she has asked to see the full map of the lay-out, that he has it and will get it to her and she has promised a decision so he will report on it next Tuesday.

RE: ST. JOE AVENUE BRIDGE

Commissioner Schaad reported that Mr. Linzy had one of the engineers from Penn Central out at the County Garage who said there was a letter up in Indianapolis on this project and it was just a matter of getting it if we wanted the right of way and the County could start tearing out the bridge and fill it in or do whatever they wanted to do. He said Mr. Nussmeyer called the man and his name is Dardeen.

Mr. Nussmeyer said that he talked to Mr. Dardeen and he was to talk to his boss, Mr. Swanson that evening but they haven't heard from him yet. He said he understands that Mr. Swanson was moving to Terry Haute from Indianapolis but he maintained there was a letter in the Indianapolis office.

Commissioner Said he received a call from Greg Server the other day and Greg asked him about this matter and he told Mr. Server that as he understands it, it was from the American Railroad Association and if there is a letter in Indianapolis, they could call Mr. Server at the State House this afternoon and have him expedite this thing because he is right there and wanting to know what has been done.

County Attorney Swain will call Mr. Dardeen and find out who has the letter and then they can call Greg Server.

Commissioner Schaad said that something needs to be done because this thing has been in the fire long enough.

RE: REQUEST FROM JERRY DAVID

Mr. Ludwick said he has a request from Jerry David who is a contractor and is in the process of building a lake out on Peerless Road for an individual who has 30 feet of right of way on Peerless Road which is 15 feet off of the center line of Peerless Road at that point and the lake will be right next to the road and before he builds the lake for this individual, he wants a letter from the Commissioners, saying that he can build this lake right next to the road because there will be a dam next to the road, more or less but it will all be on private property.

Mr. Linzy said there was more of a problem than just putting the lake in. He said we have two tiles going under Peerless Road that will be draining into this lake and they wanted us to change the tile at county expense.

Mr. Ludwick said he wasn't told about this problem.

Mr. Linzy said he met Mr. David and told him that it wasn't up to the County at all, that it was up to the property owners.

County Attorney Swain said not to send them a letter, that it has nothing to do with the County and just to let the chips fall where they may.

Mr. Ludwick said he will call Mr. David and tell him.

The meeting recessed at 12:15 p.m.

PRESENTCOUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberg
Robert L. Willner

Secretary: Margie Meeks

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Robert Schaad
Thomas L. Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

PUBLIC HEARING
FEBRUARY 10, 1976

SUBJECT: HOUSING & COMMUNITY DEVELOPMENT ACT OF 1974

A Public Hearing was held on Tuesday, February 10th. at 7:00 p.m. with President Schaad, President of the County Commissioners, presiding.

Commissioner Schaad explained that tonight's meeting is held because of Section 570.303 which sets requirements for making application under H.C.D.A. for funds and it states that there must be two hearings and these must be advertised at least ten days before the hearings to let the people in Vanderburgh County come forth and express to the Commissioners what their needs are.

He said there are certain guidelines to making applications and that Bob Bowman of the Council of Governments will explain them in a moment.

He stated that there were ads run in two local newspapers on January 29th and again on February 5th. announcing tonight's meeting which is February 10th. at 7:00 p.m. and there were also ads run in the newspapers on January 30th. and again on February 6th. announcing the Public Hearing that will be held on Thursday, February 12th. at 7:00 p.m. here in the Commissioners Hearing Room which is to comply with the requirements under above stated section of the H.C.D.A. Requirements Act.

Mr. Bowman said that the Council of Governments is assisting Vanderburgh County in presenting the Housing & Community Development Act which is also a requirement of the Housing & Community Act Public Hearings.

He explained that in August of 1974 the Federal Government consolidated all of what is called the U. S. Department of Housing & Urban Development Catagorical Grants and what he means by this is that each of these programs could be applied for individually, meaning if they wanted a grant for water and sewer, they could apply separately, a grant for open space separately, a grant for urban renewal, for neighborhood facilities planning, for neighborhood facilities, for model cities, each was independent of the other, each had it's own separate guidelines. He said that during the spring and summer of 1974, Congress, along with the President, drew up bills under the Housing & Community Development Act, at that time, the Better Communities Act, in order to create what is called a block grant approach, meaning he would submit one application, set forth the activities that he intended to pursue and seek to acquire sufficient funds to do that, here-to-fore, the City of Evansville has participated under Urban Renewal or under Model Cities for it's H.U.D. funding in order to revitalize downtown, to do the walkway and several other projects.

He said the Housing & Community Development Act is, in essence, nothing more than an Urban Renewal Act but by combining all those catagories, all those programs into one, they were eligible by various applicants other than cities so they also had to open up the Housing & Community Development Act for all applicants.

Mr. Bowman then presented the following display:

HOUSING & COMMUNITY DEVELOPMENT ACT OF 1974

BETTER COMMUNITY ACT

H. U. D. Nation wide Appropriation

FY 1975	2.5 Billion
FY 1976	2.95 Billion
FY 1977	2.95 Billion

<u>SPECIAL FUND</u>	<u>METRO AREA 1970 SMSA</u>		<u>NON METRO AREAS</u>
EVANSVILLE METRO CITY	IND. METRO AREA REMAINDER	KY. METRO AREA REMAINDER	62 IND. NON METRO COUNTY & LOCAL GOVERNMENTS
1975 - 2,871,000	1975 - 234,000	1975 - 103,000	1975 - 4,914,000
1976 - 2,871,000	1976 - 835,000	1976 - 367,000	1976 - 7,033,000
1977 - 2,871,000	1977 - 455,000	1977 - 200,000	1977 - 7,389,000

Mr. Bowman explained that the Housing & Community Development Act of 1974 was a three-year appropriation and it is a six-year program in that, after the third year, Congress will evaluate the progress of this Act and decide whether or not to fund it for the remaining three years.

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He said this money is a nationwide appropriation and it is divided across the nation according to like political jurisdictions based on a formula, that formula involves three factors, population, overcrowding and substandard housing and that the poverty factor is counted twice which explains why one county in the Kentucky remainder of the standard metropolitan statistical area, which is a census boundary, is higher than four counties in the Indiana remainder of that standard metropolitan statistical area, it being that the Kentucky poverty factor was higher than the Indiana county poverty factor. The Act is divided into basically what we call metropolitan areas and non metropolitan areas, that the Council of Governments include six counties which are Henderson County in Kentucky, Posey County, Gibson County, Warrick County and the remainder of Vanderburgh County, also Pike County. He said to show how this works, Pike County is not within the standard metropolitan statistical area although it is in the Council of Governments, so it will compete against the 62 other Indiana Counties, as the Non Metro Remainder, that Posey County, Gibson County, Warrick and the remainder of Vanderburgh County compete for what is called the Metropolitan Area Discretionary Fund, the City of Evansville, because of it's past programs and Urban Renewal or Model Cities, had a formula averaging it's previous five years and that explains why they get 2.871 Million for three consecutive years.

He said what we are concerned about is the 234,000 set forth in 1975, what we think will be approximately 835,000 this year which then drops down to 455,000 next year and he does have preliminary figures for the remaining three years and they are all over 1,000,000.00 when we start getting into 1978, 1979 and 1980.

He said he didn't know why it drops but he does know that in preliminary figures, Evansville will drop in their amount after the third year from 2.871, when they will start to decline and the Indiana Metro Remainder is an allocation, as he said, by formula, based on those three factors, that it is compared against all the standard metropolitan statistical area's in the United States and it's population, it's poverty and it's overcrowding are considered in that formula, that the reason why it's formula doubt is because the complaint was set forth earlier, that only those cities that had certain muscles or political pull in Washington were able to get hold of those categorical grants that he mentioned earlier so part of the structuring of this Act was to insure that everybody got something but when you did that, you reduced the amount for certain cities that were able to muscle more money out.

He said the Housing & Community Development Act has some thirteen different categories of programs.

Mr. Bowman then introduced Mr. Andy Furedy, of his staff, who will read the general categories.

Mr. Furedy read some of the general categories of these programs which are considered to be eligible activities under this Act which are as follows:

- The acquisition of property for the use of government services.
- Construction, Installation and Rehabilitation of public works which would include such things as Senior Citizens Centers, Utilities, Streets, Street Lighting, Water & Sewer facilities, Parks, Playgrounds and other facilities for recreational participation, Flood & Drainage facilities.
- Housing Code Enforcement (Rehabilitating older homes).
- Urban Renewal Activities of which Vanderburgh County has none but the City of Evansville has.
- Relocation payments to homeowners that are forced to move because of activities taken under this H.C.D Act.
- Provision of Public Services that are not otherwise generally available within the County.

He said there are other activities but they only concern the large cities and there is also a category by which the County or jurisdiction can develop a comprehensive community development plan by which it says we have these problems and these are the activities that we see that would alleviate those problems that we have. Payment of administrative costs in administering this grant and there are also some ineligible activities.

Mr. Furedy said the ineligible activities would be buildings and facilities for the general conduct of government such as city halls or buildings of this nature and others would be stadiums, sports arenas, auditoriums, concert halls, cultural art centers and that kind of thing, that schools cannot be funded under this act and neither can airports, subways, transit terminals, hospitals, nursing homes, treatment

works for sewage, Industrial waste, etc., that equipment can't be purchased under this Act, nor can political activities be bought, the money can't be used for new housing construction and basically, these are the eligible and ineligible activities.

Mr. Bowman said that one thing to keep in mind is that this Act is not as flexible as it would appear, that it is 100% money but there are a lot of gymnastics and jurisdiction in terms of qualifying for this money which includes the Community Development Plan, the Housing Assistance Plan, goals and objectives set forth by the community in order to justify the activity and set forth what the benefit of that activity will be.

He said the remainder of Vanderburgh County, outside the City of Evansville, will be competing against the other three Counties that he previously mentioned, which are Warrick, Gibson and Posey County, also any incorporated area or general purpose unit of government within those areas can apply for this money and the Council of Governments are going to attempt to rate those applications according to their appearance to the Act and the group of elected officials that are on the Council of Governments that represent all those bodies are going to try to make a decision as to what application should be funded and obviously this becomes a very ticklish situation and on the other hand, those jurisdictions within reason, if that decision is made, could be fairly well assured that they will receive the money, in other words, they will make the decision here, if they choose not to do so, the Department of Housing & Urban Development will then rate those applications and they will decide who gets the funding, that the benefit is that the group of elected officials can determine their own destiny if they so desire but in doing so, they may make some enemies or be making some friends.

He said this is their role as the Council of Governments and they are here tonight to explain the Act since it is part of the requirements and said the chief elected official of the jurisdiction does have the final say, but he must certify that he did present the hearing to the public, that they had a chance for their input and in addition to that, he must also sign that there will be no adverse environmental effects by these activities and in effect, because of the streamlining of this Act, the Secretary of the Department of Housing & Urban Development says that he will go along with all of this if the chief elected official will guarantee that all these things are done so it puts a big burden on him.

Commissioner Schaad thanked Mr. Bowman and said that this is the first time this has been attempted, in doing it in this manner, that before, they made application under the A-95 Review and then it was reviewed and they could comment as to whether they approved of it or not but there was no action taken on the local level at all, that all those applications were then sent to Indianapolis and H.U.D. went through and rated them and they determined who got the money and who didn't so this is a different approach.

He said several people went to Indianapolis to discuss this and were told it was possible to do it on this kind of basis and it was presented to the trustees of the Council of Governments and they thought we would rather do it here and they also elected to attempt to make the decision here. He said that it would be interesting to see how it comes out.

Commissioner Schaad then said the people that are present have now heard the various things that could be applied for under this Act, so he asked if anyone would like to be heard on what they think the need of Vanderburgh County, outside the City, are, that the Commissioners, as officials, can make an application to receive some of these H.U.D. funds.

He said he understands that the maximum that can be applied for is \$300,000.00.

Mr. Bowman explained that any jurisdiction that has 5,000 or less in population has a ceiling of \$100,000.00, any jurisdiction that has between 5,000 and 15,000 in population has a ceiling of \$200,000.00 and that any jurisdiction that has 15,000 or more in population has a ceiling of \$300,000.00 which is the maximum we are allowed.

Mr. Roger Klassy appeared and said that he is a developer and is very much concerned about the Northeast area of Evansville from the standpoint of storm drainage and more in particular, that area South of Division Street and East of Burkhardt Road. He said they are presently developing 40 acres in the form of a Subdivision known as Plaza Meadows, half of which is completed, North from Outer Lincoln to Walnut Extended and they still have an undeveloped portion of this tract, and as a developer along with other developers in this area, they have many problems and the main problem

stems from the inadequate drainage that they experience because of the condition of the Crawford Brandeis Ditch extending from Lincoln Avenue, North to Pigeon Creek, that this particular ditch affects his development and others flanking his development to that extent, that a leg does extend East from Burkhardt Road to our East line and an adjoining line between Plaza Meadows, his area, and Carrollton Court.

He said they aren't necessarily in a flood frequency area but they are in a flood plain area and that is created, basically because of a bottleneck caused by a box-type culvert on Division St. & Burkhardt Road, that when the hard rain hits South of Division, the water simply cannot find it's way through these ditches which are inadequate in size, inadequately drained and slow in water run-off, to a point that when the water does eventually find it's way to that particular intersection in question on Division and Burkhardt Road, there is the bottleneck and consequently the water backs into these areas to an extent that the intersections are flooded, yards, and sometimes driveways are flooded, also some garages have suffered some damage.

As a developer, he finds that it would behoove the County Drainage Board, at this particular time, to seriously consider the reconstruction of the Crawford Brandeis Ditch, to it's original bottom width and flow line, to the end that it can then facilitate the flow of water from this particular area, a part of which is in the City of Evansville, from East Cherry, South, but basically, the majority of the problem is in the County from East Cherry Extended, East of Burkhardt Road and North to Pigeon Creek.

He said the problem of cleaning the Crawford Brandeis will open the main channel but then, in his opinion, it would behoove the County Drainage Board to consider other ditches that eventually find their way into the Crawford Brandeis such as the Nurrenbern, the Stockfleth, the Kelly and possibly farther North, the Bishea, that at these particular points if they could alleviate the ponding in their area, they would have less difficulty in submitting their plans to the Area Plan Commission; the County Commissioners and the City Boards in general, to that point where they would establish certain minimum finished yard grades that would necessitate elevating and would necessitate a great cost to the developer that he naturally passes on to the home purchaser in filling these areas and bringing them up to artificial grades because at the present time, the flood plain elevation on the 20 acre undeveloped tract that they have is established at 394 feet above sea level which is established at the elevation of the intersection of Burkhardt Road and Division Street.

He said if this was done, the area which he is building and developing and the area flanking them would not suffer from moratoriums against building, generally and would not suffer embarrassment and the cost of water flooding into the street and houses, etc. and in this capacity, he will rest his case.

He said in another capacity he serves on a steering committee formed over fourteen months ago, representing the developer and the farmer in this particular area and here, they have broken into two blocks, the block of Peacock Lane along Crawford Brandeis, South, who is interested at this time, not only in reconstructing the Crawford Brandeis but in realigning it, that it has meandered quite a bit and the block north of Peacock Lane is concerned because they suffer because of the congested condition of these ditches and their inability to flow from the South to the creek and move the water away in time to really peak the blue grass water shed and these particular people feel that this water will be congested in their area. He said they are definitely interested in opening the Wabash Erie Canal and he thinks, from talking to the other members of the steering committee, if this was done, the people to the North along the Crawford-Brandeis from Peacock Lane to Pigeon Creek, would cooperate not only in reconstructing but also in realigning. He said that many other ideas have been presented and he is sure there will be this evening but basically, as a developer and as a member of the steering committee, representing the developers and the farmers working together, attempting to alleviate a problem, he would say that the first consideration should be given to the reconstruction of the Crawford Brandeis, the Stockfleth, the Kelly and the Nurrenbern ditches.

Commissioner Schaad, in regard to the capacity of which Mr. Klassy spoke last, asked if the hearing that was held out at Union Federal Bank wasn't in conjunction with what he was talking about now.

Mr. Klassy said that it was and that it was a successful meeting, that the place was packed, that they had a 30% turnout. which was excellent since they simply researched the records of the County Auditor's office and found who was on the tax

roles and mailed them notices of the meeting. He said the steering committee was appointed because of that meeting and they held many meetings during the interim and what he can observe, the people basically feel that a drainage district should be established and that the County Drainage Board would re-evaluate the people in this area and the benefits they will receive from the reconstruction of these ditches and that they should pay their fair share and from the folks he has talked to, they are willing to do that, also that some of them are assessed ridiculously low for the number of acres they have and on the other hand, some are assessed for two ditches, Crawford Brandeis and the Boesche, proportionately higher on a per acre basis.

Commissioner Schaad said there were minutes of the meeting taken by the Drainage Board secretary and he wondered if they should be made a part of this meeting, since it was a hearing based on this subject.

Commissioner Ossenberg asked if he understood correctly in that Mr. Klassy stated his Number one suggestion to top priority would be the reconstruction of Crawford-Brandeis, along with the other ditches and also that the people at the one end of Peacock Lane on the Crawford-Brandeis would only go along if the Wabash Erie Canal was opened.

Mr. Klassy said this is correct, as far as the people along the Crawford-Brandeis are concerned but as a developer he is concerned about the main artery and as a member of the steering committee he respects the wishes of everyone on the committee and it is divided at Peacock Lane and this is seemingly the area where the ditch is most disturbed because of its meandering and it needs maintenance badly.

Commissioner Ossenberg asked Mr. Klassy, as a member of the steering committee, if he feels as though, if they did Crawford-Brandeis on a complete reconstruction, that those people on that end would go along if they opened the Wabash Erie Canal.

Mr. Klassy said this is correct, that it is his recollection to the many meetings that they held.

Commissioner Schaad said he thought at this point, that they weren't trying to get into detail but they are trying to look at the overall problem as to what areas the money should be applied and this would be drainage. He asked if there was anyone else that would like to be heard on any subject of need in the county.

Mr. Lawrence Stahl said that he would like to say he agreed with what has been said and that the committee would agree at the present time, that 7,000 acres drains through Crawford-Brandeis from the three ditches on the South and since the parties on the lower end do object and they told him the same thing, that if the Canal was opened they would agree to let it on through North to the creek. He asked the Commissioners, if, as property owners along the ditch, they need to submit a petition to the Commissioners for this work to be done, as the 1967 ditch law states.

Commissioner Schaad said he didn't think it applied here because what they are talking about is applying for federal funds and it isn't under the normal drainage act, that he isn't an attorney, that it could be supplementary and in which case they would have to abide by the drainage law but they aren't going to do it in that manner, that they are trying to get 100% federal money to do this drainage work.

Mr. Lawrence Stahl said he felt that this job was certainly eligible for federal funds and he would recommend they do all they can to get the funds for this project and to get moving on it, since it is a serious situation to the farmers as well as to the property owners as far as the drainage problem is concerned.

Commissioner Schaad then asked if anyone had anything to add or if they thought the County had any other great need other than drainage.

There being none, he said that he took it that most everyone was present because of their interest in the drainage on the East side and they were all in agreement. He then said that everyone here is in agreement that drainage is our number one need in the County and feel that the Commissioners should apply for monies to help solve the drainage problems.

Mr. Quentin Stahl appeared and said he was interested in some of this work as a small contractor and he asked if there were preliminary plans that give a rough estimate of the overall cost of this East side drainage.

Mr. Nussmeyer, the County Surveyor, said they have the plans for it.

Mr. Stahl said that it was said that the maximum of \$300,000.00 was the figure that could be applied for and he couldn't see where they could possibly come up with that much cost involved if it is undertaken in the proper manner.

Commissioner Ossenberg said that the Surveyor could answer this better than he could but, for example, the reconstruction of the Crawford Brandeis, that the water is undermining Burkhardt Road so they are talking about moving the ditch completely, over some fifty feet and there are acquisitions of right of way and other things involved.

Commissioner Schaad said there are many ways to approach this thing and of course, he didn't believe that anyone would agree that the \$300,000 was going to solve the whole East side drainage problem, that this would be the first phase of the project and he thought that maybe it can be done if they get this money to get this thing off the ground and that maybe they could supplement it with other ways of financing it, such as Commissioner Ossenberg had mentioned, by floating a bond issue to get it done and to do it on a local level to some degree, in addition to the federal funds. He said what they are attempting to do here is to make the most successful application possible and this is why they want to hear from the public, to see if there is anything to be added to it and if they can just get the first approval on the thing, they will know they are on the right track.

He explained that Warrick County made an application last year for Mann Ditch and it was denied, that they may have been in competition with ones with higher priority and they got the money and this is why Mann Ditch was denied.

He said if they are going into it, in his opinion, they ought to come up with the strongest application that they can present to get the highest priority possible for drainage over some other application they might have and from what he has heard here tonight, they are going to have to make an application on drainage and they are going to have to write the strongest application they can possibly write and that it may not be what everybody likes but if they can write it strong enough and good enough, to get that first approval, then they can go from there.

Mr. Bowman said that when they submit the application they must provide statistics to support the activity as proposed in the application.

Commissioner Ossenberg said that last year they applied for \$100,000.00, for sub-standard housing in the County and they were turned down.

Commissioner Schaad said he was repeating himself over and over again but that they need to write the strongest application possible to get it approved, since they will be in competition with others for the money.

Mr. Quentin Stahl said that when they get as far as the planning stage or to awarding contracts, to keep the contracts as short as they can because it tends to give him, as a small contractor, a chance at some of this work.

Commissioner Schaad said if they get the money they will remember that but will first have to concentrate on trying to get it.

Mr. Leland Schnepfer asked, if as far as the stipulations in the Ordinance, what happens to the ditches after they are cleaned out, if they go back to the Drainage Board or if further maintenance will be needed on them.

Commissioner Ossenberg said that maintenance will need to be kept on the legal drains.

Commissioner Schaad said that federal funds won't take care of the maintenance, that this is just construction.

Mr. Bowman said the legal authority is the legislative body and the Drainage Board is, in fact, represented by elected officials which are the three County Commissioners.

Commissioner Schaad said there will be another hearing on Thursday, then after the second meeting or hearing, they will sit down and start planning and try to keep everyone informed as to what they are doing, that they first want to see what comes out of these meetings, to see what the need is and they will then address themselves to that and make application accordingly, and after that, they will be in touch.

Mr. Schnepfer said he was sure he spoke for everyone in the area, in that this drainage is necessary, that the ditches, at one time, were adequate until everything was put under blacktop and under roof and the ditches filled up, and now there is no way the water can get out.

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Commissioner Schaad said that another thing that came up recently is that after the ditch has been made, the farmers sometime plows up next to the ditch and all the mud from his field washes into the ditch and fills it up again, so they are going to have to be more careful and ride herd on that too because they all need drainage and want to keep it as nice as they can, since there is no point in abusing it after they dig it out by letting it fill up again, so they are going to have to try to police it a little better.

Mr. Stahl asked what the purpose is of the second meeting and if it necessary for him to attend that one too.

Commissioner Schaad said that it is possible that someone couldn't make the meeting tonight but could on another night, that what they are doing is to gather information from both meetings to make a decision as to what to apply for but that he is welcome.

Mr. Bowman explained that the two hearings are required by law and he supposed that the reason is as Commissioner Schaad has expressed.

The meeting adjourned at 8:00 p.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberrg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY SURVEYOR

Richard Nussmeyer

COUNTY ATTORNEY

Paul Wendel

NEWS MEDIA

Scott Hill of The Evansville Courier
Debbie Adelot of WGBF Radio

CHAIRMAN OF VAND. COUNTY SOIL & WATER CONSERVATION DISTRICT

Fred Alcott

INTERESTED CITIZENS

Lawrence Stahl
Quentin Stahl
Manfred Stahl
Winifred S. Pendley
Nila Stahl
Irwin Stahl
Wilbur Kron

Emily M. Kron
Mary Anne Schnepfer
W. A. Hames Jr.
Leland Schnepfer
David Hirsch
Thomas Hirsch
Tim Scheller

Roger Klassy
Gilbert Mosbey
William Thimling

COUNCIL OF GOVERNMENTS

Bob Bowman

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberrg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

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PUBLIC HEARING
FEBRUARY 12, 1976

SUBJECT: HOUSING & COMMUNITY DEVELOPMENT ACT OF 1974

A Public Hearing was held on Thursday, February 12th. at 7:00 p.m. with County Commissioner President Schaad presiding.

Commissioner Schaad explained that this is the second of two meetings that are required by law on the needs of the community in order to apply for federal Housing & Community Development monies.

He said that this meeting was advertised on January 30th. and again on February 6th. in both the Evansville Courier & in the Evansville Press and is being held in order to hear what the feelings of the public are, as to what the needs of the people are of greatest concern in applying for these funds.

Commissioner Schaad then introduced Andy Furedy who is on the staff of Council of Governments and is assisting Vanderburgh County, along with Mr. Bowman, in presenting the Housing & Community Development Act which is also a requirement of the Housing & Community Act Public Hearings.

Mr. Furedy then explained, as did Mr. Bowman last evening, that the Federal Government consolidated all of what is called the U. S. Department of Housing & Urban Development Catagorical Grants, in that each of these programs could be applied for individually, in that if they wanted a grant for a certain thing, it could be applied for separately, that each was independent of the other and that each had it's own separate guidelines.

He also explained that during 1974, the Congress along with the President, drew up bills under the Housing & Community Development Act which was called the Better Communities Act at that time and in order to create what is called a block grant approach, meaning he would submit one application, set forth the activities that he intended to pursue and seek to acquire sufficient funds to do that.

He said that the Housing & Development Act is really nothing more than an Urban Renewal Act, but by combining all the catagories and programs into one, they were eligible by various applicants other than cities so they also had to open up the Housing & Community Development Act for all applicants.

Mr. Furedy then presented a display on the Housing & Community Development Act of 1974 which was outlined in the minutes of Tuesday's meeting and explained that the Act was a three-year appropriation and that it is a six-year program in that, after the third year, Congress will evaluate the progress of this Act and decide whether or not to fund it for the remaining three years.

He explained the catagories and said that the funding allocations are nationwide and is divided according to like political jurisdictions based on a formula that involves three factors, population, overcrowding and substandard housing and that the poverty factor is counted twice which explains why one county in the Kentucky remainder of the standard metropolitan statistical area, which is a census boundary, is higher than four counties in the Indiana remainder of that standard metropolitan statistical area, it being that the Kentucky poverty factor was higher than the Indiana county poverty factor.

He explained that the Act is divided into basically what we call metropolitan and non-metropolitan areas, that the Council of Governments include six counties which are Henderson County in Kentucky, Posey County, Gibson County, Warrick County and the remainder of Vanderburgh County.

He then explained the formula and said that the Indiana Metro Remainder is an allocation, by formula; based on the three factors, that it is compared against all the standard metropolitan statistical area's in the United States and it's population, it's poverty and it's overcrowding are considered in that formula. He then explained the general catagories of programs which are considered to be eligible activities under this Act which are set out in the minutes of Tuesday's meeting, as well as the ineligible activities.

Commissioner Schaad then explained how the application is handled and said that the Board of Trustees studies the application to make sure the amount isn't more than allowed.

He said the meeting is now opened to hear from the people as to their thoughts, on the needs of Vanderburgh County, that would be eligible for this money.

Several of the people that were present gave their opinions as to the greatest need and they were all on the drainage problems.

Mr. Roger Klassy appeared and said that he is a developer and is very much concerned about the Northeast area of Evansville from the standpoint of storm drainage and more in particular, that area South of Division Street and East of Burkhardt Road. He said they are presently developing 40 acres in the form of a Subdivision known as Plaza Meadows and that as a developer, he has many problems and the main one stems from the inadequate drainage, because of the condition of the Crawford-Brandeis Ditch extending from Lincoln Avenue, North to Pigeon Creek, that this particular ditch affects his development and others flanking his development to that extent, that a leg does extend East from Burkhardt Road to our East line and an adjoining line between Plaza Meadows, his area, and Carrolton Court. He said they are in a flood plain area which is created basically because of a bottleneck caused by a box type culvert on Division Street and Burkhardt Road, that when the hard rain hits South of Division, the water can't find it's way through the ditches, since they are inadequate in size and inadequately drained plus slow in water run-off.

He said that when the water eventually finds it's way to that particular intersection of Division St. & Burkhardt Road, there is a bottleneck and consequently the water backs into these areas to an extent that the intersections are flooded as well as driveways, garages and sometimes the houses have suffered damage.

He said that as a developer, he finds that it would behoove the County Drainage Board, at this particular time, to seriously consider the reconstruction of the Crawford Brandeis Ditch, to it's original bottom width and flow line, to the end that it can then facilitate the flow of water from this particular area, a part of which is in the City of Evansville, from East Cherry, South, but basically the majority of the problem is in the County from East Cherry extended, East of Burkhardt Road and North to Pigeon Creek.

He said that the cleaning of the Crawford Brandeis will open the main channel but he thought it would behoove the Drainage Board to consider other ditches that eventually find their way into the Crawford Brandeis, that if they could alleviate the ponding in the area they would have less difficulty in submitting their plans to the Area Plan Commission, the County Commissioners and the City Boards, to where they would establish certain minimum finished yard grades that would necessitate elevating, also a great cost to the developer that he passes on to the home purchaser in filling the areas.

He said that if this is done, the area which he is building and developing and the surrounding area would not suffer from moratoriums against building.

He said that he also serves on a steering committee representing the developers and farmers of the area and they are not only interested in the reconstruction of the Crawford Brandeis but in realigning it since it has meandered quite a bit and the block north of Peacock Lane is concerned because of the congested condition of these ditches and their inability to flow from the South to the creek and move the water away in time to really peak the blue grass water shed and these people feel that the water will be congested in their area.

He said that he feels action must be taken on the re-opening of the old Wabash Erie Canal, East of Green River Road and diverting drainage water into it from Stockfleth Ditch and he was sure that the people would go along with it.

Commissioner Schaad said that some of the flooding caused by the inadequacy of the Crawford Brandeis Ditch in Northeastern Vanderburgh County will be alleviated this year if county government obtains federal money for drainage work.

He said a cure for part of the problem can be achieved by the re-opening of the old Wabash Erie Canal and diverting drainage water into it from the Stockfleth Ditch, which now runs into the Crawford Brandeis, that although a complete renovation of the ditch will not be done this year, the diversion of the Stockfleth Ditch water should be a partial remedy.

He said that a number of residents have appeared at both meetings, the one that was held on Tuesday night and the one being held tonight, to urge a solution to the massive flooding caused by the Crawford Brandeis' shortcomings and they have come to the conclusion that the canal which runs along the south side of U. S. 460 would take the storm water to the Hirsch Ditch near Stockwell Road and Morgan Avenue and on to Pigeon Creek.

He said it was decided, then, that the Vanderburgh County Commissioners and the Warrick County Commissioners file a joint application for \$300,000.00 in federal monies for this project and for improvements to Mann Ditch which drains storm water from the area South of Newburgh Road, since the drainage problem is the number one problem as decided by the people.

He again said that the Commissioners would submit the strongest application possible. The Mann Ditch watershed involves 338 acres of which 179 are in Warrick County, 115 are in Vanderburgh County and 44 are inside the City of Evansville.

Commissioner Schaad asked Mr. Furedy if he knew how soon they would hear whether the application has been approved or not.

Mr. Furedy said that it would be from 30 to 45 days before they know if the pre-application has been approved in order to submit the full application and he would say that they wouldn't know before May of this year.

Mr. Fred Alcott of the Soil & Water Conservation District, discussed the H.U.D. pre-application plan signed by both, the Vanderburgh County Commissioners and the Warrick County Commissioners and he explained how Steeg Associates Consultant from Indianapolis had made recommendations for problems on the East side, including Mann Ditch which affects both counties and part of the City of Evansville. He said that the rest of the application dealt with the North side of Newburgh Road which includes the Hirsch Ditch, the Crawford Brandeis Ditch, the Stockfleth Ditch and the Nurrenbern Ditch. He said that also included in the pre-application for the grant fund were plans to reconstruct.

Commissioner Schaad thanked all the people for attending the meetings and said that the Commissioners would be back to report on what has happened when they know something.

The meeting adjourned at 8:00 p.m..

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberg
Robert L. Willner

SOIL & WATER CONSERVATION DIST.

Fred Alcott

COUNCIL OF GOVERNMENTS

Andy Furedy

WARRICK COUNTY COMMISSIONER

Virgil Gerhardt

NEWS MEDIA

Scott Hill of The Evansville Courier

INTERESTED CITIZENS

Luella R. Gerhardt
Lynn Guthrie
Gilbert Mosbey

Thomas Hirsch
Lawrence Stahl
Leland Schnepfer

Mary Anne Schnepfer
Roger Klassy
Philip Tzschope

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS,
FEBRUARY 17, 1976

The meeting of the County Commissioners was held on Tuesday, February 17th, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County Owned Surplus Property. The bidding will remain open and the sale will continue next week.

RE: BIDS ON EMGE ROAD BRIDGE

The County Commissioners authorized the County Attorney to open the bids and see that they are in order.

RE: EMPLOYMENT CHANGES

APPOINTMENTS

JOINT DEPARTMENT OF LEGAL SERVICES

Carol P. Wytovak	1209 Tree Top Lane	Clerical	\$5536.00	Feb. 9, 1976
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RE: MONTHLY REPORTS

President Schaad said they received the monthly report from the Clerk of Circuit Court. He said let the record show the report received and filed.

President Schaad said they also have the monthly report from the County Treasurer, which is also received and filed.

RE: DON WELLS-VOLUNTEER ACTION

Mr. Wells said they have Jerry Brown there who will make their request.

Mr. Brown said they were there today to request their consideration for funding a portion of their budget. He said they were before the County Council some weeks ago and made a presentation at that time. He said the response was that there was no money available and they were entered into the budget book as a line item in zero dollars. He said since that time they have found from the County Auditor that there is \$50,000.00 remaining in the Revenue Sharing account. He said Volunteer Action is a private, not for profit agency, consisting of volunteer services and information referral services. He said they had a volunteer fair at Indiana State University and recruited about 100 volunteers. He said the Information Referral Service is a point for people who don't know how to solve problems or in certain kind of circumstances can call the Information Referral Service or get in touch with Information Referral people. He said in addition, Volunteer Action Center is a responsive agency. He said they put together certain kind of services that do not exist presently in the community. He said they respond to unmet needs and try to find volunteers to help meet them. He said they do not have any certain boundaries and try to serve the entire community, they serve all kinds of agencies with all kinds of funding, over 100 different agencies in all. He said they provide services to all social age groups, all income levels. Mr. Brown said because of the kind of services they offer are intangible, he would like to give them a prospective through some other peoples eyes of the kind of work they are doing and the results of that work. He said they had some people there and they will speak very briefly on their contact with Volunteer Action. The first to speak is Mr. Scott Shively, who is a counselor for the Indiana Vocational Rehabilitation Services who has used both Volunteer Action and the Information Referral Services.

Mr. Shively said he has used both services and was well pleased with them, he said over the past several months they have worked with him on several of his most difficult clients to help them provide them with employment, job leads, and for training. He said through their assistance, now, people are receiving some training

that they would not have been getting had they not been helped by Information Referral. He said he hopes the Commissioners will take their request into consideration.

Mrs. Brenda Bender, who is secretary at WIKY, she is a volunteer at the Childrens Center and is a member of Volunteer Action Public Relations Committee.

Mrs. Bender said she would like to tell the Commissioners what Volunteer Action means to her. Mrs. Bender said three years ago when she returned to Evansville to work, she said she called Mr. Wells at the Center and ask him if he had some sort of tutoring system where she could work with Children on her evenings off. She said he put her in touch with the Evansville Psychiatric Childrens Center and she has continued to do this two nights a week. This past fall Mr. Wells Called her again and ask her if she would be willing to share her typing ability with a bed ridden invalid in the City who is writing a book to make her living and perhaps the Commissioners are familiar with her name, it is Ruby Boyer. Mrs. Bender said she would like to tell them something about how Mrs. Boyer feels about Volunteer Action. Mrs. Bender said she willing wrote a little note for her to read to the Commissioners, which is as follows:

I am a bed ridden invalid, I have been in bed more than half of my life not counting the years of my childhood when I had to be in bed. I am trying my very best to earn my living writing books and selling cards. The book I am now writing is in my mind in 1974 but two eye surgeries took all the strength that I had. My strength is still less than before the surgery but I am writing my book. Mrs. Bender started helping me in the fall and has not missed a Thursday night since she began. I cannot think God or Volunteer Help enough. I am grateful from the bottom of my heart.

Mr. Eugene Woolridge is retired and he has made a variety of contributions in a number of areas.

Mr. Woolridge said he called Mr. Wells and ask him if he had any thing he could do toward volunteering, he said he wanted to help other people. He said he picked up food stamps for older people who have trouble getting around, takes older and blind people to the doctor. He said he also does carpenter work. He said he made cabinets for the boys club. He said he enjoyed his work and he has also volunteered for the Humane Society.

Mrs. Jeanette Bey is a Welfare worker who has used Volunteer Action Services.

Mrs. Bey said she has used Volunteer Action Services many times for cases with multiple problems and often you don't know where to turn. Mrs. Bey said all the way through they have provided a lot of information to her, also to other people who need help. She said they have done a fantastic job keeping track of resources in the City. She said they have been able to get services of many kinds for their handicapped, for people who need transportation, people who have had trouble moving things and they have been very kind about giving help to those people. She said much of the services given by volunteers who are not paid. She said she hopes they can give them the funding they need to not only continue the work they are doing but can expand it.

Mr. Brown said they don't like asking for money and had hoped they wouldn't have to this year but they need funding since they have a budget of some \$46,000 and he will give the Commissioners a copy of the budget shortly. He said that in the past they have been funded in a large part by Eli Lilly and have previously been funded by the County toward a portion of their budget and the dire circumstances that they are in right now stem from the fact that Eli Lilly can no longer provide financial support, that the purpose of their initial funding was to provide them a way to demonstrate the value of these services in the community, they feel that we have done so and that the funding should now come from community sources so we have no more money from them. He said that the other circumstance is that Volunteer Action Center Information and Referral Service was rated number one priority item by the Bolton Study, that they fully anticipated funding from the United Way based on this recommendation but that the Bolton Study has not been implemented and no new agencies have been added to the United Way so as a consequence, a very reasonable and natural source of funding is not there so they are faced with a prospect of closing their doors and eliminating this service since this is a private agency and there aren't

many places to turn to. He said they have sought funding from other sources and have recently signed a contract with Planned Parenthood for a small portion of the budget and have also signed a contract which he won't go into and they are finding some money but they are looking for a majority of their budget to come from five (5) primary sources, that they are requesting \$6,000.00 from the City, that \$7,000.00 has already been provided in donated services, their offices are rent free in the Community Center and the janitorial services and that sort of thing are already being provided so they are asking for the comparable amount from the County. He said that their Volunteer Action Center Board is raising a little more than \$5,000.00 and that SWIRCA is hopefully providing \$6,000.00 and they are requesting \$13,000.00 in Community Development Funds and that the reason they are coming before the County Commissioners is that much of their service does go to the County, and that one-third of the Information Referral Services are from County residents and some 15% of volunteer services are involved with county residents and more than that, they simply don't have that many choices so this is the reason they are here.

He said they haven't presented a big story here as they did before the Council but they thought this to be a very critical and unique service, that it exists nowhere else and cannot exist in this community and that it is not duplicated.

He said that David Jackson has been a recipient of volunteer services at various times and the particular emphasis in this case was that they recruited volunteers that weren't provided by an existing agency, that this isn't a referral matter, that it is an individualized case and Mrs Dorothy Flanders who is a VAC Board member and has been involved with Mr. Jackson in developing this specialized kind of assistance will relate how VAC has been able to do something about this need.

Mrs. Flanders said she was substituting for David's Mother today since she had planned to be here but was taken to the hospital, that she first became acquainted with David in 1969 when they first opened their Information & Referral Service before VAC and that David's particular problem is that he is a student in school and because his father was ill at home and he had no way to get to and from school so since 1969 they have recruited volunteers to take David back and forth to school. She said that David is now 33 years old and has earned 77 hours toward an associate law degree and his grade point average is 2.75, that he types all his own papers and he communicates by the board that is on his wheelchair and many people in the community know him but he wouldn't have been able to go to school if they hadn't recruited volunteers and this has been since 1969, also that David has had several operations and they have had to take him back and forth to the Rehabilitation Center.

She then explained the number of hours that volunteers have donated for services in helping David.

Mrs. Flanders then submitted a statement that was written by Mrs. Jackson which reads as follows:

I have a deep sense of gratitude to VAC. Without their help David would not have been able to get an education. I hope you will consider funding this worthwhile program.

Mrs. Flanders then read a message that David typed:

Dear Friends:

I'm going to let Mrs. Flanders read my note to all of you.

I received many rides to and from the University of Evansville, Rehabilitation Center and other places that were necessary for me.

I believe some day, I will be able to do some kind of work in research in the fields, like prison reforms or drug addiction, something to do with my education and not waste it.

My mother and I also benefited by from the help from Volunteers staying with my dad. We were very glad to do all we could, but we needed to get away once in awhile.

I could go on, but I am studying for a test, but I've to say, there are great people in the city and whatever you do, think twice about them.

thanks,
David Lee Jackson

Mr. Brown then said that they don't want to impress on the money they have saved the city with volunteer services and they don't want to state a lot of statistics but what he does want to say is that they do something that is important in the community and he thought they made a very real contribution to the quality of life here and he also thought that by getting people involved in solving other peoples problems is the best way to go about it. He said they are faced with the possibility of not being able to do this any more and he hoped that the Commissioners will give consideration to their request.

Commissioner Schaad said that the request is for \$13,000.00 and it does come through the County Commissioners budget but that the County Council really holds the purse strings. He said he thought everyone, especially the County Commissioners were of the fine job that the Volunteer Action were doing and he hoped that the Council will be able to come up with the money for them.

President Schaad thanked all those involved for being here today.

After some discussion Mr. John Oldham, President of the Volunteer Action Center, said that he thought the problem the last time was that revenue sharing funding was so new, that he thought the initial request was approved and then it was found that it was impossible to go into a contract and then there were some state laws that had to be changed and then they were able to come back and go for the contract, he knew that there was a great deal of confusion at that time on the mechanics of doing it and he thought the last time they got funds they were appropriated by the County Council and then they came to the County Commissioners to get the contract signed. He said that the other evening when they made a presentation following the same trend of doing it, the real problem seemed to be the fact that there was a question as to the revenue sharing money being available. He said they still feel that the funding source should be from a program such as United Way.

Commissioner Willner asked, if the County was to fund this program this year, are there any hopes it being funded in some other way for the following years.

Mr. Oldham said they hope so, that the Commissioners are probably aware of the United Way in the program and analysis that they are doing as far as future funding is concerned. He said they have found funding in years past, knowing that this is what they were trying to accomplish and were able to do this for a year and a half without using County funds or revenue sharing funds.

Commissioner Ossenbergh asked Mr. Oldham if he had any hope that he would get the Eli Lilly money back.

Mr. Oldham said probably not, that their problem is they have had pressure to fund things and at the same time, they have had a tremendous drop in their investment income plus the fact that most trusts like this work on start up grants in getting groups established and then they leave it up to the community to continue the program.

Mr. Oldham said if the program is approved they will probable use basically the same contract they used in 1974, review and update it.

Commissioner Ossenbergh moved that the Commissioners enter into a contract with Volunteer Action, contingent upon money being available by County Council.

Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked if there was any input the Commissioners could have on getting this service funded, that he didn't mind giving them the money needed for this year but he would hate the continuance of it and he does agree that it should be in the United Way and he would like to work toward that end.

Mr. Oldham said that any support from the Commissioners in that direction would be appreciated. He said they have funds to operate until the end of April.

Commissioner Ossenbergh then moved that the County Auditor advertise this \$13,000.00 for next months meeting. Commissioner Willner seconded the motion.

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Commissioner Schaad said he understands from legal Council that this must be from revenue sharing money, that it can't be from the general fund.

Mr. John said that he pointed out, when he said there was about \$52,000.00 in revenue sharing money, that the Commissioners were requesting \$200,000.00 this time and wanted it for the road projects which would deplete the funds but that it is more or less under the Commissioners control and they were going to use \$150,000.00 from the general fund.

Commissioner Schaad said this could be negotiated back and forth.

Mr. Oldham said they will then update the contract and have it ready for the Commissioners to sign if the County Council approves it.

Mr. John said the next Council meeting will be held on the third Tuesday of March at 1:00 p.m. and he will make the request from the motion made.

Commissioner Ossenberrg said he also thought the Commissioners could have some input in helping secure funds from the United Way for Volunteer Action.

Mr. Oldham said that a letter from the Commissioners to the United Way President to support this service would help.

RE: REQUEST FROM BOY SCOUT TROOP 352

Mr. Bud Summers who is a Scout Master introduced two (2) boy scouts who are working for their eagle rank and whose names are John Summers and Scott Berry.

He explained that this is the boy's project and they are wanting to do something that is related directly with the Bi-Centennial and that he will personally guarantee that the job will be done according to the Commissioners specifications.

John Summers explained that what they want to do is to clean up the monument at the old Court House, that they will supply the materials needed and they are going to the Chemistry teacher at North High School who will tell them exactly what kind of materials to use on the monument.

Commissioner Schaad wondered if clearance would be needed from the Baker Foundation, since the Court House has been leased to them.

County Attorney Tom Swain said this should be cleared with them.

Mrs. Smith said this has been cleared with the Baker Foundation and thought the project was a fine thing.

Commissioner Ossenberrg moved that the project by the Boy Scouts be approved, the motion was seconded by Commissioner Willner, so ordered.

Commissioner Schaad said this was a very commendable thing the Boy Scouts have offered to do and he knows that if they do this, they will do it right.

Commissioner Willner asked if any special Insurance was needed for this.

Commissioner Schaad said they would be covered and he suggested that a picture be taken before the Scouts work on it and again after they finish working on it.

Mr. Herman Hotz said he would work with the boys on this project.

RE: AWARDING OF CONTRACT

There were four bids received on the Emge Road Bridge Structure #22A which are as follows:

Key Construction Co.	\$18,075.00
G.H. Allen Inc.	17,146.00
Barnett Bros.	14,668.00
Deig Bros.	18,560.00

County Attorney Swain said that all bids are in order and the Engineers Estimate is \$15,900.00

Mr. Nussmeyer checked the bids, since this is more or less an emergency and then recommended that the contract be awarded to the lowest bidder.

Commissioner Ossenberg moved that the contract be awarded to Barnett Bros. in the amount of \$14,668.00. Commissioner Willner seconded the motion, so ordered.

RE: MONTHLY REPORT

The monthly report of the Building Commissioner was submitted for the Month of January, 1976 by Mr. Crooks. The report was ordered received and filed.

RE: AGREEMENT TO BE SIGNED

Commissioner Schaad said the agreement between the County Commissioners and the Trustees of the Penn Central Railroad has been submitted for the Commissioner's signatures so they can get something done about the old railroad bridge near the intersection of St. Joe Ave and the Boonville-New Harmony Road over the Penn Central Railroad tracks.

County Attorney Swain said the Commissioners can sign the agreement and send it back for their signature but that there is still some question of the need for it being published in the federal register so he didn't know if the Commissioners could do anything on the bridge yet or not.

Commissioner Ossenberg moved that the agreement be signed. Commissioner Willner seconded the motion, so ordered.

Commissioner Schaad asked Mr. Ludwick if he had Mr. Nussmeyer had discussed what the costs of this project will be. Mr. Ludwick said he believes it is about \$75,000.00 total.

Commissioner Schaad said since this is no longer going to be a bridge will this be Road Funds or Bridge Funds.

County Attorney Swain said there is more money in the bridge fund.

Commissioner Schaad said is just a road now to replace the bridge.

County Attorney Swain said they will be still be better off taking it out of the bridge fund.

RE: LETTER FROM JERRY L. HOOVER

Commissioner Schaad said they have a letter from Jerry L. Hoover of 2250 Swingingway, The letter is as follows:

I am writing to inform you of a serious problem that has developed in front of my residence, it appears the street was improperly constructed and now the soil is eroded from beneath it.

A good size hole has caved in where my drive-way connects with the street and there is a deep hole that can be seen to the expansion joining the center of the street. We are concerned about the dangerous condition of the street and trust you will give it prompt consideration.

Commissioner Schaad asked Jerry Linzy if he knew about this and Mr. Linzy said he knew about the hole.

Commissioner Schaad asked Mr. Linzy if this was going to be taken care of and Mr. Linzy said he already has filled some trouble spots. Commissioner Schaad said this was in Melody Hills.

Commissioner Ossenberg said he was out there and this is quite a situation. He said it is very bad. He said this is not the only place.

Commissioner Schaad asked if they were having any more problems with Twickingham Dr. since the reconstruction.

Commissioner said it would not do any good to go out there and just temporary do it. It is just going to happen again, the water is washing the dirt out from the pavement.

Commissioner Ossenberg said last year just above Twickingham Drive they dumped several hundred sand bags in there to try to hold some kind of foundation, it is a bad situation out there.

Commissioner Ossenberg said that sub-division out there will eventually cost the County ten million dollars to replace those stretts.

Mr. Linzy said he will go back out there and see what he can come up with.

RE: LETTER ON YOUNG ROAD

A letter was received from Thomas Glaser who lives at R.R. 3, Young Road and dated February 9th. and reads as follows:

This letter is a follow-up to a telephone conversation I had with Mr. Huber Mitchell on Saturday, February 7th. and the conversation was in reference to the Young Road situation.

Young Road is located 7/10 of a mile East of Green River Road off Boonville-New Harmony Road. The residents on the road have had trouble with large holes in the road plus very poor drainage due to the inadequate ditches on the side of the road.

We would appreciate if the County Engineer would come out and look over the problem and make recommendation as to what can be done. We would also like to meet with the Commissioners at your convenience after the Engineer has made his recommendation.

Thank you for your time on this matter.

The letter was signed by Thomas Glaser.

Commissioner Schaad asked Mr. Jerry Linzy if he went out and checked this Road.

Mr. Linzy said he had checked on it and the road had been graded and rocked, but the problem is drainage and the road is only wide enough for one lane of traffic and there is no room to put a ditch plus there are some steep embankments.

Mr. Nussmeyer said he thought the right-of-way was the problem and that he would take a look at it.

County Attorney Swain asked if this was a county accepted road.

Commissioner Willner said that a portion of it is but perhaps 1/8 of a mile isn't and it is in this portion where the school bus goes in and turns around and the Commissioners, last week, decided to go ahead and rock this portion and fix the road regardless. He said that unless they give more right-of-way, the Commissioners couldn't even attempt to fix the drainage.

Mr. Nussmeyer said he would contact Mr. Glaser.

RE: TELEPHONE REQUEST

The following letter of request was submitted by the Sheriff's Department:

Vanderburgh County Commissioners
Civic-Center Complex
Evansville, Indiana

Dear Sir:

I am requesting installation of a Telephone Jack in cell block 46 of the womens section of the County Jail.

In talking to Mrs. Hardin at Indiana Bell Telephone Co. I was informed the costs will be twenty two dollars (\$22.00) for installation, no added charge on the telephone bill.

The letter was signed by LT. Kenneth R. Collins, Jail Commander.

County Attorney Swain questioned this Request since it was signed by Mr. Collins.

Commissioner Schaad said he was sure Mr. Collins was acting with the approval of the Sheriff.

Commissioner Ossenbergh moved that the request be approved.

Commissioner Willner said he would like a letter with more information on this and wondered if it was a convenience to the Sheriff's Department or a convenience to the prisoners.

Commissioner Schaad said that since it is the Sheriff's request he didn't think they should question it, that evidently he thinks it is needed for his operation.

Commissioner Willner said he would like to have a little more information before he acted on this request.

Commissioner Schaad seconded the motion, so ordered.

RE: TRAFFIC PROBLEM ON KASSON ROAD

The following letter was received from the Resurrection Parish Council:

Dear Commissioners:

This letter is being written on behalf of the residents of Kasson Road and the 210 families who are members of Resurrection Church and whose Children attend Resurrection School.

The purpose of this letter is to ask the Commission to consider the following requests:

1. Reduce the speed limit within the Kasson settlement boundaries on New Harmony Road from 40 to 30 miles per hour, and
2. Increase the number of School Warning Road Signs on the East and West Approaches to the Resurrection School entrance. These road signs should cover at least a 1000 to 1500 foot approach from the East and the West.

The New Harmony Road within the Kasson Settlement Limits is a sweeping "S" curve from the vicinity of the Nunn Milling Company to the driveway entrance to Resurrection School. Due to this Sweeping "S" curve configuration, residents living within the Kasson limits experience great difficulty entering the New Harmony Road from their driveways or access side roads, because of the limited visibility of oncoming traffic from either direction.

In addition "hot rodders" with "souped up" machines and illegal mufflers delight in driving this sweeping "S" curve at speeds appreciably in excess of the current 40 mile per hour limit, which adds immeasurably to the peril of safely entering New Harmony Road from resident driveways and access side roads.

Due to these hazardous conditions and frequent violations of safe driving practices, there has been a significant number of accidents within the Kasson Settlement limits.

It is hoped the Commission will give favorable consideration to these requests. A speed limit reduced to 30 miles per hour within the Kasson Settlement limits and increased surveillance by county police significantly reduce the traffic hazard on Kasson.

The letter was signed by Adam J. Bray, Secretary of the Resurrection Parish Council.

Mr. Bray was present and said he thought this was a reasonable request and he thought these steps should be taken to increase the safety in the area.

Commissioner Ossenbergh moved that this request be referred to the Traffic Engineer for study and recommendation, also that the Sheriff should be contacted about this bad situation. Commissioner Willner seconded the motion, so ordered.

RE: TRAVEL REQUESTS

A letter was received from the County Veterans Service Office, Bob Moran, which reads as follows:

Sirs:

I request permission to attend the Annual Service Officers Training School to be held in Indianapolis, Indiana on April 18-22, 1976.

The school is sponsored each year by the Indiana Dept. of Veteran Affairs.

Thank you for all consideration in this matter.

The letter was signed by Bob Moran .

Commissioner Ossenberg moved that Mr. Moran's request be approved, seconded by Commissioner Willner, so ordered.

RE: QUESTION ON FUNDS FOR TRAVEL

Mr. Moran said that Mr. Dick, the City Service Officer has a request to attend this school also and he wondered if it could be made clear to him about the travel of Mr. Dick and he asked if a CETA employee's travel is paid from County funds. He said that last year when he was in the hospital, Mr. Dick attended the schooling, submitted a claim to the County Commissioners for expenses and it was paid.

County Attorney Swain asked if there was any reason for both Service Officers to attend the schooling in Indianapolis.

Mr. Moran said, "frankly no" and the thing of it is that they have run into a few problems and he has never been clear on them, that he is trying to run on a certain budget, which last year he didn't claim anything for travel, that he traveled within the City but didn't claim anything because it wasn't that much but now this schooling is coming up and he wondered if his budget would have to handle one or two bills for traveling.

Commissioner Willner asked if the City shouldn't pick up the bills for the travel of Mr. Dick and the County pick up the bills for Mr. Moran.

Commissioner Schaad said that the City had the slot and gave it to the County and Mr. Dick performs in the same area and not just in the City. That instead of having two (2) Veterans Service Offices, one for the City and one for the County, with overlapping, that they could work out of the same office and this is why they gave the slot to the County.

Commissioner Schaad said that he sees there is a question here on whether two (2) people should travel to Indianapolis for the schooling or not and in as much as Mr. Dick went last year since Mr. Moran couldn't go.

Mr. Moran said this is a three (3) day schooling and he feels that one man attending it would get as much information as two (2). Mr. Dick also submitted a request to attend this schooling.

Commissioner Ossenberg then moved that Mr. Moran be permitted to attend the schooling this year as that Mr. Dick attended last year and that Mr. Dick's request be denied, seconded by Commissioner Willner, so ordered.

Mr. Moran asked if it had been clarified as to if whether money for any travel by Mr. Dick would come out of the County budget.

Commissioner Schaad said he didn't see how it could be any other way.

Commissioner Ossenberg said he would get a clarification on it.

Mr. Moran said the reason he was asking was because they have had some conflict and he is just trying to get it straightened out.

Commissioner Schaad said just to make it clear, Mr. Moran is the Veteran's Service Officer, that this is his official job and all requests should come through him since he is responsible for the office.

RE: PROOF OF LOSS STATEMENT

A Proof of Loss Statement was received by the Commissioners for President Schaad's signature, this was in connection with the wind loss to a building at St. Joe and Mill Road on January 13, 1976 and after being signed will be returned to the Underwriters Adjusting Company. A contract was let for repairs on this.

Commissioner Ossenbergh moved that the statement be signed, seconded by Commissioner Willner, so ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received by the Commissioners from the Hartford Insurance Company on Feigel Construction Company.

The Certificate of Insurance was ordered received and filed.

RE: CLAIMS

A claim was submitted by Robert Moran for mileage, motel, registration and lunch expenses incurred on February 5th., and 6th. by attending a meeting in Indianapolis sponsored by the Indiana Department of Veteran Affairs in the amount of \$69.08.

Commissioner Ossenbergh moved that the claim be approved. Commissioner Willner seconded the motion, so ordered.

A Claim was submitted by Lukens & Sons Insurance, Inc. for a Public Official Bond for Sheriff DeGroot in the amount of \$75.00.

Commissioner Ossenbergh moved that the claim be approved, seconded by Commissioner Willner, so ordered.

A claim was submitted by Lukens & Sons Insurance, Inc. for a Public Official Bond for the Center Township Assessor, Alvin Stucki, in the amount of \$20.00.

Commissioner Ossenbergh moved that this claim be approved, seconded by Commissioner Willner, so ordered.

A Claim was submitted by the City of Evansville for the County's share of Joint Department of Traffic Engineering from 12/1/75 in the amount of \$1,953.08 and from 1/1/76 to 1/31/76 in the amount of \$1,662.33 for a total of \$3,615.41.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion, so ordered.

A claim was submitted by the City of Evansville for the County's share of Joint Department of the Health Department from 12/1/75 thru 1/31/76 in the amount of \$17,289.09.

Commissioner Ossenbergh moved that this claim be approved, seconded by Commissioner Willner, so ordered.

A claim was submitted by the City of Evansville for the County's share of the Building Commissioners from 12/1/75 thru 1/31/75 in the amount of \$9,051.68.

Commissioner Ossenbergh moved that this claim be approved, seconded by Commissioner Willner, so ordered.

A claim was submitted by the City of Evansville for the County's share of Weights and Measures from 12/1/75 thru 1/31/76 in the amount of \$1,104.70.

Commissioner Ossenbergh moved that this claim be approved, seconded by Commissioner Willner, so ordered.

A claim was submitted by the City of Evansville for the County's share of the Joint Purchasing Department from 12/1/75 thru 1/31/76 in the amount of \$3,698.06.

Commissioner Ossenbergh moved this claim be approved, seconded by Commissioner Willner, so ordered.

A claim was submitted by Shirley Jean Cox, Clerk of Circuit Court for expenses in attending a meeting in Indianapolis that was called by the State Election Board on 2/10/76 in the amount of \$67.12.

Commissioner Ossenberg moved that this claim be approved, seconded by Commissioner Willner, so ordered.

A claim was submitted by Thomas Swain for expenses of professional services in representing the County Council in Brune vs Brown, et al, (130-552) in the amount of \$1,774.50.

Mr. Swain said this is paid from the Commissioners budget and the money will be in there this afternoon at 2:00 p.m.

Commissioner Ossenberg moved that this claim be approved contingent to available of money, seconded by Commissioner Willner, so ordered.

A claim was submitted by Thomas Swain concerning the same case as above for long distance phone calls in the amount of \$.98 and Witness fees and mileage at \$35.00.

Commissioner Ossenberg moved that this claim be approved, contingent to the availability of the money, seconded by Commissioner Willner, so ordered.

RE: REZONING PETITION VC-24-76

Petitioner: Warren W. & Karen Spurling
Premises Affected: East side of Oak Hill Road southeast of the intersection of Oak Hill Road and Heckel Road.
Requested Change: From R-1A to C-1B to use as Used Car Sales

Mr. Paul Black appeared on behalf of Joe Harrison who would be representing the petitioner but is out of town.

Mr. Black requested that this petition be approved by the Commissioners as to form and refer it to the Area Plan Commission who will review it on March 3rd.

County Attorney Swain asked for clarification, if the County hasn't dropped the A-B-C-D Classifications.

Mr. Black said that when this petition first came up, the classifications still existed but they may have been dropped since then.

County Attorney Swain said he thought they were dropped a couple of years ago and the only difference between A-B-C-D was lot size.

Commissioner Willner said he just received this and according to the paper, he understands there is to be a writer put on, that if this property was sold, the zoning would be changed back and he asked if this was still a part of the ordinance.

County Attorney Swain said that generally this is done by a separate covenant and that he really questions the validity of making it a part of the ordinance, since the law states that you can't require one rezoning in some conditions that you don't require of all rezonings but he thought the proper way was by covenant.

Mr. Black said he assumed that when this petition comes before the Area Plan for hearing, that this will be one of the topics.

There were no remonstrators present.

RE: REZONING PETITION VC-25-76

Petitioner: Daniel McFadden
Premises Affected: North Side of Allen Lane 121 Feet West of Allen Road and Hart Street.
Requested Change: Agricultural to M-2 General Industrial, Office Bldg., Machine Shop and Storage Area.

There were no remonstrators present.

Commissioner Ossenberg moved that Rezoning Petition VC -25-76 be referred to the Area Plan Commission on first reading, seconded by Commissioner Willner, so ordered.

RE: REZONING PETITION VC-26-76

Petitioner: Southern Indiana Gas & Electric Company
Reason: Change of Zoning Maps
Requested Change: Agricultural to M-2

Mr. Bob Becker appeared on behalf of the Southern Indiana Gas & Electric Company and explained how this property is situated, that actually there are two different parcels involved, one is situated on the West side of US Hwy 41 North, just South of Stacer Road and the other is situated just across the highway and lies just North of Volkman Road.

Commissioner Ossenberg moved that Rezoning Petition VC-26-76 be referred to the Area Plan Commission on the first reading, seconded by Commissioner Willner, so ordered.

RE: REZONING PETITION VC-27-76

Petitioner: Barnes Lumber Company
Owner of Record: George Barnes
Premises Affected: East side of Fuquay Road
Request Change: From R1 to R3
Land Use: Multiple Family Dwellings

Mr. Joe Bitter appeared on behalf of Gary Gerling who represents the owner and petitioner.

He said that Mr. Barnes owns the property all the way to Fuquay Road and the front half is R1 and there is no request on it, back to the Texas Gas Transmission right-of-way.

Mr. Rod Grove appeared and said that he represents the Southeast Vanderburgh County Homeowners Association and he doesn't want to go into the merits of it, but his purpose here today is twofold, in that he wants to notify the Commissioners that there will be substantial opposition to this petition at their meeting, also he is requesting a copy of notice that was sent to the individuals that were apparently contiguous, that there was some question on it as to only one person out of a substantial number in Lawndale to receive notice.

Commissioner Ossenberg moved that this petition be referred to Area Plan on first reading, seconded by Commissioner Willner, so ordered.

RE: CHANGES IN PRECINCT BOUNDARIES

Commissioner Schaad said the new boundaries are ready and that instead of having 177 precincts in the County, this May there will be 167, that the Commissioners feel with the efficiency of the new voting machines, this can be done very easily and readily and can speed up the voting plus the fact that there will be a savings of about \$2500.00 plus the savings of less people running the election.

He said the money can help defray the cost of teams on absentee ballots, also that next year, he thought they could anticipate a greater reduction in a number of precincts.

Commissioner Willner asked what the actual cost was to redistrict the boundaries.

County Attorney Swain said it didn't cost anything and he then stated the precincts that are changed, which is as follows:

Ward 4	Precincts Combined	5 & 7
4		6 & 8
4		12 & 14
4		13 & 15
Ward 5	Precincts Combined	5 & 9
5		7 & 10
5		12 & 14
5		11 & 19
Ward 6	Precincts Combined	19 & 21
6		4 & 25

Mr. Swain said there was discussion of two other precincts being eligible but because of Senate and House boundaries they could not be combined.

He said he understands that these precincts have less than 1000 registered voters.

The new precinct boundaries are as follows:

Ward 4 Precinct 5

Beginning at the intersection of Division Street and Governor Street; then East on Division Street to Morton Avenue; then South of Morton Avenue to Olive Street; then East on Olive Street to Canal; then Southwest on Canal to Walnut Street; then East on Walnut Street to Denby Street; then South on Denby Street to Lincoln Ave; then West on Lincoln Avenue to Evans Avenue; then South on Evans Avenue to Gum St; then West on Gum Street to Garvin Street; then North on Garvin Street to Canal; then Southwest on Canal to Elliott Street; then North on Elliott Street to Walnut Street; then West on Walnut Street to Governor Street; then North on Governor Street to the place of beginning.

Ward 4 Precinct 6

Beginning at the intersection of Main Street and Division Street; then East on Division Street to Governor Street; Then East on Walnut Street to Elliott Street; then South on Elliott Street to Canal; then Northeast on Canal to Garvin Street; then South on Garvin Street to Bellemeade Avenue; then West on Bellemeade Avenue to 8th Street; then Northwest on 8th Street and 8th Street extended to Main Street extended; then Northeast on Main Street extended and Main Street to the place of beginning.

Ward 4 Precinct 12

Beginning at the intersection of Morgan Avenue and Garvin Street; then East on Morgan Avenue to Kentucky Avenue; then South on Kentucky Avenue to Division Street; then West on Division Street to Morton Avenue; then North on Morton Avenue to Michigan Street; then East on Michigan Street to Evans Avenue; then North on Evans Avenue to Columbia Street; then West on Columbia Street to Garvin Street; then North on Garvin Street to place of beginning.

Ward 4 Precinct 13

Beginning at the intersection of Morgan Avenue and Main Street; then East on Morton Avenue to Heidelberg Avenue; then South on Heidelberg Avenue to Tennessee Street; Then East on Tennessee Street to Garvin Street; then South on Garvin Street to Columbia Street; then West on Columbia Street to Main Street; then North on Main Street to the place of beginning.

Ward 5 Precinct 6

Beginning on the Ohio River at Chestnut Street extended; then Northeast on Chestnut Street to 8th Street; then Southeast on 8th Street to Canal; then Southwest on Canal and Canal Extended to 4th Street; then Southeast on 4th Street; then Southeast on Mulberry Street to the Ohio River; then Northwest along the North bank of the Ohio River to place of beginning.

Ward 5 Precinct 7

Beginning at First Avenue with its intersection with Pigeon Creek; then along Pigeon Creek East and Northeast to Main Street extended; then South on Main Street extended and Main Street to Maryland Street; then West on Maryland Street to Mary Street; then North on Mary Street to Tennessee Street; then West on Tennessee Street to Oakley Street; then North on Oakley Street to Eichel Street; then West on Eichel Street to First Avenue; then North on First Avenue to the place of beginning.

Ward 5 Precinct 11

Beginning at the intersection of 8th Street and Canal; then Southeast and South on 8th Street to Washington Avenue; then East on Washington Avenue to Governor Street; then South on Governor Street to Madison Street; then West on Madison Street to Parrett Street; then North on Parrett Street to 3rd Street; Then Northwest on 3rd Street to Mulberry Street; then Northeast on Mulberry Street to 4th Street; then Northwest on 4th Street to Canal Street extended; then Northeast on Canal Street and Canal Street Extended to the place of beginning.

Ward 5 Precinct 12

Beginning at the intersection of 5th Avenue and Buena Vista; then East on Buena Vista to Fulton Avenue; then South on Fulton Avenue to Buena Vista; then East on Buena Vista to Dry Branch Creek; then South and East along the center line of Dry Branch Creek to Pigeon Creek; then along Pigeon Creek Southeast, South, Southwest and Northeast to 5th Avenue; then North on 5th Avenue to the place of beginning.

Ward 6 Precinct 4

Beginning at the intersection of Pigeon Creek and Maryland Street; then East on Maryland Street to Third Avenue; then South on Third Avenue to Michigan Street; then West on Michigan Street to Fulton Avenue; then South on Fulton Avenue to the Ohio River; then Northwest on the Ohio River to Pigeon Creek; then North on Pigeon Creek to the place of beginning.

Ward 6 Precinct 19

Beginning at the intersection of St. Joseph Avenue and the City Limits; then South on St. Joseph Avenue to Maryland Street; then West on Maryland Street to Wessell Lane; then North on Wessell Lane to the property line of Helfrich Golf Course; then West on the property line of Helfrich Golf Course; then North on the property line of Helfrich Golf Course; then West on the property line of Helfrich Golf Course; then North on the property of Helfrich Golf Course; then West on the property line of Helfrich Golf Course to Barker Avenue extended; then North on Barker Avenue extended to the property line of Helfrich Golf Course; then West on property line of Helfrich Golf Course; then Northwest on the property line of Helfrich Golf Course; then Southwest on the property line of Helfrich Golf Course to Harmony Way; then Southeast on Harmony Way to Maryland Street; then West on Maryland Street to the East line of Section 15; then North on the East line of Section 15 to the City Limits; then East along the City Limits; then South along the City Limits; then East along the City Limits; then Northeast along the City Limits to Mesker Park Drive; then Northwest along Mesker Park Drive to the City Limits; then Southeast along the City Limits to the place of beginning.

RE: MEMORANDUM OF DECISION

County Attorney Swain said that the Memorandum of Decision can be filed and made a part of the record in the case of Donna K. Poncia and others VS the Board of County Commissioners and others which is the Memorandum Decision on the Massage Parlor case and on motion to dismiss, the court determined to dismiss the complaint of those who own and operate the Massage Parlor on the grounds that there was a want of a substantial federal question. The court took the position that there was no constitutional question and the Massage Parlor ordinance stands as written.

He said that although he did file a motion to dismiss, he thought that the thanks goes to Bill Stephens because of the careful way the act was done so it would up.

RE: HERMAN HOTZ

Mr. Hotz said he talked to Mr. Summers, the Scout Master that was here earlier and ask him if he had anymore Scouts coming up for a project and he suggested that they clean up the statutes at the coliseum and Mr. Summers said he had a number of them coming up.

Mr. Hotz asked if he should contact the Veterans on this matter.

The Commissioners agreed this would be a good idea and that Mr. Hotz should contact the Veterans Service on this matter.

RE: HIGHWAY DEPARTMENT-HILLSIDE DRIVE

Mr. Linzy appeared and reported that Mr. Seibeking was feeling a little better but he is a little weak yet.

He said that in regard to the problem discussed last week on Hillside Drive off Broadway, he turned it over to Mr. Reuger, the Road Inspector.

He said the building permit was issued to Jack Feltman and the Cron Construction Company is doing the work and he is in Florida at the present time. He said they haven't been able to get in touch with him but Mr. Reuger will call him when he gets back. He said he checked it out with the water company and found that they

didn't tear the road up but they put water service to a new house and in doing so, they left two (2) big holes in the yard but was the right-of-way and the water company will take care of it, also that a bulldozer tore up the street but he hasn't been able to find out who did it.

RE: DISCUSSION OF GROUP LEADER AT COUNTY GARAGE

Mr. Linzy said that in regard to finding a volunteer group leader which was discussed last week. He said he will talk to the steward tonight and he thought he had better get it checked out with the union first so this is now being done so he hasn't gone any farther with it yet.

RE: CLAIM

A claim was submitted by Southern Railway for improvement of grade crossing on Oak Grove Road, Account 201-3745, in the amount of \$2,953.34.

Commissioner Ossenberg moved that this claim be approved, seconded by Commissioner Willner, so ordered.

RE: ST. JOE BRIDGE

Commissioner Willner asked if their next bridge project could be St. Joe Avenue. He said he thought it was the most hazardous spot in all of Vanderburgh County and he thought it behooves the Commissioners to make it the next project.

Mr. Nussmeyer said he agreed with this.

Commissioner Schaad said that Commissioner Ossenberg had said earlier that the Commissioners should sign an agreement and send it to Mr. Sullivan and they will tell us what the next move is.

RE: FRANKLIN STREET BRIDGE

Commissioner Schaad asked Mr. Nussmeyer if they could get the project of the Franklin Street Bridge over Pigeon Creek ready for bids.

Mr. Nussmeyer said there seemed to be some controversy on this but he didn't know what it was about and he would check with the Corp of Engineers.

Commissioner Schaad said he would appreciate it because they want to get it under contract and get it repaired, also that the money is there for it.

RE: MARYLAND STREET BRIDGE

Commissioner Willner said he had a couple of calls on the Maryland Street Bridge and he went by there and found that there were no weight limits and wondered if it wouldn't be wise to have the Engineer check this out and put a weight limit on it since he has been told that parts of it are clanging together under the heavy truck traffic.

Mr. Nussmeyer said he thought repairs were made six to eight years ago, that he would look at it and make a recommendation next week.

RE: COMMENT ON VACATION OF EASEMENT

A letter was received last week requesting the vacation of an easement granted by Guthrie May, to the City for improving the right-of-way on Covert Ave.

This matter was discussed and County Attorney Swain was to talk to John Cox.

Mr. Swain thought they were vacating 20 feet south of the 50 feet discussed and said to place this matter on the agenda for next week and he will check with Area Plan as to the proper procedure.

RE: DRAINAGE PROBLEM-NEW GREEN RIVER ROAD

Mr. Roebuck appeared and reminded the Commissioners that he had submitted a copy of a letter in Intention last week concerning the purchase of right-of-way and the completion of drainage work of Stella Hirsch Crowell which was to have been completed by October of 1975 and the work hasn't been started yet.

He said he will be back next week when Mr. Nussmeyer will suggest what needs to be done to solve this problem.

The meeting recessed at 11:40 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas Ossenberg
Robert Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 23, 1976

The meeting of the County Commissioners was held on Monday, February 23, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved after they were amended, in that on page 12 under Changes in Precinct Boundaries, in Ward 4, the Precincts combined are 5 & 8 instead of 5 & 7, also 6 & 7 instead of 6 & 8, as was previously stated.

The reading of the minutes was dispensed with.

The minutes of the two Public Hearings that were held on February 10th. and on February 12th. on the subject of Housing & Community Development Act of 1974, were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County owned Surplus Property. The bidding will remain open and the sale will continue next week.

RE: EMPLOYMENT CHANGES APPOINTMENTS

BURDETTE PARK

A.W.E. Keith A. Storey	26 W. Illinois St.	Grounds	\$2.30 Hr.	Eff: 1/23/76
A.W.E. Rebecca O'Bryan	4537 Meadowridge	Grounds	\$2.30 Hr.	Eff: 1/23/76
A.W.E. John R. Pirtle	408 E. Illinois	Grounds	\$2.30 Hr.	Eff: 1/23/76

COUNTY ELECTION OFFICE

Susan K. Kirk	8302 Spry Rd.	Supervisor	\$2.70 Hr.	Eff: 2/17/76
Sharon R. Yunker	5313 Sherbrooke	Dep. Clk.	\$2.16 Hr.	Eff: 2/18/76
Lucille Becking	706 Court St.	Dep. Clk.	\$2.16 Hr.	Eff: 2/18/76
Edward Knight	1113 E. Riverside	Supervisor Ballot Assem.	\$2.70 Hr.	Eff: 2/23/76
Perry A. Neale	2849 Edgewood	Supervisor Ballot Assem.	\$2.70 Hr.	Eff: 2/23/76

COOPERATIVE EXTENSION SERVICE

Jack Wade	202 City-Co. Bldg.	Co-ordinator	\$8,090.00 Yr.	Eff: 2/15/76
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RECORDERS OFFICE.....Payroll Change Only

Sally Ziccardi	2675 W. Oregon St.	Misc. Deputy	\$5,761.00 Yr.	Eff: 2/14/76
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RE: EMPLOYMENT CHANGES.....RELEASES

A.W.E. Jeffery Smith	2100 S. Alvord	Grounds	\$2.30 Hr.	Eff: 1/1/76
C.E.T.A. Edward Jones	60 Herndon Dr.	Grounds	\$2.30 Hr.	Eff: 1/9/76

SHERIFF'S DEPARTMENT

William Young II	738 E. Powell	Policeman	\$413.15 Pay	Eff: 2/14/76
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RECORDERS OFFICEPayroll Change Only

Sally Ziccardi	2675 W. Oregon St.	Misc. Deputy	\$5,461.00 Yr.	Eff: 2/14/76
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RE: AUTHORIZED TO ADVERTISE

Mr. Huffman of the Purchasing Department submitted the Notice to Bidders and the specifications for a truck that is needed by Burdette Park.

Commissioner Willner said that the only thing he questioned was the automatic transmission.

Mr. Hertzberger said that the reason he specified the automatic transmission was because he has a lot of young people working for him and they tend to speed shift and it was hard on the trucks, that it really didn't make any difference to him. He said that the specifications met with his approval and that they have the money for the truck.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

The ads will appear in the newspapers on Thursday, February 26th. and on Thursday, March 4th. and the bids will be received for opening on Monday, March 8th. 1976.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the Hartford Insurance Group on J. H. Rudolph & Co. Inc.
Certificate received and ordered filed.

RE: REQUEST TO PURCHASE GASOLINE FROM CITY GARAGE

The following letter was received by the Commissioners from the Department of Public Welfare:

Dear Mr. Schaad:

It is requested that this department be placed on the agenda for your next regularly scheduled meeting to discuss the following request:

It is requested that the Vanderburgh County Department of Public Welfare be granted permission to purchase gasoline from the City Garage, located at Division and Governor Streets.

Such purchases would be for the two (2) county-owned station wagons, used by Hillcrest-Washington Home and the lawn mowing and snow removal equipment. This equipment consists of two small tractors. Gasoline for the latter pieces of equipment would be purchased in containers and transported to the home for use in these vehicles.

At the present time, gasoline for all of these vehicles is being purchased from a private service station at regular gasoline prices. By granting this permission, we would be able to save from 24¢ to 32¢ per gallon.

Thank you for your consideration in this matter.

Sincerely, George R. Holmes, Assistant Director

Mr. Denzil Reed of the Hillcrest Washington Home appeared and said he had requested this some time ago when the gasoline was rationed and it was impossible at that time. He said that by doing this, it would be quite a savings to them.

County Attorney Swain said that if there is a shortage of gas again and it is rationed, he would be the first to go and he wanted Mr. Reed to know this.

Commissioner Ossenberg moved that Mr. Reed be permitted to purchase the gasoline for Hillcrest Washington Home at the City Garage. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FROM SHERIFF DEGROOTE

The following letter was received by the Commissioners from Sheriff DeGroot:

Gentlemen:

The listed below car was donated to the Vanderburgh County Sheriff's Department, free of charge.

1966 Chevrolet, four door, station wagon, beige in color, mvin number is 164356S102831.

We request that license plate number M014776, which was formerly on our car 209, which was a total loss and salvaged, be transferred to this car and also the car be covered with insurance by the Vanderburgh County.

Respectfully Yours, Signed James A. DeGroot

Commissioner Willner moved that Sheriff Degroote's request be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CHANGES MADE IN PRECINCT BOUNDARIES

Commissioner Schaad said that the Precinct Boundary changes were described in the minutes of last week's meeting and are being publicized in today's newspapers, also that copies were sent to the State Election Office, the County Election Office, Voters Registration Office and to the Chairman of each Political Party, as required by law.

RE: LETTER TO SENATOR THOMPSON

Commissioner Schaad said that State Legislation may affect Indiana in getting Federal Aid so he wrote the following letter to Senator Harry E. Thompson:

Dear Senator Thompson:

A good deal of concern has recently been generated among the Vanderburgh County officials about the non-skid tire and outdoor advertising bills now before the Indiana Legislature. Specifically, the concern is precipitated by the consequences which our county stands to suffer in the event that these bills are not passed. It is our knowledge that denial of these bills would result in a 10% loss of federal funds to Indiana Counties.

Vanderburgh County has a record of utilizing Federal Aid Urban Funds (FAU), Federal Safety Funds, and Federal Off System Funds. Presently, our county is nearing the construction stage of the St. Joseph Avenue project which was developed and designed with FAU money and is to be constructed with funds from the same source. Two other Vanderburgh County roadway projects are now being developed with Federal Aid Urban Funds.

From these few examples it is evident that Vanderburgh County recognizes the benefits of using federal funds and would certainly feel the impact of having that money decreased. For this reason the Vanderburgh County Commissioners would like to go on record as being in support of the non-skid tire bill and outdoor advertising bill. We also support the continuance of mandatory vehicle inspections in Indiana seeing how the present movement to repeal the inspection jeopardizes the safety of our drivers and the continued use of safety funds.

We encourage you to consider the consequences of these bills as have we, and then to vote in Vanderburgh County's best interest in this legislature.

Sincerely, Bob Schaad, President
Board of County Commissioners

RE: CLAIMS

A claim was submitted by Torian Agency, Inc. for Continental Workmen's Compensation policy #WC 6 17 41 69 for General Fund, in the amount of \$8,013.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency, Inc. for Continental Bond BND 193 15 55 \$5,000, Public Official Bond for Mr. Harness, the Superintendent of Vanderburgh County Home in the amount of \$20.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency, Inc. for Continental Workmen's Compensation policy #WC 6 17 41 69, for the Highway Department in the amount of \$4,657.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency, Inc. for Bond 200 82 96 (Continental) for public official \$1,000 Bond for Jack Siebeking as County Highway Supervisor in the amount of \$20.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Sheriff DeGroote for the meals served the prisoners January 15, 1976 to February 14, 1976. Total meals 10,789 at 65¢ per meal. The total amount of the claim is \$7,012.85.

Commissioner Ossenberg moved that this claim be approved for payment. Commissioner Willner seconded the motion. So ordered.

RE: MESSAGE PARLORS

County Attorney Swain noted that the Massage Parlor ruling will be appealed.

RE: MR. HOTZ

Commissioner Schaad asked Mr. Hotz how the scouts were getting along on their project of cleaning up the statues at the Old Court House and the Coliseum.

Mr. Hotz said he has talked to the Veterans Organization but that the boys haven't started on their project as yet.

RE: TRAFFIC PROBLEM ON KASSON ROAD

A letter was received by the Commissioners last week from the Resurrection Parish Council requesting that they reduce the speed on Kasson Road and also to increase the number of School Warning Road Signs on the East and West approaches to the Resurrection Church.

Commissioner Schaad asked Mr. Judd if he knew about this problem.

Mr. Judd said that he knew about it but that he has been home with the flu and that he would look into the problem.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the employees of the County Highway Department for the past week.

Report received and filed.

RE: MR. SIEBEKING.....ROAD SCHOOL

Commissioner Schaad welcomed Mr. Siebeking back after having had an operation. Mr. Siebeking said that March 9th, 10th, and 11th, are the dates of the Road School at Purdue University this year and the sessions will focus on Financing and Management of Transportation Facilities and making effective use of existing transportation facilities.

He said he would like to attend this school but he didn't think the doctor was going to let him and he thought these meeting were very important to the County and especially this year since he thought they should get some first hand information on the transportation finances in getting some federal monies and he would like the Commissioners permission to go if the doctor will let him.

Commissioner Schaad said he thought it was most important that someone go and he asked the other Commissioners if it would be possible for one of them to go if Mr. Siebeking finds that he can't.

Commissioner Willner said there is a possibility that he could attend the school.

Commissioner Ossenbergh moved that Mr. Siebeking be permitted to go to the Road School if the doctor will let him and he should let the Commissioners know if he is unable to go. Commissioner Willner seconded the motion. So ordered.

RE: MELODY HILLS

Mr. Siebeking said he noticed in the minutes of last week's meeting, that the Commissioners received a letter from Jerry Hoover of 2250 Swinging Way in Melody Hills who complained of a serious problem in front of his residence, in that the street was improperly constructed, the soil has eroded from beneath it and he had a big hole where the street had caved in.

He said that this problem has been taken care of.

Commissioner Ossenbergh said that Mr. Hoover called and said they did a wonderful job on it and he was very pleased.

Mr. Siebeking said he thought it was best to use concrete in these holes, rather than trying to use cold mix and that there isn't that much difference in the cost and concrete does a much better job.

RE: TWICKINGHAM DRIVE

Commissioner Ossenbergh said it was brought to his attention that some of the curbs on Twickingham Drive are starting to deteriorate.

Mr. Siebeking said they went out there early last summer and repaired some of the curbs out there and replaced others.

He said in checking them out, he found that there was no reinforcement in them, that they were just set on top of the street and if you hit it real hard with your heel, it would fall off.

RE: DARMSTADT ROAD

Mr. Siebeking said he didn't know if County Attorney Swain has been notified yet or not but that on Darmstadt Road, they had a problem in front of Oliver Schmidt's Florist Shop on Darmstadt Road with water standing in the road after a big rain so they went out there and cleaned the ditch to get rid of the water and said that his driveway tile was completely mashed in and wouldn't let the water through so they went in to talk to Mr. Schmidt and asked if he would furnish the tile so they could take the old one out and replace it with the new one but Mr. Schmidt said no, he could not, so they let it go and he and Commissioner Willner went out and looked at it and talked to Mr. Schmidt again but he said he wouldn't buy the tile. He said the water is standing in the ditch and as far as he is concerned, this is one of the main things that really hurts our roads in the county and this is on the County right of way, so he asked Commissioner Willner what they should do and he said to dig it out to get rid of the water, so last week, they opened it up and let the water out and now Mr. Schmidt informed him that he is going to sue the County for doing it.

He said that Mr. Schmidt has two driveways into his greenhouse so they left it open so as not to stop his flow of traffic and it isn't the County's policy to furnish the tile, that the County will take the old tile out and put the new one in and finish it off if the landowner or the property owner furnishes the tile but Mr. Schmidt said he wouldn't furnish the tile and he feels that the County has damaged his property by digging the ditch which is on the County right of way. He said they have the driveways dug out and got rid of the water and he set up barricades and this is where it stands now.

RE: BOEHNE CAMP ROAD

Mr. Siebeking said they are getting numerous complaints on Boehne Camp Road from the new sewer lines that were laid out there by Peyronnin Construction Company and not a day goes by but what someone calls about them, that they are sinking very badly and some of the driveways are torn up.

He said that Mr. Eifler told him that he would take care of the problem and that all complaints that the County Highway Department gets, should be forwarded to him.

RE: VANDALISM ON EMGE ROAD

Mr. Siebeking said that over the weekend, they had a lot of vandalism out on Emge Road, that Mr. Ludwick had called him and they went out there and found that the barricades had been completely destroyed and nothing was left of them, also that the machinery had been badly damaged and that Barnett Brothers, the Contractor, sent a crew out there this morning.

He said he also sent out a crew this morning to put the barricades back up because the County is liable for damages.

RE: GOLDEN RULE INSURANCE

Mr. Curt John said he would like to know the effective date of coverage on the Golden Rule Insurance when a person signs up for it.

He said there are some cases where someone may sign up in the middle of December and they aren't actually covered until February 1st. because it is the county's policy to pay at the beginning of the month for the coming month and he thought they need to get Bob Barthel to come to a Commissioners meeting and explain this and the Insurance on pregnancy also, so this can get straightened out.

He said that perhaps some type of policy can be set up where they can pay directly to the Insurance Company, for the time they are not covered by the County.

Commissioner Schaad said it would be a good idea to have Bob Barthel at next week's meeting.

Mr. John said that he would contact Mr. Barthel and ask him to attend next week's meeting.

Mr. Siebeking said he is in full agreement with this because he has had a lot of misunderstandings and a lot of unhappy people over the Insurance program and he would be glad to get in touch with Mr. Knarian, the Union Representative, so he can also attend the meeting and they can get this thing straightened out.

RE: COMMENT BY MR. JOHN ON COUNTY HIGHWAY ENGINEER

Mr. John said there is a problem on the full time licensed County Highway Engineer where the state reimburses the County \$10,000 per year. He said this isn't really a salary, that if the County has an Engineer, the state just gives us this money back.

Commissioner Schaad said he talked to Mrs. McBride, the Deputy Auditor, about it and sometime ago, they did have a slot open but he told her to abandon it for now, since there is no full time Engineer.

RE: PROBLEMS ON VOLKMAN RD. AND REIS LANE

Commissioner Willner said that there is a culvert that is washing out on Volkman Road, one block off Baseline Road, also that he has had a couple of calls from residents on Reis Lane, off No. 6 School Road, to resurface it.

Mr. Siebeking said he would check into these problems.

RE: YOUNG ROAD

A letter was received last week from Mr. Thomas Glaser, in reference to large holes in Young Road and to very poor drainage due to inadequate ditches.

Commissioner Schaad said he had another call from someone on Young Road, that the County rocked and graded the road but that they were still having trouble with the drainage out there.

Mr. Siebeking said they went out there and talked to Mr. Glaser and they looked at the problem. He said he told Mr. Glaser that the County could go out and pull the shoulders and pull the ditches, that it is a very narrow Road and they can't get in there with a grade-all and that they can do it with a grader but will have to wait until the ground is dryer. He said that Mr. Glaser is in agreement with this solution.

RE: MARYLAND STREET BRIDGE

Last week, Commissioner Willner had said that there were no weight limits on the Maryland Street Bridge and he thought it would be wise to have the Engineer check on it because he had been told that parts of it were clanging together under the heavy truck traffic.

Mr. Ludwick said he went out to check the bridge and according to the Bridge Survey Report, the bridge itself, did have a weight limit rated at 18 tons. He said it has been repaired twice and they are evaluating to see if it should still be rated at 18 tons.

RE: FRANKLIN STREET BRIDGE

Commissioner Schaad had asked last week, that the project of the Franklin Street Bridge get moving so they can advertise for bids so they can get it under contract.

Mr. Ludwick said he called Deig Brothers Construction Company and checked it out with the Corp of Engineers and said they are starting work out there and he was told they would be out of there in April.

Commissioner Schaad wondered why we couldn't go ahead and advertise for bids so we could be ready to go when Deig Brothers is finished because if we wait until they are out and then let the contract, it will be getting close to the end of the year.

Mr. Ludwick said he thought the plans and specifications would be ready in a couple of weeks.

Commissioner Schaad asked that the plans and specifications be brought in as soon as possible.

Commissioner Ossenberg moved that when the plans and specifications are ready, that bids be advertised for. Commissioner Willner seconded the motion. So ordered.

RE: GREEN RIVER ROAD.....LETTER OF INTENTION

A couple of weeks ago, Mr. C. Kent Robuck appeared, representing Stella Hirsch Crowell Estate on behalf of Ruth M. Robuck and Citizens National Bank Trust Co. He presented a Letter of Intention to the Commissioners concerning the purchase of right of way and the completion of drainage work on the property of Stella Hirsch Crowell and this work was to have been completed no later than October 27, 1975 and the work has never been started.

Mr. Ludwick said the County is responsible for the agreement that was signed back in 1969 to replace about 1000 feet of tile under the Stella Hirsch Crowell property and they have been in contact with the Soil Conservation Service and they have located the tile, the size of which is 16 inch and 8 inch vetrified clay tile.

He said they have asked Mr. Robuck to tell them exactly where he wants this 1000 feet of tile laid and also have asked him to sign a Right of Entry Agreement with the Commissioners if the County is to lay this tile.

He said he supposed this would be done by contract and that the cost would be approximately \$10,000 to do this job and he doesn't know where the money will come from, since it would not qualify for R & S money and would not qualify for Bridge money.

He said that tile costs about \$6.00 per foot, depending on the size

INVENTORY & EVALUATION

Mr. Alcott submitted the following Inventory & Evaluation on the problem.

SITUATION: Kent Roebuck, John Hirsch and neighbors asked for assistance for repairing some damaged tile lines and installing an erosion control structure. Also they asked for comments on repairing the county road ditches. Mr. Robuck informed that the road has been widened and elevated twice since 1952, further narrowing the ditches and each time reducing the runoff capacity from cropland, surrounding property and the county road itself. Also, I noted that the county road ditches have been plowed into during farming operations.

SUGGESTED SOLUTIONS: It is recommended to make the needed repairs to the tile lines and ditches as described in the agreement presented by Mr. Robuck. Any old tile crossed during reconstruction should be connected into the new tile. A grade stablization structure is recommended to control the runoff from the South that empties onto the Stella Hirsch Crowell property. (The Soil Conservation Service is in the process of surveying and designing this structure.) A number of attempts have been made to locate the old tile paths, but as yet they all have not been found. We are attempting to procure another probe so that the tile can be located. After the tile is located it is felt that the most practical route for installing the tile can be readily determined on the south side.

The County road ditches do need repair. It is recommended that they be cleaned and widened and a grass sod be established on the them. Then they could be maintained by mowing and also they should not be plowed into during farming operations as is presently occurring. It would do little good to clean the road ditches if this practice continues. If the ditches are cleaned, seeded and properly maintained the drainage problems in the area would be reduced. Some of the most practical drainage that can be obtained is by keeping the county road ditches open.

Mr. Robuck said all the landowners have agreed to maintain a four foot right of way off of the sodded ditch bank. He said he has also set up an appointment for next Thursday at 4 p.m. with Fred Alcott and John & Ed Hirsch, at which time they will decide exactly where the tile should be to get the best available runoff of the surplus water.

Mr. Ludwick said this is just the part that the County is obligated to do right now and as far as Theater Drive roadside ditches to the South of Hirsch Road, they are talking about two miles of road and Mr. Nussmeyer suggested to let a grading contract to place the ditches to the extreme edges of the right of way so there will be drainage in that area and in doing that, the existing road is eighteen feet wide and there will be future paving in other words, that road will be ready to let a contract on, after this work is done and when money is available to finish Green River Road, to make it twenty-four feet wide all the way through.

He said the cost for a grading contract will run from about \$125,000 to \$150,000 to do the job properly.

He said the County now has ninety feet of right of way, forty-five feet on each side, also that the dirt that would come off this grading process could be fill on Green River Road to raise it about five feet which would be included in the grading contract in that section to be paved.

He said this would be a savings since it would cost \$4.90 per cubic yard for dirt and they would need about 15,000 cubic yards to fill it.

Mr. Robuck said there was something like \$154,000 in the County Highway Fund listed in the minutes of the County Council's meeting of February 17, 1976.

Commissioner Schaad said there were a lot of places to put this money too.

Mr. Ludwick said the ditches should be widened regardless of what they decide to do.

Commissioner Schaad said that if the County is going to keep up their road maintenance properly, according to what was done last year, they won't be able to do it all this year, that they will need to keep up the existing roads and will have to come up with the best program.

After further discussion, Commissioner Ossenberger asked Mr. Siebeking if he thought he could do the work.

Mr. Siebeking said he didn't know if they could remove all that dirt with their equipment, that it would take all summer but he thought they could do it with grade-alls.

Commissioner Ossenberger said they need to get out there and look at it, that perhaps they could lease the necessary equipment, that it needs to be explored.

Commissioner Schaad said this could be discussed this afternoon, also that it is over \$5,000 so it would have to be advertised and let by contract.

Commissioner Ossenberger moved that bids be advertised for. Commissioner Willner seconded the motion. So ordered.

RE: R & S REPORT

Mr. Ludwick said, in regard to the R & S Final Reports, they went back from 1969 through 1975 on the finished projects and he thought they were pretty well straightened out.

He said he had a meeting with Mr. John who made up a copy of the reports and they will be sent to state today.

He said it is a bookkeeping thing but doesn't close the books locally, also that in the Cumulative Bridge Fund, this was done on February 19th. and there is a cash balance right now of \$1,800,600.79 and have committed \$952,205.85 with an uncommitted balance of \$790,194.94 and the Commissioners will want the \$469,500 to be transferred into the R & S Account and in doing that, the money will be there and they will just have to request it of the County Council. He said this only leaves \$320,694.94. He said the first half of this year we will only have about \$500,000.00.

Commissioner Schaad asked Mr. John how much he would receive in this account.

Mr. John said they would receive a little over 50% of it which would be about \$256,000.00 for the first six months.

Mr. Hinton said if they fill out the final report forms showing the project closed out with no R & S money spent, the R & S money will immediately be put back on the books and will be recalled by the State if new projects aren't requested, so as soon as the reports are submitted, they should submit new applications for projects to utilize the money that is put back in R & S Account and will be able to keep the money here and just re-allocate it to another job.

In discussing the difference of using R & S money for matching funds and using Bridge funds for matching funds, Mr. John asked why they couldn't use funds from either one on St. Joe.

Mr. Hinton said either one was fine on this project but bridge money couldn't have been used for the entire project, also that the county has other projects in the Transportation Plan where there are some bridges and bridge money can most definitely be used here instead of R & S.

Mr. John said it seemed to him that if, say they wanted to reimburse the R & S Account with \$450,000 and they could then turn around and use the money for St. Joe.

Commissioner Schaad said it just didn't qualify.

Mr. John said that Mr. Nussmeyer seemed to think they could.

County Attorney Swain said he wanted it made clear, that he doesn't think Mr. Nussmeyer can legally do what he is trying to do.

Mr. John asked Mr. Hinton if he ever got a letter from the State.

Mr. Hinton said he would get a letter if that request is written, that he has gone to the State Board of Accounts, the State Auditor and Legal Aid up state.

Mr. John said it would be best to get the letter in writing because of the different opinions they receive.

County Attorney Swain said the letter should come from Mr. Statham of the State Board of Accounts.

Commissioner Schaad said after this done, then it is a matter of Mr. John, Mr. Ludwick and the State Board of Accounts getting the details worked out and being sure that it is legal and then Mr. Ludwick will need to apply for the funds to do the projects.

Mr. Hinton asked that these applications not be submitted until they have the co-ordination of the State Board of Accounts.

He said if they want to put the money on other jobs, what they need to do is to close out the R & S Account, showing zero expenditure in the R & S portion of that job, that this is the way the forms must go in and he thinks there is some problem right now and he can give it to the State Board of Accounts if the Commissioners like and he can get that letter but he requested that they not be sent up to state yet.

Mr. Ludwick said they have to sign their name on it and he isn't signing his name on anything that wasn't done as far as that contract is concerned because this is his responsibility and he isn't going to jail for anybody.

Mr. Hinton said he will get a notice from the State Board of Accounts on what must be done in order to do the kind of transferring they want done.

Mr. Ludwick said he wanted to clean one thing up, in that he isn't fighting with the Technical Transportation Committee because this isn't true at all, but the forms must be filled out a certain way and this is the only way he knows it should be done and if they show zero expenditure, they have problems.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to cut into Outer St. Joseph Ave. Approximately 1 mile North of Baseline Road to bury a telephone wire.

Indiana Bell Telephone Co. requests permission to cut into Adler Road to bury a telephone wire.

Commissioner Ossenberg moved that these cuts be approved. Commissioner Willner seconded the motion. So ordered.

RE: ST. JOE AVENUE BRIDGE

Commissioner Willner asked if the letter was sent to the Penn Central Railroad Co. on the St. Joe Avenue Bridge.

Commissioner Schaad said, after checking, that the letter has been mailed to Penn Central and now they will wait and see what happens.

RE: DUMP ON ST. JOE AVENUE

Commissioner Willner said he has had a deluge of calls on the dump on Outer St. Joe Avenue and that paper seems to be blowing on the neighbors property. He said he told them he couldn't control what the City does on their property and they said, yes, but they live in the County and we expect you to do something about it and he said that he agreed with this so he talked to the Works Board this morning about a fence, that the property owners say that they not only promised, but showed them, in movies, the chain link fence surrounding the dump.

He said he hasn't gotten any answers yet but he hopes to, and he would like some input from the other two Commissioners on the matter because he feels that it is partly their problem.

He said he thought they cleaned it up but there is still paper laying in the field and probably the only way to clean it all up is to plow it under and he thought it behooved the Commissioners to follow up on it.

Commissioner Schaad said he had several calls on it too and that he called Mr. Linzy who went out there and had his men pick up the paper and he went out there to check it himself and they did a good job in cleaning it up but something could have happened since then and everytime the wind blows, it will happen again if there is no fence.

RE: POOR RELIEF

MARY LOVE.....2200 Sunburst. Apt. 301....Knight Twp....Mary Ellen Mueller, Investigator

Mrs. Love's request for medical help was denied by the Pigeon Trustee because of over income.

She said that her husband is on Social Security and he is disabled and they have two children who are the ages of 10 and 12 years, also that she has worked some to help make up what her husband has lost and now she is physically unable to work. She said she went to the Welfare Department and was told that her husband received too much money on Social Security for them to help her, that they told her that her husband drew \$55.20 over the amount allowed, that he draws \$455.00 per month.

Commissioner Schaad asked Mrs. Love how much money she was asking for.

Mrs. Love said she didn't know yet, that she went to the doctor and needs to have an operation which will cost about \$1,800 or \$1,900.

Commissioner Willner asked Mrs. Love if her husband's disability is a total disability and if it is permanent.

Mrs. Love said her husband has total disability and it is permanent.

Mrs. Mueller submitted her report on Mrs. Love and she pays \$122.00 for her food stamps and gets \$166.00 worth of groceries per month.

Commissioner Ossenberg said that Mrs. Love didn't live in Knight Township when she made the application since she lived on Riverside at the time.

Mrs. Love said "no" but that they were waiting for the apartment in Knight Township, that they had already gotten it but they had changed apartments with them so they had to wait for it.

Mrs. Mueller said that all the medical was taken out of the Trustee's budget and that Welfare is supposed to take care of it and they told her that the Trustee should take the application, do the investigating and then report back to them, so she called them and they told her that the Love's were \$55.20 over budget, so Mrs. Love was turned down.

County Attorney Swain said he understood that Welfare does not necessarily cover all of the hospital bills.

Mrs. Love said she got a prescription which was \$35.00 and that she also had to have x-rays taken which was \$19.00, that this isn't every month but she doesn't know what it will cost this month.

County Attorney Swain said he takes it that this is elective surgery and not an emergency.

Mrs. Love said she has had this problem on and off for the last three years and when her husband had his accident, she couldn't have her operation because she had to care for him, so she put it off and the doctor said she must have this operation or she just won't get any better. She also said she has no insurance.

Mrs. Love makes a payment of \$24.00 per month to Creditritht and the balance is approximately \$400.00. She said that this was for furniture they bought to get their apartment, that her rent is \$151.00 per month including facilities and she drives a 1969 Ford which is paid for.

Commissioner Willner said Mrs. Love's expenses are \$297.00 and their income is \$455.00 per month so this leaves a balance of \$158.00 per month.

Mrs. Mueller said the children are also on the free lunch program.

After further discussion, Commissioner Willner said he thought Mrs. Love was placing the cart before the horse and that right now, there is nothing the Commissioners can do to help her, and that Mrs. Love will just have to pay for the operation as she can or if she can't, she will have to come back.

Mrs. Mueller asked, if Mrs. Love comes back to the Commissioners, would it involve the Knight Township Trustee's office, since they wouldn't have anything to do with it.

Commissioner Ossenberg said he thought there was going to have to be a clarification made somewhere along the line here, between the Trustees and the Welfare Department and what was established by Council as to the Welfare taking care of the medical.

Commissioner Willner said Welfare stated that Mrs. Love is over the income allowed and the Commissioners say she is overbudgeted right now but that it may be a different story after Mrs. Love's operation.

He also said that the Commissioners act after the fact and not before the fact and he didn't think Mrs. Love had a problem and that she should go ahead and have the operation.

RE: STATEMENT OF UNDERSTANDINGRED CROSS

A State of Understanding between Vanderburgh County of Indiana and the Evansville Indiana Chapter of the American National Red Cross was submitted for filing, after having been signed by the Commissioners and Mr. Ronald Reheman of the Evansville Chapter of the American National Red Cross. The agreement is in effect and is for the purpose of providing for coordinated action between the County of Vanderburgh in Indiana, its departments and agencies and the Evansville, Indiana Chapter of the American National Red Cross.
Statement received and filed.

RE: VACATION OF EASEMENT

A letter was received two weeks ago, requesting the vacation of an easement granted by Guthrie May, to the City for improving the right of way on Covert Avenue.

County Attorney Swain said they were vacating the 20 feet south of the 50 feet discussed and that we do nothing, that it will work out with the Board of Works.

The meeting recessed at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
MARCH 1, 1976

The meeting of the County Commissioners was held on Monday, March 1, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

Deputy Sheriff Terry Hayes opened the meeting, this being the first meeting of the month.

Mr. Hayes was welcomed back, after having recovered from a gunshot wound that he suffered in the line of duty.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them dispensed with.

The minutes of the Commissioners Meeting that was held on February 17th. were amended, in that, it should have included the name of County Attorney Paul Wendel since he did attend that meeting.

RE: INTRODUCTIONS

Commissioner Schaad introduced the new Executive Assistant to the County Council who is Anika Juras. He welcomed her to the group.

Commissioner Schaad also introduced Jack Wade who is the new County Extension Agent and Joe Milner who is in charge of the Youth Division as Extension Agent. He said it was nice to have these people aboard.

RE: COUNTY OWNED SURPLUS PROPERTY

Mr. James Mitchell bid \$25.00 for #44...Code 21-56-8 which is located at 517 E. Mulberry Street. Mr. Mithcell's address is 513 E. Mulberry Street.

Commissioner Ossenberg moved that the \$25.00 bid be accepted. Commissioner Willner seconded the motion. So ordered.

There were no other bids this morning. The bidding will remain open and the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VETERANS SERVICE OFFICE ... Change in salaries

Robert J. Moran	6718 Pinehurst Dr.	Vet. Serv. Officer	\$8,013.00 Yr.	Eff: 2/28/76
Norma Dickens	1719 S. Kerth	Asst. Serv. Officer	\$6,319.00 Yr.	Eff: 2/28/76
Loraine Rohner	2525 S. Kerth	Clerk-Typist	\$5,522.00 Yr.	Eff: 2/28/76

VOTERS REGISTRATION OFFICE

Edna Henry	3904 Clement	Typist	\$15.00 Day	Eff: 3/1/76
Marie Lurker	2100 Schutte Rd.	Typist	\$15.00 Day	Eff: 3/1/76
Virginia Robinson	909 Meyer	Typist	\$15.00 Day	Eff: 3/1/76
Rebecca S. Gipson	844 Taylor	Typist	\$15.00 Day	Eff: 3/1/76

GERMAN TOWNSHIP ASSESSOR

Reassessment

Karen Wagner	4619 New Harmony Rd.	Residential Supervisor	\$35.00 Day	Eff: 3/1/76
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KNIGHT TOWNSHIP ASSESSOR

Ramona Barrett	1505 Marshall	Deputy Assessor	\$5,757.00 Yr.	Eff: 3/1/76
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CLERK OF THE CIRCUIT COURT

Susan Stinson	320 Monroe	Deputy Clerk	\$224.88 Pay	Eff: 2/28/76
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COUNTY SURVEYOR

Thomas Reisinger	2518 W. Illinois	Draftsman	\$6,300.00 Yr.	Eff: 3/1/76
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RE: EMPLOYMENT CHANGES.....RELEASESVETERANS SERVICE OFFICE ...Change in salaries

Robert J. Moran	6718 Pinehurst Dr.	Vet. Serv. Officer	\$8,213.00 Yr.	Eff: 2/27/76
Norma Dickens	1719 S. Kerth	Asst. Serv. Officer	\$6,419.00 Yr.	Eff: 2/27/76
Lorraine Rohner	2525 N. Heidelberg	Clerk-Typist	\$5,222.00 Yr.	Eff: 2/27/76

GERMAN TOWNSHIP ASSESSOR

Karen Wagner	4619 New Harmony Rd.	Chief Deputy	\$15.00 Day	Eff: 2/27/76
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KNIGHT TOWNSHIP ASSESSOR

Roberta Burkhardt	395 Herndon Dr.	Deputy Assessor	\$5,757.00 Yr.	Eff: 2/13/76
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CLERK OF THE CIRCUIT COURT

Judy Stucki	6650 Stucki Dr.	Deputy Clerk	\$224.88 Pay	Eff: 2/27/76
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COUNTY SURVEYOR

Don Fink	2117 Southeast Blvd.	Draftsman	\$6,300.00 Yr.	Eff: 3/1/76
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Commissioner Schaad said he thought the \$15.00 per day for part time help was being changed.

Mr. John said this was brought up at the last meeting of the County Council and they took it under advisement.

RE: MONTHLY REPORT

The Report of the Legal Aid Society was submitted to the Commissioners for the month of January, 1976.
Report received and filed.

RE: RE-APPOINTMENT TO ALCOHOLIC BEVERAGE COMMISSION

Commissioner Schaad said that Mr. John has received a note from the Chief of the Indiana State Excise Police, giving a notification of the expiration date as 4/30/76 for Foster Watson as a member of the Alcoholic Beverage Board.

Commissioner Ossenberrg moved that the Commissioners re-appoint Foster Watson of 3114 Hillcrest Terrace for the appointment that will be effective 5/1/76 and run through 4/30/77, as a member of the Alcoholic Beverage Commission.
Commissioner Schaad seconded the motion. So ordered.

RE: ACKNOWLEDGEMENT OF PRECINCTS BEING COMBINED

The following letter was received from O. Wayne Davis, the Chief Deputy of the State Election Board:

Dear Mr. Schaad:

This will acknowledge receipt of the order of the Vanderburgh County Board of Commissioners of February 20, 1976, consolidating and rearranging precincts.

Letter received and filed.

RE: LETTER TO GOVERNOR BOWEN

Commissioner Schaad said he checked with the other two Commissioners, that some time ago, there were several Bills that came to the desk of the Governor and they thought they should go on record, so he sent a straight wire to Governor Bowen and he submitted the following mailgram which is a confirmation copy of the following message:

Thank you for the Budget Bill transferring \$20,000,000 from the General Fund to the Motor Vehicle Account, also for transferring \$300,000 for local emergency medical equipment on a matching basis.

We wigently request your signing Senate Bill 92 providing for memorandum of agreement on transferring of roads from State to County..

Vanderburgh County Commissioners Bob Schaad President

Commissioner Schaad said that previously, the State could just give the County any State road they wanted to and the County had no alternative, but that now, it takes a Memorandum of Agreement before the road is accepted.

The mailgram will be filed in the Auditors office.

RE: GOLDEN RULE INSURANCE

Commissioner Schaad told Mr. Bob Barthel of the Golden Rule Insurance Co., that he was placed on today's agenda because there have been some questions concerning the effective date of coverage and other problems they would like to get straightened out.

Mr. Barthel said there is no problem with the people that have claims after their name appears for the first time on the monthly invoice, that the problem and the misunderstanding that is always involved, is about people that have claims prior to the time that their name first appears on the invoice and the policy has always been, for example; A person goes to work in the County Auditor's office and signs the card the first of the month and on the 15th of the month, he breaks his arm, and of course, these problems must be brought to the attention of his office for them to be acted upon, but assuming he was an eligible employee and assuming he did sign his card on the first of the month, this claim will be covered and the way they do this is for the employee to re-date the contract and make it effective prior to the date the card was signed and then, the employee or employer remits the premium, paying the policy to date, to cover that broken arm.

He said the date in which the card is signed is the date the policy can be made effective to cover something of this nature.

He said that another problem is with pregnancy, that if a person signs the card on the first of January and that person has a baby prematurely or whatever, before the nine months waiting period from the date the card is signed, they won't have a claim but if the card was signed on the first of January and even though the policy was dated later, if the baby is born 270 days after the date of the signature, then the pregnancy would be covered.

He said the point is that whenever they have problems of this nature and they seem to come up with them about every six weeks so if anyone has any question, they can just call his office and they will get it taken care of, that there may be a time when a claim will be turned down just because of an error in Lawrenceville but the point is, they can get that reversed and taken care of.

Mr. John said he is sorry that Mr. Knarian isn't here because he called and apparently, there is a misunderstanding on the effective date, since Mr. Knarian was under the impression that it did not go into effect until the first time they appear on the charts in the Auditor's office on billing, which they pay a month in advance, so if someone signs up the beginning of January, the first time they will appear on the Auditor's records to Golden Rule, will be on February first and if they sign up at the end of January, they won't appear until March first, since there would be no way prior to that date to deduct it.

Commissioner Schaad asked if it would be possible, when they have a new employee, to go back and pay that first payment plus the two months in advance.

Mr. John said he thought the problem will be solved now and they are saving money and if something would happen, they could go back and pick that up but if not, they have saved that time, also that he thought this was the point of misunderstanding and he didn't want to be the middle man, that he wanted it on record, as to exactly how it would be done.

Mr. Barthel said they have had problems from time to time and they realize that there must be a lot of paper work involved in signing up the employees and for some reason, an employee does not sign their enrollment card on the first day and says he has been working for the county, for say 30 days, and somewhere along the line, his wife reminds him he hasn't signed up for Golden Rule and say he breaks his arm or his wife is pregnant, Golden Rule will catch a lot of heat because the claim wouldn't be paid but it wouldn't be their fault that he failed to sign up in time.

Mr. John said as an employer, he is sure going to tell his employees about the benefits and he thought the other officeholders should do likewise.

Commissioner Schaad asked Mr. Barthel if there was one area where he had more problems than another, where some officeholder may not be as conscious of this as Mr. John and may not tell them to get their card in immediately.

Mr. Barthel said they do have more of a problem in one area.

Mr. John said that maybe there could be a memorandum sent to each department head and elected officials, that these benefits are available.

Commissioner Schaad said they should be told of the urgency in getting their card signed the first day of employment.

Mr. Barthel said they could also provide Waivers of Insurance for people who don't want it, which might be helpful to the County, so if the person decides he doesn't want the coverage, he can sign the waiver, excluding himself from the coverage and this will protect the County as well as the Insurance Company, from the claim being made later on. He said they haven't used waiver cards in the past but that they can be made available if the Commissioners feel that they would be useful.

Commissioner Schaad said that maybe it should be included in the memorandum.

Mr. Siebeking said that his department has been very unhappy with this Insurance and they have a lot of problems but that this has never been explained to the employees and he was sure that Mr. Barthel would agree that he was asked to come out and explain the policy to the employees but they could never get together so they still have some people who are unhappy with the Insurance, some who have been unable to collect on claims and some who were told one thing and then found out it was something else and he agreed that a memorandum should be put out so all of his people could read it.

Commissioner Schaad said if the other Commissioners agreed, they would first put out the memorandum and if the employees of the County Highway Department still have questions, they would get Mr. Barthel to go out there and explain it to them.

Mr. Barthel said the people at the County garage have been a problem and if the Commissioners remember, they were on an almost impossible schedule to get the Insurance in force, back when New York Life was the previous carrier and that coverage was going to run out on December 31 and they went to three different Commissioners meetings and one time, Commissioner Buthod had gone to get some teeth pulled and he wasn't there and another time, someone else was sick and that it was about the last meeting of the year before they could get a decision on the coverage and the old coverage expired in a week and they had a week to enroll it and the cards never came in from the County garage and realizing that they hadn't come in and that the people out there would be without coverage until at least February first, he took it on himself to go out to the County garage and enroll these people personally.

He said that when they take over a new group, the question has always been, what pre-existing conditions when they were covered by New York Life, would be paid. H. advised these people that Golden Rule's contract would pay if the New York Life didn't pay, if there was a pre-existing situation and New York Life wouldn't honor the claim, they would, based on their schedule and a lot of these people interpreted this to mean they would pay just like New York Life would, so it was just a lack of communication but if he hadn't gone out there at that time, none of these people would have had any coverage for the month of January and they have been mad at him ever since.

Commissioner Schaad said they would just leave it as it is, that the memorandum would be submitted to the officeholders and then if there are any questions out at the County Garage, they will request that Mr. Barthel go out there.

Mr. Barthel said that he would be glad to.

Mr. Harness then asked Mr. Barthel if he understood it correctly, in that if a County office hires someone today and he signs the card today, in essence, Mr. Barthel is saying that they do have coverage if it is necessary and if it isn't necessary, that he gets a free ride until he is picked up by the County on the payroll.

Mr. Barthel said it isn't a free ride if they need it, also that the symptoms must occur after enrollment date.

Mr. Hotz said he thought there is one area where a lot of people were confused and that is supplemental, after an employee reaches the age of 65, that he was

informed that the supplemental would take up where medicare and medicaid left off and apparently it doesn't.

Mr. Barthel said the supplemental is very confusing and the way it works; as he understands it, that the person on medicare submits their claim to medicare and then the Golden Rule will pay, based on what they would have paid if it hadn't been submitted to medicare, for example, if a person submits a claim to medicare and they pay \$1,400.00 and the basic policy would have paid \$1,500.00, that person is going to get \$100.00 and if medicare pays \$1,600.00 and the Golden Rule would have only paid \$1,500.00, that person is not going to get anything from Golden Rule.

He said the problem they have had is that a person might have \$200.00 or so left over, that medicare didn't pay and they have been paying the medicare supplement so they don't get a claim and they get aggravated about it but the medicare supplement means that the Golden Rule will pay, based on their schedule, less than what the federal government pays.

Mr. Harness said that the Commissioners could set out a policy for people that are employed, to sign the card for the Insurance and that they be informed as to when the effective date will be. He said that anyone that goes to work at most places are temporarily employed for 60 days and they aren't covered until they have been there for the 60 days.

Commissioner Schaad said the deal they now have is better than Mr. Harness is talking about.

Mr. Barthel said this is the problem, that this has happened in different departments in the Civic Center where a policy is set in their own department where a person is on a trial basis of 30 or 60 days and then they get confused and he doesn't know what they are doing, then if one of them have a claim during that 30 or 60 day period, they get mad at Golden Rule because it isn't paid, when they didn't have anything to do with it.

Commissioner Schaad said he could see that this would cause a problem and that maybe it should be mentioned in the memorandum.

Mr. Barthel told Mr. Hotz if he still didn't understand about the supplemental, to call him and he would be glad to further explain it to them.

Commissioner Ossenberg said different policies work differently and he thought this is where the confusion is, on the supplemental, when they get into a group policy since an individual policy is a little different.

Mr. Hotz said since the County is paying approximately \$6.00 per month for the supplemental, that the individual could be advised to obtain some form of supplemental policy which would pick up the medicare.

Commissioner Ossenberg said he didn't know of any Group Insurance that this would be picked up on, that it is a tricky situation.

Mr. Siebeking said that the flyer that was sent out by Golden Rule was apparently worded wrong and the way the employees interpreted it was that Golden Rule was dropping their insurance all together.

Commissioner Schaad asked that the Auditor's memorandum include that there are other problems concerning the Insurance with Golden Rule and the people with problems can advise him and a list of these people can be made so there can be a meeting between them and Mr. Barthel so they can better understand the Insurance program.

This was agreeable with the other Commissioners.

RE: DISCUSSION OF REPORT WITH FEDERAL HIGHWAY ADMINISTRATION

Commissioner Schaad said that the Commissioners met with Keith Lockmueller and Mike Hinton last week to discuss a report for the fiscal year of 1977 with the Federal Highway Administration, that it concerned the annual programing of proposed projects they have for next year and they must get it in if they are going to be eligible for federal monies.

He said they discussed some of the projects such as road projects, striping, bridges, safety and that Mr. Lockmueller called him and said that neither he nor Mr. Hinton would be here today but he thought it would be on his desk.

Commissioner Ossenberg said they had delivered it today in Indianapolis.

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He said the concept is St. Joe Avenue, Lynch Road, Red Bank Road, Extension of Ohio Street, Extension of Fulton Avenue, all systems was bridges involved on Boonville-New Harmony Road, but rather than do it here, as soon as they get the report back, they will get together with Mr. Nussmeyer on the structures they can work on.

RE: CHECK RECEIVED

A check was received from Torian Agency Inc. in the amount of \$2,275.00 for the wind damage that was done to the County building located at St. Joe & Mill Road. This check is to go into Mr. Hotz's account of Repair to County Buildings.

Commissioner Ossenberger moved that the check be accepted and signed. Commissioner Willner seconded the motion. So ordered.

RE: MILEAGE ALLOWANCE SET FOR TRAVEL

Commissioner Schaad said he thought the Commissioners need to come up with a uniform method of paying county employees for travel, since some of them have been getting 10¢ per mile, that according to Public Law, House Bill 1297 which was effective January 1, 1976, they should be getting 13¢ per mile and he didn't think it had ever been clarified in the Commissioners meeting.

Commissioner Ossenberger asked Mr. John if the County Council didn't take this into consideration at budget time.

Mr. John said that the Council don't set policy but they approved it in the budget.

Commissioner Ossenberger moved that the Commissioners put into effect, retroactive to January 1, 1976, that 13¢ per mile be paid for travel. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON TRAVEL TO ROAD SCHOOL

Commissioner Schaad said that last week, the Commissioners discussed the Road School which will be held on March 9, 10 & 11 at Purdue University and there was a question as to whether Mr. Siebeking's doctor would let him go or not and he said that if Mr. Siebeking can't go, he thought he would be able to make it so he would like for the County to pick up his expenses for the three days and be allowed to go.

Commissioner Ossenberger moved that Commissioner Schaad be permitted to travel and that the County pick up his expenses for the three days. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO POSTPONE REZONING PETITION

Re: VC- 27-76

Petitioner: Barnes Lumber Co.

The following letter was received from Gary L. Gerling, Attorney for Petitioner, by Mr. Lukens of the Area Plan Commission:

Dear Mr. Lukens:

Neighbors remonstrating to the above captioned petition have pointed out that a storm drainage problem exists. Consequently, we are attempting to secure complete plans for drainage for storm sewer and storm drainage treatment. It is physically impossible for these plans to be ready for presentation to the Area Plan Commission staff prior to the meeting of the Area Plan Commission. Would you please postpone this petition to enable us to work with these neighbors,

Sincerely, Gary L. Gerling

Commissioner Willner moved that the postponement be approved. Commissioner Ossenberger seconded the motion. So ordered.

RE: REQUEST FOR ROAD RESURFACING ON REITER DRIVE

A petition was presented to the Commissioners from the residents of Reiter Drive, which reads as follows:

We, the residents of Reiter Drive, are petitioning the Vanderburgh County Commissioners and the Evansville, Indiana Waterworks Department to replace a two-inch water line with a four-inch or a six-inch line. Since the raising of the

water pressure the two-inch line has had many breaks. This has caused breaks and holes in Reiter Drive.

We are asking for a larger water line and the re-surfacing of Reiter Drive at no cost to the residents of Reiter Drive.

Signed by residents of the area

Commissioner Schaad said that the Commissioners can't do anything until the Water Company first takes action and that the original letter was sent to the Water Department.

Letter received and filed.

RE: CLAIMS

A claim was submitted by the Evansville-Vanderburgh County Building Authority for work done in room 223 of the Courts Building in the Court remodeling, in the amount of \$121.27. This work was per authority letter from Tom Ossenberg on 10/6/75. and according to the attached note, this is the final billing for the Court remodeling and for the record, this is \$121.27 over the original estimate made last August by the Building Authority even with all the changes required.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville Vanderburgh County Building Authority for the installation of window and one phone outlet in vinyl wall in room 210-C of the Courts in the amount of \$128.00 as approved by letter of M. Smith dated 2/13/76.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: GAS COMPANY'S PROBLEM

Commissioner Schaad asked Mr. Siebeking if a Mr. Niederhaus was here earlier.

Mr. Siebeking said he was and that his problem was with the Gas & Electric Co. more than with the Commissioners but he suggested that Mr. Niederhaus come in this morning. He said that he thought the problem was probably solved by now. He said they were moving some lines or something out there and he thought the Commissioners could do something but he told them the County didn't have anything to do with it and he would have to contact the Gas Company.

RE: MR. KENT ROBUEK

Mr. Robuck said that Commissioner Schaad mentioned last week, that he was going to be attending a Trip Generation Plan in reference to federal money being available and he would be meeting with Keith Lochmueller and Mike Hinton and this is in reference to the Green River Road ditches and he asked Commissioner Schaad what progress was made.

Commissioner Schaad said they did meet but the projects they have with the limited amount of money they have right now, is as Commissioner Ossenberg mentioned earlier, that St. Joe Avenue was number one priority, then Lunch Road, followed by Red Bank Road.

Mr. Robuck said he talked to Mr. Lochmueller and was informed that under the present plan, there was no money, as such, for drainage improvement so this brings him back to the Commissioners to ask for help to get his problem taken care of.

Commissioner Schaad said he thought the Commissioners had agreed to do what was in the contract.

Mr. Robuck said this would take care of some of the problems they have on the immediate drainage but it still won't solve the problem that has been accumulating for 23 years, that he realizes there is only a certain amount of money available and he did know the Commissioners agreed last week, to transfer \$469,500 from the Bridge Fund to the Roads & Streets Account.

He then asked when there would be money available and what the Council is going to try to do to alleviate their problems out there.

Commissioner Schaad said he would have to ask the Council.

Mr. Robuck said he would actually be asking the Commissioners in reference to the drainage which is the problem.

Commissioner Schaad said these things have been talked about for some time, that the application has been made for St. Joe Avenue and that it has been in the works for many years and Lynch Road, also Red Bank Road, which are the projects where this money is going to be used. He said he realizes there are a lot of other problems in the entire County and that the whole East side drainage problem hasn't been solved yet, that they are working on it but as to just where this fits into the picture at this time, he couldn't tell him, but if they were sure they would be getting \$1,000,000.00 from federal revenue sharing next year, he could give him a better answer but he didn't think there was an answer to his question right now.

Mr. Robuck said there is an answer, that the problem is that they always seem to be thinking of what will come, hoping to get some additional federal money and waiting for next year, wishing that things will be better and the problem will go away, but the problem won't go away. He said that the property owners out there sold their ground in 1969 and they were under the impression that in six years, Green River Road would be completed and widened with culverts, etc. and they have been waiting patiently for six years and it seems that whoever seems to yell the loudest and who has the most extreme emergency, that they handle it then, rather than to set up a plan to solve the problems before they become severe. He said he guessed he was asking that the Commissioners set up a program where the taxpayers can see that their problems are going to be corrected. He said if Green River Road was straightened up, it would be relieving the pressure of Crawford-Brandeis also. He said a lot of the problems can be solved by the businesses that have created them but that there doesn't seem to be any direct pressure being put on anyone and he wondered what kind of answer the Commissioners could give him besides the one in that they are trying.

Commissioner Schaad said he wished he could tell Mr. Robuck, that they couldn't just sit down and work it out because the whole east side is going to be a big problem and something is always changing.

Mr. Robuck said yes, but they don't seem to have a solution that has been worked out over the years to solve these many problems. He asked if the Commissioners really have a program set up.

Commissioner Schaad said that the whole east side drainage problem is part of the overall plan and they went before the Council of Governments so they can try to solve the problem out there.

Mr. Robuck said he has already seen that the County isn't going to get money for some of the projects and he asked what kind of provisions the Commissioners were going to make to try to solve these problems.

Commissioner Ossenberg said the Commissioners have a right to appeal this, which they intend to do.

Mr. Robuck said the Commissioners are feeling their ideas and not necessarily those of the property owners.

Commissioner Ossenberg explained that priorities were set when they took over in the Commissioners office in 1973 on road projects, and they set priorities by the conditions of the roads, the travel on them, etc. and those priorities have been a problem that has been existing for years and years out there and what the past Commissioners have done, for one thing, Mr. Robuck said they should encourage building and commercialism, etc. but this has been the very trouble, that they did things before they ever had been planned out and this is why they have the existing conditions today. He said there is also a moratorium on building in places on the east side, keeping people from building out there but that this has to be done because there is a condition that exists out there and was put out there by the previous Commissioners and they let it go by and now it can no longer go on, so they had to do something.

He said the Commissioners want to help him but the thing of it is, that it is money and where can they get it, that under the drainage law, they can collect so much under a legal drain and he is still investigating the possibility of the County garage doing that work, that he would like to know.

Mr. Robuck said the work out there was going to have to be done, that they will have to come up with the money sooner or later anyway.

Commissioner Ossenberg said he thought when Mr. Robuck was talking about Green River Road, that he brought it out, not Commissioner Schaad, that he found out about that particular deal because he serves as the Board appointee on the Urban Mass Transportation, that at that particular time, the Federal Highway Administration was in here for a meeting, along with Ed Ames and the State Planning and at that particular time, they were telling him that Green River Road would not carry that kind of traffic and he was telling them it did carry that kind of traffic and it finally boiled down to where was I-164 going, that apparently in their minds, it was going to the East side so they were not going to commit money to I-164 on the East side and to Green River Road too and since then, Trip Generations have been run, reappraisals have gone through and now it is going to be their job to justify to the Federal Highway Administration, even though I-164 would go in there, Green River Road is still going to be used and it is going to carry a tremendous load of traffic.

He said they forecast it at 3,000 cars in 1995 in that particular deal and it is almost carrying 15,000 cars right now so I-164, regardless of where it goes, is not going to make that much difference to Green River Road because Green River Road is going to have a flow from 57 right into Lawndale and Washington Square shopping centers.

Mr. Robuck said the environmental study is for three years and then if contracts are let at that time, it could be another three years before construction is completed.

Commissioner Ossenberg said it would be the same thing though, whether it is Lynch Road or Red Bank Road, that the St. Joe project plans have been going on for a long time and then they found out that there was never an E.I.S. statement made which they now have done.

Mr. Robuck said the fact that Mr. Lochmueller told him that there are no funds for drainage on Green River Road doesn't eliminate the problem and it shouldn't eliminate his effort to see that something is done.

Commissioner Ossenberg said this is true but that the federal government isn't going to come in on drainage per se but what he is saying is that if there are matched funds, any contractor is going to figure drainage when they are going to widen a road, they have to since this is part of the engineering.

Mr. Robuck asked where Green River Road stands on the master plan.

Commissioner Ossenberg said this is where re-appraisal has to come in and that is exactly what they are doing in Trip Generation Re-appraisal right now.

Mr. Robuck said they should update that traffic count and ask for a revision from state on that, then there aren't going to be any state funds available.

Commissioner Ossenberg said this is true and there could well be no Highway Federal money available very shortly.

Commissioner Schaad said, take Eichoff Road for example, that money was there for years and years and if someone had been on the ball, the project would have been completed long before now and the same thing on St. Joe Avenue but it wasn't, so they inherited a lot of those things and it is hard to solve things with the money crunch.

Mr. Robuck said he didn't know if the Commissioners need to consider, at this time, the possibility of floating a bond issue to try to solve the problems that exist on the east side and at such time as federal money does become available, they could apply it to reduce the bond issue.

County Attorney Swain said there is a whole lot about this that disturbs him and he asked Mr. Robuck if he remembered the Letter of Intention he had signed and if it was his position that Margaret Mackey comes within that agreement.

Mr. Robuck said only to the extent that she would be Hallie Hirsch's daughter and an heir in due course on the Leonard Hirsch.

County Attorney Swain asked Mr. Robuck how many of these agreements are floating around that they don't know about.

Mr. Robuck said that at this moment, the only thing he is concerned about is the Stella Hirsch Crowell property.

County Attorney Swain said this didn't answer his question and he wanted to know how many of these agreements are floating around, other than the one he has shown them.

Mr. Robuck said that he can say that these were all a matter of public record and should be in their files.

County Attorney Swain asked Mr. Robuck to answer his question.

Mr. Robuck said he would have to check on it.

County Attorney Swain said he thought there were rumblings underneath that, frankly scare him and he wants to be of record so that the County Commissioners know that he thinks Mr. Robuck has a whole lot more in mind than what he has actually presented to the County Commissioners.

Mr. Robuck said that due to his limited experience in these matters, he feels that he can only handle one problem at a time, but that he would think that the overall problem that exists out there, on drainage, on actual transportation, the moving of vehicles, property values, Industrial expansion, residential expansion, etc. He said this is why he tried to cover the whole project as far as Green River Road, in putting ditches where they should be, putting the proper culverts in to allow field access, etc.

County Attorney said that Mr. Robuck then admits that there are other agreements that he intends to forward to the Commissioners later on.

Mr. Robuck said that at this time he can honestly say that he is not prepared to submit any other agreements except the one on the Stella Hirsch Crowell property.

County Attorney Swain said that is being mealy mouthed. He asked Mr. Robuck what he was saying.

Mr. Robuck said that he was getting one problem taken care of at a time.

Attorney Swain told Mr. Robuck that he has seen the problem and that there is something more than they know about, just so he is aware of it.

Commissioner Schaad said that he just talked to Commissioner Ossenberg and that they are trying to solve the whole East side drainage problem and when they do, the Green River Road thing will be part of it. He said they didn't know if it would be by bond issue or who is going to pay for it and if they can't come up with federal money, they will have to float a bond issue and have the people that are actually in the water shed assessed but he knew that it would be a great expense to the property owners out there if they are going to go by legal drain and let them pay for it. He said that if it is declared a legal drain, they could solve it that way but it wouldn't be federal money, that it would be local taxpayers dollars.

Mr. Robuck said that they have already agreed that Green River Road is not a legal drain.

Commissioner Schaad said that it could be made one to solve the problem, perhaps.

County Attorney Swain said that his position is a matter of public record and very clear, that he believes the Board of County Commissioners are getting conned.

Mr. Robuck said that any agreement that is floating around is a matter of public record and signed by previous Commissioners and should be in the files and should be the Commissioners responsibility to fill the obligation without the individual property owner having to come up and file individually.

Commissioner Schaad said if past Commissioners made agreements just to get someone off their backs, he wouldn't be willing to go along with them, that he feels a responsibility to what the past Commissioners have done but in light of what County

Attorney Swain said, he would like to look at them all before, since it does change his opinion some, that just because some past Commissioner made a mistake doesn't mean that he should back him up, that this is the way he personally feels about it, but he does feel an obligation if something is fair and someone has a legitimate complaint and there was an agreement made in good faith to solve the problem, rather than just to get someone off their back, he would be willing to help.

Mr. Robuck said he thought it would be good that the agreements be made a part of the public record so that everyone knows what is being agreed upon, so they can decide if what is being done is being done just because of favoritism to a property owner or because it meets the county and community needs.

Commissioner Schaad said that if some Commissioner, in the past, didn't make it of public record or if the Attorney that made the agreement didn't make it part of the public record, he didn't know if he, for one, would want to back it up either, but the Commissioners want to help and he thought the Commissioners have demonstrated this.

Commissioner Schaad asked if there was any comment from the other two Commissioners.

Commissioner Ossenberg said that he would just like to try to help him if they could.

RE: MR. CROOKS ... PROBLEM OF PROPERTY ON SPRY ROAD

Mr. Crooks said he thought this to be the date that Margaret Behme was suppose to report back to the Commissioners on the progress she has made on her property that is located on Spry Road.

He said that Mrs. Behme was in earlier and told him that she took a prospective buyer out there yesterday and he suggested that she contact the County Commissioners before today's meeting and he understood that she went to their office and talked to their secretary and this is where it stands at the present time.

He said that to his knowledge, there has been no further transactions other than what she has told him and what someone has called him about.

He said he didn't know if the Commissioners wanted to give her any more time or not, that it is up to their discretion but this seems to be the story from day one, so he would like a comment from the Commissioners as to what they thought he should do now.

Mrs. Smith said that Mrs. Behme was in her office about 8:30 a.m. and told the secretary that she had a prospective buyer and "don't call me, I'll call you".

Commissioner Schaad said that he has had numerous calls from her neighbors and he thought the Commissioners have been more than generous as far as Margaret Behme is concerned, since they have given her several opportunities to do something, that she had problems and sold her place of business to the Toyota people which gave her some money to do something with but one thing led into another and she never seemed to get anything done.

Commissioner Schaad had given her 30 days the last time to get something done and told her that this would be the last extension she would get and she said that this is all she would require, if he remembered correctly, so as far as he is concerned, the Commissioners have been lenient with her and understood her problem and that if she could sell the house and someone else finish it so it wouldn't be an eyesore to the other residents, it would be the best solution, but if this doesn't happen, he just didn't know what they would do but he thought the Commissioners should take a stand on it.

Commissioner Willner said there seemed to be some problem with County Attorney Swain and the Margaret Behme property which is a legal problem.

County Attorney Swain said that he is scared of it.

Commissioner Willner said he understood this and he asked Mr. Swain if they were on legal grounds to condemn this house or not.

County Attorney Swain said he thought they could get on legal grounds but as he remembers, the original grounds were grass, trash and she hadn't completed the building but he didn't think that grass and trash were sufficient because you don't tear a building down to cut the grass or to get rid of the trash, so he thought they were on very weak ground here, that maybe they can come under the working on the building.

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Mr. Crooks said that, in itself, isn't the problem, that Mrs. Behme has a partially built house that has been standing for a year and a half with no progress being made on it and as far as he is concerned, it is a public nuisance and that the neighbors will tell them the same thing.

County Attorney said that Mr. Crooks has come to the conclusion of law without the facts and he didn't know what they should do. He asked if there was vandalism, wild parties, obnoxious gas, noise, pollution, that they just can't say it is a nuisance, that they have to have something that is offensive to the touch, smell, taste, feel or sight.

Commissioner Schaad asked if there is any law that states a person must finish a building if they start it.

County Attorney Swain said that he didn't know of any, that probably there is something that says it should be done in a reasonable length of time.

After further discussion, Commissioner Willner suggested that the Commissioners ask the Council to come up with a plan of action or a plan of no action for next week so they can settle this matter.

RE: FAMILY DWELLING CODE UNDER REVIEW

Mr. Crooks said that he didn't know if he has brought this to the attention of the Commissioners or not but that the one or two family dwelling code is going under review at the Administrative Building Council right now and that this is to update from the 1971 edition to the 1975 edition and he said that he has been participating in these and will probably continue for two more weeks. He said that the preliminary hearings will be done and they are supposed to go to the next Administrative Council meeting for their action. He said this is the state code, also that if they do adopt the new 1975 code, then he will have to update the County code to be compatible with it.

He said that the new code is basically the updating of what they had in the Indiana Amendments for the 1971 edition, with other things involved also. He said that he has taken the position that they should eliminate the seismic requirements until after the new uniform building code comes out which will be some time this fall and then make the two agree with whatever is resolved at that time..

RE: MR. CROOKS TO ATTEND SEMINAR

Mr. Jesse Crooks said that he plans to be at the American Association of Heating & Air Conditioning People's Seminar on fire code requirements and fire protection for basically high rise buildings, which will be in Dallas next week.

RE: ADMISSION TO PLEASANTVIEW REST HOME

Mr. Harness submitted an application for the admittance of Arthur Snodgrass to the Pleasantview Rest Home and he recommended approval of same.

Commissioner Willner moved that the admittance of Arthur Snodgrass be approved. Commissioner Ossenberrg seconded the motion. So ordered.

Mr. Harness also submitted an application for the admittance of Timothy Temme to Pleasantview Rest Home and he recommended the denial of this admittance, since Mr. Temme had only been there three days and hasn't been there since and is now in the County Jail.

Commissioner Willner moved that Mr. Temme be denied admittance to the Pleasantview Rest Home. Commissioner Ossenberrg seconded the motion. So ordered.

RE: TRAFFIC PROBLEM ON KASSON ROAD

A letter was received by the Commissioners two weeks ago from the Resurrection Church Council, requesting that the speed limit on Kasson Road be reduced and that the number of School Warning Road Signs be increased on the approaches to the Church.

Mr. Judd said that he recommended that the speed limit be reduced from the present 40 miles per hour to 35 miles per hour on Kasson Road from Red Bank Road to New Harmony Road, where it comes in to the new 460.

He said that he would have his recommendation in writing for next week's meeting for the Commissioners-signatures, also that he went out there and replaced the School Warning Signs.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report for the employees at the County Garage for the past week.
Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking submitted a list of roads to the Commissioners that he had submitted to Mr. Judd at his request and he said these are roads that were resurfaced last year and are on the federal funding and have never been striped.
He said this list has been sent to Indianapolis.
They are as follows:

	<u>MILEAGE</u>
Kansas Road	2.3
Millersburg Road	2.5
Heckel Road	2.5
Baumgart Road	2.4
Wortman Road	1.2
Schroeder Road	3.4
Hogue Road from Eichoff Road to Upper Mt. Vernon Rd.	1.8
Eichoff Road	1.2
Creamery Road	.6
Koressel Road	2.1
St. Joe Road from #6 School Road So. to Old 460	1.5
#6 School Road	2.7
Neu Road	1.2
Boehne Camp Road	1.7
Little Schaffer Road	1.2
Upper Mt. Vernon Road	4.7
St. Joe Avenue North from Baseline Road	2.5
Adler Road	2.8
Total....	<u>38.3 Miles</u>

(ADDITIONAL ROADS TO BE STRIPED)

St. George Road	1.3
Bergdolt Road	.8
Total	<u>40.4 Miles</u>

RE: REQUEST FROM MCCLEARY BUS CO.

Mr. Siebeking said that he had a call from Mr. McCleary, owner of the McCleary Bus lines, who asked if it was possible or if the Commissioners would consider raising Nurrenbern Road at Burdette Park entrance of about 200 feet that goes under water everytime the river goes up, since it really throws his bus routes out and it does make a problem for the people that go into Burdette Park.
He said that he told Mr. McCleary that he would bring it up before the Commissioners and that he thought maybe a 2 1/2 foot fill at a distance of not more than 300 feet would solve the problem.

Commissioner Schaad asked Mr. Nussmeyer to go out and look at the road to see if they are in agreement as to what needs to be done and report back to the Commissioners.

RE: GREEN RIVER ROAD

Mr. Siebeking said that he checked Green River Road and that there is no way the County can go out there and dig those new ditches, that they couldn't reach them with their equipment but that they could clean the existing ditches that are there if it will temporarily help the problem.

RE: COMMENT ON TRAVEL TO ROAD SCHOOL...CON'T.

Mr. Siebeking said that the doctor is suppose to let him know today if he can go to Road School.
He said that if he can go, he wondered if he could take the County vehicle to Lafayette for transportation.

Commissioner Ossenberg moved that Mr. Siebeking be allowed to take the County vehicle as long as it is covered by Insurance. Commissioner Willner seconded the motion. So ordered.

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RE: PROBLEM OF TRASH

Commissioner Willner asked Mr. Siebeking if the County still had some road clean-up crews working, in picking up the trash.

Mr. Siebeking said that he has one truck and two men.

Commissioner Willner said that there are some roads that are really bad and needs to be cleaned up.

Mr. Siebeking said that he puts it in districts rather than doing it county-wide and that they bring in at least two truck loads per day, that they had a crew out on Petersburg Road last week to clean it up, also had the men out on Folz Lane one day to clean up the debris after that big wind.

Commissioner Willner wondered if they could get some of the boys on C.E.T.A. money so they could help with this project. He said it would be his recommendation that at least two more crews or one truck and four men be put on the job.

Mr. Siebeking said that they only have one truck but as soon as they get the snow plows off, they will have more trucks.

RE: QUESTION ON TITLES AND REGISTRATIONS

Mr. Siebeking wondered why it takes so long to get a registration and title for a new vehicle in the county. He said they have one of their new vehicles that was delivered last and it is ready to go but they haven't received the papers. and he was told that it would be three to four weeks before they can use this truck.

Mr. John explained that he is being exempt from the excise tax and the title and registration have to come from the State of Motor Vehicles office.

Commissioner Willner said that he thought Mr. Siebeking could legally use this truck, starting right now. The Commissioners agreed that he put the truck on the road.

Mr. John said he would also like for a memorandum to go out to anyone in the County who has a car from the Commissioners, stating that anytime there is a change in plates from one vehicle to another, since his office must notify the Insurance Company and have no way of knowing when this is done and there have been several cases where they don't even have a particular car anymore and have bought a new one and haven't sent the information to the Auditor's office and it isn't on the list.

Mr. Siebeking said that he will get at least one truck out to pick up the trash and then when they get the snow plows off, he will get two out.

RE: REQUEST TO GO TO ROAD SCHOOL

Mr. Nussmeyer said that he had a couple of men that would like to go to the Road School and they are Mr. Hartman and Mr. Guillian.

Commissioner Ossenberg moved that these gentlemen have permission to go to the Road School. Commissioner Willner seconded the motion providing they ride in the County car with Mr. Siebeking or whoever goes in his place. So ordered.

RE: PENN CENTRAL RAILROAD

Commissioner Schaad said in regard to the Penn Central Railroad agreement that the Commissioners signed and sent them up state, that the Commissioners haven't heard anything from them and he wondered if it would be well for Mr. Nussmeyer to call Mr. Sullivan, the Chief Engineer and find out where it stands.

Mr. Nussmeyer said he would call to see what he could find out.

RE: FRANKLIN STREET BRIDGE

Mr. Nussmeyer said that he would have the plans for the Franklin Street Bridge ready next week.

RE: MARYLAND STREET BRIDGE

Mr. Ludwick said that he has checked on the load limit on the Maryland Street Bridge and found that it is still rated at 18 tons so Mr. Judd can post the weight limit.

Commissioner Willner asked if they had the County to go out and check the flooring.

Mr. Siebeking said that they patched it within the last two or three months.

County Attorney Swain asked the Commissioners if they were going to assign an alternate route.

Mr. Nussmeyer said that they had a lot of squawks on this fifteen years ago.

County Attorney said that he knew this and he thought maybe they had better put up signs to re-route around it.

Commissioner Willner said there is one within a half-block so there should be no problem.

Commissioner Schaad said that he would call Bill Judd and have him get together with Mr. Nussmeyer on this.

Commissioner Willner moved that Mr. Judd draw up an ordinance for the load limit on the Maryland Street Bridge and also on an alternate route.

Commissioner Ossenberg seconded the motion. So ordered.

RE: BAUMGART ROAD

Mr. Ludwick said that Mr. Buente who is representing Yellow Freight and Omicron called him this morning and stated that Omicron will go along with the easement and sign it and give it to the County and that seven or eight months ago, Yellow Freight came before the Commissioners for a rezoning and at that time, the county asked for 20 feet of additional right of way which was granted and now we are going back to Yellow Freight on top of that and asking for additional right of way to do the job on Baumgart Road and they feel that they need compensation for that right of way easement. He said they are asking for \$2,500.00 for 7600 square feet and that \$15,000 an acre is what Yellow Freight paid for that ground, that they had five acres so they had a \$75,000 investment, so if the Commissioners want to do Baumgart Road, he thought it was more than fair to pay the \$2,500 that they are asking for it.

He said that Mr. Buente will have the agreement of Yellow Freight and Omicron in here, signed officially, next Monday, if the County Commissioners want to go along with it.

Commissioner Schaad said he thought this seemed fair enough and he asked if they had the money.

Mr. Ludwick said they did have the money.

RE: BAUMGART ROAD PROJECT

Mr. Ludwick said that Mr. Bosse was in the office Friday and said that Mrs. Heinlein, as far as he knows, will not separate her property, that she signed the easement and received payment for it and she doesn't want to be bothered.

Commissioner Willner said that he didn't pressure her but he did talk to her and she will not go along with the re-alignment of the ditch.

Mr. Ludwick said that he will have all the easements ready next Monday, so action can be taken on them at that time.

The meeting recessed at 11:15 a.m.

PRESENTCOUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
John L. Ossenberg

COUNTY COMMISSIONERS MEETING
MARCH 8, 1976

The meeting of the County Commissioners was held on Monday, March 8, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them dispensed with.

RE: AUTHORIZED TO OPEN BIDS

Commissioner Schaad authorized that the bids for the Burdette Park truck be opened and inspected as to proper form.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County Owned Surplus Property. The bidding will remain open and the sale will continue next Monday.

RE: MONTHLY REPORT

The report for the Pleasantview Rest Home was submitted for the month of February.

Commissioner Ossenbergs moved that this report be approved and signed. Commissioner Schaad seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Scott Maley	6314 Hogue Rd.	Grounds	\$2.25 Hr.	Eff: 3/6/76
Michael Head	614 S. Red Bank	Grounds	\$2.25 Hr.	Eff: 3/6/76
Spencer Evans	1369 E. Chandler	Grounds	\$2.25 Hr.	Eff: 3/6/76
David Waltz	6710 Hogue Rd.	Grounds	\$2.25 Hr.	Eff: 3/6/76
Michael Ginger	1419 Hillside	Grounds	\$2.25 Hr.	Eff: 3/6/76
Greg Stallings	7601 Newburgh Rd	Grounds	\$2.25 Hr.	Eff: 3/6/76
Mike Klueh	408 Martins La	Grounds	\$2.25 Hr.	Eff: 3/6/76
A.W.E. Rick Hinton	1051 S. Alvord	Ground Crew	\$2.30 Hr.	Eff: 2/25/76
C.E.T.A. Bryan Wells	363 S. Craig	Mechanic	\$3.25 Hr.	Eff: 3/2/76

COUNTY AUDITOR'S OFFICE

Ruth Wilhite	1602 Uhlhorn	Clerk	\$15.00 Day	Eff: 2/27/76
Edna Castrup	426 Richardt	Clerk	\$15.00 Day	Eff: 2/27/76
Vicki Bohleber	1112 S. Harlan	Clerk	\$15.00 Day	Eff: 2/27/76
Flora Rose	1105 Putnam	Clerk	\$15.00 Day	Eff: 2/27/76
Juanita Leathers	102 S. Denby	Clerk	\$15.00 Day	Eff: 2/27/76
Louise Conley	713 Thornberry	Clerk	\$15.00 Day	Eff: 2/27/76
Esther Shrote	1005 Cullen Ave.	Clerk	\$15.00 Day	Eff: 2/27/76
Lillian Young	762 E. Virginia	Clerk	\$15.00 Day	Eff: 2/27/76

SUPERIOR COURT

Don Scott	Bailiff	\$5,307.50 Yr.	Eff: 3/1/76
Marlon Lowe	Bailiff	\$5,307.50 Yr.	Eff: 3/1/76
Susie Muensterman	Bailiff	\$6,100.00 Yr.	Eff: 3/8/76

SHERIFF'S DEPARTMENT

Larry W. Barchet 2907 Wimberg Probationary Patrolman \$9,352.00 Yr. Eff: 2/28/76

PROSECUTOR'S OFFICE

Robert E. Zoss Sr. 773 S. Lombard Ave. Deputy \$18,000 Yr. Eff: 2/23/76

AREA PLAN COMMISSION

Jami Collins 2390 Sunburst Blvd. #135 Secretary \$6,186.00 Yr. Eff: 3/1/76

RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

C.E.T.A. Bryan Wells 363 S. Craig Grounds \$2.30 Hr. Eff: 3/1/76

SUPERIOR COURT

Don Scott	Bailiff	\$7,615.00 Yr.	Eff: 2/29/76
Marlon Lowe	Bailiff	\$3,000.00 Yr.	Eff: 2/29/76
Morris S. Merrell	Judge	\$9,500.00 Yr.	Eff: 2/29/76
Catherine Kueber	Leave of Absence	Bailiff \$7,615.00 Yr.	Eff: 2/29/76

AREA PLAN COMMISSION

Dorothy C. Grubb 504 E. Columbia Secretary \$6,186.00 Eff: 2/27/76

RE: OPENING OF BIDS

There were two bids received for the truck that is needed by Burdette Park. They are as follows:

Key Motors....Full price is \$5,384.92 less trade in amount of \$400.00 making the net cost of the truck to be \$4,984.92.
 Kenny Kent Chevrolet....Full price is \$6,406.86 less trade in amount of \$1,344.58 making the net cost of the truck to be \$5,062.28. They also submitted an optional V-8 engine for an extra \$75.00, which would make the cost of the truck to be \$5,137.28.

Commissioner Ossenbergh moved that the bids be referred to Mr. Hertzberger and Mr. Huffman for study and recommendation. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST TO DEFER REZONING PETITION

A letter was received by the Area Plan Commission from the Law offices of Bamberger, Foreman, Oswald and Hahn and submitted to the County Commissioners, relating to the Rezoning Petition of the Southern Indiana Gas & Electric Co. Cause No. 76-15-PC - VC-26-76.

County Attorney Swain said he thought this letter already went through the Area Plan Commission and was deferred by them at their last meeting.

The letter reads as follows:

Gentlemen:

The above described Rezoning Petition of Southern Indiana Gas & Electric Company is presently scheduled for public hearing before the Area Plan Commission of Evansville and Vanderburgh County on March 3, 1976 meeting of said Area Plan Commission and that consideration of said Rezoning Petition be deferred until the next regularly scheduled meeting of said Area Plan Commission on April 7, 1976 at 7:30 p.m. This continuance is requested for the purpose of enabling Southern Indiana Gas and Electric Company to re-evaluate its proposed use and development of the two parcels of land which are more particularly described and set forth in its aforesaid Rezoning Petition.

It is our hope and desire that you and the others members of the Area Plan Commission of Evansville and Vanderburgh County will act favorably upon the request for continuance which is hereby made.

Very truly yours, Bamberger, Foreman, Oswald & Hahn
 By Robert M. Becker

County Attorney Swain said to note this as having been received and filed is sufficient, since, if the petition was continued by Area Plan, it hasn't come back to the Commissioners yet.

Letter received and filed.

RE: LETTER FROM BROWNING & FERRIS INDUSTRIES

A letter was received from Browning-Ferris Industries in regard to the Disposal Information and Price Schedule of the St. Joseph & Mill Road Landfill; Effective March 1, 1976, as follows:

LANDFILL HOURS:

Monday --Friday.....7:00 a.m. --4:00 p.m.
 Saturday (April thru October).....7:00 a.m. --4:00 p.m.
 Saturday (November thru March).....7:00 a.m. --1:00 p.m.

ALL VEHICLES MUST BE DUMPED AND OUT OF THE LANDFILL BY 4:00 P.M.

BASIC TONAGE CHARGE: \$2.85* Per Ton.
 PICK UP TRUCKS: \$2.85* Minimum
 CARS WITH TRAILERS: \$2.85* Minimum
 TRUCKS OVER ONE-TON CAPACITY WITHOUT DUMPING DEVICE: \$5.50* Minimum.
 SEMI-TRAILERS: \$12.50* Minimum
 BRUSH-TREES-LOGS: \$ 4.00* Per Ton

**PLUS \$.25 PER TON CITY OF EVANSVILLE SURCHARGE

REGULATIONS:

CHILDREN UNDER 13 MUST STAY IN VEHICLES.
 ALL PATRONS MUST STAY WITHIN FIVE FOOT OF THEIR VEHICLES WHILE IN DISPOSAL AREA.
 NO SMOKING
 NO SALVAGING OR SCAVAGING.
 ABSOLUTELY NO SLUDGES, EXPLOSIVES, TOXIC OR HAZARDOUS MATERIALS OR LIQUIDS ACCEPTED.
 ALL OPEN LOADS MUST BE COVERED.
 SPEED LIMIT: 15 MPH.

Commissioner Schaad said this isn't a contract with the County, that it is just a notification on costs and regulations.
 Letter received and filed.

RE: REQUEST FOR "SLOW" SIGN TO BE INSTALLED

A letter was received by the Commissioners from Jessie E. Newton of R.R.2, Box 122 of Old Henderson Road, which reads as follows:

County Commissioners:

Sir:

I wish you could see if you could put a slow down sign or some kind down here for us. We live back this way from the dam and we drive out of our driveway and cannot see cars coming either way. They drive like idiots down here, don't slow up or nothing. We almost drove out in front of two cars. You can come down here and see for yourself if you don't believe me. Our dogs aren't even safe to go out side of the yard. The letter was dated March 2, 1976.

Mr. Siebeking said this could be where their drive is between two concrete walls and it is a blind drive, which is their problem.

This letter was referred to Mr. Judd, for him to take under advisement, to see if he has any suggestions on this matter.

RE: PRICE QUOTED FOR ADDITIONAL PHONE

A letter was received by the Commissioners from the Vanderburgh Superior Court, Misdemeanor Division, as follows:

Dear Commissioners:

Vanderburgh Superior Court - Misdemeanor Division is requesting a telephone. Mr. LeRoy House, from Indiana Bell Telephone Company has quoted a price of \$19.00 to \$20.00 a month for the phone and \$28.00 to install it.

Respectfully, Robert W. Lensing, Judge
 Misdemeanor Div. Superior Court

County Commissioner Schaad said that he was advised, that Mr. House was over and that he was going to talk to the Judge, that there may be a solution which should cost quite a bit less.

He said if the Judge needs a phone, he thought it should be approved.

Commissioner Ossenberg moved that the phone be approved, subject to Mr. House's judgment. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM THE EVANSVILLE URBAN TRANSPORTATION STUDY

A letter was submitted to the Commissioners that had been sent to Mr. McGuillem, who is doing the environmental study for the County on St. Joe Avenue, from Mr. Keith Lochmueller, Director of the Evansville Urban Transportation Study, which reads as follows:

Dear Don:

The staff of the Evansville Urban Transportation Study has finished its review of the St. Joseph Avenue Preliminary Draft Environmental Impact Statement. This review was made on behalf of the Vanderburgh County Commission with whom you have your contract.

I am pleased to say that, after studying the E.I.S., we believe it to be of excellent quality. The statement offers a clear, concise, and very accurate assessment of the St. Joseph Avenue project, its environment, and potential impacts as well as offering those unfamiliar with Evansville an educated picture of the City's characteristics and personality. We, therefore, suggest no changes to the statement, but wish only to see it processed as expeditiously as possible.

Accept my thanks for the time you spent in co-ordinating with the local agencies in order to make the St. Joseph Avenue E.I.S. the fine piece of work that it is.

Sincerely yours, Keith Lochmueller

Letter received and ordered filed.

RE: REPORT ON FEDERAL FUNDING

Commissioner Schaad said the Commissioners had previously, had the report that had to be made if the County was going to receive federal funds and Mr. Lochmueller had to go to Indianapolis last week so he asked Mr. Lochmueller to be here today to give the report necessary.

Mr. Lochmueller appeared and said that what they wanted was the approval of the list of projects that he then presented to the Commissioners. He explained that what they wanted was the approval of what they call the Annual Program for Use of Federal Aid Highway Funds. He said they submitted the application to the Indiana State Highway Commission on March 1, 1976, which was the deadline, also that the projects that were included were St. Joe, \$1,050,000 of Federal Aid Urban Funds and \$450,000 of R & S that will have to be matched.

He said the Boonville-New Harmony Engineering and construction on the Bridge would be Federal Aid, Secondary Funds in the amount of \$40,900 matched with Cumulative Bridge of \$17,529, also that Mohr Road, Railroad Crossing at \$74,786 for construction which would be matched with \$22,436 of R & S Funds. He said there is a program for the striping of paved roads which haven't been striped and this would be some 38 miles and would be 100% funded - no local money. He said they are questioning \$24,116 here and this doesn't mean they are going to get it but this is what the request is for with the State Highway Commission.

He said the list of Railroad crossings here aren't all the Commissioners had listed but they had a limit of \$80,000 on the request and two of these jobs cover that amount which is the Nurrenbern Railroad crossing in the amount of \$31,500 and of section 203 monies which is 90% so it is 90% Federal and 10% local, which would be R & S, also Boonville-New Harmony Railroad crossing in the amount of \$31,500 and \$3,500 R & S.

He said the total of this for Vanderburgh County would be on Federal Aid Urban Funds that they would be receiving, if this was approved, would be \$1,050,000, Federal Aid Secondary would be \$40,900 and off system monies would be \$74,786.00 and in Section 205 for paint striping, would be \$24,116 and Section 203 would be \$63,000. The match would be \$17,529 from Cumulative Bridge and \$479,436 from R & S. The total that the projects amount to is \$1,749,767 with the local share of \$496,965.

He said he doesn't know when they will hear from the application but they will hear the final determination before July 1, 1976.

He said he didn't know how many counties were applying for the 100% funds but that Vanderburgh County and Warrick are requesting it, also that Vanderburgh County is in competition with the other Counties on the paint striping.

He said these funds are really for the fiscal year of 1977 which begins July 1 of 1976 and that he will let the Commissioners know when he hears anything.

Commissioner Ossenberg asked Mr. Lochmueller if all these Counties are eligible for these funds regardless of certification.

Mr. Lochmueller said that certification only applies to what monies that are inside the Urban area and this is only Federal Aid or Urban money and the only Counties that can have this is only some ten or eleven Counties.

RE: REQUEST TO TRAVEL

The following letter of request was received by the Commissioners from the Clerk of the Circuit Court:

Dear Board:

It has been brought to my attention that there will be an all day workshop meeting on March 16, 1976, at the Marriott Inn in Indianapolis, Indiana for Counties that use the punch-card system of voting. The meeting is scheduled to begin at 9:00 A.M. Areas of discussion will include candidate listings, ballot layout, program options and ballot tab operations.

Would you kindly approve travel expense for the following four (4) persons to attend the meeting:

Susan K. Kirk

Lucille Becking

Edward Knight

Earl Chandler

No per diem allowance is necessary and it would seem that air travel as opposed to driving with overnight accomodations would be the least costly.

Thank you for your consideration, Most Sincerely, Shirley J. Cox

Commissioner Ossenbergh moved that the request of Mrs. Cox be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Brink's Inc. for services in the amount of \$85.80 as per contract for the Clerk of the Circuit Court.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by the Crown Insurance Agency Inc. for the Public Official Bond for the Pigeon Township Assessor, Bob Dorsey, in the amount of \$20.00.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

RE: MONTHLY REPORT

Mr. Broerman appeared, representing Mr. Crooks who is out of town and submitted the Building Commissioners report for February of 1976. Report received and filed.

RE: PROPERTY ON SPRY ROAD

Mr. Broerman asked if Margaret Behme was to appear before the Commissioners today.

Commissioner Schaad said that in regard to the Spry Road property of Margaret Behme, in which the Commissioners had given her a final extension of time to get something done on the house and nothing further has been done, there had been some question as to the legality of condemnation of the property so County Attorney Swain has requested another week in order for him to have the time to check into the matter.

RE: MR. HOTZ

Mr. Hotz said they have a small drainage problem at the County Highway Department and he has about 1100 feet of tile out at the old Boehne Hospital which has been there for a number of years and they are unable to use it on regular sewer projects.

Mr. Siebeking said he looked at the tile and he thought he could use some of it at the County garage.

Commissioner Schaad told Mr. Siebeking to just move the tile out to the County garage and use it as he needs it, since it isn't doing anyone any good.

RE: RECOMMENDATIONS MADE BY MR. JUDD ...TRAFFIC DIRECTOR

Mr. Judd submitted recommendations on the following :

Intersection of Green River Road and Plaza Drive

The Board of County Commissioners approval is requested for the placement of stop signs on Plaza Drive with Green River Road as preferential.

Commissioner Ossenbergh moved that this request be approved. Commissioner Schaad seconded the motion. So ordered.

Intersection of S. E. Browning Road and Kansas Road

The Board of County Commissioners approval is requested for the placement of stop signs on S.E. Browning Road with Kansas Road as preferential.

Commissioner Ossenbergh moved that this request be approved. Commissioner Schaad seconded the motion. So ordered.

Reducing the speed limit on Old 460

It was brought to my attention that the speed limit on New Harmony Road (Old 460) near Resurrection School is 40 m.p.h. I feel that this speed limit is too high especially in a school zone. Therefore, it is my recommendation to lower the speed limit on New Harmony Road (Old 460) from New Harmony Way to Red Bank Road from 40 m.p.h. to 35 m.p.h.

The Board of County Commissioners approval is requested.

Commissioner Ossenbergh moved that this request be approved. Commissioner Schaad seconded the motion. So ordered.

Mr. Judd said he also moved the school signs and on the Maryland Street Bridge, he posted the warning signs at Maryland & Fulton and at Maryland & Grove St., also that he put an 18 ton load limit on the bridge with a warning at Wabash Avenue and one at St. Joe.

Commissioner Schaad said there was also a question as to whether they need to show an alternate route.

Mr. Judd said they will have to use St. Joe and Maryland Street as an alternate route.

RE: ABSENTEE REPORT

Mr. Siebeking submitted his absentee report of the employees at the County garage for the past week.
Report received and filed.

RE: OHIO STREET BRIDGE

Mr. Siebeking said he received a report Friday morning on the walkways of the Ohio Street Bridge and they checked it and found that it is getting in bad shape and they temporarily repaired it so no one would step through it over the weekend. He said there are two wooden walkways, one on either side of the bridge and they estimated that it would take about 38 boards to repair or replace the ones that are bad, plus the bolts, etc. He said his men could do the work and Mr. Nussmeyer had said he thought he could furnish the lumber which would cost about \$500.00 and they could get it back in good shape, also that they would treat the lumber themselves.

Commissioner Ossenbergh moved that they go ahead and replace the boards and get the money for the lumber from the Cumulative Bridge Contractual Account. Commissioner Schaad seconded the motion. So ordered.

Mr. Siebeking said he would get with Mr. Nussmeyer and they will work together on it.

RE: EMGE ROAD BRIDGE

Mr. Siebeking said that the Emge Road Bridge has been completed and the road is open., also that they did a real nice job out there.

RE: OLD STATE ROAD OVERPASS

Mr. Siebeking said that out on the Old State Road on the new overpass, there is a bad wash-out on the S.E. side of the approach by that first driveway and he wondered if it is the County's responsibility now or if it is still the contractor's responsibility.

Mr. Nussmeyer said the job was officially accepted so it would be the County's responsibility to make repairs.

Mr. Siebeking said it will take riprap and probably slushed over with concrete to take care of it.

RE: BURKHARDT ROAD

Mr. Siebeking said that out on Burkhardt Road, between Old Boonville Highway and back South to Division Street, that bank is really caving in on the ditch and that it is up in several places to the surface of the road. He said the only way he thought it could be fixed to protect the road is to go down to the bottom of the ditch and come up with two layers of riprap and then have to slush it in with concrete which will be quite expensive but there are a few washouts that are really bad and he feels that they should be fixed.

He asked if the Commissioners wanted it fixed or if they wanted him to take a closer look at it and come back next week.

He said if we get any more heavy rains, it could run into some real bad problems, that it could take the road right down with it.

The Commissioners agreed this work should be done.

RE: LINCOLN AVENUE AND FUQUAY ROAD

Commissioner Ossenbergsaid he had Mr. Nussmeyer and Mr. Siebeking both out on this problem and that last week, it came to his attention again, that Doctor Sims had called him. He said that the problem is on Outer Lincoln Avenue and Fuquay Road and he knows that the City is involved in this, that it is in the vicinity of Plaza Park School and he understood that, last week, there were three accidents and two children almost got hit and that this has consistantly gone on and he wondered if they could find out how much is involved with the City and he would then go before the Board of Public Works with it because Dr. Sims called and they are coming with a petition from all those property owners out there. He said that he told Dr. Sims to also send a petition to the Board of Public Works attention because he thought they were involved by 85%.

RE: AWARDING OF CONTRACT

Mr. Huffman and Mr. Hertzberger have studied the bids of Key Motors and of Kenny Kent for the truck to be used at Burdette Park and Mr. Huffman said they recommended that the truck be purchased from the low bidder which was Key Motors in the amount of \$4,984.92.

Commissioner Ossenbergsaid moved that the contract for the truck be awarded to Key Motors. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by the Southern Indiana Gas & Electric Co. for the Old State Road & L & N Overpass for relocating the existing gas main, final billing in the amount of \$4,437.82.

Commissioner Ossenbergsaid moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by the Southern Indiana Gas & Electric Co. for the Old State Road & L & N Overpass, for 50% of the actual cost of G.W.O. in the amount of \$2,688.07 and is the final billing.

Commissioner Ossenbergsaid moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

Mr. Nussmeyer said the cost of this project was less than the estimate.

Commissioner Schaad asked Mr. Nussmeyer if we ever got our money back from the L & N.

Mr. Nussmeyer said that the money hasn't been received and that he would call them.

RE: AUTHORIZED TO ADVERTISE

Mr. Nussmeyer presented the Notice to Bidders and the specifications on the Franklin Street Bridge and he explained what they plan to do to the Bridge.

Commissioner Ossenbergsaid moved that the specifications be approved and that the Auditor be authorized to advertise for bids on March 18th and 25th. with the bids to be opened on Monday, March 29th. 1976.

Commissioner Schaad seconded the motion. So ordered.

RE: EASEMENT

Mr. Nussmeyer submitted an easement from Omicron for improving and reconditioning the Right of Way of Baumgart Road.

He said that this makes the entire group now except for Yellow Transit, that they have a verbal agreement and hopes to have the easement in here next week.

Commissioner Ossenberg moved that the easement of Omicron be accepted. Commissioner Schaad seconded the motion. So ordered.

Mr. Ludwick said that this easement needs to be signed, recorded and a copy sent to Mr. Buente.

RE: CUTS IN

Mr. Nussmeyer submitted an application from the Waterworks, requesting permission to cut into Oxmoor Road, Spring Valley Road and Autumnwood Way to lay a water main.

Commissioner Ossenberg moved that the cut be approved. Commissioner Schaad seconded the motion. So ordered.

RE: NURRENBERN ROAD

Mr. McCleary, owner of the McCleary Bus lines, last week asked, if at all possible, that Nurrenbern Road be raised at the Burdette Park entrance, since it really threw his bus routes out.

Commissioner Schaad asked Mr. Nussmeyer if he had looked into it and if he could do anything about it.

Mr. Nussmeyer said they could go two ways on it but that it would be pretty expensive to go the length of Nurrenbern Road since the road would also have to be raised, that it would be about 4,000 feet and the estimate of the cost would be about \$100,000 but to fill it in, it would cost about \$10,000.

Commissioner Ossenberg said that personally, he preferred that they go the temporary route in filling it in, because there is a cemetery involved on the corner and it would be questionable whether we could even get that land, that he would like to see the whole job done but he doesn't see how they can do it.

Mr. Nussmeyer asked the Commissioners if they wanted to let a contract for the fill and to let Mr. Siebeking do the road work.

The Commissioners agreed that it could be done this way and asked Mr. Nussmeyer to draw up the specifications that would be needed for the job.

RE: GREEN RIVER ROAD ...AUTHORIZED TO ADVERTISE

Mr. Nussmeyer presented the Notice to Bidders and the specifications for the maintenance of the Stella Hirsch Crowell Property located on Green River Road, North of Theater Drive and said that this project would run from \$10,000 to \$12,000. He wondered where the money was coming from for this project since the County Attorney said they cannot let a contract without the money. The Commissioners agreed that the money could probably be taken from the Highway contractual Account.

After further discussion, Commissioner Ossenberg moved that the specifications be approved and authorized the Auditor to advertise for bids on March 18th and 25th. 1976. Commissioner Schaad seconded the motion. So ordered. Bids to be opened on 3/29/76

County Attorney Swain wanted his objection noted on this action. County Attorney Wendel later said that he joined Mr. Swain in his objection.

Mr. Robuck presented copies of an agreement to County Attorney Swain that had previously been discussed in reference to the Hirsch Crowell property, on a culvert in the area.

County Attorney Swain said that the signature on the easement wasn't former Commissioner Stofleth's signature.

Mr. Robuck said that the copies didn't have the signatures on them so he put their names on them but that the original easement that is in the safety deposit box has the original signature but he could get them if County Attorney Swain wanted him to.

County Attorney Swain asked that he do so and Mr. Robuck said that he would.

Mr. Nussmeyer said that Mr. Robuck had suggested that they take the East side of Green River Road and pull in the ditches and that the County do it with their equipment. He said that it is feasible but that he wants all of the people involved here.

Commissioner Ossenberg said there was a contractor in this morning who gave him some type of realistic figure which was around \$20,000. He said he asked that Mr. Nussmeyer be at that meeting to make sure he could live with this and it could be satisfactory work and Mr. Nussmeyer said they could and this was the way to go about it.

Mr. Nussmeyer said this work is going to have to be done over the road and he couldn't see that the East side drainage problem is going to affect this one iota.

In discussing the financial status for the Green River Road project, Mr. Robuck said there is no federal money available for Green River Road now and the Commissioners are going to have to come up with it sooner or later.

Commissioner Schaad said his point is that if they could use the same money to complete the project, that they get \$176,000 of federal money and if they could use the money to supplement that and do that project, to him, it would be more important than spending it here.

Mr. Robuck said the point is that they have all kinds of problems out there and are losing money on their crops and he suggested that the ditch be put in where it will give them immediate relief plus the dirt can be put in the ditches and it is helping the Commissioners with their planning of Green River Road and since they know there will be no federal money, it will have to be local money and the Commissioners are going to have to face it and come up with the money and that he is asking why it is always later.

Commissioner Schaad again said that if they are going to get around \$176,000 for the Mann Ditch and the Stockfleth Ditch and if that isn't enough money to do the project, he would rather use the money to do that one, rather than this one, that he, personally, thought since this has been put off for twenty years now, why not maybe six months longer.

Mr. Robuck said that they don't have a plan set up for six months from now, that if they did, he wouldn't be on their backs but they don't have a plan.

Commissioner Ossenberg asked Mr. Nussmeyer if they didn't have Cumulative Bridge funds set aside for Crawford-Brandeis.

Mr. Nussmeyer said they did and they have bridges they can justify.

Commissioner Ossenberg said he knew this but even at that, the money would help in the drainage so if they have Cumulative on the regular drainage work, then they could justifiably have some County Highway money for this Green River Road and they have \$25,000 in there.

He said what he was trying to do is to see if they can work this thing out from the Cumulative Bridge Account for the legal drain work and still have an additional \$20,000 to do the work out there.

He asked how much was estimated for Crawford-Brandeis.

Mr. Ludwick said they figured it would cost \$200,000 total.

Commissioner Ossenberg asked if they could work out some type of agreement to get this Green River Road and what the past Commissioners did, etc., and he said that he guaranteed that he would never enter into one of these contracts as long as he is a Commissioner but they will have to wait and see the new priority rating when it comes up Wednesday night in H.U.D. and then in the H.U.D. office out of Indianapolis.

He said that he is ready to go on record right now and state that he is ready to help Mr. Robuck out and they should know about the money, hopefully, in June or July.

RE: EASEMENT SIGNED

Commissioner Schaad said that sometime ago the Commissioners granted an easement for Westwood Hills so they could construct a drainage ditch as was requested last year by Andy Easley Engineering on behalf of their client. He said it is just a matter of signing the easement since it was approved before. The Commissioners signed the easement at this time.

RE: POOR RELIEF

Albert Dillard Jr. ... 1306 Judson St. ... Pigeon Township...Mr. Morrison, Trustee

The Notice of Action on this case stated that Mr. Dillard had requested help on utilities but was denied due to excessive income. His income is \$877.00 per month.

Mr. Dillard failed to appear this morning, so no action could be taken by the Commissioners at this time.

The meeting recessed at 10:55 a.m.

PRESENTCOUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 15, 1976

The meeting of the County Commissioners was held on Monday, March 15, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them dispensed with.

RE: REZONING PETITION.....VC-24-76

Petitioner.....Warren W. & Karen Spurling

Address.....6125 Oak Hill Road

Premises affected are situated on the east side of Oak Hill Road, at the intersection of Oak Hill Road and Heckel Road. Third Reading.

The requested change is from R-1A to C-1B.

The present existing land use is for a residence and the proposed land use is for a residence and used automobile sales.

This petition was denied with seven negative votes and one affirmative vote with one abstention.

Commissioner Schaad said that since there appears to be a good number of remonstrators present in regard to this petition, he would take up this petition first so the people wouldn't have to sit through the rest of the meeting if they didn't care to. He said he had a letter from Joe H. Harrison, the Attorney for this petitioner, who stated that Warren W. & Karen Spurling, husband and wife, requested a change in zoning classification with respect to the real estate owned by them at the above address.

The letter read as follows:

I respectfully request that the hearing now scheduled by the Board of County Commissioners for Monday, March 15, 1976, be vacated.

I wish to apologize for any inconvenience that the granting of this request may cause. I will be back in touch with you as promptly as possible, concerning the disposition of this matter.

Commissioner Schaad said that since the vacation has been requested and the letter stated that Mr. Harrison would contact the Commissioners concerning the disposition of the petition, he supposed what they really wanted was a postponement and out of respect to everyone that is for or against the petition, he thought there should be a time set for same and he asked County Attorney Swain what the Commissioners should do.

Mr. Bill Davidson, Attorney for the remonstrators, said that what Mr. Harrison meant was to vacate the hearing and the request was to postpone the petition. He said he has read Mr. Harrison's letter and that there is no reason for his request. He said he represents 122 of the remonstrators out there who are against this rezoning and they are here to request that this petition be rescheduled at the earliest possible moment. He said this rezoning was rejected 8 to 1 by the Area Plan Commission and these people have been on the hot seat since 1971 when Mr. Spurling started this, that there is even a conjunction suit pending against him and that yesterday, there were 20 ads in the newspaper, advertising cars for sale at his place and they would like for it to be rescheduled, that they don't know why it was postponed and while the other side isn't here this morning, they don't expect to take up the merits of the petition at this time but they would like for the Commissioners to reschedule it at the earliest possible moment.

Commissioner Ossenberg asked County Attorney Swain if there was a time element involved here.

County Attorney Swain said no, not since it was a negative vote by the Area Plan Commission, that if it were a positive vote, there would be a time element.

Commissioner Ossenberg said he would like to dispose of it for once and for all so he thought it the prerogative of this Board to bring the petition back by next Monday and if Mr. Harrison doesn't show, they should take the attitude to go ahead and vote on it one way or the other.

The other Commissioners agreed and County Attorney Swain said this could be done.

Commissioner Willner so moved that the petition VC-24-76 of Warren W. & Karen Spurling be taken up next Monday, at which time they will vote on it.
Commissioner Ossenbergh seconded the motion. So ordered.

Commissioner Schaad said he was sorry there wasn't any way the people could be contacted and that the Commissioners don't know who will be here next week, that Mr. Harrison will be notified and the petition will be acted upon next week.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the County owned Surplus Property today. The bidding will remain open and the sale will continue next week.

County Attorney Wendel presented the deed on parcel #44, Code # 21-56-8 which is located at 517 E. Mulberry Street. This is a parcel of County owned Surplus Property which was purchased by a Mr. Mitchell.
The Commissioners signed the deed at this time.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Debra Jane Mooney 401 S. Weinbach Temp. Technician \$2.50 Hr. Eff: 3/15/76

VANDERBURGH COUNTY SUPERIOR COURT

Georgia Williams	Riding Bailiff	\$7,615.00 Yr.	Eff: 3/15/76
Jane L. Schmitt	Assistant Chief Clerk	\$6,700.00 Yr.	Eff: 3/15/76
Susan Muensterman	Clerical Assistant	\$6,020.00 Yr.	Eff: 3/15/76

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH COUNTY SUPERIOR COURT

Georgia Williams	Assistant Chief Clerk	\$7,615.00 Yr.	Eff: 3/15/76
Jane L. Schmitt	Clerical Chief Clerk	\$6,020.00 Yr.	Eff: 3/15/76
Susan Muensterman	Riding Bailiff	\$6,100.00 Yr.	Eff: 3/15/76

RE: APPOINTMENT MADE

Commissioner Schaad said the Commissioners are to make an appointment to the Commission on Hotels and Motels on tax which is a new law that was just passed. He said he understands that the appointments that are made today will expire on December 31st. He said one appointment should be a person who is in the Hotel or Motel business and the other should be outside the business.

Commissioner Ossenbergh moved that the Commissioners appointment to the Convention Bureau be Mr. Joe Nickolick of 1000 Cullen Avenue, of Ramada Inn, 41 North and Mr. William Montrastelle of 1760 Dianne Avenue who is connected with the Evansville Freedom Festival.

Commissioner Schaad seconded the motion. So ordered.

RE: MONTHLY REPORTS

The report of the Bureau of Traffic Engineering was submitted for the month of January, 1976.

Report received and filed.

The report of the Clerk of the Circuit Court was submitted for the month of February, 1976.

Report received and filed.

The report of the County Treasurer was submitted for the month of February, 1976.
Report received and filed.

RE: NOTICE OF SUIT

A Mortgage Foreclosure was submitted on a Gary C. Viehe.
This matter was referred to the County Attorney, Tom Swain.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was received by the Commissioners from The American States Insurance Company, on insured, Larry Aiken Management, for the lease of the Auditorium for the Theatrical performance of "Man of La Mancha" which will be held on March 28, 1976.

Certificate received and filed.

A Certificate of Insurance was submitted by the American States Insurance Company on insured, Larry Aiken Management, for the lease of the Auditorium for the Theatrical performance of Dave Brubeck Quartet which will be held on March 14th. 1976. Certificate received and filed.

RE: REQUEST TO TRAVEL

County Attorney Swain said the County Attorney's must have in the Pre Document Conference, a record, to be in Chicago by March 15th. and the plaintiffs must have their brief filed by March 24th. and they must have their brief filed by April 15th. and reply brief by April 26th. and their argument will either be held the week of May 17th. or May 24th.

He said he needs permission for the two County Attorney's to travel to Chicago and for the expenses to prepare the briefs.

He said this is a repeal on the Massage Parlors and frankly, he didn't think this came within their formal salary.

Commissioner Ossenberg moved that the County Attorney's be permitted to travel to Chicago. Commissioner Willner seconded the motion. So ordered.

County Attorney Swain asked about the extra attorney fees.

Mr. John said that it will have to come out of the 100 account but that it will have to be advertised.

Commissioner Ossenberg moved that they take this problem to the County Council tomorrow for \$1,500 in additional salaries that is required for the County Attorney's and see what they want to do about it.

Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL ACCOUNT...SHORT OF FUNDS

Commissioner Schaad said the Commissioners are in trouble on their Travel Account since they only have \$333.00 left and there has been excessive travel this year, so their secretary is going through their accounts to see if there may be some accounts with excess money that can be transferred within the same line item so it won't have to be advertised because time is of the essence.

RE: REQUEST TO TRAVEL

The following letter was received from Mr. Kenneth D. Nelson, the Executive Director of the Area Plan Commission:

Dear Sirs:

I am requesting permission for Ms. Ann Schmidt to attend a meeting concerning 701 Planning in Indianapolis, Monday, March 15th, 1976.

Ms. Schmidt will be traveling by automobile.

Respectfully, Kenneth D. Nelson

Commissioner Schaad said that Ms. Schmidt will travel at her own expense but wants it as part of record, that she is traveling on official business in case there is any question on it.

Commissioner Ossenberg moved that Ms. Schmidt be permitted to go to Indianapolis. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

The following letter of request was submitted by Anika Juras, the Executive Assistant to the County Council:

Dear Board Members:

I intend to meet with Roy Jumper, Indiana I.P.A. (Intergovernmental Personnel Act) Co-ordinator, on Wednesday, March 17th, 1976, for the purpose of discussing

funds and technical assistance which may be available to Vanderburgh County for the implementation of the Job Evaluation Study. A report of our discussion and its implications will be made by March 24th, 1976, to both the County Commissioners and the County Council. The expected amount of travel expense is \$32.50; computed @.13 per mile for 250 miles. Sincerely, Anika Juras

A letter was also received from Mr. Dan Kollker, the President of the Vanderburgh County Council, stating that Anika Juras is traveling to Bloomington, Indiana to see Mr. Roy Jumper, Indiana IPA Coordinator, in the interest of and with the consent of the Vanderburgh County Council.

Commissioner Ossenberg moved that Ms. Juras be permitted to travel to Bloomington. Commissioner Willner seconded the motion. So ordered.

RE: BAIL BOND MATTER

Commissioner Schaad said he understands that there is a new Public Law 10 which was covered the other day at the Road School and that it is an umbrella bond that will cover a bond on all elected County officials and that there can be one blanket policy instead of one for each individual.

Commissioner Ossenberg said they had that but they all aren't going with the Agent of Records, that if the Commissioners recall, when County Clerk, Shirley Cox, got all the new employees, Monarch Insurance wrote the policies and then refunded the Commissioners because he put them all under an umbrella bond. He said they can save money by taking out the umbrella policy.

Commissioner Schaad suggested that County Attorney Swain look into the Public Law #10 and to come back and report on it to the Commissioners, that maybe they will need to issue a memorandum to all the elected officials and tell them that they should be under the umbrella policy so they can save some money.

RE: JUDGMENT MADE ON SUIT AGAINST VANDERBURGH COUNTY

County Attorney Swain said there was a suit filed against the County by Gladys Farris for the 10% that was withheld. He said they could have a \$2,000 bond and they could put up \$200.00 in cash and when they got their money back, they deducted the 10% of the \$200.00 as an administrative fee. He said this case holds that it is valid and that they just sent it back for a judgment for the defendants which would include the County Commissioners so nothing needs to be done on the matter.

RE: PENN CENTRAL AGREEMENT TO BE SIGNED

The following letter was received from the Penn Central Transportation Company, by Mr. Ludwick, the Deputy County Surveyor:

Re: Bridge on St. Joe Avenue

Dear Mr. Ludwick:

Receipt is acknowledged of your recent transmittal of one copy of agreement executed on behalf of the Board of County Commissioners of Vanderburgh County concerning subject project.

The agreement, as transmitted, is not satisfactory to the Railroad. You have omitted the second Paragraph of Section 7, page 3 of the agreement draft forwarded to you with our letter of January 13. We will not execute this agreement without this clause. It should be added as Section 8 to the agreement. Enclosed is copy of this clause to be added. The agreement is otherwise satisfactory.

Also enclosed is the agreement as transmitted. It will be necessary to prepare three copies of the agreement with the original signatures of the Board of County Commissioners; one original copy to each party to the agreement. Upon completion we will return a fully executed original copy of the agreement for your use.

Very truly yours, J. T. Sullivan, Chief Engineer

Section 8 reads as follows:

If, during the term of this Agreement, Penn Central ceases the railroad services described herein by reason of a conveyance of rail properties, or a transfer of operating authority pursuant to the Regional Rail Reorganization Act of 1973, as amended, the duties and obligations of Penn Central shall cease and terminate on the date of such event without the necessity of notice by Penn Central to any other party, provided, however, that the successor corporation, governmental agency, or person may agree in writing to assume the former duties and obligations of Penn Central.

County Attorney Swain said the paragraph has now been added so the Commissioners just need to re-sign the agreement.

Commissioner Ossenberg moved that the agreement be re-signed with the addition of the new paragraph and that three copies be made to send with the original agreement to the Penn Central Transportation Company.

Commissioner Willner seconded the motion. So ordered.

RE: DELINQUENT TAX MATTER

Mr. Joseph Swope appeared and explained that he had been living in the house at 819 Line Street of which the Code number is 21-73-16 and that this property had been bid to the County on December 1, 1975, because of delinquent taxes. He said he bought this house from a man, not knowing there was taxes owed on it and he later found there was and he would like to make arrangements to pay the delinquent taxes so he could keep the house.

Commissioner Ossenberg moved that the certificate be voided so Mr. Swope can work out the payments with the Treasurer and the County can start collecting the taxes which is listed as \$704.35 plus a penalty of \$127.36, a total of \$831.71.

Commissioner Willner seconded the motion. So ordered.

RE: FORTY HOUR WORK WEEK DISCUSSED

Commissioner Schaad said a matter was brought to his attention that he wasn't aware of, that on August 31 of 1972, the County Council adopted a resolution stating that all offices in the Complex under the County jurisdiction must be open 40 hours per week. He said that on September 5 of 1972, there was also a resolution passed by the County Commissioners, stating the same thing, so as long as they have the resolution by the County Council and the County Commissioners, they have to be abided by.

There was a question of whether the resolution read that the employees work 40 hours per week or if the offices are to be open for business for 40 hours.

Commissioner Willner said he didn't know who wrote the ordinance but that there is something definitely wrong with it since the way it reads, is that all offices would open on Sunday. He said it read that Commissioner Buthod said as he interpreted the statute, the Commissioners can only go so far as to setting the office hours in Vanderburgh County and that it is up to the officeholders as to the hours that the employees work.

Commissioner Schaad said it reads that the County offices should be open from 8 a.m. to 5 p.m.

Commissioner Willner said they are talking about a 40 hour work week so the employees working hours could be staggered but that the minutes are only input and this isn't the formal resolution.

Commissioner Schaad asked that the County Auditor get the formal resolution from his file and said that this matter will be held in abeyance until next week.

RE: AGREEMENT WITH THE CITY OF DARMSTADT

An agreement between the Board of Commissioners and the Town of Darmstadt had previously been signed by the Commissioners in agreement on road maintenance and was then sent to the Town Board in Darmstadt for their signatures. The agreement has now been signed by both parties and is noted as being received and ordered filed.

RE: REZONING PETITION.....VC-25-76

Petitioner-Daniel McFadden of P.O. Box 245, Poseyville, Indiana
Owner of Record - LaDelle Tomes of 1725 Allen Road, Evansville, Ind.

Premises affected are situated on the North side of Allen Road, a distance of 121 feet West of the corner, formed by the intersection of Allen Road and Hart Street.

The requested change is from A to M-2.

The present existing land use is Agricultural and the proposed land use is for General Industrial, an office building, machine shop and storage yard.

Mr. Vernon McClellan appeared for Mr. McFadden the petitioner, and said that Mr. McFadden is requesting the rezoning of 9.064 acres out near Allens Lane, that he is a mining engineer and contractor and that he has five offices over the country

and he wants to move the main office into this location where he can consolidate some of his affairs.

He said that the Area Plan Commission approved this petition with eight affirmative votes and one abstention, also that Mr. McFadden proposed to hire from eighteen to twenty-five people here and hopes the number of employees will grow, since he does employ about 200 people over the country. He said the business will go under the name of "Frontier Kemper".

There were no remonstrators present.

Commissioner Ossenbergh moved that petition VC-25-76 and 76-14-PC, the report of Area Plan Commission be received and filed and made a matter of the minutes. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenbergh moved that Petition VC-25-76, petitioner - Daniel McFadden, that the changing in rezoning from A to M-2 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....76-15-PC, VC-26-76 (Postponed)

Petitioner and Owner of Record - Southern Indiana Gas & Electric Company.

Premises affected are more commonly known as 18026 U. S. Highway 41 North up to but not including 18700 U.S. Highway 41 North; and 18301 U.S. Highway 41 North up to but not including 18901 U.S. Highway 41 North.

The requested change is from A to M-2

The present existing use is Agricultural and the proposed land use is for the development of an Industrial Park.

This petition was postponed until the April 7, 1976 meeting of the Area Plan Commission.

There will be no action taken on the rezoning petition at this time by the County Commissioners.

This petition was referred back to the Area Plan Commission

RE: REZONING PETITION.....76-16-PC, VC-27-76 (Postponed)

Petitioner - Barnes Lumber Company, Inc. of 318 W. Lincoln in Harrisburg, Illinois
Owner of Record - George Barnes of the same address as above.

Premises affected are situated on the East side of Fuquay Road, a distance of 2600 feet North of the corner formed by the intersection of Pollack and Fuquay Road.

The requested change is from R-1 to R-3.

The present land use is vacant land and the proposed land use is multiple family dwellings.

This petition was postponed until the April 7, 1976 meeting of the Area Plan Commission.

There will be no action taken on the rezoning petition at this time by the County Commissioners.

This petition was referred back to the Area Plan Commission.

RE: REZONING PETITION.....VC-28-76... (First Reading)

Petitioner and Owner of Record - Frederick J. Spencer of R.R. #3 Heckle Road

Premises affected are situated on the West side of County Line Road, a distance of 2400 feet South-West of the corner formed by the intersection of Millersburg Road and County Line Road.

The requested change is from A to M-2.

The present existing land use is a junk yard and the authority for said existing land use is non-conforming and they plan to use the land for a junk yard.

Commissioner Willner moved that Petition VC-28-76 be referred to Area Plan on First Reading. Commissioner Ossenbergh seconded the motion. So ordered.

RE: REZONING PETITION.....VC-29-76... (First Reading)

Petitioner and Owner of Record - Vanco Beverage Inc....2400 N. Fulton Avenue

Premises affected are situated on the East side of Red Bank Road, a distance of 450 feet south of the corner formed by the intersection of Red Bank Road and Hogue Road.

The requested change is from A to R-3 and the authority for said existing land use is conforming land use. The proposed land use is for apartments.

Commissioner Ossenberrg moved that Petition VC-29-76 be referred to Area Plan on First Reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....VC-30-76... (First Reading)

Petitioner and Owner of Record...Oak Meadow Development Corp. R.R.8 Browning Rd.

Premises affected are situated on the east side of Browning Road on the Northeast corner of the intersection of Browning Road and the entrance road into Oak Meadow Subdivision.

The requested change is from R-1 to R-3 . The present existing land use is Vacant residential lots and the authority for said existing land use is conforming to present zoning code.

The proposed land use is structures containing single family residential units with some common walls between the units to be sold to individual owners.

Commissioner Ossenberrg moved that Petition VC-30-76 be referred to Area Plan on First Reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....VC-31-76 (Belongs in Darmstadt)

Petitioner.....Chelsea Putler

Premises affected are situated on the Northwest corner of Darmstadt Road and New Harmony Road.

Requested change is from R-1 to R-0 and he plans to use land for Residential office, Dental office and parking facilities.

Commissioner Willner said this application is in the wrong place, that it is in Darmstadt where this petition should be heard.

Commissioner Willner moved that this petition be referred to the Town Board of Darmstadt. Commissioner Ossenberrg seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by the American United Life Insurance Company for Insurance Premiums for the year of 1976 which is for the Sheriff's Department in the amount of \$9,000.00.

Mr. John explained that the Sheriff's Department was only budgeted \$9,000.00 and the bill is really for \$11,000.00 so they are going to take the balance out of another account which will be submitted on a claim at a later date but they must first go before the County Council.

Commissioner Ossenberrg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Dave Guillaum of the Surveyors office for his trip to Purdue University Road School, March 9,10,11, 1976 @ \$15.00 per day. The claim is in the amount of \$45.00.

Commissioner Ossenberrg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Dan Hartman of the Surveyors office for his trip to Purdue University Road School on March 9, 10, 11, 1976 @ \$15.00 per day. The amount of the claim is \$45.00.

Commissioner Ossenberrg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Bob Schaad for his travel expense in attending the Purdue Road School on March 9, 10, & 11, 1976 @ \$15.00 per day. The claim is in the amount of \$45.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Jerry Linzy for his travel expenses in attending the Purdue Road School on March 9, 10 & 11, 1976 @ \$15.00 per day diem in the amount of \$45.00 and gasoline at \$12.74. The total amount of the claim is \$57.74.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Robert Hargrave of Citizens Bank for the Vanderburgh County Sheriff's Department for Retirement Contributions for 1976 in the amount of \$40,500.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by P & H Construction Co. for work completed to date on addition to County Garage Building at 5105 St. Joseph Avenue, in accordance with the Contract that is dated December 22, 1975. Contract Amount \$12,612.00-71% Complete. Amount of the claim is \$8,059.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Holiday Travel Service Inc. for airline tickets that were issued to Susan Kirk, Lucille Becking Edward Knight and Earl Chandler to fly to Indianapolis, Indiana in order for them to attend the work shop at the Marriott Inn which was for counties that use the punch card system of voting. The claim is in the amount of \$222.12.

Commissioner Ossenberg moved that the claim be approved for payment. Commissioner Willner seconded the motion. So ordered.

RE: RENT OF EVANSVILLE-VANDERBURGH COUNTY HEALTH DEPARTMENT

County Attorney Paul Wendel received the following letter from the City Assistant Attorney, R. Steven Krohn:

Dear Paul:

It has been brought to my attention that Vanderburgh County has not been paying its share of the rent necessary to maintain the joint Health Department in the Civic-Center Complex. Notwithstanding IC 16-1-18, which requires that the County Council and City Council share all expenses of the joint Department on a pro rata per capita basis, the County has contributed nothing since the Health Department moved into its new quarters in May, 1970.

Based on United States Census Bureau figures, the County's share for 1970 through 1972 should have been 14.5 per cent and 21.5 percent for 1973 through 1976. As a result, the County's present indebtedness to the City on account of such expenses not having been shared amounts to one hundred thirty two thousand two hundred seventy eight dollars and forty six cents (\$132,278.46), including the current fiscal year.

I received a letter from Curt John, Vanderburgh County Auditor, explaining that the only reason the County does not contribute to that amount from the budget it approves for the Health Department annually. In light of this, it is the City's position that the above amount is due the City for Health Department rent which should have been paid by the County but which was paid by the City over the period beginning in 1970. Thus, this letter will act as a demand by the City that the County pay, or make arrangements to pay, the above sum.

Please advise.

Yours very truly, R. Steven Krohn, Asst. City Attorney

County Attorney Swain recommended that the payment be denied and said that he would explain his reasoning later.

Commissioner Ossenberg moved that payment be denied. Commissioner Willner seconded the motion. So ordered.

RE: DISCUSSION OF COMMITTEE...MICROFILMING RECORDS

Mr. John noted that at the Commission of Public Records meeting that was held last night, they discussed setting up a committee to look into microfilming of certain records that the County maintains and instead of the Commission on Public Records setting up the committee, they thought it would be good, since the Commissioners are the executive branch of County Government, for them to appoint certain people to serve on this committee.

He said they checked with the City and the Mayor also wants to be involved in this, so possibly, someone from the City will be appointed and they can get a committee of possibly five members.

Commissioner Schaad would be similar to what they did on the voting machines and that some of the things they can do did come out in the meeting, also he thought this would need to be done sooner or later anyway in microfilming all the records of the City and County and he thought it needed to be studied and written up in a form, with a recommendation from the committee.

Mr. John said that Buddy Cole has been involved in this before and has researched the matter.

Commissioner Schaad suggested they all get together to see if they can decide who should serve on the committee and this matter will be deferred until next week.

RE: DISCUSSION ON MRS. BEHME'S PROPERTY

Commissioner Schaad said that Mrs. Behme called him on Sunday in reference to her property located on Spry Road, that she was suppose to be working and that she said she would definitely know on Friday of this week, whether the prospective buyer is going through with the purchase of her property.

He said he told her that the Commissioners have been through this two or three times now and that if they postpone this matter until next Monday, it will positively be the last time.

He said if the property was purchased, this would solve their problem and they could work with him.

County Attorney Wendel said he looked into the legality of this problem and found that the Commissioners could do one of two things and that they could go in for an injunction requiring that Mrs. Behme complete the house or if they consider it unsafe, they could issue an order that it be demolished and give her notice and if she doesn't comply with it, they then would have to go before the proper Board for a hearing on it.

This matter will be taken up again next Monday.

RE: MR. JUDD

Mr. Judd said he was contacted by Jesse Newlin of R.R.2, Box 122 on Old Henderson Road, on the way to Dam 48 and he thought they should put up a couple of slow signs in the area for the time being but they would probably lose the signs when the water comes up again. He said he would see that this is taken care of.

Commissioner Willner said he would like for Mr. Judd to check out Wortman Road again, with a Mr. Bryant, on a problem of a traffic exit sign.

Mr. Judd said he would check on it again but that they had installed signs on both sides of his drive out there.

RE: ABSENTEE REPORT

Mr. Siebeking submitted his absentee report of the employees for the County Highway Department for the past week.

Report received and filed.

RE: DITCH ON BURKHART ROAD

Mr. Siebeking said they discussed the ditch on Burkhardt Road last week, where it is caving in, down from the edge of the pavement and they discussed riprap and slushing it over. He said he has been in contact with Mr. Kuhlenschmidt who owns Elberfeld Block Company and he explained that there is a new product out now that Mr. Kuhlenschmidt is involved with, that it is in bags and is a cement that is stacked just like they would do riprap and the weather dissolves the bag and the cement hardens.

He said that Mr. Kuhlenschmidt is to contact him this week and that he is anxious to see it because it is cheaper and faster than riprap so he is going to hold off until he has talked with him to see if they can work something out. He said they

may give the County some 50 to 100 bags of this material at no charge to use on a trial basis to see how it works.

RE: LINCOLN AVENUE AND FUQUAY ROAD

Mr. Siebeking said that he was asked to check out the problem on Outer Lincoln Avenue and Fuquay Road last week, that he has done this and found that it is all in the County.

Mr. Nussmeyer said the South side is in the City and the North side is in the County and the only thing he could suggest would be if the property owners are willing, they could pay to have the curbs, gutters and sidewalks put in and then the County could widen out the roadway.

Mr. Siebeking said that a Mrs. Edmonds is the only property owner out there and his suggestion would be to either buy the Right of Way from Mrs. Edmonds or if she would give it to the County for them to move the ditch back, to dig a new ditch and pull that dirt in to the existing ditch and then to rock about six feet of shoulder along there since there is no walkway for the children out there.

Commissioner Ossenberg said they will call Dr. Sims and see what they can find out.

Mr. Siebeking said he talked to Mrs. Edmond and she said there is a sewer or something that runs along there and he didn't know if this would cause a problem or not since the way she talked, it was right near the ditch line. He said they will get together on this and he will further report on it to the Commissioners.

RE: INTERSECTION OF NEW HARMONY & OLD 460

Mr. Siebeking said he got a letter from a Mrs. Stone, referring to the intersection of New Harmony Way & Old 460 and he talked with Mr. Judd who also received a letter and he said that he was going to take care of it. He said she was quite concerned about the problem, that she had sent a letter also to the newspaper and one to the Mayor and it got no response so she sent one to the Commissioners and he referred it to Mr. Judd.

RE: OHIO BRIDGE WALKWAYS

Mr. Siebeking said that the lumber for the Ohio Street Bridge walkways has been checked out and is ordered and they are suppose to have it ready by the middle of the week and as soon as it is, they will get started on the walkways.

RE: REQUEST TO CUT INTO ST. JOE AVE.

Commissioner Schaad said he had received a letter from a Raymond Steinkuhl of R.R. 5, Evansville, who requests permission to cut through St. Joe Avenue, one mile North of Boonville-New Harmony Road, to put in a drain tile, that this is the only possible drainage outlet, that they own farm land on the East & West side of St. Joe Avenue and they recently purchased a tract of land on the East side of the road that has no drainage outlet and they need to cross St. Joe Avenue with a six inch pipe to drain into a farm drain ditch on the West side.

Commissioner Schaad said that Mr. Siebeking can work with Mr. Nussmeyer and Mr. Ludwick on this to see what they can come up with.

Commissioner Willner said he thought there were some alternatives here so he would like for Mr. Siebeking to see what he can do.

Mr. Siebeking said he would check it out and that if there was anyway they could keep from cutting into St. Joe Avenue, they will, so they will go out and see what they can do and he will then get with Mr. Steinkuhl.

RE: EASEMENT

An easement was submitted by the Chayes Virginia Inc., an Indiana Corporation, whereby they have conveyed and transferred to the Board of Commissioners of Vanderburgh County, this easement, for the purpose of improving Baumgart Road.

Mr. Nussmeyer said they still have one easement to obtain on this project. He said this easement is to be recorded and they should have copies of it, after it has been recorded.

RE: CLAIM

A claim was submitted by Barnett Brothers Inc. for the Emge Road Structure #203-2260 in the total amount of \$14,668.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: VANDALISM ON EMGE ROAD

Mr. Nussmeyer said that the equipment on Emge Road was torn up and that someone even took the guard off by unscrewing all the bolts.

Mr. Siebeking said they covered the bolts with dirt, possibly thinking they would return later to get them.

RE: NORTH KENTUCKY AVENUE BRIDGE

Mr. Nussmeyer said the truss is completely gone on the N. Kentucky Ave. bridge but he thought as long as the people observed the weight load limit, it would be okay but they aren't doing it.

Commissioner Ossenberg said they aren't liable for anything over two tons. He said he has been in contact with the Mayor on the City's part and they are going to immediately expedite it to the City Council President, Bob Davies and Pete Chandler and he wondered, to facilitate this, if it could be declared an emergency. He said if they were at the point where Mr. Nussmeyer thought this was going to be serious enough to get the thing on the road, they would declare it an emergency because he would sure hate for someone to go through it, also that Mr. Nussmeyer had told him, last Thursday, that it fell three inches.

Mr. Nussmeyer explained what had happened, in that the spans on either side of the bridge are holding the bridge up.

He said there is no federal money, that there is only the City's R & S and the County's Bridge Fund. He said he looked at it yesterday and he thought if the Commissioners declared it an emergency, it may get them to moving because he thought it was just a question of time before someone would go down in it and said the people just won't observe the load limit signs. He said they want to let it all in one contract.

Commissioner Schaad said that since it fell another three inches and it has been talked about, that maybe the Commissioners would be liable if something happened out there, since they know the situation and if they are going to leave it open, perhaps they need to put some more signs out there.

Mr. Nussmeyer said he thought the City meets on March 18th and if they act on the R & S Application, it will then take two or three weeks for the money to get here.

Commissioner Ossenberg moved that the North Kentucky Ave. Bridge be declared an emergency and additional signs are to be posted as to the hazard out there. He said the news media should be informed that the Commissioners have declared the bridge an emergency, since the bridge is very unsafe and that the people should observe the signs that are posted and they will tell Mr. Judd to get the signs out there immediately.

Commissioner Willner seconded the motion. So ordered.

RE: WEST FRANKLIN STREET BRIDGE

Mr. Nussmeyer said he was out on West Franklin Street last Thursday or Friday and he observed the traffic through there and saw that the contractor has single lanes going East and they are either going to have to close the bridge or postpone the work.

The Commissioners agreed that they would rather go ahead and get the job done.

Commissioner Willner asked about how long the bridge would be closed.

Mr. Nussmeyer said it would have to be closed approximately two months.

Commissioner Schaad said that wouldn't be too bad and that the people could use Wabash Avenue and the Pennsylvania Expressway.

Commissioner Ossenberg moved that the West Franklin Street Bridge be closed while it is under construction. Commissioner Willner seconded the motion. So ordered.

RE: CRIMINAL JUSTICE PLANNING

An application was submitted under Criminal Justice for some federal monies that needs the signature of the President of the County Commissioners.

Commissioner Ossenberg moved that Commissioner Schaad sign the application. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM NATIONAL ASSOCIATION OF COUNTIES

Commissioner Schaad said a letter has been received from the National Association of Counties, requesting that the Commissioners join the Association. He said they have already become members of the National Association of Counties and that they evidently haven't received the check as yet.

RE: ENGINEER ASSOCIATES MAKES STUDY ON SAFETY

Commissioner Schaad said they have been working with Engineer Associates on a safety study on the traffic signs in the County. He said one of the most important thing they talked about at road school was safety and what they are doing to try to cut down accidents on the State, City and County roads and this is on a 90-10 basis, 90% federal monies and 10% local, for the purpose of getting money assigned in inventory for Vanderburgh County and it has to be approved by both, the federal and the state people before they can get the money to do it and this is just approving that Engineer Associates may be designated as the agency that makes the study, that it is also to approve the contract between the County and Engineer Associates, which also has to be approved by the state and federal people.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY'S

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberg
Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

**COUNTY COMMISSIONERS MEETING
MARCH 22, 1976**

The meeting of the County Commissioners was held on Monday, March 22, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor with one correction, in that on page 11 under North Kentucky Avenue Bridge, it mentioned St. Joe Avenue Bridge and should have read North Kentucky Avenue Bridge. This has now been corrected.

The reading of the minutes was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the county owned surplus property today. The bidding will remain open and the sale will continue next Monday.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

John Voohrees	2166 Adams	Grounds	\$2.30 Hr.	E66: 3/9/76
John Wells	911 Oakley St.	Grounds	\$2.30 Hr.	E66: 3/9/76
David Stoneburger	(A.W.E. 2201 Allens	La. Grounds	\$2.30 Hr.	E66: 3/9/76
Ken Myers	1852 S. Garvin	Grounds	\$2.30 Hr.	E66: 3/9/76
Keith Storey (A.W.E.)	26 W. Illinois	Grounds	\$2.30 Hr.	E66: 3/9/76
Mike Klueh	408 Martins La.	Grounds	\$2.30 Hr.	E66: 3/9/76

RECORDERS OFFICE

(Payroll change only)

Deborah G. Schroeder 4609 Millbrook La. Release & Mtg. Dep. \$5,761 Yr. E66 3/13/76

AREA PLAN COMMISSION

Debra J. Mooney 401 S. Weinbach Ave. Temp. Technician \$2.50 Hr. E66: 3/16

PIGEON TOWNSHIP ASSESSOR

Thomas P. Toon 1100 S. Grand Operational Supervisor \$15,000 E66: 3/15/76

RE: EMPLOYMENT CHANGES.....RELEASES

RECORDERS OFFICE

Deborah G Schroeder 4609 Millbrook La, Release & Mtg.Dep. \$5,461.00 Yr. E66 3/12/76

RE: MONTHLY REPORT

The Legal Aid Society of Evansville, Inc. Joint Department of Legal Services, submitted their report for the month of February, 1976.
Report received and filed.

RE: REZONING PETITION WITHDRAWN

Re: Ordinance VC-24-76
Warren W. & Karen Spurling
6125 Oak Hill Road
Evansville, Indiana

The following letter was received by the Commissioners from Joseph Harrison of the Law Firm of Bowers, Harrison & Kent:

Gentlemen:

On behalf of the petitioners in the above matter, Warren W. Spurling and Karen Spurling, husband and wife, requesting a change in zoning classification with respect to real estate owned by them at the corner of Oak Hill Road and Heckel Road, Vanderburgh County, Indiana, at the above address, I respectfully request that their application for such change be withdrawn from further consideration by the honorable Board of County Commissioners. Since we have now withdrawn the

Spurling application, I assume that it would be appropriate to now dismiss all pending proceedings in connection with the above ordinance.

Yours very truly,

Bowers, Harrison & Kent

Signed, Joseph H. Harrison

This application has been withdrawn.

RE: PROBLEMS IN THE BUILDING

Mr. Ruston submitted a Departmental Correspondence letter.

Commissioner Schaad said that they have had some problems in the building and that Mr. Ruston asked the Commissioners to bring it to the attention of all the Department Heads and all the Elected Officials in the County, regarding some of the rules they have in the building.

He said that he understands that some Department Heads or Elected Officials have been having some of the soft drink vendors bring cases of cokes up in the building and that there is a policy against this.

He said we do have the commissaries and vendors aren't suppose to deliver anything, that nothing is to come through the front door that can't be carried by hand.

The letter reads as follows:

Deliveries at front or main entrances of the Administration and Courts Building are limited to hand held packages.

Any other deliveries requiring 2 or 4 wheel trucks are forbidden.

These deliveries must be made at, or through, the shipping dock area of the Administration Building or the 9th street entrance of the Courts Building. All deliveries to the School Building will be made at the shipping dock.

Signed C.G. Ruston, Evansville-Vanderburgh
Building Authority

RE: REPORT ON MICROFILMING AND COMPUTER SYSTEM

Commissioner Schaad said that the Commissioners have asked Ms. Juras to appear before them, to make a report on micro-filming and a computer system which she has been making a study of.

Ms. Anika Juras, Executive Assistant of the County Council, appeared and explained the chart she had submitted, by saying, essentially starting with the idea that we now have a job evaluation study that is complete and we have a set of recommendations on improving the pay situation for County employees, that our problem is that there are no new funds available for this readily and we have a lack of expertise in personnel administration, that we are limited by tax rate ceilings, by inflation, by constant needs for new personnel, so we can't go the regular route, that we don't have the resources to do it and if we go another way which is by automatic data processing, we can free up dollars that we are currently using and put them to other uses but we need money to do that also.

She explained that it can come from two sources, that it could come from the County, using money at freeze, or it could come from grants, that she is still exploring this and it looks like they will get some help from there, that we also need technical assistants which would be a personnel manager and a public administration specialist, also a programmer and for a short term, they would need some people to do old data entry. She has talked to the co-ordinator for I.P.A. and we can get this sort of technical assistance from them and that the Indiana University School of Public & Environmental Affairs will also offer this type of assistance to us. She said that suppose we went this route, we should be able to establish a personnel system and a new pay system for the employees and end up with it costing less and getting more.

She said that studies are being done in the courts, proposals have been submitted and she is suggesting we expand this study to include some other high overhead agencies. The justification for the courts right now is practically dollar for dollar and by adding other agencies we can improve that justification because we don't have that big hardware cost so we would get a higher proportion in return on the system. She also thought it important that the system be well thought out before they adopt it, say in the courts area, if they do adopt it there and then decide, a year later, to add something else without having thought about in now, they may find out they need completely new equipment in the courts system and this, of course, would reduce any savings that they might find so she thought it important to look at all the potential for growth now. The agencies that she is talking about are the Assessors', the Auditor, the Prosecutor to be added to the current court proposals, the Recorder, that the impact will be on the Recorder for the micro-filming, that it is basically a by-product of the computer system and

tentatively, they suggested that it would be done at half the cost of another proposal made and much sooner than that proposal suggested, also the Treasurer and the Voters Registration, another by-product would be the Sheriff, that it wouldn't significantly affect the number of personnel he has right now but it would give him the ability to better use that personnel as well as the other resources that he has in his department.

She said that what she needs from the Commissioners is a letter, authorizing the study in these offices.

Commissioner Ossenberg said he sees where Ms. Juras has 10-100,000 lease and 250-300,000 purchase on the chart and he asked if this was right.

Ms. Juras explained that they now have proposals which range from \$40,000 to \$67,000 for the court system, that these figures are just estimates of not only the courts but also for the other offices she talked about. She said that the basic charge of all of them is for that big piece of hardware that they will only have to get once and they can use for any office and will only have to add small pieces of equipment.

Commissioner Ossenberg asked if there was a firm that was willing to lease, on lease purchase.

Ms. Juras said there was and that the lease purchase arrangement is met 95% of the first years lease and can be moved over to the purchase and considered a payment on the system.

Commissioner Schaad asked Ms. Juras if she has had any feeling from the County Council, on their attitude toward this.

Ms. Juras said "yes", that they wanted her to keep looking into it to see what they can do.

Commissioner Schaad asked how about the courts.

Ms. Juras said she talked to Maurice O'Connor about this and told him she thought they would have to look ahead and that he agrees but he doesn't want to see the courts get, somehow, lost with what they have already done but she didn't think it would happen and said if they outline the future and then make a decision about the courts based on that, also they will eventually have to make a decision about a vendor and she thought the best way to do this would be to know what this means a year from now or five years from now.

Commissioner Schaad said the reason he wondered was because if everyone was in agreement and wanted to fully co-operate with her, it would make it so much easier. He said it wouldn't hurt for the Commissioners to have a short meeting with County Council or their committee and with Reese O'Connor so they can talk it out before they go ahead with it since he thought they would get co-operation if they were all in on it at the beginning and that they should feel that what we are doing is the right thing and that they would be a part of it and they certainly won't be left aside and if they could use the information they already have to be fit into what she is going to do, so he would like to have this meeting.

Ms. Juras said she would arrange such a meeting.

Commissioner Willner said he understood that this study would be at no cost to the County.

Ms. Juras said this is correct, that the study is done by people who want to sell us equipment and she has three outside sources to evaluate these proposals and they are going to start on the ones for the courts today, that there are two Universities and an outside consulting firm that is doing some work for someone else and is just going to look them over, at no cost, so they should get a good idea, at no cost, as to what this will mean to the County.

Commissioner Willner said, along these lines, he wouldn't be hesitant in giving approval of a letter today but he would like more input on it.

Commissioner Schaad said he thought all the Commissioners felt the same and to be sure there is no misunderstanding, that they are better assured of co-operation, before they make a decision that they have this meeting whenever Ms. Juras can set it up, that the Commissioners will make themselves available.

Ms. Juras said she would like to set the meeting up for this week so she could come back before the Commissioners next week.
This was agreeable with the Commissioners.

Commissioner Schaad said that the other Commissioners know what it is all about and if they can't make the meeting, he will report to them, what happens at the meeting.

RE: CLAIMS

A claim was submitted by Sheriff DeGroote for the meals of the prisoners from February 15 to March 14, 1976, in the amount of \$7,131.80.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Gloria S. Crenshaw for deposition costs of the Anna Joeckel vs. Board of County Commissioners in Superior Court No. 75-CIV-2356 in the amount of \$31.50.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency Inc. for Insurance - General Fund - Burdette Park, for increasing Continental policy #FDP 1 58 11 71 (Contents in Administration Building,) in the amount of \$50.00.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency, Inc. for Insurance - Burdette Park in the amount of \$1,509.00 on each, Aetna policy #92 52 93 A, Continental policy #FDP 6 05 79 93, Hartford policy #36 CF 364167, St. Paul policy #113 AH 7985...\$110,000, fire, e/c & vmm on each policy covering building & contents as shown on policy schedule. The total amount of the claim is \$6,036.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torain Agency, Inc. for Insurance - General Fund, which is Continental Automobile policy #L3 41 89 72 and covers all county cars. The total amount of the claim is \$9,529.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency, Inc. for Insurance - Highway Department - Continental Automobile policy #L 3 41 89 72 in the amount of \$10,009.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency, Inc. for Insurance - General Fund, for policy #L3 32 56 96 in the amount of \$12.00. This covers the period from November 11 to December 1, 1975.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Susan Kirk for her travel to Indianapolis meeting of election matters for her travel by taxi to and from the Airport and the Marriott Inn in the amount of \$25.70. The other people that went, rode with her.

Commissioner Ossenberg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by Edward L. Knight for breakfast and lunch while attending meeting, in the amount of \$4.70.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Susan K. Kirk for dinner while attending the meeting, in the amount of \$6.40.

Commissioner Ossenberg moved that the claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by Lucille Becking for dinner while attending the meeting, in the amount of \$6.40.

Commissioner Ossenbergh moved that the claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by Deig Brothers Lumber & Construction Co. Inc. for Burdette Park Recreation Northwest, due this final payment of \$7,912.34. This has been approved by Mr. Hertzberger and Emily Fowler of the Burdette Park Board.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A mileage claim was submitted by Anika Juras for her trip to and from Bloomington Indiana for an I.P.A. meeting to determine what funds & T.A. available. The total amount of the mileage claim is \$30.16.

Commissioner Ossenbergh moved that this claim be approved for mileage. Commissioner Willner seconded the motion. So ordered.

RE: MR. JUDD

Mr. Judd reported that he has posted additional signs on the North Kentucky Ave. Bridge and has added the words, strictly enforced, to them.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report of the employees at the County Highway Garage for the past week. Report received and filed.

RE: LEAVE OF ABSENCE REQUESTED

Mr. Siebeking submitted the following request:

Gentlemen:

Orbie R. Davis, Head Mechanic, at the Vanderburgh County Highway Department, has asked permission for a leave of absence starting March 22 through March 26, 1976.

The reason for this request is ill health.

Signed, Jack Siebeking

Mr. Siebeking explained that Mr. Davis is going to a clinic in Texas to have his lung checked. He said this will be a leave of absence without pay.

Commissioner Ossenbergh moved that Mr. Davis be granted the leave of absence as requested. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

Mr. Siebeking submitted the Notice to Bidders and specifications for one new Motor Grader and he requested permission to advertise for bids. He said he has a certain amount of money for the grader and he hoped the bids would be under the amount he has available.

Commissioner Ossenbergh moved that the specifications be approved and that the Department of Public Purchase be authorized to advertise for bids on March 25th and April 1st. The bids to be opened on April 12th. 1976. Commissioner Willner seconded the motion. So ordered.

RE: OUTER ST. JOE AVENUE

A letter was received last week from a Raymond Steinkuhl of R.R.5, Evansville, who requested permission to cut through St. Joe Avenue, one mile North of Boonville-New Harmony Road, to put in a drain tile.

Mr. Siebeking said that he went out and checked this with Mr. Steinkuhl and he would suggest that the Commissioners deny this request, because it is only for his benefit and it is of no benefit to the county what-so-ever. He said that Mr. Steinkuhl is putting field tile in on the East side of St. Joe Avenue and owns property on both sides and he has to cross over to a ditch on the West side of the road on St. Joe Avenue and he is asking that the County cut the road or that he would have permission to cut into the road to lay this tile in

there and he said that we have good drainage system and have no problems with surface water out there and the ditches are in good shape so he can't see giving him permission to cut into the road.

He said that he suggested to Mr. Steinkuhl that he check in and see about maybe boring under the road and laying his tile this way, which would keep him from having to cut into the road and he can't see him cutting into St. Joe Avenue just to benefit this one field, since anytime they cut into the road, they just never get it back the way it was.

He said that St. Joe Avenue was just resurfaced two years ago and there are no breaks in the road so he doesn't think they should go along with his request.

Commissioner Willner moved that Mr. Steinkuhl have permission to bore under the road for his tile but that no cuts be made. Commissioner Ossenbergh seconded the motion. So ordered.

RE: PROBLEM ROADS DISCUSSED

Mr. Siebeking said they have three spots in Vanderburgh County that are on the crest of a hill and that they are on Baseline Road, Old State Road and on Korressel Road. He said they have problems keeping those particular areas smoothed out and they have had to put cold mix down and grade it out the best they can for the past seven years and he thought there were water springs under these areas because they have a pumping action.

He said that DuPont has come up with a new product called Ty Par, that their representative called on him early last fall and again this past week. He said that they are willing to give us the material to try it on one of these areas. He said that Warrick County is using this product on some of their roads and that it is a material that they shoot it, give it a tack coat and lay this plastic material on it, put a tack coat on top of it and then the material is put on top of that and smooth it out which keeps the water from coming through and causes the pumping action.

He said he would like to try it and even though he thought it would be quite expensive, he thought it might be a real good product for the county for these small trouble spots.

He thought if he could try this product, that he would probably start on the one on Old State Road as an experiment, when the weather gets warm enough.

Commissioner Ossenbergh moved that Mr. Siebeking be permitted to try TyPar as an experiment. Commissioner Willner seconded the motion. So ordered.

RE: HEERDINK ROAD

Mr. Siebeking said that he has received several calls on Heerdink Road, off Heckel Road, where the people are wanting the County to put material on that road and grade it, and he can't find where this road is accepted all the way to the end of it.

Mr. Ludwick said that the County did agree to put that road in out there for the people on Heerdink Lane and they gave the right of way. He said that Mr. Willard was to place the pipe and the fill on several low spots in the area that flooded and that the pipe was delivered out on the job and Mr. Halsey who lives out there was to do the grading work but the job fell apart and the pipe was taken back to the County garage and it laid out there for six weeks. He said they had staked it out two or three different times and that the County owes this to the people out there, that the agreement was made by the Commissioners at that time.

Mr. Ludwick asked for some time so he could do some checking and see if he could find the plans.

Commissioner Schaad said now that Mr. Ludwick mentioned it, he remembered that they picked up the tile and nothing happened on it. He said they need to pursue it and if they need to do it, they ought to finish their job.

This matter will be taken up at a later date.

RE: LINCOLN AVENUE AND FUQUAY ROAD

The problem out on Outer Lincoln and Fuquay Road was previously discussed and Mr. Siebeking had said that Mrs. Edmonds, who is the only property owner out there had told him that there was a sewer or something out there near the ditch line and he didn't know if this would cause a problem or not, if they decided to widen the roadway.

Mr. Siebeking said he was out there and checked with the people and they are ready to start on it, since they now know what they have to do and on the area between Meade and Fuquay Road, they will be able to get them a shoulder out there

for the school children to walk on.

He said they talked to Mrs. Sims and Mrs. Edmonds and he didn't think it would be quite as big a job as they had previously thought.

He said he found the sewer that Mrs. Edmond was talking about and that it has all been taken care of.

RE: DISCUSSION ON REPAIRING COUNTY ROADS

Commissioner Schaad said they had three roads scheduled for resurfacing and it was Mr. Siebeking's recommendation that they hold off on them since the German Township Water District was going to be tearing up the roads and he didn't see any sense in resurfacing them only to have them torn up again.

These roads were Kleitz, Kuebler and Meier. He said he thought there was enough money in the Highway Contractual to do this work and that if there isn't, they can transfer it out of the Highway General Fund, into Contractual.

He said that he would like to see Diefenbach Road added to this list, that is only one mile long and that he would appreciate a motion for Mr. Nussmeyer and Mr. Ludwick to draw up specifications to advertise for bids, for the resurfacing of these four roads as soon as they can get to it.

He told Mr. Ludwick that after they come up with some estimates, they will know more about the cost and he asked Mr. Siebeking if he knew off hand, how much money was in the Contractual Account.

Mr. Siebeking said there was \$65,000 in there.

Commissioner Schaad said they do have it in the Highway General Fund so they can get an appropriation from the Council when they find out how much they will need.

Mr. Siebeking said they are committed for Detroy Road which wasn't done last fall and that it was in on the contracts that were let last summer.

Commissioner Schaad said they would also include Detroy Road.

Commissioner Willner said there were several other roads that have been on the waiting list from last year and the year before which include Seven Hills Road, Baseline Road and Woodland Hills Drive.

Commissioner Schaad said he thought they took some of these as far as priority was concerned since there was more traffic on other roads and that is why they decided to go with the others.

Mr. Siebeking said he is having the foremen that are driving to make him a list of all roads that are in need of repair as far as the work done by the Highway Department. He said he thought they were in good shape as far as the money is concerned because they didn't cut their bituminous accounts and they didn't cut their rock accounts so as far as road mixing and resurfacing, themselves, he thought they could get as many, if not more roads, than they did last year and he thought it was thirteen or fourteen miles that they did, themselves, last year.

Commissioner Schaad said they will have to get the traffic count from Keith Lochmueller and he thought they would have the money to do the road mix too but he was just talking about the ones that would have to be let out on contract for paving.

Commissioner Willner said he thought they should do this as soon as possible, which would give the County Highway a chance to pull the ditches, which is something they haven't done here-to-fore.

Mr. Siebeking said they got this done last year on the roads that were under contract. He said he will have a list of the roads that are in bad shape, ready for next Monday and then, they can get in touch with Mr. Lochmueller on the traffic count and that when the Commissioners make up their minds, he will know where the County Highway stands as to whether it should be done by contract or whether the County Highway Department can do it.

This matter will be taken up again next week.

RE: DISCUSSION ON MRS BEHME'S PROPERTY

Mr. Crooks said the problem of Mrs. Behme's property is scheduled to be discussed again today, since, last week, she was given one final week to do something with her property and she thought she had her house sold and he asked if the Commissioners had heard from her.

Commissioner Schaad said that Mrs. Behme called him right at 9:30 a.m., just before the meeting and asked for another week and he told her this was the fourteenth time and he couldn't promise her anything since they had given her a final week before, to do something with her property and that when he talked to her last week, he told her that would be the last extension of time and the last time he would go to bat for her and she had assured him that would be enough time.

Mrs. Behme had told him that you can't get anybody to do anything and he said that he is finding that out and she said the people haven't made up their mind if they are going to buy her house or not.

Mr. Crooks said he would sent Mrs. Behme a notice to tear the house down, since she didn't comply within a reasonable length of time.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to make a shoulder cut into Outer St. Joe Avenue to bury a telephone wire. F-2178-76

Commissioner Ossenberg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

Indiana Bell Telephone Co. requests permission to cut into Old State Road from Browning Road north along west side to lay telephone wire. #8698

Commissioner Ossenberg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

The Waterworks requests permission to cut into 4407 Mesker Park Drive to install water main. #5387

Commissioner Ossenberg moved that this cut be approved. Commissioner Schaad seconded the motion. So ordered.

The Waterworks requests permission to cut into Schutte Road to install 2" water service to serve I.S.U.E. campus apartments. #5398

Commissioner Ossenberg moved that the cut be approved. Commissioner Schaad seconded the motion. So ordered.

The Waterworks requests permission to cut into Mahrenholz Drive to install 2" water service to serve I.S.U.E. Campus Apartments. 5397

Commissioner Schaad asked what shape Mahrenholz Drive is in.

Mr. Siebeking said that Mahrenholz is rough and needs to be resurfaced. He said they would have some problems.

Commissioner Schaad said they might as well co-ordinate it, if it has to be resurfaced anyway, that maybe they can work out some kind of deal where they can share in the cost of the resurfacing.

Commissioner Ossenberg moved that this cut be approved. Commissioner Schaad seconded the motion. So ordered.

The Waterworks requests permission to cut into Aspen Ridge Drive to lay a water main. #5401

Commissioner Ossenberg moved that the cut be approved. Commissioner Schaad seconded the motion. So ordered.

The Waterworks requests permission to cut into Forest Glen to install 2" water service. #5395

Commissioner Ossenberg moved that this cut be approved. Commissioner Schaad seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

Mr. Ludwick submitted the Notice to Bidders and the specifications for the first phase on the Baumgart Road Bridge, Structure #88A which is located between Heinlin Road and Mt. Pleasant Road.

He said that he would like for this to be advertised on April 1st and April 8th. 1976, with the bids to be opened on April 12th.

He explained that this will be done in two phases, that the new bridge structure and the waterway contract will be done in the first phase and all the clearing from Heinlin Road to Mt. Pleasant Road will be done under this contract so it will be prepared for the bridge approach.

He said that they will come in with the other end of the contract in about two weeks which will include the approaches.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise for bids on specified dates.

Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED

A check was received from the L & N Railroad Company in the amount of \$168,627.71 and was made out to the Surveyors Office of Vanderburgh County. This is for the Railroad Company's portion of cost in construction of Project BC-7-74 Old State Road and L & N Overpass located in Vanderburgh County.

The following letter accompanied the check:

Dear Mr. Nussmeyer:

Reference is made to project BC-7-74; Old State Road and L & N Overpass, located in Vanderburgh County, Indiana. Under the provisions of the contract between the L & N Railroad and the Board of Commissioners of Vanderburgh County, I enclose L & N's draft #11761-602 for \$168,627.71 to cover the L & N's portion of the above referenced project.

Thank you for your cooperation in this matter.

Yours truly, J. I. Adams, Assistant Vice
President, Engineering

The check was endorsed by the Surveyor and turned over to the Auditor so it could go back into the Bridge Fund.

RE: NORTH KENTUCKY AVENUE BRIDGE

Mr. Ludwick said that supposedly we should hear from the City in a couple of weeks on their funding for the North Kentucky Avenue Bridge, also that he will bring in the specifications next week so bids can be advertised for.

RE: UMBRELLA BOND INSURANCE

Commissioner Schaad said that he had mentioned the Public Law 10, where an Umbrella Policy covers the county elected officials and that apparently they aren't doing this and if all officials take part in it, the county could save some money. County Attorney Swain said that apparently, the Law hasn't come down yet, so they will have to wait until the Law is printed.

RE: RESOLUTION ON OFFICE HOURS

Commissioner Schaad said that the Resolution on the office hours was discussed last week and after looking up the resolution, he said he thought it was very clear, in that all County offices shall keep their offices open every day of the week except on Saturday, Sunday & Legal Holidays from 8 a.m. until 5 p.m.

The Resolution reads as follows:

WHEREAS, Indiana Code, I.C. § 17-3-2-1; Indiana Statutes, § 49-606. provides that the County Treasurer, County Auditor, County Assessor, County Recorder, County Surveyor and the Board of County Commissioners shall keep their offices open every day of the year except on Sundays and on legal holidays; and

WHEREAS, I.C. § 17-3-2-1 further provides such officials may close their offices on such days as the Board of County Commissioners may order in accordance with the custom and practice in the County; and

WHEREAS, I.C. § 17-3-2-1 further provides that any legal action required to be taken in such offices during the time such offices are closed pursuant to the provisions of this act, can be taken on the next following day said offices are open pursuant to the provisions of this act to the same effect as if this act had not become law; and

WHEREAS, some definition of the days other than Sundays and legal holidays, as well as some definition of the times of day which is the custom and practice in the County, is required so that any legal action required to be taken in such offices during the days said offices are closed, can be taken on the next following day said offices are open;

NOW, THEREFORE, BE IT RESOLVED, that the said offices are hereby declared to be closed on Saturdays and to be open from 8:00 A.M. to 5:00 P.M. of other days of the week, effective October 1, 1972.

Commissioner Schaad said there is no further action to be taken, that the Resolution has already been passed.

The meeting recessed at 10:30 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert L. Willner

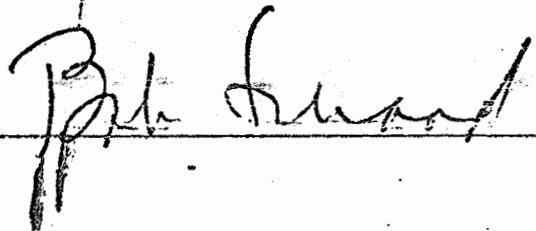
COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks



BOARD OF COUNTY COMMISSIONERS

**COUNTY COMMISSIONERS MEETING
MARCH 29, 1976**

The meeting of the County Commissioners was held on Monday, March 29th. 1976, at 9:30 a.m. in the City and County Council Chambers with President Schaad presiding

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the County Owned Surplus Property today. The bidding will remain open and the sale will continue next Monday.

RE: AUTHORIZED TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of the bids that were received today for the Franklin Street Bridge Structure #4 and for the work to be done on the Stella Hirsch Crowell property, that is located on Green River Road, North of Peter Drive.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VOTERS REGISTRATION OFFICE

Margaret Sue Blaxton 8209 Old State Rd. Clerk \$16.10 Day Eff: 3/24/76

GERMAN TOWNSHIP ASSESSORS OFFICE (Reassessment Budget)

Kenneth Wagner 5701 New Harmony Rd. Residential Rate Setter \$25.00 Day Eff: 3/22/76
James Smith R.R.4 Kleitz Rd. Field Man \$20.00 Day Eff: 3/22/76

BURDETTE PARK

A.W.E. Jerry DeJarnett 601 E. Chandler Gr. Crew \$ 2.30 Hr. Eff: 3/15/76

COUNTY CLERKS OFFICE

Mary I. Ritter 5010 Elmhurst Cashier \$234.4 Per Pay Eff: 3/29/76
(This change is due to a Leave of Absence for Thelma Raley submitted to Commissioners for approval.)

RE: EMPLOYMENT CHANGES.....RELEASES

VOTERS REGISTRATION OFFICE

Rebecca S. Gipson 844 Taylor Ave. Clerk \$16.10 Day Eff: 3/23/76

BURDETTE PARK

John Bauer 2518 Bement Ground Crew \$2.30 Hr. Eff: 3/18/76

VANDEBURGH AUDITORIUM

Phillip Roth 1009 N. Kerth Maintenance \$3.00 Hr. Eff: 3/25/76

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter was received from Shirley Jean Cox, the Clerk of the Circuit Court:

Dear Sirs:

I would like to submit for your consideration and approval a request for a Leave of Absence for Thelma Raley, an employee of the Vanderburgh County Clerk of the Circuit Court Office.

She was hospitalized recently for viral infection and has now developed a phlebitis which will necessitate several weeks before full recovery and I am uncertain at this time when she will be able to return. She has proven to be a good employee and sincerely hope that the request for a leave of absence for a ninety (90) day period will be granted.

Thank you, Most Sincerely, Shirley J. Cox

Commissioner Willner moved that the Leave of Absence for Thelma Raley be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter was received by the Commissioners from Mr. Siebeking, the Superintendent of the Highway Department:

Gentlemen:

Orbie R. Davis, Head Mechanic, at the Vanderburgh County Highway Department has asked permission for a leave of absence starting March 22 through March 26, 1976. The reason for this request is ill health.

Yours truly, Jack Siebeking, Superintendent

Commissioner Willner moved that the Leave of Absence for Orbie Davis be approved. Commissioner Schaad seconded the motion. So ordered.

Mr. John said there was no need to submit a pink slip for Mr. Davis, that the letter would suffice.

RE: MONTHLY REPORT

The monthly report for the Legal Aid Society of Evansville, Indiana was submitted for February, 1976.

Report received and filed.

RE: BOB HERNANDEZ - CONTINENTAL INSURANCE

Mr. Hernandez who is a Field Inspector with the Continental Insurance Co. for Workman's Compensation and General Liability on the Group Insurance for the Commissioners of Vanderburgh County, appeared and said what he wanted to bring before the Board is the fact that they had recommended that a Safety Director be appointed for the Commissioners of Vanderburgh County, in order that complete records may be maintained under the federal law which is OSHA. He said this is required by federal law, that the Commissioners of Vanderburgh County were not under the OSHA law but will be effective July 1, 1976, so therefore, he is going to pass out different OSHA kits that Continental has put out, that he will leave one with the Commissioners and as he makes his rounds to the different departments, he will leave one with each department head under the Commissioners.

He said that records will have to be maintained and signs posted to that effect for each year and the booklet will have to be posted at each department's location, which describes the safety and health protection on the job, also the requirement of each employee and employer.

He explained the summary that the federal government wants filled out which is Form 100, that each accident is logged and recorded, other than first aid type injuries and then it is summarized at the end of the year on Form 102 and posted after the closing of the year.

He explained that he is trying to help the Commissioners of Vanderburgh County, also that it will help them when they come around to make inspections.

He said that at the present time, each department keeps a record of their injuries and accidents.

He said that as to his recommendation of a safety director, he didn't know how it was going to be resolved but that maybe each department head could be the safety director of that department, that he just came in to explain what is going to be required and that they can also use it on their records when he comes around twice a year to get all the information on Workman's Compensation and liability, including fleet, liability on all the County-owned vehicles.

Commissioner Schaad said this would exclude the Old Court House, Boehne Hospital and the Coliseum since they are leased to someone else.

Mr. Hernandez said they still check the Coliseum for liability, that apparently the Commissioners are still liable for anyone that is injured on those premises.

Commissioner Schaad said he thought this was just a case where they were unable to pay their insurance and the Commissioners are keeping it up, that by contract, they were suppose to pay the insurance but they can't afford it.

Commissioner Willner asked about the joint departments which include Purchasing, Traffic, Weights & Measures and Building Commissioners.

Mr. Hernandez said he doesn't have the joint departments, that he only has the departments that the Commissioners of Vanderburgh County is responsible for or have to answer to, themselves.

Commissioner Schaad said that the joint departments could possibly be picked up by the City.

He said that maybe it would be necessary to have a meeting so they could make a study of this and then, sit down and talk with Mr. Hernandez about the departments and then to have a meeting of all the department heads and that maybe all of the information could then flow to one central point, that they have no money for a safety director but that it is just a matter of compiling the accident reports of all the different departments into one report.

He said that Mr. Hernandez could maybe get all the forms together and call the Commissioners office to set up a meeting for all the department heads so the matter could be discussed.

Mr. Hernandez said he would contact the Commissioners office when he gets all the data together.

Commissioner Schaad thanked Mr. Hernandez for appearing before the Commissioners to explain these requirements.

RE: REQUEST TO TRAVEL

A letter was received by the Commissioners from the Area Plan Commission which reads as follows:

Dear Mr. Schaad:

I am requesting permission to attend a seminar at the University of Wisconsin on "Planning and Zoning for Organized Community Growth." The seminar is May 13 and 14 and there is an \$80.00 fee due at the time of enrollment. This will be most beneficial to me in my job as zoning administrator.

I will be traveling by air as this is less expensive than automobile transportation.

Sincerely, Jeffrey L. Wilson,
Zoning Administrator

Commissioner Willner moved that Mr. Wilson be permitted to attend the seminar, at the expense of the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted to the Commissioners by the St. Paul Fire and Marine Insurance Company on the insured, Evansville Association for Retarded Citizens, Inc. of 615 West Virginia Street of Evansville, Indiana. Certificate received and filed.

RE: REQUEST FOR TELEPHONE LINES

The following letter of request was received from William J. Brune, the Prosecuting Attorney:

Dear Mr. Schaad:

I am in the process of opening a branch office at 125 N.W. Fourth Street for the utilization of my Deferred Prosecution Division. I would like to request the following telephone equipment to be installed:

Three (3) telephone lines
Four (4) key sets
Local button

Total Costs: \$93.10 Monthly

Due to the physical lay-out of the office, the key set equipment would be most economical. Should you have any questions, please feel free to contact me.

Very truly yours,

William J. Brune
Prosecuting Attorney

Mr. Owen appeared and said that this is just the operation cost, that the installation cost is not included and that he doesn't have it with him.

Commissioner Schaad said that he assumed this is to come out of the Commissioners budget which is the reason for the request.

Mr. Owen said this is correct, that there no federal funds that would be applicable to this.

Commissioner Schaad said that as far as the money in the budget is concerned, this wasn't budgeted for, that it is a new cost, so maybe it would be necessary to get the installation cost as well as the cost of monthly maintenance, since he wasn't sure how the money is holding out and that perhaps they would have to go before the Council to ask for additional monies, that by doing this, the Commissioners can't be later criticized in case they run short of the budget.

Commissioner Willner asked County Attorney Swain when the last day is for appeal.

County Attorney Swain said around May 9th.. He suggested that this matter be deferred until next week when Mr. Brune can appear.

Commissioner Willner moved that this matter be deferred for one week.
Commissioner Schaad seconded the motion. So ordered.

RE: ANNOUNCEMENT.....OFFICE HOURS

Commissioner Schaad said that the Commissioners have been discussing the office hours of the Complex for the past several weeks, that it is in the minutes but that the various officeholders haven't been advised of same, so he submitted the following letter that is addressed to the County Auditor, County Assessor, County Recorder and the County Treasurer:

Memo:

The Board of County Commissioners is requesting all offices listed in the Resolution passed by the County Council and the Board of County Commissioners on September 5, 1972, to abide by the 8 to 5 office hours.

Thank you,
Signed by Bob Schaad,
President of Co. Commissioners

RE: MEMO. ON BRINGING FOOD AND DRINK INTO HEARING ROOM

Commissioner Schaad said they have had a bit of a problem that was discussed last week; regarding food and drink being brought into the Complex and that the Building Authority has requested that the Commissioners tighten it down a bit so he submitted the following:

Memo:

Effective today, March 25th., persons permitted by the Board of County Commissioners to use our Commissioners Hearing Room, Room 307, Administration Building, shall not be permitted to carry food or drink into this area at any time.

Signed by Bob Schaad,
President of Co. Commissioners

RE: PAVING OF ANTHONY'S DRIVE

The following letter was received by the Commissioners from Mr. Anthony Faccone of 5715 Ward Road:

Gentlemen:

On plans approved and signed by the Board of County Commissioners on October 30, 1972, by A. J. "Ted" Stofleth, James Buthod and Robert Willner, the specifications for road paving stated the County would accept the road and ditches if paved to their specifications, calling for a 2-inch layer of blacktop. A copy of this is on record and is also signed by Edwin O. Boyd.

I am now informed by Mike Ludwig of the Surveyor's Office that the County now wants 3 inches of blacktop in lieu of 2 inches as was then specified. It would be a great help, financially, to me if I could get the Board's permission to proceed under the original specifications, allowing for the blacktop of 2 inches in-as-much as the road will not have any heavy traffic, serves only six (6) families and is a dead-end street. The total length of the road is only 450 feet.

I, therefore, respectfully request that I be given leave to proceed with the 2-inch blacktop surfacing which I can complete this year provided I am assured that the road will then be accepted by the County for maintenance. I feel that if it was a good specification in 1972, it should be good now. The road and ditches are in good condition as noted by the County Surveyor's Office on their recent inspection.

Awaiting your early response, I am,

Very truly yours, Anthony Faccone

Commissioner Schaad asked Mr. Ludwick if he has looked at it and if he has any comment on it.

Mr. Ludwick said that in 1973, they re-did the Subdivision Ordinance and all streets are to have 3 inches and that this is the specifications the Area Plan is going by, that this is what the Surveyor's Office has recommended and that it was signed by the County Commissioners, but that this road is in good condition, that it has a good road bed and good drainage.

Commissioner Willner said that in his opinion, the Grandfather Clause is as binding now as it was then.

Commissioner Schaad said that it is true though, that before that date, the streets were approved for 2 inches and he asked if anything at all has been done on the road.

Mr. Ludwick said the road is there but has no blacktop and he thought that 2 inches would probably be satisfactory on it, in this case.

Commissioner Willner moved that 2 inches be permitted in this instance. Commissioner Schaad seconded the motion. So ordered.

RE: ZONING CODE ORDINANCE

Commissioner Schaad said they have on the Agenda this morning, the first reading of the Ordinance establishing the Zoning Code for the City of Evansville and Vanderburgh County.

Mr. Jeff Wilson said that what they are planning to do in the Area Plan Commission is to get one Code that would be responsible for both, the City and the County, that what they would like to do is to get it in for public hearings. He said he has talked to Mr. Price who is the representative for the City and they want him to get together with the representative for the County in a public hearing and have the City & County people to go through the Ordinance, Section by Section to agree on them so it could all be agreed upon at the same time as far as the hearings are concerned and he said that Mr. Price thought it would be two or three weeks before the City Council could get to it. He said that he could let the Commissioners know as to the time of the hearings.

Commissioner Willner moved that the Ordinance be approved on first reading and that it be referred to Area Plan. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FOR ROAD ACCEPTANCE

Mr. Ludwick submitted the following petition that was received from a number of residents, requesting the acceptance of Edgewater Drive and Estate Drive:

We the undersigned do hereby request that Edgewater Drive and Estate Drive in the unrecorded subdivision of Edgewater Estates Subdivision, being a part of the Northwest Quarter of Section 16, Township 5 South, Range 11 West, in Vanderburgh County, Indiana, be accepted by the Board of County Commissioners for maintenance, as is.

Commissioner Schaad said he thought this matter had come up before.

Mr. Ludwick said he checked his old records and he couldn't find where these streets had been accepted and they weren't in the accepted file, so they had the County crew go out and check the existing blacktop road that the County built, so it is just a matter of listing it in the accepted file and they have prepared an ordinance so it would be official.

Commissioner Willner moved that the Ordinance for the acceptance of Edgewater Drive and Estate Drive be accepted. Commissioner Schaad seconded the motion. So ordered. The Ordinance was signed by the Commissioners at this time.

RE: OPENING OF BIDS.....STELLA HIRSCH CROWELL PROPERTY

The following bids were received for the placement of pipe and ditch work on the Stella Hirsch Crowell property located on Green River Road North of Theater Drive:

Deig Brothers.....\$7,704
H. A. Grant.....\$9,569

Jebco Inc.....\$7,201
Engineer's Estimate....\$7,760

Commissioner Willner moved that these bids be referred to the Surveyor's office, on the advice of Mr. Nussmeyer, for study and recommendation. Commissioner Schaad seconded the motion. So ordered.

RE: OPENING OF BIDS.....FRANKLIN STREET BRIDGE STRUCTURE #4

The following bids were received for the repair of Bridge Structure #4 which is located between Seventh Avenue and Wabash Avenue on Franklin Street, over Pigeon Creek:

G. H. Allen.....\$57,870
Robert Traylor.....\$79,565

Deig Brothers.....\$92,515
Engineer's Estimate..\$52,830

Commissioner Willner moved that these bids be referred to the Surveyor's office on the advice of Mr. Nussmeyer, for study and recommendation. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST TO USE VOTING MACHINE

Commissioner Schaad said that he received a letter of request from Mr. Harold Calloway regarding a manual voting machine for the Kappa Alpha Fraternity, to be used in elections for officers at a meeting to be held at the Executive Inn on April 1, 2, 3 & 4 and that the Fraternity is prepared to pay a cost that may be incurred for the utilization of this equipment and they realize that this request is somewhat late, so the positive response of the Commissioners will be appreciated and that he would be present at the Commissioners meeting to answer any questions that the Commissioners may have.

Commissioner Schaad said they were a little negligent in getting this request before the Commissioners before now so they could go ahead and approve the use of the machine and it will be their responsibility to get the necessary requirements accomplished.

Commissioner Willner moved that the use of the manual voting machine be approved by the Fraternity, pending the necessary requirements of the Commissioners. Commissioner Schaad seconded the motion. So ordered.

RE: DATA PROCESSING

Commissioner Schaad said that the County Commissioners met with the representatives of the City and the Courts, with the County Auditor and with Ms. Anika Juras who is the Executive Assistant to the County Council, to discuss the matter of making a study on data-processing for the entire County. He submitted the following letter that is being sent to Mr. Bob Singel of the I.B.M. Corporation and others:

Dear Sir:

It is the desire of the Vanderburgh County Board of Commissioners that your firm conduct a preliminary study of the potential for the use of data-processing equipment in the following offices:

Auditor
Assessor

Recorder
Treasurer
Sheriff

Voters Registration
Prosecutor

The intention of the Commissioners in requesting this study is to determine what further use (beyond that proposed in the courts) of data-processing equipment is possible within the near future. Given favorable circumstances, the Commissioners may request an in-depth extension of your Court's proposal.

The objective of this preliminary study is a general report that illustrates extended equipment needs and potential personnel changes. The report should also contain a timetable that shows the approximate number of weeks that would be necessary to conduct an in-depth study; to design a system; to implement the system; and, to train employees. This report is to be submitted by April 16, 1976.

It is understood that this will be of no expense to the County.

Sincerely, Bob Schaad, President
Board of County Commissioners

Commissioner Schaad signed the letter at this time.

RE: MR. HOTZ

Mr. Hotz said they have a serious situation out at the old Boehne Camp, specifically in and around the lake area, which is vandalism and a few of the things that has been done is that the manhole covers are removed, posing a serious situation, the bridge to the island and the lake is being torn up, they are racing motorcycles and bicycles up and down the drive on the north side of the lake.

He said he hesitates in placing a barricade there because they do need to get up in that area from time to time and he anticipates that the situation will get worse when school is out.

He said that Mr. Lawson does the best he can out there but he can't be on the grounds at all times and that the Sheriff's Department faces the same situation since they patrol the area but can't patrol it at all times.

He said the Administrator went down there several times and chased the boys off but he doesn't know what the answer is and he doesn't have the manpower to keep someone out there and neither does the Alcoholic Recovery Center.

He wondered if maybe the money could be taken from the C.E.T.A. funds, to hire someone to police the grounds but he said that by putting one person out there, he would be placed in jeopardy.

Commissioner Schaad said that there were some funds available but he thought the Alcoholic Recovery Center did take two of these people and he didn't know if there was one left or not. He said this is the responsibility of the Commissioners, since the grounds weren't leased.

Commissioner Willner said someone should get a pair of field glasses and get the license numbers of these vandals and turn them over to the Sheriff, that this is the only way.

Mr. Hotz said this has been done but that it didn't help, also that the problem has now gotten out of hand, that they are going out to replace some mancovers and that he is going to barricade that road but it can't be anything that is temporary because they will just throw it in the lake as they do the picnic tables.

Commissioner Schaad said that it is a shame that the public doesn't take care of any facilities, especially as nice as it is out there.

He said that vandals even took down the guard rails at the bridge that was just built.

He said that if they got any license numbers, to send the Commissioners a copy of them and they will follow through with the sheriff and in the meantime they would welcome any suggestions that would help this situation any.

He said that he would check on the C.E.T.A. funds to see if maybe they could get some guards out there and he would report back on it.

RE: ABSENTEE REPORT

Mr. Siebeking submitted his absentee report of the employees at the County Highway Garage for the past week.

Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking said that last week, he was asked to bring in a list of roads that he recommends to be road mixed by the County Highway Department, so he submitted the following list:

<u>ROAD</u>	<u>MILEAGE</u>
Woodland Hills Road	.7
Barton Road	1.8
Volkman Road	4.2
Cemetery Road	1.4
Wildwood Drive	.3
Bataan Lane	.2
Oak Grove Road (From Burkhardt Rd. to Co. Line)	1.3
Colonial Gardens Lane	.6
Peacock Lane	.2
Lost Bend Lane	.2
Bickmeier Road	.3
Reis Lane	.3
Diefenbach Road	1.1
Diamond Island Road	.2
Total Mileage	13.9

<u>(Additional Roads)</u>	<u>Mileage</u>
Seven Hills Road	1.6
Audubon	.1

Mr. Siebeking said there are a lot more roads in the County that could stand some work done on them but he feels that these roads should have very close consideration. He said these are the ones they have driven and if there are any others that the Commissioners know of, he would be glad to have them. He said that he did have Detroy Road on the list but crossed it out because that contract was let last year but they didn't get to it so it will be on their agenda for this year for a contractual job.

Commissioner Schaad said that he had previously suggested that they hold off on Kleitz, Kuebler and Meier Roads because of the German Township Water Dist. being out there working and they didn't want to do them, to have them torn up again. He said he was under the impression they wanted to go ahead and do them this year and he would ask the Surveyor's office to prepare the specifications, so the County would clean the ditches and do the berm on the side and that the only thing that the contractor would do would be to lay the cold mix.

Commissioner Willner said that he would like to know what the tonage price is, and that he would call to find out.

Mr. Ludwick said he won't know until he gets the bids.

Commissioner Willner moved Mr. Nussmeyer prepare the specifications for next week on Kleitz, Kuebler and Meier Roads so they can advertise for bids.

Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner asked Mr. Siebeking if he had any idea what road mix for the County, cost this year per ton.

Mr. Siebeking said that the only thing he can go on is that the price of oil has not changed, that it is the same, but that the price of rock has raised.

Commissioner Willner said that what he is getting at is that, last year, at the close of the season, he found out they could do business with another company much cheaper than the one they were doing business with. He wondered if they could pursue this and get a price bid before the County Commissioners and to do it differently than they have done it in the past, because he knows that several roads were done at the price it cost them last year, toward the end of the year, so he would like to pursue it this time by getting tonage costs, and he thinks this should be let out on bid so they can secure the best price.

Mr. Siebeking said he thought the oil bids and the rock bids have already been let out through the Purchasing Department and that the oil is with Rudolph and the rock is with Mulzer of Evansville Crushed Stone.

RE: PROBLEMS ON ROAD CUTS

Mr. Siebeking said there are two situations on Upper Mt. Vernon Road where the sewer department did a very poor job in putting the road back, after having cut across the road. He said a gentleman called because he was concerned as to the type of work that the contractor was doing.

He said he checked it out himself and come to find out, they also had one other on Nurrenbern Road, off Broadway, where the Waterworks have laid an extension out there and they made a cut across the road and it was in real bad shape so he called Mr. Rueger and he checked them both out and found that no permits were issued to either of them, asking for these cuts.

He also said that the cut on Nurrenbern Road was not listed in permit requests and the line was laid on the opposite of the road as shown in the maps and they filled the hold with rock and after it settled, a person couldn't drive over it without stopping.

He said he thought something should be done on the requests for cuts because as soon as one is made and they don't know about it, the County is the one that catches all the flack over the thing. He said that they don't even know that some are there until they get a telephone call.

Commissioner Willner said they made a cut on Darmstadt Road some three or four months ago and it still hasn't been fixed.

Mr. Siebeking said they were getting very poor cooperation from these other departments and that even if they have a request for a cut, Mr. Rueger, the Road

Inspector, contacts the contractor and he keeps on them but they keep telling him that they will get it taken care of and that is as far as it goes.

Commissioner Schaad asked Mr. Siebeking to give the Commissioners a list of these locations and they will write to whoever is responsible for the cut.

Mr. Siebeking said that most of the cuts are necessary but he feels that whoever it might be, he thought that Mr. Rueger or someone from his department should go out and check the thing even before the permit is granted because he feels some cuts aren't necessary and they are doing it because it is the easiest way out.

RE: ST. JOE AVENUE

Mr. Siebeking said that he contacted Ray Steinkuhl, as the Commissioners had suggested, about boring under St. Joe Avenue for an outlet for his field tile and he was informed this couldn't be done because you can not bore under a road on grade and it has to be on grade to drain this thing. He told Mr. Steinkuhl that he would bring the matter back before the Commissioners this morning.

He said he still hates to see a cut across this road but it is the only way out, he feels that if the cut must be made, that it will be made under the County's supervision and will have to be put back the way they want it put back, that he didn't think the County should be out anything, only the inspection or supervision of the job being done.

Commissioner Schaad asked Mr. Nussmeyer, in reference to the problem of boring on grade, if it were even accomplished, couldn't there still be a later problem of that sinking at that point if it isn't tamped back properly.

Mr. Nussmeyer said that it would be put back so it would be firm, also that he thinks the road can be bored on grade.

Commissioner Willner said he thought so too and he asked Mr. Siebeking to check into the possibility of it being bored and they they will know whether it can be or not.

Mr. Siebeking said the only thing he could think of is that it might be a problem of getting a boring machine in there to where they have to do the work, so he will try to find out something. He said that in the meantime, he told Mr. Steinkuhl that he would get back with him, that he thought they were putting the tile out in the field and he would just tell him that they had to do some more checking on the thing and when he gets the tile to the edge of the road, it will just to have to stay that way until a decision is made.

RE: GREEN RIVER ROAD

Mr. Siebeking said that out on Green River Road, on the new resurfacing where they widened it, there were three accidents out there this past week and the Sheriff's Department called his department at 2 a.m. and they had to get a man out there to do some barricading. He said that the signs have been installed but the pavement narrows and the people don't read signs anymore, so it has caused several accidents. He asked if they should go out there and bring that in with some cold mix and fix it, or if it is under contract or what should they do.

Mr. Nussmeyer said that it is under contract and that he will call the contractor.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to cut into Roesner Road to bury a telephone wire.

Indiana Bell Telephone Co. requests permission to cut into Boonville-New Harmony Road to bury a telephone wire.

Commissioner Willner moved that these cuts be approved. Commissioner Schaad seconded the motion. So ordered.

RE: OAK GROVE ROAD

Mr. Nussmeyer submitted plans to the Commissioners for Oak Grove Road since they want to put a 30 foot road back in there, to the Industrial Foundation. He said that the plans of Kight Lumber Co. are agreeable with him, also that he told them that if they ever wanted the County to take over the road, he should draw up the plans for the Commissioners approval and this is the reason he is submitting these plans.

He said that if the Commissioners approve the plans, they will build the road according to the County specifications and they plan on using six inches of concrete.

Commissioner Willner moved that the plans be approved. Commissioner Schaad seconded the motion. So ordered.

RE: QUIETUS RECEIVED

A check was received last week, from the L & N Railroad Company, by Mr. Nussmeyer and he endorsed it over to the County Auditor. The check was in the amount of \$168,627.71 and it was to cover L & N's portion of the project BC-7-74, the Old State Road and L & N Overpass. This check was entered into the Cumulative Bridge Account and the Quietus was given to Mr. Nussmeyer at this time.

RE: GREEN RIVER ROAD

Commissioner Willner said that a Mr. Frank Zimmerman of R.R.3, Green River Road came to see him about a culvert that was taken out, hauled away and not replaced, which gives him access from Green River Road to his field and he would like for them to be put back, that they were hauled off and he got in his truck and went back and got them.

Mr. Ludwick said it was a six inch tile, if he remembered correctly, which wouldn't work anyway and they put new ditches in front of his property along Green River Road and that Mr. Zimmerman wouldn't give the County the right of way on the East side of Green River Road, that he has a field entrance going back to one parcel of his ground and he wanted two field entrances and they didn't feel that the other field entrance that he is asking for is justified.

He said there is a ditch there now that is approximately four feet deep and the tile was inadequate and they wouldn't allow it to be placed back to begin with. He said that Mr. Zimmerman can buy a bigger tile and put it in the ditch or whatever, that it is up to him.

Commissioner Willner said if Mr. Zimmerman had a tile there before, he thought it behooves the County to put it back.

Mr. Ludwick said they wouldn't put a six inch tile back in a five foot ditch. He said it is the County's right of way and they wouldn't buy any tile to begin with and if Mr. Zimmerman wants to buy the tile to put it in, it would be fine and it is in the County's planning to place the ditch there to get the water away from the property and he wouldn't give the right of way, that they met him out on the job and they put in an entrance and the tile the way he wanted it and he didn't feel that the County owed Mr. Zimmerman anything.

Commissioner Willner said he would go out, take a look and run it down, since he felt that if the man had a field entrance and the County took it out, they should put it back, unless there are other circumstances. He said he would check it out and see.

RE: GOLDEN RULE INSURANCE

Mr. John said that Mr. Barthel was here the first of the month to explain the Golden Rule Insurance and that the question came up as to if they could pick up the back time, from the time the card was signed until the policy went into effect and he wondered if it was the individual's liability of the County's liability.

Commissioner Willner moved that the County pick up the back time. Commissioner Schaad seconded the motion. So ordered.

RE: QUESTION ON LIFE INSURANCE

Mr. Hotz said he has two men in his department that will be over age 65 and since the Highway Department is being represented by the union, they will retain their \$7,500 Life Insurance, if he understands it correctly, and he is wondering if there is any way that the balance of the County employees that are over 65 could have some provision made where they could have that \$7,500 Life Insurance too.

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Commissioner Schaad said that the Commissioners will talk about this privately and see if they can come up with anything, but that of course, as far as those employees that are 65 years of age, they could possibly adopt it but it isn't a mandatory retirement, that they can stay on at the request of Mr. Hotz or the Commissioners until they are 70 years old, it is a must and in the meantime, as far as the Insurance is concerned, they will just have to talk about it.

The meeting recessed at 11 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Suxin
Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Chas. L. Osborn

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 5, 1976

The meeting of the County Commissioners was held on Monday, April 5, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

Deputy Sheriff Fravel opened the meeting, this being the first meeting of the month.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County Owned Surplus Property. The bidding will remain open and the sale will continue next Monday.

RE: CONTRACT AWARDED ON GREEN RIVER ROAD DITCH WORK

The following bids were received last week for the ditch work to be done on the Stella Hirsch Crowell property that is located on Green River Road:

Deig Brothers.....	\$7,704	Jebco Inc.....	\$7,201
H. A. Grant	\$9,569	Engineer's Estimate.	\$7,760

These bids had been referred to the Surveyor's office for study and recommendation. Mr. Nussmeyer has recommended that the low bid of Jebco Inc. in the amount of \$7,201 be accepted.

Commissioner Ossenberg moved that the Contract be awarded to Jebco Inc. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED ON FRANKLIN STREET BRIDGE REPAIR

The following bids were received last for the Franklin Street Bridge Repair:

G. H. Allen.....	\$57,870	Deig Brothers.....	\$92,515
Robert Traylor.....	\$79,565	Engineers Estimate....	\$52,830

These bids had been referred to the Surveyor's office for study and recommendation. Mr. Nussmeyer has recommended that the low bid of G. H. Allen in the amount of \$57,870 be accepted.

Commissioner Ossenberg moved that the Contract be awarded to G. H. Allen. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR TELEPHONES BY PROSECUTOR

A letter was received from Mr. Brune, the Prosecutor, last week, explaining that he is in the process of opening a branch office at 125 N. W. Fourth Street for the utilization of his Deferred Prosecution Division and he requested that the following equipment be installed:

- Three (3) telephone lines
- Four (4) Key sets
- Local button
- Total cost per month to be \$93.10

This matter was deferred until this week, when Mr. Brune could be present.

Commissioner Schaad said that the installation cost would be \$104.00 which would be a one-time cost.

He explained to Mr. Brune that there was no doubt that the Commissioners would have the money in their budget but this wasn't anticipated at the beginning of the budget term so this will be an additional expenditure over and above what they normally anticipated. He said one of the problems that is going through the Commissioners minds is that if they would okay this request and then run out of money before the end of the year because they approved something that wasn't in their budget, they might run into a problem with the County Council. He said however, that even though the telephones aren't in the complex, there is no doubt but that anything for the Prosecutor's office should be the expense of the County Commissioners.

Mr. Brune said this is something they need and that they are going ahead with the program even though it may be appealed but it hasn't been as yet, nor has there been a stay of the order.

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He said that he appreciates the Commissioners concern since they are controlled by a budget just as he is and he understands these problems but that he can virtually guarantee them, however, that there will be sufficient money in the General Fund to offset any expense of this program that may occur. He said that as the money is collected from this program, it will go into the General Fund and he guessed that the only thing the Commissioners could do would be to request an emergency appropriation if they run short in their budget.

Commissioner Schaad said they were talking about \$941.90 for the rest of this year for the installation charge and the \$93.10 per month for nine months so they will be this much short if their budget was figured very accurately.

Mr. Brune said he could assure the Commissioners that there would be money to offset this expenditure, that he anticipates a minimum annual source of revenue in the amount of \$100,000.00 and the cost of the program is from \$70,000 to \$75,000.

Commissioner Ossenbergh moved that the Commissioners approve the phones, key sets and local button for Mr. Brune, in his Deferred Prosecution Division Program. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY ELECTION OFFICE

Charlene M. Appman	1709 Edgar St.	Cl. Dep.	\$2.30 Hr.	Eff: 4/5/76
Donna Lawrence	R.R. 2 Box 52	Cl. Dep.	\$2.30 Hr.	Eff: 4/5/76

PLEASANTVIEW REST HOME

JoAnn Morgan	419 S. Bedford	Nurses Aide	\$2.30 Hr.	Eff: 4/1/76
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CENTER TOWNSHIP ASSESSOR REASSESSMENT BUDGET

111 Shirley E. Stucki	6650 Stucki Dr.	Res. Super.	\$35.00 Day	Eff: 3/19/76
113 Evelyn Meyer	1515 Laubscher Rd.	Field Dep.	\$20.00 Day	Eff: 3/19/76
113 Betty A. Bawel	1235 Laubscher Rd.	Chief Dep.	\$260.76 Pay	Eff: 3/19/76
113 Joyce A. Fields	7200 Sweet Gum Ct.	R. Est. Dep.	\$240.00 Pay	Eff: 3/19/76

SCOTT TOWNSHIP ASSESSOR

Jeffrey A. Richardt	R.R. 8 Box 197	Deputy	\$16.10 Day	Eff: 1/28/76
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RE: EMPLOYMENT CHANGES.....RELEASES

PLEASANTVIEW REST HOME

Linda Swope	6016 Rockford Dr.	Nurses Aide	\$2.30 Hr.	Eff: 3/30/76
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CENTER TOWNSHIP ASSESSOR BUDGET

113 Shirley E. Stucki	6650 Stucki	Chief Deputy	\$260.76 Pay	Eff: 3/18/76
121 Evelyn Meyer	1515 Laubscher Ex.	Deputy	\$ 16.10 Day	Eff: 3/18/76
113 Betty A. Bawel	1235 Laubscher Rd.	R. Est. Dep.	\$240.00 Pay	Eff: 3/18/76
113 Joyce A. Fields	7200 Sweet Gum	2nd. Deputy	\$229.61 Pay	Eff: 3/18/76

RE: MONTHLY REPORTS

The reports of the Bureau of Traffic Engineering were submitted for the months of February and March of 1976.
Reports received and filed.

The Combined Report of the Pleasantview Rest Home was submitted for the month of March, 1976.
Report received and filed. The Commissioners signed the report at this time.

RE: LETTER FROM COUNCIL OF GOVERNMENTS

The following letter was received by the Commissioners from the Southwestern Indiana and Kentucky Regional Council of Governments:

Dear County Commissioners:

The State of Indiana has asked the Council of Governments to do 208 Areawide Water Quality Planning for Southwestern Indiana. States must either do such planning themselves or ask regional planning agencies to do this planning. The state does not have sufficient staff and they feel that this type of planning should be done at the local level. Thus, the state plans to designate the Council of Governments as the local Water Quality Planning Agency.

In order to designate the C.O.G., the state must provide a packet of information about the area. This packet must contain an indication of the willingness of local governments to take part in the Water Quality Planning. Specifically, the enclosed resolution must be approved by the local governments. Robert Bowman, C.O.G. Executive Director, will attend your Commissioners' Meeting to answer any questions that you might have.

Sincerely, Carl Eric Leivo, Regional Planner
in charge

Mr. Bowman explained that on September 8th. 1975, proposed rules and regulations concerning Section 208, Water Quality Planning, as part of the Clean Water Act of 1972, states that various states within the United States shall prepare 208 Water Quality Plans & is in compliance with the Federal Court Order, regarding previous actions taken by the Environmental Protection Agency.

He said that when it says a state shall, it either shall by it's own in-house planning or it's own action, or it may designate a region to do such plans and in the end, aggregate these plans into a state 208 planning process, that prior to that, the states were required to prepare section 303-E, Water Basin Plans for the entire state.

He said the State of Indiana, he believed, is in that process and has not completed it as of yet and that the latter states that the state is not geared up to produce the 208 plans currently. He said this isn't to say they can't do them, because they could hire via consultant, those jobs and monitor them in order to meet the water quality requirements.

He said in compliance with the proposed regulations of September 8th., on November 28th. 1975, the Environmental Protective Agency passed the final Water Quality Regulations concerning 208 Planning and it gave the Governor 60 days in which to identify possible regions for designation and he did so approximately on January 26th. 1976 by identifying the Southwestern Indiana and Kentucky Council of Governments as a potential 208 designated planning agency, for the five Indiana counties within the Council of Governments region.

He said that potentially, a bi-state region such as ourselves, could be identified as a bi-state 208 planning region, that the State of Kentucky is currently going on with their 208 planning process, that Henderson's non-designation will be decided after it's public hearing on April 6th. in Owensboro, Kentucky.

He said the designation public hearing for the five Indiana Counties is scheduled for April 21st. 1976 and as he stated, on January 26th. 1976, the Governor identified, by April 26th. 1976, the Governor must decide on designation and that is what the public hearing that will be held on April 21st. in the City Council Chambers, at 7:30 p.m. will decide and after that, the agency must submit a designation package to the Governors office.

He said they have already prepared a preliminary designation package, that the Council of Governments, Executive Board, has appointed a sub-committee which consists of Mr. Rausch as chairman, Pike County Attorney, Mr. Jesse Dunville, as representative of the City of Evansville, and Mr. Virgil Gerhardt, County Commissioner from Warrick County.

He said that part of the requirement for 208 designation is that member jurisdictions pass a resolution that states, in effect, they will participate in and adhere to that 208 water quality plan, also that he must advise the Commissioners that this is a federal regulation, that they have their choice to participate or either to allow the state to do this planning, or to allow Mr. Dunville, at this time, then, to give the feeling of the City of Evansville, as it was transmitted by Mayor Lloyd and through the Council of Governments Executive Committee, concerning the participation.

He said there are some interesting problems, that they are addressing those and are moving very cautiously because of the commitments of that 208 Water Quality Act.

Mr. Dunville said that according to the information they have received, they looked at it's very depths concerning themselves with the obligations of the various entities and what this would tie them to after they were convinced that by going into the 208 plan, it still did not obligate any particular entity as to money, that this was saying that no one would go out and just build a facility which did not meet the overall requirements.

He said that they have found in the regions that there has been a lot of 201 planning done that just did not really tie to the overall plan and as far as the Mayor and the City, there is part of their work they have done here in Evansville under part of the 201 planning and they will meet the requirements of in-kind contributions and so forth but the overall sewer treatment operations here does encompass entire Vanderburgh County with this 10 mile outside the area of the City so that the City feels they do not have the obligation, that is, they are not committing money, that they are just committing to a plan and this was their main concern.

Commissioner Schaad asked if it could be heard on the 21st. of April, before they enter and set the resolution that came with the letter to determine whether this is actually going to be done by the local Council of Governments for everybody involved. He said he guessed that everyone would have to be in agreement.

Mr. Bowman said that it can be done before the 21st. when they have the hearing, also that they are under a time crunch, since as he has pointed out, that November 28th. regulations, last year, gave the Governor 60 days in which to identify and that word was shall and he is sure that the County Attorney can inform them what shall means, if they aren't sure what it means and then, within 150 days of the passage of those regulations, he must designate or show why he is not designating, that in both cases, the words are shallowly used.

He said the package, the process and the requirements are monumental in the time frame within which the Governor must act, which the state stream pollution control board must act and which we must act is such that these resolutions must really be all together, at least prior to April 26th. so that they can be submitted and that the state is already asking for a designation packet prior to the public hearing and that they are asking for the packet on the 19th. and the public hearing is set for the 21st.

he said that one other point he has to make is that the 208 planning process is a non-point source pollution planning process, also that the problem we have in this area of the United States is the severe brown water problem and the problem of separation of storm and sanitary sewers is monumental but that is not a point source problem, that it is an area-wide problem and the 208 planning process is looking on a regional basis to insure that the point source improvements under the section 201 of the act, which many jurisdictions are seeking money for, not only planning but construction monies, that the 208 will tie it together and look at such things as the pollution by strip mining of rivers or of agricultural land or chemicals, that it may be that some of these problems are insurmountable, that it is a planning management plan and the Environmental Protection Agency, he thinks, is looking at the possibility that some of these problems are insurmountable but all the money in the world can't solve them but it is trying to address it from the standpoint of what regulations could be passed or what investment is necessary to solve this problem and meet the 1983 requirements.

He said the plan must be prepared by 1978 and there isn't a plan that is finished as of yet, to tell us what those commitments are but because the state is in the final end, responsible, under the new regulations, this is mandatory and the only question that remains is, do they want to do it locally or do they want to do it at the state level.

Commissioner Schaad said there is a resolution attached to this letter and that it is just an agreement that Vanderburgh County would enter into with the Council of Governments, for the study to be made and entered into.

The resolution reads as follows:

Resolution indicating intent to join with other general purpose units of local government in the southwestern Indiana and Kentucky Regional Council of Governments area to develop and implement a plan resulting in a coordinated waste treatment management system for the area.

WHEREAS, pursuant to Section 208 of the Federal Water Pollution Control Act Amendments of 1972, P.L. 92-500 (hereinafter called "the Act"), the Administrator of the United States Environmental Protection Agency has by regulation published guidelines for the identification of those areas which, as a result of urban-industrial concentrations or other factors, have substantial water quality control problems (40 CFR Part 126); and

WHEREAS, the SOUTHWESTERN INDIANA AND KENTUCKY REGIONAL COUNCIL OF GOVERNMENTS area (hereinafter called "the Area") satisfies the criteria contained in those guidelines is desirable; and

WHEREAS, such planning process and waste treatment management system is a necessary and significant measure to control present point and non-point sources of water pollution and to guide and regulate future development and growth in the area which may affect water quality, in order to prevent, abate, and solve existing and potential substantial water quality control problems;

IT IS FURTHER RESOLVED THAT THE _____, intends to join with other affected general purpose units of local government within the boundaries of the area to develop and implement a plan which will result in a coordinated waste treatment management system for the area.

IT IS FURTHER RESOLVED THAT all proposals for grants for construction of publicly owned treatment works within the boundaries of the designated area will be consistent with the approved plan and will be made only by the designated management agency or agencies.

Mr. Bowman said there was a mention of money in the 208 planning process, that the subcommittee is watching this very closely and the current regulations state that there is a 75% - 25% match and they are extremely hesitant of this match and the sub-committee is investigating this and there are two bills in congress right now and a suit against the E.P.A., the latter suit being to release impounded monies that are 100% planning monies and the two bills before congress are to put money in for 100% planning money. He said the application will be contingent upon the possibility of that 100% funding and the ability of the local units of government to come up with that 25% if they are designated, so far clarification, this resolution isn't committing any money and they don't intend to commit anybody on any money until after they get a solid reading on what that match is.

Commissioner Ossenberrg said that if the Commissioners want to hire Mr. Swain, they can, because they are the ones that hired Mr. Swain to begin with.

Mr. John said the Commissioners would have to hire an attorney, that the County Council may make a suggestion and he imagined that this is what the intent of the letter is.

Commissioner Ossenberg moved that the request be approved, subject to them coming up with the money and the Commissioners hire the attorney on their recommendation with the Commissioners approval.

Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said he wouldn't know why they would want to hire someone else when Mr. Swain is familiar with all the facts.

RE: NOTICE OF ANTI-TRUST LITIGATION

The following letter was received from the Attorney General of Indiana:

Dear Sir:

On June 12, 1970, the Attorney General of Indiana initiated an anti-trust action on behalf of the State of Indiana, its agencies, municipalities, counties, school districts, hospitals and other political subdivisions organized under Indiana law against four manufacturers of finished hardware products. This action is pending in the United States District Court for the District of Connecticut under the caption State of Indiana v. Emhart Corp., Eaton Corp., Sargent & Co., and Ilco Corp., No. 14, 148.

As explained in the enclosed notice, being sent pursuant to Rule 23 of the Federal Rules of Civil Procedure, the State of Indiana is class representative for all public agencies and political subdivisions in Indiana. The Attorney General is counsel of record, with full responsibility for prosecution of this action. In this connection, you may have already supplied information to this office.

The notice of class action summarizes the allegations of the complaint and sets forth the terms of the settlement that has been reached with one of the defendants, namely, the Emhart Corporation, which manufactures hardware under the brand names of Corbin and Russwin. The settlement fund will be distributed among class members in accordance with plans to be submitted to the District Court at a later time if the Court approves the settlement.

If you do not request exclusion by directly advising the Clerk of the Court, as provided in the attached notice, you will be deemed a member of the class represented by the Attorney General.

If you have any questions, please contact Assistant Attorney General Darrel K. Diamond, 219 State House, Indianapolis, Indiana, 46204, telephone - (317) 633-4725.

Yours truly, Theodore L. Sendak
Attorney General of Indiana

Commissioner Schaad said he wondered if the County should get into this or if it would be the Building Authority. He asked County Attorney Swain what was necessary to be done.

County Attorney Swain said he supposed the easy way would be to contact Mr. Diamond of the Attorney General's office.

Commissioner Schaad recommended this be done by the legal department and for the County Attorney to report back to the Commissioners next week, since he imagined they would have to join in the suit if they are going to get any monies back.

Commissioner Willner moved that the County Attorney make the call and report back. Commissioner Ossenberg seconded the motion. So ordered.

RE: ALCOHOLIC HELP INC. WANTS TO EXTEND LEASE

The following letter was received by Commissioner Schaad from the Alcoholic Recovery Center:

Sirs:

Alcoholic Help, Inc. wishes to notify the County of its wish to exercise the option to extend the Lease of real estate owned by the Lessor of Vanderburgh County, Indiana to the Lessee, Alcoholic Help, Inc. The terms, conditions and circumstances of the Lease need to be updated with minor changes.

Signed, Gayle F. Uebelhor, Acting Administrator
Alcoholic Recovery Center

Mr. Hotz said he has discussed with them, the possibility of leasing part of the property.

Commissioner Schaad said he talked to Ms. Uebelhor by phone but nothing was mentioned about it and he didn't think they could do anything about it until they talked to him to see what the changes might be.

Mr. Hotz said that at the present time, he is furnishing the equipment and they are supplying the manpower to keep the grass cut, etc.

Commissioner Schaad asked that Mr. Hotz talk to Mr. Uebelhor and see what their request is.

Mr. Hotz said that he would contact Mr. Uebelhor and report back to the Commissioners next week.

RE: VANDALISM AT BOEHNE LAKE

Commissioner Schaad said in regard to the problem on vandalism at Boehne Lake that was previously discussed, he has checked to see if they have any CETA or AWE people they might employ as guards out there but he hasn't had an answer on it as yet. He said he would appreciate Ms. Juras following up on this with Tom Akin of Manpower Planning, since he has talked to him about some funds they had but Mr. Uebelhor used two of the three people they had at the time but he didn't know what happened to the third person. He said if there isn't a slot at the present time, that maybe they will have one or two later on.

Ms. Juras said that the third slot has been filled but that she would contact Mr. Akin.

This matter was taken under advisement until next week.

RE: PAYMENT SET FOR PRECINCT ELECTION BOARDS

The following letter was received by the Commissioners, from Shirley Jean Cox, Secretary of the Vanderburgh County Election Board:

Gentlemen:

We hereby request that your Board make proper record and ruling regarding the payment of Election Precinct Boards in the one-hundred and sixty-seven (167) precincts for the Primary Election to be held May 4, 1976 as follows:

Inspectors.....	\$55.00	Clerks.....	\$25.00
Republican Judge.....	\$30.00	Sheriffs.....	\$25.00
Democrat Judge.....	\$25.00	Assistant Clerks.....	\$25.00

Commissioner Schaad said he understands this is to bring up the pay of the Election workers to comply with the minimum wage law.

Attorney Swain said this doesn't quite meet the minimum wage law but then he wouldn't think they would be covered under this law but he doesn't know a lot about this area.

Commissioner Ossenberger stated that Ms. Cox said by this being set by state statute, exempts them from the minimum wage.

Commissioner Willner said the pay of the Judges, Sheriff's and Clerk's has been \$15.00 in the past so this is a \$10.00 raise.

Commissioner Willner moved that the pay schedule for the Election Precinct Boards for the Primary Election be approved as stated. Commissioner Ossenberger seconded the motion. So ordered.

RE: PHONE INSTALLATIONS FOR ELECTION OFFICE

The following letter was submitted by Shirley Jean Cox, Secretary of the Vanderburgh County Election Board:

Gentlemen:

We hereby request that your Board make arrangement to install four (4) phones in the Election Office, Room 214, City County Administration Building for use on Primary Election Day only, May 4, 1976.

We request that the phones be set up on a rotary basis which will connect to our one permanent number 426-5122 here in the Election Office.

We would appreciate having installation completed by April 23, 1976.

Commissioner Willner moved that the phones be approved as requested. Commissioner Ossenberger seconded the motion. So ordered.

RE: REMINDER TO FIX VOTING PLACES

The following letter was received from Shirley Jean Cox, the Secretary of the Vanderburgh County Election Board:

Gentlemen:

This is to serve as a reminder that Saturday, April 24, 1976 is the last day before the primary election for the Board of County Commissioners to fix voting places in each precinct for the Primary election to be held on May 4, 1976 and give ten (10) days notice thereof by one (1) publication in two (2) newspapers of general circulation of opposite politics, printed and published in such county, if there be such; if not, said notice may be published in any two (2) newspapers of general circulation printed and published in such county or if there be only one (1) newspaper published in such county, then publication in such one (1) newspaper shall be sufficient notice.

If a change is made in a polling place after the giving of notice, a like notice must be given of such change. No changes in voting places can be made within two (2) days of the primary election. (3-1-8-5; 3-1-8-6).

RE: REQUEST FOR USE OF COUNCIL CHAMBERS AND CAUCUS ROOM

The following letter was received from Shirley Jean Cox, the Secretary of the Vanderburgh County Election Board:

Gentlemen:

We respectfully request the use of the Council Chambers, Room 301 City County Administration Building and the Commissioners Caucus Room 303, on Tuesday May 4, 1976 beginning at 4:00 p.m. and until such time as the Counting Center Teams complete their work.

We are planning to use the first and third floor foyers to receive in supplies on election night and will work with the City County Building authority on set-up arrangements.

Thank you for your consideration.

Commissioner Ossenberrg moved that the request for use of these rooms be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR USE OF AUDITORIUM FOR INSTRUCTIONS

The following letter of request was submitted by Shirley Jean Cox, the Secretary of the Vanderburgh County Election Board:

Gentlemen:

We would like to reserve the Gold Room and the Auditorium in the Vanderburgh County Auditorium and Convention Center for bi-partisan instruction of precinct officials for the following dates and times:

April 27, 1976	6:30 p.m. - 8:30 p.m.	Gold Room
April 28, 1976	10:00 a.m. - 12:00	Gold Room
May 2, 1976	2:00 p.m. - 4:00 p.m.	Auditorium

These dates are open on the Convention Center calender.
Thank you for your consideration.

Commissioner Ossenberrg moved that Ms. Cox be permitted to reserve the Gold Room and the Auditorium for instructions to precinct officials. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by James M. Redwine of 222 Main Street in Mount Vernon, Ind., on account of appropriation for 108-260 in payment for 9 trial days beginning March 15 ending March 25, 1976, at \$250.00 per day in the State of Indiana vs. Marion Dale Flewallen, No. 1611 in the amount of \$2,250.00

Commissioner Ossenberrg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by the University of Wisconsin Extension, 237-231 for seminar on zoning for organized community growth.

Commissioner Schaad explained that a member of the Area Plan Commission is going to attend the University Extension and the fee for the seminar is \$80.00 and the check needs to be written so it can accompany reservations. He said that the Commissioners approved the request last week for Jeff Wilson of Area Plan to travel to the seminar. The claim is in the amount of \$80.00.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Brink's Inc. for the services to the Clerk of Vanderburgh Circuit Court, Invoice # 301793210, in the amount of \$85.80. This is by contract.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

RE: PLANS FOR THE KENTUCKY AVENUE BRIDGE

Mr. Nussmeyer presented the plans for the Kentucky Avenue Bridge. He said they are about ready for this project and that the plans need the signatures of the Commissioners.

Commissioner Ossenbergh moved that the plans be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer said that a contractor told him that they are violating the law by not having two weeks or 14 days between the time they advertise for bids and the time the contract is let.

County Attorney checked on this and found that it is perfectly legal to advertise and award the bids the way it has always been done.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Nussmeyer presented the specifications and the Notice to Bidders for the resurfacing of Kuebler Road, Kleitz Road and Meier Road.

Commissioner Ossenbergh moved that the specifications be approved on the recommendation of Mr. Nussmeyer and authorized the Auditor to advertise for bids.

Mr. Nussmeyer asked that the ads be on April 15 & 22 and that the bids be opened on April 26, 1976.

RE: CUTS IN

The Water Company requests permission to cut into 7652 Old Boonville Highway to install 3120' 8" Water Main. This is a shoulder cut. Est. 5358-A.

Commissioner Ossenbergh moved that this cut be approved. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner said that he would pass on this because, for example, the County has fixed numerous places that the Water Company has cut before and he didn't think it was right.

Commissioner Schaad said that if these things are happening, he thought that it should be called to the attention of Mr. Rueger, the Road Inspector.

RE: ABSENTEE REPORT

Mr. Seibeking submitted the absentee report of the employees for the County Garage for the past week.
Report received filed.

RE: LETTER ON INSPECTION REPORT

The following letter was received by Mr. Ludwick from the Waterworks Department:

Dear Sir:

A synopsis of inspection report submitted by Biagi-Hannan and Associates, Inc. covering the period from March 22 through March 26, 1976, lists Project 25-A as being 100% complete.

This project covers the installation of a new eight-inch line on Detroy Road and the abandonment of the old line.

The Waterworks Department would like the County Commissioners confirmation of concurrence as to the completeness of this project before approving final payment to the Technical Engineering Construction Corporation.

Very truly yours,

R. H. Ledbetter

Administrator, Office Services

Mr. Seibeking said that Mr. Ludwick called him Thursday and he went out and looked at the work that had been done and said that he wouldn't accept it because there is a lot of clean up work that needs to be done and if they accept it, it will be up to the County to take care of it.

Commissioner Ossenbergh moved that Mr. Seibeking contact the engineer and the representative of the Water Department and who ever is necessary to get out there and see what needs to be done as to the requirements of the County, before they are paid. Commissioner Willner seconded the motion. So ordered.

RE: HAROLD PETERS

Mr Peters said that if the Commissioners want him to clean the branch of the Sonntag Stevens Ditch as he has done for several years, he would be glad to do it. He said it would cost around \$117.00 and that he has always been paid by the Highway Department.

Commissioner Ossenbergh moved that Mr. Peters be permitted to clean this ditch. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

Mr. Crooks submitted the report of the Building Commission on permits issued during the month of March, 1976.
Report received and filed.

RE: POOR RELIEF

Harold A. Dugan Jr.....203 N.W. 5th. St.....Pigeon Twp....Robert Morrison, Trustee
Mr. Dugan was to appear before the Commissioners today, to appeal for rent that had been denied by the Trustee but he failed to appear so no action could be taken by them at this time.

The meeting recessed at 10:50 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenbergh
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenbergh
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 12, 1976

The meeting of the County Commissioners was held on Monday, April 12, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: RESIGNATION OF KEN NELSON

The following letter of resignation was received by Commissioner Schaad:

Dear Mr. Schaad:

This is to inform you of my resignation as Executive Director of the Area Plan Commission effective April 26, 1976. During the time I have served as Executive Director, I have encouraged a multi-disciplinarian team approach to planning which utilizes the abilities and individual expertise of each City and County Department. The results of this approach are evident in the Comprehensive Plan Amendments and updating as well as the Plan Implementation process by the public and private sector. I would encourage that process to continue.

I greatly appreciate the interest and direction the County Commissioners have shown in the various planning activities and I have assured Mr. Lukens that I will assist him in finding a capable replacement.

Respectfully, Kenneth D. Nelson
Executive Director

Commissioner Ossenberg moved that the resignation of Ken Nelson be accepted. Commissioner Willner seconded the motion. So ordered.

Mr. Horace Lukens, the President of the Area Plan Commission, said that Mr. Nelson is resigning as Director of the Area Plan Commission as of April 26th. in order that he may take a new position as the Director of Rehabilitation Services through the Department of Metropolitan Development for the City of Evansville and with the Plan Commission's approval, he is agreeable, again, to serve as acting director until such a time as they find a replacement, at no pay.

He said they do have a personnel committee and they will immediately gear up to find a new Executive Director.

He said that he has contacted most of the Commission members and he is issuing an announcement at this time.

Commissioner Schaad said that he thought Mr. Nelson has done a fine job and that they have made some progress in the Area Plan Commission under his leadership, also that the Commissioners appreciate Mr. Lukens interest and his willingness to serve in this capacity until they can find a suitable replacement.

RE: AUTHORIZED TO OPEN BIDS

The County Attorneys were authorized to proceed with the opening of the bids that were received on the resurfacing of Baumgart Road and the Motor Grader for the Highway Department.

RE: COMPLEX TO BE CLOSED FOR HOLY DAY

Commissioner Schaad announced that the Complex will be closed on Good Friday, April 16th. 1976.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County Owned Surplus Property. The bidding will remain open and the sale will continue next Monday.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PROSECUTORS OFFICE

Mark R. Owen	2310 Sharon Pl.	Deferred Prosecution	\$10,200 Yr.	Eff: 3/29/76
Sue G. Vance	1307 Savannah	Secretary	\$ 3,500 Yr.	Eff: 3/29/76

SUPERIOR COURT

Pat Ross Clerical Assistant \$6,658.00 Yr. Eff: 4/26/76

BURDETTE PARK

David S. Garrett	5917 Rockford Dr.	Grounds	\$2.30 Hr.	Eff: 4/6/76
Leona Brown	1505 W. Florida	Grounds	\$2.30 Hr.	Eff: 4/5/76
Nellie Casteel	1710 Grove St.	Grounds	\$2.30 Hr.	Eff: 4/5/76
Pearl Money	1301 W. Eichel	Grounds	\$2.30 Hr.	Eff: 4/5/76

PIGEON TOWNSHIP ASSESSOR

Elsie Barning 1703 S. Helfrich Reassessment Clerk \$20.00 Day Eff: 4/5/76

GERMAN TOWNSHIP ASSESSOR

Catherine Elfreich	R.R. 13 Box 276	249-112-113 Deputies	\$20.00 Day	Eff: 4/6/76
Margaret Elfreich	R.R. 23 Box 276	249-112-113 Deputies	\$20.00 Day	Eff: 4/6/76
Janice Smith	R.R. 4 Kleitz Rd. Box 132-C	Deputies	\$20.00 Day	Eff: 4/1/76

VANDEBURGH AUDITORIUM

Ruby Norris 1120 Lincoln Ave. Maintenance \$2.86 Hr. Eff: 4/12/76

RE: EMPLOYMENT CHANGES.....RELEASES

Deborah Marshall Unknown Investigator \$7,350 Yr. Eff: 4/2/76
 Criminal Justice Funds - Mark R. Owen 2310 Sharon Pl. \$10,200 Yr. Eff: 3/28/76
 Sue G. Vance 1307 Savannah Dr. Secretary \$3,500 Yr. Eff: 3/29/76
 (Sue Vance is receiving \$3,500 from County Funds and is still receiving \$3,500 in Federal Funds in acct. #505-35.1 - Mr. Kinkles grant.)

SUPERIOR COURT

Ruthetta Graves	Court Reporter	\$9,552.00 Yr.	Eff: 4/16/76
Gregory Knight	Probation Officer	\$8,800.00 Yr.	Eff: 4/9/76
Gladys Lovel	Clerical Assistant	\$6,658.00 Yr.	Eff: 4/23/76
Pat Ross	Clerical Assistant	\$6,020.00 Yr.	Eff: 4/23/76

BURDETTE PARK

David S. Garrett	5917 Rockford Dr.	Grounds	\$2.30 Hr.	Eff: 4/6/76
Leona Brown	1505 W. Florida	Grounds	\$2.30 Hr.	Eff: 4/5/76
Nellie Casteel	1710 Grove St.	Grounds	\$2.30 Hr.	Eff: 4/5/76
Pearl Money	1301 W. Eichel	Grounds	\$2.30 Hr.	Eff: 4/5/76

VANDEBURGH AUDITORIUM

[Deceased] Hallene Moore 436 S. Evans Ave. Maintenance \$2.86 Hr. Eff: 4/12/76

RE: OPENING OF BIDS FOR BAUMGART ROAD BRIDGE

The following bids were received for the repair of the Baumgart Road Structure #88-A:

Deig Brothers	\$141,410.65	
Barnett Brothers	\$102,908.90	Engineers Estimate...\$127,109.70
Robert F. Traylor	\$135,764.28	
G. H. Allen	\$167,303.09	

Commissioner Ossenberrg moved that these bids be referred to the Surveyors office for one week, for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS FOR MOTOR GRADER

The following bids were received for the Motor Grader that is needed by the Highway Department:

	Net bids	
Wayne Supply Co.....	\$40,497.00	K & W Equipment Co.....\$33,889.72
Reid-Holcomb Co. Inc..	\$41,695.00	Brandeis Mach. & Supply Co...\$34,243.00

Commissioner Ossenbergh moved that these bids be referred to Mr. Seibeking and Mr. Huffman of the Purchasing Department for the period of one week for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORTS

The report of the Clerk of the Circuit Court was submitted for the month of March. Report received and filed.

The report of the County Treasurer was submitted for the month of March. Report received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by the American States Insurance Company on the insured, Harry L. Shields and Bandstand Attractions on a Theatrical Performance for \$300,000 for bodily injury per each occurrence and \$50,000 for Property Damage per each occurrence.

County Attorney Swain said he didn't think this was very much insurance on bodily injury, when they get some 15,000 people in the Auditorium. He said that when they had an accident in the Indianapolis Coliseum, it cost them \$12,000,000.00.

The Commissioners agreed that it is rather inadequate for the number of people there, if something should happen and they asked Mr. Swain to check into it for any new policies for future engagements.

RE: HEARING SET

Commissioner Schaad said that there is going to be a Zoning Ordinance Hearing on Wednesday, April 14, 1976, at 7:30 p.m. in the Council Chambers.

RE: NOTICE OF CLAIM

County Attorney Swain submitted a Notice of Claim from Cathy Jett and Mary Smith Campbell for \$300,000.00, in which they charge the County with false arrest, malicious prosecution, slander, libel and false imprisonment, arising from an arrest made at a Massage Parlor by the Sheriff of Vanderburgh County. He said his recommendation is to tell them no and turn it down.

Commissioner Ossenbergh moved that the claim be received, filed and denied. Commissioner Willner seconded the motion. So ordered.

County Attorney Swain said he didn't think this would be covered under the Insurance Policy because they are all intentional torts and you can't insure an intentional tort. He also said they should be sent a copy.

RE: ORDER TO APPEAR

An Order to Appear in Proceeding Supplementary in the Vanderburgh Superior Court on April 12th. 1976, was submitted by Attorney Jerry A. Atkinson on behalf of the Plaintiff, Safeway Finance Corp. of Evansville vs. the Defendant, Sam Robinson Jr. to the Vanderburgh County Commissioners who are to appear before Division 1 of the Superior Court on the above date.

County Attorney Swain asked Mr. Seibeking if this wasn't one of his employees, if he is employed now and if he has a garnishment against him at the present time.

Mr. Seibeking said he was employed as of Friday but he didn't know if he has a garnishment order against him at the present time, that all he knew was that he received a summons.

This matter was referred to the Auditors office for proper disposition.

RE: LETTER FROM STATE BOARD OF HEALTH

A letter was received from the State Board of Health on the County Air Pollution Survey, which reads as follows:

Gentlemen:

The Air Pollution Control Department of the Indiana State Board of Health is responsible for evaluating the impact of air pollution in Vanderburgh County and developing control strategies so that the National Ambient Air Quality Standards

will not be violated. This objective is part of an overall goal of the Federal and State air pollution control laws to prevent degradation of the environment in every basin of Indiana.

Radian Corporation, from Austin, Texas, has been contracted by the State agency and EPA to gather much of the data essential for air quality analysis. A survey of local fuel dealers will be performed to help define fuel allocation and consumption by residential, commercial, institutional, and industrial consumers. The county highway department, city or county engineer, the agricultural extension agent and others may be contacted to help inventory fugitive dust sources from unpaved roads, construction, and tilling activity. Local planning agencies, urban renewal staff, and federal planning commissions will be utilized to provide essential data for predicting future emission sources. A survey of air pollution point sources will also be conducted to estimate their own projected growth and future emissions.

It is anticipated that the survey and field work in your county will be completed in approximately four (4) to twelve (12) weeks.

Very truly yours, Harry D. Williams, Director
Air Pollution Control Division

Letter noted as being received and filed.

RE: VOLUNTEER ACTION REQUEST

Commissioner Schaad said the Volunteer Action has had their budget drastically cut and they are asking the Commissioners to permit them to go before the Council to request \$3,000 in order for them to stay alive, to help them with a bare minimum in order for this agency to exist.

He said that he felt, after listening to them, that they couldn't be denied the privilege of making this appeal and that he was sure everyone, as well as the County Council, was aware of what Volunteer Action does.

He said this, of course, is based on the amount of money available but he has asked Mr. Wells to be here to make a presentation.

Mr. Wells said they have cut the budget by 50%, by cutting all accounts and laying off one staff member. He said they have enough money to last through May and with the new budget, they have come up with, which is \$24,162.00 and after May 1st., they will receive \$5,500 from the Federal Government through the Southwestern Indiana Regional Council and Agent and then, the Board of Directors is committed to the raising of \$1,600 more for the rest of the year and they have raised \$3,500 so far which are church donations, corporate gifts, individual memberships, etc. so by pro-rating that for the rest of the year, after May 1st. they need \$9,100, so they would like to request \$3,000 from the County.

He said they have a request before a private foundation at this time for \$3,000 and that looks pretty good, also that they would ask the remaining \$3,000 from the City and that this Wednesday, he is meeting with the Human Resources Dept. and they are asking to be referred back to the City Finance Committee in order for them to make a decision on the request by Volunteer Action.

The following letter was submitted to the Commissioners from Mr. Wells:

Gentlemen:

The Volunteer Action Center would like to make a request for \$3,000 to the Vanderburgh County Commissioners. This money would be used for general operating expenses as explained in the attached budget.

This budget differs markedly from the first budget which we submitted to you in January 1976. It reflects a survival attempt in that we would be able to provide our services with this minimal amount. It reflects approximately a 50% cut over our optional budget of \$43,000. A narrative accompanies this budget to explain each account.

Please feel free to call or write if you have any questions. We hope you will give our request favorable consideration.

Sincerely, Donald K. Wells
Executive Director

Commissioner Schaad said this has been advertised for the Council Call.

Mr. Wells said that they need the cash to pay some of the cash expenses such as telephone, postage and consumable supplies and this reflects the minimal programming of the present level just to last them until the end of the year, when he hopes they will become a United Way supported Agency.

The Commissioners agreed that Mr. Wells be permitted to go before the Council to make the request for Volunteer Action in order to keep the program alive.

RE: ABSENTEE REPORT

Mr. Seibeking submitted the absentee report for the employees of the County Highway Department Garage for the past week.
Report received and filed.

RE: EMERGENCY DECLARED ON ORCHARD ROAD BRIDGE

Mr. Seibeking said they have an emergency on a bridge located on Orchard Road at the intersection of Hillside Drive.
He said they had to barricade it late Friday afternoon and that Mr. Nussmeyer's people were out there this morning to check the bridge out.

Mr. Nussmeyer said they apparently had some heavy loads to go over the bridge which has a three-ton load limit and it is going down.
He said they would try to get some plans out by Thursday morning and take it on an emergency basis.

Commissioner Willner said there are two bridges there and they both appear to be in pretty bad shape.

Mr. Seibeking said the steel bridge really went down, apparently when a very heavy truck went over it and they have had problems with it all week-end so they will go out and put permanent barricades up until the Commissioners decide what they want to do.

Mr. Nussmeyer said he thought the cost would be in the area of \$12,000 and that he would try to get at least three or four invitational bids by next Monday.

Commissioner Ossenbergh moved that the bridge on Orchard Road be declared an emergency. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR GUARD RAILS

Mr. Seibeking said that across from the St. Joe Indiana Church, they have a wide area where they park, that they have laid new water lines out there and they have asked for about 175 feet of guard rails to be put up out there.
He said it is actually the County's right of way and there is a drop-off out there.
He said they just had posts out there before and they have all been removed and they can either go with posts or with guard rails but they have requested guard rails.

Commissioner Willner said he went out and looked at it and he didn't think posts would do the job. He asked if they had some guard rail in stock.

Mr. Seibeking said they did.

Commissioner Willner moved that they go ahead and put up the guard rail.
Commissioner Ossenbergh seconded the motion. So ordered.

RE: CUT ON ST. JOE AVENUE

Mr. Seibeking said for the past two weeks they have discussed the request of Mr. Steinkuhl on making a cut across St. Joe Avenue.
He said he had talked to Mr. Steinkuhl and requested that he bore under the road so he got a company to do this and they missed their grade by about a foot so they couldn't use it and Mr. Steinkuhl called back, so he called Mr. Alcott of the Soil Conservation Service, who went out and checked it and he recommended that Mr. Steinkuhl will have to make a cut across the road, that he cannot lay his tile on grade, since he doesn't have that much fall at the end of his tile.
He said he then talked with Mr. Steinkuhl and told him that if the Commissioners gave him permission to make the cut, that he would have to do all the work and go back in with compaction around the pipe, with the County's inspection and he has agreed to do this.
He said he thought they have explored all possibilities before they have come to this so he recommended that Mr. Steinkuhl be permitted to make the cut with the County's inspection.

Commissioner Ossenberger moved that Mr. Steinkuhl be permitted to make the cut, subject to Mr. Steinkuhl putting the road back, at his expense, as required by Mr. Seibeking and Mr. Nussmeyer on their inspection. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

The Waterworks Department requests permission to make a shoulder cut in the 2700 Block of Know Hill Drive for installation of Water Main and the replacement of a 2" Water Line.

Commissioner Ossenberger moved that the cut be approved. Commissioner Schaad seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

Mr. Nussmeyer presented the specifications and Notice to Bidders for the Kentucky Avenue Bridge Structure #116-A which is located at the intersection of Kentucky Ave. and Richland Ave. The plans were approved last week.

Commissioner Ossenberger moved that the specifications be approved and that the Auditor be authorized to advertise for bids on April 15 & 22, the bids to be opened on April 26th. 1976.

Commissioner Willner seconded the motion. So ordered.

RE: ST. JOE AVENUE & PENN CENTRAL BRIDGE

Commissioner Schaad said he wondered if they couldn't get started on the St. Joe Avenue and Penn Central Bridge.

Mr. Nussmeyer said he thought the situation now is, that when Conrail took this over, they aren't dealing with Penn Central any longer, that they are dealing with another Railroad Company, so it is a whole new ball game.

Commissioner Schaad asked if the contract wasn't signed by Penn Central before Conrail took over.

County Attorney Swain said that it probably wasn't.

Commissioner Ossenberger wondered if they couldn't make a call to Lieutenant Governor Orr's office and let him contact the Interstate Commerce Commission and see if they can't find out something since this thing is serious.

Commissioner Schaad said it has gone on and on and they are getting no where and something has to be done.

Commissioner Ossenberger said he would call Mr. Orr and report back to the other Commissioners.

RE: CONCRETE AVAILABLE

Commissioner Schaad said he had been reading where Igleheart is tearing down the silo's for grain storage out there and he wondered if some of the concrete could be used for fill.

Mr. Seibeking said he might be able to use some of it, but Mr. Nussmeyer said it has a lot of reinforced steel in it.

Commissioner Ossenberger said it wouldn't hurt to check on it and Mr. Nussmeyer said that he would call them.

RE: PROPOSED FEDERAL AID SECONDARY SYSTEM APPROVAL

Mr. Lochmueller said that some three weeks ago, the Commissioners sent a letter down, in that the Commissioners had reviewed the functional classification map in comparison to the FAS map.

He said that late last year they approved the functional classification map and since that time, they have taken that map and used it to determine which route would be Federal Aid Secondary.

He recommended that the Commissioners approve and sign the map.

The following letter was sent to Mr. Ames, the Chief of the Division of Planning of the Indiana State Highway Commission, by the Vanderburgh County Commissioners:

Dear Mr. Ames:

After having reviewed the proposed FAS (Federal Aid Secondary) system for Vanderburgh County, we the Vanderburgh Board of County Commissioners, feel that it will provide an adequate Federal-aid System with which to work in the development of a desirable road transportation network for the county's residents. We therefore submit our approval of this proposed FAS system.

We understand that his proposed FAS system will be submitted by the Indiana State Highway Commission to the Federal Highway Administration as part of the state wide Federal-aid systems realignment. Upon Federal Highway Administration approval, the streets on the new FAS system will be eligible for Federal funds.

We also understand that upon Federal Highway Administration approval, you will notify us by letter and finalized maps and description sheets will also be sent to us.

The letter was dated 4/12/76 and was signed by the Commissioners.

Commissioner Ossenberg moved that the map be approved. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Harold Anthony Dugan Jr.....Pigeon Twp.....203 NW Fifth St..Mr. Morrison, Trustee

Commissioner Schaad said that last week, this same gentleman was on the agenda to request help on his rent and he didn't show up and today, he called and said he would be here at 1:30 p.m..

He said that if Mr. Dugan wants to be heard, the Commissioners meetings are held at 9:30 a.m. on Monday mornings.

No action could be taken at this time.

RE: NOTICE OF ANTI-TRUST LITIGATION DEFERRED

A letter was received from the Attorney General of Indiana, last week, whereby he initiated an anti-trust action on behalf of the State of Indiana, etc., organized under Indiana law against four manufacturers of finished hardware products, which is pending in the United States District Court. This matter was referred to Mr. Swain.

Commissioner Schaad asked County Attorney Swain if he has called Mr. Diamond of the Attorney General's office on this matter.

County Attorney Swain said he hasn't been able to check on it yet, so the matter will be placed on the agenda for next week.

The meeting recessed at 10:15 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
APRIL 19, 1976

The meeting of the County Commissioners was held on Monday, April 19th. 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor, as amended by correcting bid amount of K & W Equipment Co. The reading of them was dispensed with.

RE: IN REMEMBRANCE

President Schaad asked everyone present to bow their heads for a moment in memory of Dr. Arnold Brockmole, who passed away during the past week.

RE: PRESIDENT FORD TO BE IN CITY

President Schaad issued the following memo:

The Civic Center Complex will be closed Friday, April 23, 1976, from 12:00 noon until 1:30 p.m. to give employees the opportunity to see President Ford make an appearance in Evansville.

Commissioner Schaad said this will enable the employees in the Complex to have the opportunity to see the President who will be in a parade on the walkway.

RE: COUNTY OWNED SURPLUS PROPERTY

Mrs. Walter Kimbrew bid \$50.00 for #7, Code #21-60-17, located at 785 S. Elliott Street. She said that her address is 730 Bayard Park Drive and she asked that the deed be put in the name of Walter & Lue Kimbrew if her bid was accepted.

Commissioner Willner moved that the \$50.00 be accepted and the parcel be sold to Mr. & Mrs. Kimbrew. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg wondered if some new interest could be generated by advertising the parcels of surplus property again.

Commissioner Schaad asked if they didn't run a display ad before, instead of a classified ad and if it didn't generate some interest.

Mr. John said that he thought it created some interest.

Commissioner Ossenberg asked Mr. John when the new tax delinquent parcels of property come up.

Mr. John said it would be in December of this year.

Commissioner Ossenberg then moved that the County Auditor run a display ad in the newspaper on the remaining parcels of County owned Surplus Property. Commissioner Willner seconded the motion. So ordered.

There were no further bids on the surplus property today. The bidding will remain open and the sale will continue.

RE: AUTHORIZED TO OPEN BIDS

The County Attorneys were authorized to proceed with the opening of the invitational bids that were received for the Orchard Road Bridge that was declared an emergency last week.

RE: CONTRACT AWARDED ON MOTOR GRADER

Mr. Huffman said that he and Mr. Seibeking looked over the bids and that three of them met the specifications but that Brandeis Machinery & Supply Co. didn't, also that the bid of K & W Equipment should have read \$33,889.72 instead of \$33,899.72 as was stated in the minutes so the amount has been corrected in the minutes of last week.

He recommended that the low bid of K & W Equipment be accepted.

Mr. Seibeking agreed with this recommendation.

Commissioner Ossenberg moved that the contract for the Motor Grader that is needed by the Highway Department be awarded to K & W Equipment Co. at the cost of \$33,889.72. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR BAUMGART ROAD BRIDGE

Mr. Nussmeyer said he has studied the bids that were submitted on the Baumgart Road Bridge, Structure #88-A and he recommended that the low bid of Barnett Brothers be accepted in the amount of \$102,908.90.

Commissioner Ossenberg moved that Barnett Brothers be awarded the contract for the Baumgart Road Bridge, Structure # 88-A in above amount.

Commissioner Willner asked when they were going to get the rest of this project done.

Mr. Nussmeyer said that it would be the last of May, probably.

Commissioner Willner said he was going to pass and the reason is that he can see the total project and he disagrees with it being done at different times.

Commissioner Schaad seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTSCOUNTY ELECTION BOARD

Fred Roeder	R. #4 Box 263	Mech. Assem. Aide	\$2.30 Hr.	Eff: 4/19/76
Jack Jackson	916 Read St.	Mech. Assem. Aide	\$2.30 Hr.	Eff: 4/19/76
John H. Marshall	3374 W. Michigan	Mech. Assem. Aide	\$2.30 Hr.	Eff: 4/19/76

BURDETTE PARK

Robert Euhl	2037 Cass Avenue	Security	\$2.30 Hr.	Eff: 4/12/76
Charles Newton	R.2 Box 122 Old Hend. Rd.	Ground Cr.	\$2.30 Hr.	Eff: 4/17/76

VANDEBURGH SUPERIOR COURT

Georgia Williams	Court Reporter	\$9,552.00 Yr.	Eff: 4/19/76
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COUNTY TREASURER

Peggy Atherton	2618 Vogel Rd.	Extra Clerk	\$16.10 Day	Eff: 4/22/76
June Sawyer	5404 Cunningham Dr.	Ex. Clerk	\$16.10 Day	Eff: 4/22/76
Nadine Triggs	1313 Stinson	Extra Clerk	\$16.10 Day	Eff: 4/22/76
Margaret Baylor	R.7 Box 220-C	Extra Clerk	\$16.10 Day	Eff: 4/22/76
Cheryl Gunn	1325 Bayard Pl	Extra Clerk	\$16.10 Day	Eff: 4/22/76

AUDITORIUM

Dwight Taylor	2001 W. Franklin	Maintenance	\$2.60 Hr.	Eff: 4/16/76
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RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

Kenneth Myers	1852 S. Garvin	Ground Crew	\$2.30 Hr.	Eff: 4/12/76
A.W.E. Charles Newton	R.2 Old Henderson Rd.	Gr. Cr.	\$2.30 Hr.	Eff: 4/16/76

VANDEBURGH SUPERIOR COURT

Ruthetta Graves	Court Reporter	\$9,552.00	Eff: 4/16/76
Georgia Williams	Riding Bailiff	\$7,615.00	Eff: 4/16/76

VOTERS REGISTRATION OFFICE

Virginia Robinson	909 Meyer	Clerk	\$16.10 Day	Eff: 4/8/76
Edna Henry	3904 Clement	Clerk	\$16.10 Day	Eff: 4/8/76
Marie Lurker	2100 Schutte Rd.	Clerk	\$16.10 Day	Eff: 4/8/76
Margaret S. Blaxton	8209 Old State	Clerk	\$16.10 Day	Eff: 4/8/76

COUNTY HIGHWAY DEPARTMENT

Linda P. Jones	1137 S. Harlan	Clerk-Typist	\$6,164.65 Yr.	Eff: 4/16/76
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RE: OPENING OF BIDS....CONTRACT AWARDED ON EMERGENCY

The following bids were received on the emergency of the Orchard Road Bridge:

Barnett Bros. Inc.....\$9,257.00	Engineer's Estimate....\$12,500.00
G. H. Allen, Inc.....\$7,340.00	
Deig Bros. Co. Inc.....\$9,860.00	All bids in good order and below the Engineer's estimate.

County Attorney Swain asked Mr. Nussmeyer if this was a firm contract price.

Mr. Nussmeyer said that it was and that he would extend these bids so the contract could be awarded today.

Commissioner Ossenberg moved that the bids be referred to Mr. Nussmeyer for study and recommendation. Commissioner Willner seconded the motion. So ordered.

Mr. Nussmeyer returned later, after having studied the bids and he recommended that the low bid of G. H. Allen be accepted.

Commissioner Ossenberg moved that the contract be awarded to G. H. Allen Inc. in the amount of \$7,340.00 for the emergency of the Orchard Road Bridge.

After being assured that they were going to use the old abutments, put a new floor in the bridge of precast concrete and guardrails installed, Commissioner Willner seconded the motion. So ordered.

RE: DELINQUENT TAX MATTER

Mrs. Florence Bruck, the Deputy Treasurer, appeared and said that Mr. Briggeler of 419 Garfield Avenue bought a lot at 421 Garfield, that it is offered on tax sale for two years and that the Commissioners took tax sale certificate on Dec. 1, 1975 and once they do this, the Treasurer doesn't accept partial payments on it unless the Commissioners void the certificate. She said that one of the girls in the Treasurer's office took in a \$10.00 payment from Mr. Briggeler on April 13th. and it is her understanding that they would accept the payments if the Commissioners voided the certificate, that otherwise, they would have to refund the \$10.00. She said their records show that this property is still in the name of H.B. McCoy but Mrs. Briggeler said they had their deed recorded but the Treasurers office doesn't have it yet, that the tax code on this property is 26-43-1 but that it hasn't gone on tax sale yet.

Commissioner Willner moved that the certificate be voided and that Mrs. Briggeler work out the payments with the Treasurer's office. Commissioner Ossenberg seconded the motion. So ordered.

RE: HIGHWAY 41 EASEMENT DEDICATION

Mr. Jeff Wilson of the Area Plan Commission appeared and said that back in January, the Southern Indiana Gas & Electric Co. had a rezoning approved on Hwy. 41 North which required the right of way and he has the document that needs to be approved by the Commissioners and accepted for maintenance for a 40 foot strip of right of way along Hwy. 41 North.

This matter was referred to the County Attorney's so they can check into it and advise the Commissioners on same.

RE: POLLING PLACES FOR PRIMARY ELECTION

The list of polling places for the Primary Election of May 4, 1976, was submitted so that it can be advertised.

Commissioner Ossenberg moved that the list of polling places be approved, subject to any late changes and that it be advertised in both newspapers on Thursday, April 22nd. 1976. Commissioner Schaad seconded the motion. So ordered.

RE: NOTICE OF SUIT

The notice of a suit was submitted to the Commissioners, whereby the City is suing the County for the rent of the Health Department.

Commissioner Ossenberg moved that this matter be referred to the County Legal Department. Commissioner Schaad seconded the motion. So ordered.

RE: NOTICE OF BANKRUPTCY

A Notice of Bankruptcy was submitted on Charles B. Koring & Son Inc. It was verified that the County has no work with Charles B. Koring & Son Inc. and County Attorney Swain said he imagined this was a stay for taxes, if any and that the Treasurer should know that the stay is in effect.

Commissioner Willner moved that this matter be referred to the County Legal Department. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM

A claim was submitted from Welborn Memorial Baptist Hospital for the bill of a Paul E. Smith who was a prisoner in the Vanderburgh County jail and at the request of the Sheriff, was admitted as a patient at the hospital, where he remained until January 14, 1974, after having been admitted on January 12, 1974, and had apparently died in the hospital.

County Attorney Swain said there is no indication in the record that the claim has been approved or denied but that the claim has previously been before the Commissioners.

Commissioner Schaad said that the hospital feels that this should be an expense of Vanderburgh County.

County Attorney Swain said that one of those men were discharged and died after that and he can't remember if this is the one or not.

Commissioner Ossenberg moved that this matter be referred to County Attorney Swain so he can get in touch with the Sheriff on it. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....VC-26-76

76-15-PC...Petitioner and Owner of Record.....Southern Indiana Gas & Electric Co. Premises affected are more commonly known as 18026 U.S. Highway 41 North up to but not including 18700 U.S. Highway 41 North and 18301 U. S. Highway 41 North up to but including 18901 U. S. Highway 41 North.

The requested change on this petition is from A to M-2 for an Industrial Park. The Area Plan Commission minutes read that this petition was postponed until the May 5, 1976 meeting of Area Plan.

RE: REZONING PETITION.....VC-27-76

76-16-PC....Petitioner....Barnes Lumber Co. Owner of Record.....George Barnes Premises affected are situated on the east side of Fuquay Road, a distance of 2600 feet north of the corner formed by the intersection of Pollack and Fuquay Rd.

The requested change on this petition is from R-1 to R-3 and the proposed land use is for multiple family dwellings. The Area Plan Commission minutes read that this petition was postponed until the May 5, 1976 meeting of the area Plan.

RE: REZONING PETITION.....VC-28-76

76-17-PC.....Petitioner & Owner of Record.....Frederick J. & Frederick M. Spencer Premises affected are situated on the west side of County Line Road, a distance of 2400 feet south-west of the corner formed by the intersection of Millersburg Road and County Line Road.

The requested change is from A to M-2 zone for a salvage yard. The Area Plan Commission minutes read that this petition was denied with eleven negative votes.

The following letter was submitted to the Commissioners, requesting a continuance on this petition:

Dear Commissioners:

The referenced petition for zoning change is scheduled for your consideration at your regular meeting of April 19, 1976. I would request on behalf of my clients Frederick J. Spencer and Frederick M. Spencer that such rezoning petition consideration be continued for one month to the regular meeting of May 17, 1976.

This request is necessary so that investigations can be conducted leading to information to fully and completely inform the Commissioners in regard to the referenced petition. Such petition was initiated by the Area Plan Commission, and my investigations lead me to believe that the present use of the real property involved is a non-conforming use existing at the time the comprehensive zoning ordinance became effective on September 30, 1963. In addition, certain data should be considered relating to flooding and other peculiar characteristics of the real estate. If this matter is continued for a one-month period, I will be in a position to collect the available information in regard to these matters.

Very truly yours,
Ronald J. Freson, Attorney

Commissioner Ossenberg moved that the continuance for one month be approved but said he didn't know why they needed a month to establish a junk yard that they already have. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....VC-29-76

76-20-PC.....Petitioner & Owner of Record.....Vanco Beverage, Inc.
Premises affected are situated on the east side of Red Bank Road at the intersection of Hogue Road.

The requested change is from R-1 to R-3 for apartments
The Area Plan Commission unanimously approved this petition, but it was amended to delete lot five.

Mr. Bill Statham, representing the petitioner, appeared and said there were no remonstrators at the Area Plan meeting and they made some recommendations that they agreed to comply with, in regard to drainage and broadening the right of way. He said there are large apartments located to both, the east and the west of the property that is sought to be rezoned, also that the map shows the area to be zoned as Agricultural but this is in error and it should be residential. He said they found that lot 5 belongs to a HUD project but they had hoped to purchase it and this is the reason for deleting said lot. He said he thought this would be good zoning because apartments are needed on the west side.

Mr. Wilson checked and said that this land is zoned as agricultural.
There were no remonstrators present.

Commissioner Ossenberg moved that petition VC-29-76 be approved and that the Area Plan report be received and filed. Commissioner Willner seconded the motion. The vote was unanimous in the affirmative. The motion carried.

RE: REZONING PETITION.....VC-30-76

76-21-PC.....Petitioner & Owner of Record.....Oak Meadow Development Corp.
Premises affected are situated on the east side of Browning Road on the Northeast corner of the intersection of Browning Road and the entrance road into Oak Meadow Development.

The requested change is from R-1 to R-3 zone for multi-family residential units.
The Area Plan Commission unanimously approved this petition.

Mr. James Marchand appeared, representing Oak Meadows Development Corp. and explained that this is a 13 acre tract with about 500 feet of frontage on Browning Road. He said this will be a condominium type development of 80 units to be sold to individuals and will be a maximum security type development, in that the entire development will be in a sort of a compound with only one opening and there will be a gate keeper. He said there were no remonstrators as far as he knew.

Commissioner Ossenberg moved that VC-30-76 be approved and that the Area Plan report be received and filed. Commissioner Willner seconded the motion. The vote was unanimous in the affirmative. The motion carried.

REZONING PETITIONS.....FIRST READINGS

VC-32-76.....Petitioner and Owner of Record..... Harold Schroeder

Premises affected are situated on south side of Mill Road, a distance of 572.5 feet east of the intersection formed by St. Joe Avenue and Mill Road.

The requested change is from A to M-2 for light manufacturing.

Mr. Dick Lance appeared on behalf of petitioner, since Harold Schroeder couldn't make the meeting. He said there were no remonstrators that he knew of, that this is 13 acres which is on the South side of Mill Road just east of the Illinois Central Railroad.

Commissioner Ossenberg moved that petition VC-32-76 be referred to Area Plan on first reading. Commissioner Willner seconded the motion. So ordered.

VC-33-76..... Petitioners..... Curt Huber & Art Walling Owner of Record.. Jacob Hirsch, heirs.

Premises affected are situated on the east side of New Green River Road, a distance of one mile North of the corner formed by the intersection of Division & Green River

The requested change is from R-2 to C-1

Mr. Wendell Lensing appeared for the petitioners. He said the property is presently zoned R-2 and the property on Green River Road in front of this area is zoned C-1, that the land is being used for farming but is zoned as R-2.

Mr. Wilson said an error had been made by stating that this area is zoned as Agricultural because it is zoned R-2 and is being used as agricultural. There were no remonstrators.

VC-34-76..... Petitioner & Owner of Record..... Joseph B. & Leona W. Hopf
Premises affected are situated on the south side of Olmstead Road East of the intersection of Olmstead and Old Boonville Hwy.

The requested change is from A to C-1B for dwelling and a retail store.

Mr. Wilson said they called him about the zoning, if they should sell the property and he told them they should attempt to have it rezoned to make it conform. There were no remonstrators.

VC-35-76..... Petitioner's..... Industrial Contractors, Inc. Owner of Record.....
Penn Central Transportation Co.
Premises affected are situated on the South side of Mill Road.

The requested change is from A to M-2 for an Industrial Park.

Mr. Ted Ziemer Jr. appeared, representing the Penn Central Transportation Co. as owner and Industrial Contractors Inc. as petitioners to rezone 170 acres of real estate between Mill Road and Allens Lane and between the Illinois Central Railroad on the west and the Cincinnati & St. Louis Railroad on the east. He said the property on the North and South of this area is already predominantly in use of Industrial type uses and that the residential area is on Kratzville Road where the houses are located some 700 or 800 feet east of the Railroad. There were no remonstrators.

VC-36-76..... Petitioner..... Dan Kissel Owner of Record..... Carl Wallace
Premises affected are situated on the south side of New Harmony Road.

The requested change is from C-1B to M-1 for a printing shop. There were no remonstrators present.

Commissioner Ossenberg moved that petitions VC-33-76, VC-34-76, VC-35-76 & VC36-76 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: ST. JOE AVENUE & PENN CENTRAL BRIDGE

The matter of trying to tear out the old Penn Central Railroad Bridge on St. Joe Avenue was discussed last week and Commissioner Ossenberg had said that he was going to call Bob Orr because they were having so many problems.

Commissioner Ossenberg said that he and Mr. Nussmeyer called Lieutenant Governor Orr's office and he was out so they talked to Mr. Ken Cockrum who is the Administrative Assistant to Mr. Orr and in a few days, after several telephone calls, Mr. Cockrum did find out that these tracks are not Conrail's, that they are in the Trustee's hands of the Penn Central Railroad and that he was able to get in touch with the attorney and the trustee's who checked the matter, cleared it and signed the papers and they are now on the way back here and at that given point, the Commissioners

can do what they want to do and that Mr. Cockrum said that if those papers haven't been received by this coming Wednesday, that he should call Mr. Cockrum back and he will run them down.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by the American States Insurance Company last week, on the insured, Harry L. Shields and Bandstand Attractions on a Theatrical Performance for \$300,000 for bodily injury per each occurrence which the Commissioners thought should be for a larger amount so this matter was referred to County Attorney Swain, for him to check into the matter.

County Attorney Swain said it is just a matter of policy of what the Commissioners want to do.

Commissioner Ossenberg said that most places he is acquainted with carries \$1,000,000.00 for in a building like the auditorium.

He said he thought they should check it out and see what the Insurance Company recommends and that the Commissioners will set a figure next week.

RE: ABSENTEE REPORT

Mr. Seibeking submitted the absentee report of the employees at the County Highway Garage for the past week.

Report received and filed.

RE: MR. SEIBEKING

Mr. Seibeking said that on St. Joe Avenue, across from the County Garage, there is a stretch in there of from 25 to 30 feet from the present ditch over to where those houses are built, that is very rough and the contractor left some old pipe in there and it has grown up in brush.

He said a lady called him up last week and that she would like to have it cleaned, that it is the county's right of way and it is our responsibility so he would like to mention it to the Commissioners in case anyone calls and wants to know what the County is doing out there.

Mr. Seibeking said there is a bridge on outer Rodenburg Avenue that is in real bad shape, that the boards in the floor have rotted out and it is getting rather dangerous. He said he is trying to get some prices on some steel matting like the Ohio Street Bridge is covered with, since he thought it might be cheaper rather than to use oak bridge timbers which is hard to find and he will probably have more information on this for the Commissioners next week.

RE: CLAIM

A claim was submitted by Barnett Bros. Inc. for the final payment on the Smith-Diamond Bridge Structure #125 in the amount of \$1,500.00.

Commissioner Ossenberg moved that this claim be approved on the recommendation of Mr. Nussmeyer. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO PURCHASE PROPERTY

Mr. Ludwick said that last Thursday, a gentleman came to the County Surveyor's office, a Mr. Frielinghausen of 6119 New Harmony Way. He said the state built Hwy. 460 years ago and they re-aligned the highway and there is some property between the highway and his actual legal description which is less than an acre and he has been maintaining it for several years and he wants to buy it from the County, if the County would sell it. He said it is the second house past the Legion post on Harmony Way, that old 460 was given back to the County and he asked what would be the process on this. He said there is also legal road right of way included here.

Mr. Nussmeyer said it would have to be sold at a public auction and he thought the man would be better off to leave it the way it is.

County Attorney Swain said if the man comes in for adverse possession, he thought if it satisfies the Commissioners that it is adverse possession, then the County don't own it, then all they have to do is to give Mr. Frielinghausen a quit claim deed so if he can show an open and notorious use of the property and he has been there for 20 years, then he thought the Commissioners could give him a quit claim deed.

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Mr. Ludwick said he would call Mr. Frielinghausen and find out how long he has been there and what he does by way of use of the property and that he will report back to the Commissioners.

RE: EASEMENT OF GAS CO. NOT ACCEPTED

County Attorney Swain said, in regard to the Easement of the Gas Co. that was submitted previously, he has studied it and if he understands it correctly, he would say the Commissioners shouldn't accept it because he isn't at all satisfied with it.

Commissioner Schaad said the way he reads it, it looks like they want the County to build a frontage road.

County Attorney Swain said yes and if they build it, they want the County to pay for it, at least half of it.

Commissioner Ossenberg said it will have to be re-written then because when they did this, he told them if they built the road and it met County standards, then the Commissioners would accept the road so he said that the County Attorney should get in touch with the Gas Company's attorneys.

Commissioner Schaad said then, that the way it is, they are not accepting the easement.

County Attorney Swain said they already have their rezoning though, so the County has no leverage.

Commissioner Ossenberg said that was the developer and he thought he made it clear to the Gas Co. and that the Urban Mass Transportation has leverage because a frontage road is required for anything they do there.

County Attorney Swain said that the easement implies that if there is a road run to Curt Huber and it doesn't benefit them, then the County has to pay not less than half of the cost.

Commissioner Ossenberg said that Huber agreed to put the road in himself and he thought the minutes would show that Huber in conjunction with the rezoning of the Gas Co., also said they would put the road in and he said where it can be stopped is through the Transportation Technical Committee and that is the fact that a frontage road is required off Highway 41 and he so stated to the Gas Co. that it would be required by the developer.

County Attorney Swain said as far as he is concerned, this easement is unacceptable.

Commissioner Ossenberg moved that the Commissioners refuse to accept the easement at the present time and that the matter be deferred until the easement is legally worked out. Commissioner Schaad seconded the motion. So ordered.

RE: REPORT ON COLISEUM

Commissioner Schaad reported that last Monday, he and Commissioner Willner went over to see the Coliseum and they were pleasantly surprised in finding the changes that have been made.

He said the last time he visited the Coliseum, something came up about them using the Coliseum and getting some revenue from it, but they were having some financial problems, that they should maybe have been paying the insurance that the County has been paying because they didn't have the money to pay it but they found that the previously deplorable condition no longer exists and they have repaired the floors and have wall to wall carpeting, it has been repainted and has new guttering and the general appearance is much better than it was, also that the organ even plays but they haven't got it up to where they would like to have it yet. He said they are very conscientious and doing a very fine job so as long as they are doing this, he thought they should continue on the basis they are on now.

Commissioner Willner said he was very impressed and they are making headways and he, for one, as long as they are making progress, doesn't mind them putting the money back into repairs.

RE: POOR RELIEF

Betty L. Miles.....614 E. Oregon St.....Pigeon Twp.....Mr. Morrison, Trustee

Ms. Miles asked the Trustee for utilities but was refused due to the fact that they thought she had sufficient income to meet her basic needs.

She was to have appeared before the Commissioners this morning to appeal the decision of the Trustee but failed to make an appearance, so no action could be taken.

The meeting recessed at 10:50 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
APRIL 26, 1976

The meeting of the County Commissioners was held on Monday, April 26, 1976, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: AUTHORIZED TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of the bids that were received this morning for Kentucky Avenue Bridge Structure #116-A and for the resurfacing of Kuebler Road, Kleitz Road and Meier Road.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

The revised list of County Owned Surplus Property was advertised in the hope of getting more people interested but there were no bidders today. The bidding will remain open and the sale will continue next week.

RE: LETTER OF RESIGNATION

The following letter of resignation was received by Commissioner Schaad from County Attorney Swain:

Dear Bob:

This letter will tender my resignation as County Attorney effective at the end of the day April 30, 1976. On that date, I will be sworn in as a Judge of Superior Court.

I cannot close this letter without thanking Jim Buthod, Ted Stofleth, Bob Willner, Tom Ossenberg and yourself. I will have served two weeks short of five years, and although at times it has been hectic, I wish to thank those set out above for their kindness, cooperation and dedication during the period of time I served as County Attorney. My very best wishes to you all.

Yours very truly, Thomas M. Swain

Commissioner Schaad wished Mr. Swain lots of good luck and said that the Commissioners would miss him as County Attorney but they are all for him and that they all enjoyed working with him during the time they were on the Board.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BOARD OF COUNTY COMMISSIONERS

Edwin Ragon Smith Jr. 951 S. St. James County Attorney \$7,560.00 Yr. Eff: 5/1/76
(Also approved as Attorney for Drainage Board at \$500.00 per quarter.)

BURDETTE PARK

Mary Ward	1126 Western Hills	Rink Cashier	\$2.30 Hr.	Eff: 4/16/76
Sherra Gourley	5341 Stonehedge	Ground Crew	\$2.30 Hr.	Eff: 4/16/76

CLERK OF THE CIRCUIT COURT

Carolyn Sue Kyte 500 Lexington Sup. Misdem. Dep. Clk. \$224.88 Pay Eff: 4/26/76

COUNTY ELECTION OFFICE

Russell S. Rohner 717 W. Maryland Ballot Assm. Mech. \$2.30 Hr. Eff: 4/19/76

COUNTY ELECTION BOARD

Mary Helen Theby	2309 Bayard Ph. Dr.	Cl. Dep.	\$2.30 Hr.	Eff: 4/26/76
Geraldine Beihner	7524 Middle Mt.	Vernon Cl. Dep.	\$2.30 Hr.	Eff: 4/26/76

COUNTY TREASURER

Sandra Whipple 3011 Mt. Vernon Ave. Ex. Clerk \$16.10 Pay Eff: 4/26/76

GERMAN TOWNSHIP ASSESSOR.....REASSESSMENT...249-112-117

Randy Helfrich 3800 Koring Rd. Computer Urban Land \$20.00 Day Eff: 4/19/76

PLEASANTVIEW REST HOME

Shirley Ann Smith 10 S. Denby Ave. Nurses Aide \$2.30 Hr. Eff: 4/19/76

VANDEBURGH SUPERIOR COURT

Janet R. Tavcar R. & Les Dr. Chandler Ind. Clerical Asst. \$6,020.00 Yr. Eff: 4/19/76

RE: EMPLOYMENT CHANGES.....RELEASESBOARD OF COUNTY COMMISSIONERS

Thomas M. Swain 1411 S.E. 2nd. St. County Attorney \$8,010.00 Yr. Eff: 4/30/76

BURDETTE PARK

CETA Raymond Myers 703 Ingle Ave. Ground Crew \$2.30 Hr. Eff: 4/16/76

CLERK OF THE CIRCUIT COURT

Cynthia Nonweiler 34 N. Taft Ave. Sup. Misde. Dep. Clk. \$224.88 Pay Eff: 4/26/76

PLEASANTVIEW REST HOME

JoAnn Morgan 419 S. Bedford Ave. Nurses Aide \$2.30 Hr. Eff: 4/19/76

AREA PLAN COMMISSION

Kenneth D. Nelson 840 Bayard Pk. Dr. Exec. Director \$18,500.00 Yr. Eff: 4/26/76

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

Barry Levine 1127 Linclon Ave. Truck Driver \$4.62 Hr. Eff: 4/19/76

RE: MONTHLY REPORT

The Legal Aid Society of Evansville, Inc... Joint Department of Legal Services, submitted their Case Report for the month of March, 1976. Report received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by the Ohio Casualty Insurance Company, on insured, William R. Nix d/b/a Nix Construction Co. in Construction of Division A, General Construction of Central Service Facility for Burdette Park, Vanderburgh County, Evansville, Indiana. Certificate received and filed.

RE: MOTION TO WITHDRAW APPEARANCE

County Attorney Swain submitted a request to the Honorable Thomas F. Strubbe, Clerk of the Court of Appeals to withdraw his appearance as one of the counsel for the defendants in the suit of Poncia, et al vs. Board of County Commissioners, et al. This is in regard to the Massage Parlor Suit and the reason for the withdrawal is that Mr. Swain has been appointed by the Governor of Indiana, as a Judge of the Superior Court and will no longer be County Attorney. A copy of the request was submitted to the Commissioners which is noted as being received and filed.

Commissioner Schaad said that the new County Attorney, Edwin Smith Jr. will take over as counsel for the defendants in this suit, along with County Attorney Wendel.

RE: CLAIMS

A claim was submitted by Sheriff Degroote for the meals of the prisoners for the period of March 15th. to April 14th. 1976, in the amount of \$6,436.95.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Unigraphic Inc. for the preparation of Appellees Brief in Poncia vx. Board of Commissioners, U.S. Court of Appeals, 7th. Circuit as Cause No. 76-1228 in the amount of \$50.00. Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City for the County's share of the Joint Department of Weights & Measures in the amount of \$1,317.63 for February & March of 1976.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City for the County's share of the Joint Department of Purchasing for the period of February & March of 1976, in the amount of 4,520.91.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City for the County's share of the Joint Department of Building Inspection for the period of February & March, 1976, in the amount of \$9,602.59.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City for the County's share of the Joint Department of Traffic Engineering for the period of February & March, 1976, in the amount of \$7,762.09.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City for the County's share of the Joint Department of the Health Department for the period of February & March, 1976, in the amount of \$16,594.09.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Peyronnin Construction Company Inc. for the construction of a new wood structure to replace building damaged by a storm, in the amount of \$100.00. This is the storage shed at the County Highway Department.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Roeder's Adequate Wiring for the material and labor needed to install complete lighting system on County Garage and on the metal storage building, in the amount of \$1,855.00. This work has been approved by Mr. Hotz.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM THE INDIANA ASSOCIATION OF COUNTY COMMISSIONERS

A letter was received by the County Highway Supervisor, from Carroll Knarr, President of the Indiana Association of County Commissioners, on the Re-instatement of Waiver System for County Federal-Aid Secondary Funds, as follows:

Dear Highway Supervisors:

We are asking that you consult with your County Board of Commissioners on the enclosed questionnaire dealing with the waiver of County FAS Funds. Now for some background comments on this issue.

In January 1976 the Indiana State Highway Commission adopted a new policy on the use of County FAS funds. This new policy abolishes a 20-year practice of waiving annual FAS apportioned funds from one county to another county.

The cancellation of the waiver procedure arbitrarily limits the amount of FAS funds available to a given county to solely that apportioned by formula, which likewise limits the size of the FAS project that a county can undertake.

With the current levels of FAS funding, about half (1/2) of the counties have FAS apportionments of \$40,000 or less. On a 70-30 federal-aid match, this in turn limits the total cost of such projects to \$57,000 or less, which by any standard of comparison is an extremely small construction project.

This new ISHC policy abolishing the waiver of FAS funds has completely frustrated the plans of many counties to proceed with FAS construction projects. Many counties are requesting a return to the waiver procedure so that project planning can get underway. This is especially true for the counties having an annual FAS apportionment of \$40,000 or less and having one or more major bridges needing replacement.

We plan to explore with the ISHC, the possibility of reinstating the waiver procedure for county FAS funds. Before doing so however we would like to have an expression of preference from as many counties as possible on this question.

The re-instatement of the waiver system would make it possible for a county not planning a FAS program in a given year to waive its apportioned funds (either as a gift or a loan) to another county needing additional FAS funds to support the second counties FAS construction program. Further, the re-instatement of the "waiver" system would better insure Indiana counties as a group of receiving their 50-percent share of the FAS funds allocated to the State of Indiana.

Very truly yours, Carroll Knarr, State President

Commissioner Willner moved that the waiver system be reinstated. Commissioner Ossenbergh seconded the motion. So ordered.

RE: RONALD REAGAN TO CAMPAIGN HERE

Commissioner Schaad said that he understands that Ronald Reagan will be in town tomorrow and the Commissioners are issuing an announcement that any employees who would like to go the Executive Inn tomorrow afternoon at 2:30 p.m. to see him, are free to do so, but that the offices must be kept open and it is up to the elected officials and the department heads to handle each department.

RE: OPENING OF BIDS

The following bids were received for the construction of the Kentucky Avenue Bridge, Structure #116-A, BC-4-76 which is located at the intersection of Kentucky Avenue and Richland Avenue:

G. H. Allen.....	\$340,750.07	
Barnett Brothers.....	\$333,482.90	Engineer's Estimate.....\$361,303.40
Robert Traylor.....	\$365,086.90	All bids in good order as to form.
Deig Brothers.....	\$317,672.40	

Commissioner Ossenbergh moved that these bids be taken under advisement for one week and referred to the County Surveyor's office for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS

The following bids were received for the resurfacing of Kuebler Road, Kleitz Road and Meier Road:

Midwest Construction & Materials.....	\$108,794.65
Feigel Construction Company.....	\$ 95,182.06

County Attorney Swain said that both bids are in order, except that the Commissioners should be warned that both bids have bid bonds only but not performance bonds.

Mr. Nussmeyer said that this can be taken care of and that he will examine these bids now so that the contract can be awarded today.

RE: CERTIFICATES OF INSURANCE

Certificates of Insurance were discussed last week, since one was submitted for \$300,000 for bodily injury per each occurrence and the Commissioners didn't think this was enough, so Commissioner Ossenbergh said they would check it out and that they would set a figure this week.

Commissioner Ossenberg said he has checked into the Insurance coverage on the Auditorium and that since he found out that they insure the building for \$1,000,000.00 on each occurrence, for personal and \$50,000.00 for property, he has checked with Ted Stofleth at Roberts Stadium and they also have the \$1,000,000.00 that they carry, plus \$250,000.00 for property and their requirements for anyone coming into the state is for them to put up a performance bond, according to the size of the show, with a minimum of \$300,000.00.

He said that on this basis, he thought they should have at least a \$500,000.00 minimum on performance bonds for the auditorium to be supplied by anyone coming in to hold a performance in the auditorium.

After further discussion;

Commissioner Ossenberg moved that from now on, they require Insurance coverage of \$100,000.00 each person, \$500,000.00 each accident and \$25,000.00 property damage. Commissioner Willner seconded the motion. So ordered.

RE: PENN CENTRAL BRIDGE

Commissioner Ossenberg said that he told Bob Orr that Conrail was not involved with these tracks, according to Ken Cockrum, and Mr. Orr told him that this has been a problem all over the state.

He said that he also talked to an individual in the state and was told that the state went ahead in Posey County and just did it, that they didn't wait for the Trustees of Penn Central to act, that they just covered the bridge and went ahead and did it.

Mr. Ludwick said that Mr. Cockrum wasn't in when he tried to contact him so Mr. Cockrum is to call him.

Commissioner Schaad said they need to get something done and that since they are this close, maybe they can delay it another week, until Mr. Ludwick has talked to Mr. Cockrum, and perhaps they can figure something out.

County Attorney Swain asked who runs and owns this part if Conrail didn't take it over.

Commissioner Ossenberg said that according to Ken Cockrum, Conrail didn't take over all the tracks and that they are owned and run by the Trustees of Penn Central.

Commissioner Schaad said that if they didn't get any satisfaction, he thought maybe they would have to do what the state did and just go ahead with it.

RE: AWARDING OF CONTRACT

Mr. Nussmeyer said that he has checked the bids that were received for the re-surfacing of Kuebler, Kleitz and Meier Roads and he recommended that the contract be awarded to the low bidder which is Feigel Construction Company.

Commissioner Willner asked about the mileage and tonage on this project.

Mr. Nussmeyer said it is about 4 1/2 miles at approximately \$18,000 per mile and that the tonage is 4757 and the material will be 1 1/2 inches deep.

Commissioner Ossenberg moved that the contract for the three roads be awarded to Feigel Construction Company in the amount of \$95,182.06

Commissioner Willner seconded the motion. So ordered.

RE: MEMO REGARDING RONALD REAGAN'S APPEARANCE

The following memo was issued by the Board of County Commissioners and the Mayor of the City of Evansville, regarding the visit to the City by Ronald Reagan:

To all City and County offices:

On Tuesday, April 27, 1976, Governor Ronald Reagan will make an appearance at 2:30 p.m. in the International Room of the Executive Inn, 600 Walnut Street, Evansville, Indiana.

The appearance will last approximately one (1) hour.

By joint order of the Board of County Commissioners and the Mayor of the City of Evansville, any City or County employee who wishes to see Governor Reagan may do so. However, all offices are to remain open and sufficient employees to provide normal public service are to remain in the offices,

Very truly yours, Russell Lloyd, Mayor
and Robert Schaad, President, Co. Comm.

RE: PLEASANTVIEW REST HOME SEWAGE

Commissioner Schaad said he has been riding this sewer at the Pleasantview Rest Home for about a week and a half now and he understands that everything is ready. He wondered if the meter had ever been set for this utility, to pump the Rest Home's sewage up into the sewer.

Mr. Cole of the Gas Company said he called the Meter Department and they said they will send the order out today.

Mr. Nussmeyer said the Construction Company on this job is JEBCO, also that they will work the rest of it out with the City.

RE: ABSENTEE REPORT

Mr. Seibeking submitted the absentee report for the employees of the County Highway Department for the past week.
Report received and filed.

RE: MR. SEIBEKINGCOMPLAINTS

Mr. Seibeking said he didn't think there was much the Commissioners could do about it but that he wanted to mention to them that he has had a lot of calls from Lost Bend Lane and Old Boonville Highway on the Coal Company, up into Warrick County. He said the coal trucks are coming in Old Boonville Highway now and they have torn up the Stevenson Station Road which is in Warrick County, but now they are concerned about Old Boonville Highway and said that there isn't a lot that can be done because these trucks are all licensed and not overweight so it is just one of those things, but it is hard on our roads, also that due to the blasting, the houses on Lost Bend Lane are falling apart, that they have cracks in their walls, chimney's and foundations and they are calling his office to see what can be done.

Mr. Seibeking also said that last Friday afternoon, Emma Weyer who lives on Vienna Road, called and was really quite concerned since her son was riding his new bicycle at the intersection of Slate and Vienna Road and he hit a stand pipe which the Water Company had installed out there, that when he hit it, it threw him off and cut him up pretty bad and also wrecked his bicycle. He said he called Green Construction Company who is doing that work and they checked it out and as far as they are concerned, there is nothing wrong with the pipe, that maybe it stands up out of the road an inch, so he got in touch with Mr. Rueger who went out there to take pictures of it because he knew that the Commissioners would be hearing from Mrs. Weyer again. He said that Mrs. Weyer said she wasn't concerned about the Insurance about her son but that she was concerned about his new bicycle that was completely torn up and that someone was going to pay for it, and Green Construction Co. said they are not responsible because nothing is wrong. He didn't think the Highway Department is in any way, responsible, but he wondered what to tell Mrs. Weyer if she calls him again.

Attorney Swain said the County may have a primary liability because of the maintenance of the road and they might turn it over to the County's Insurance Carrier and let them fight it out with Mr. Green.

Mr. Seibeking said he didn't get to talk to Mr. Milligan who is the General Manager for Green Construction Co., that he talked to the foreman on the job here, that he has never had any problems with Mr. Milligan so he will try to contact him and explain the matter to him and see what he has to say, and if he doesn't think it is their responsibility, he will then contact the Insurance Company so they will know about it.

County Attorney Swain said that Mrs. Weyer can also make claim against the Green Construction Company's Insurance Company.

RE: COMMENTS ON HIGHWAY CONTRACTUAL ACCOUNT

Commissioner Schaad had said that they should have enough money in the Highway Contractual Account to pay for the re-paving of Kuebler Road, Kleitz Road and Meier Road.

Commissioner Ossenberg said they would have to hold at least \$10,000 of this money for St. Joe Road, for the bridge and another \$15,000 for the completion of Green River Road.

Mr. Ludwick said they have a \$7,000 bill on Green River Road right now.

Commissioner Ossenberg said that is \$32,000 they will have to hold out of the Highway Contractual Account but that there is still enough money for the three-road project, that he just wanted it made a matter of record.

Commissioner Schaad said he thought they would have to go before Council and get some of the General Fund money that is still left in the County Highway Account and have it transferred to Contractual.

Commissioner Ossenberg said they would also have to make application for R & S money on St. Joe and on Green River Road.

He said they might as well go ahead and request that the money be transferred because they are going to be in building season and it will take time to get the approval of the State Board of Accounts.

He said he has found that they can't buy the land around the cemetery on Nurrenbern Road.

County Attorney Swain said they can condemn it for public use.

Commissioner Ossenberg said they can condemn it but when they do, they better start looking to where they are going to move it to.

He said he was looking at the radius of the curve out there and it looked to him that maybe they could bargain to take some of the radius on the curve, to widen the other curve and to then go down with the road and he thought they would be just as well off.

RE: ST. JOE AVENUE BRIDGE

The Commissioners discussed the St. Joe Avenue project and there was a question as to if this could be done out of the Bridge Account or not and they agreed they would try to do it this way but there was discussion as to if this is really a bridge since they are replacing a bridge and there will be two tubes under there.

County Attorney Swain said the Commissioners should understand they are running some risk.

Mr. Nussmeyer said with no R & S, he thought they were only risking about \$10,000.

Commissioner Schaad said they were hurting in the R & S money and they are going to need it.

Commissioner Willner moved that they go ahead with the St. Joe project and try to get the clearance. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Nussmeyer said he would prepare the specifications and plans and have them ready this week.

RE: HOUSE TO BE BURNED

Mr. Nussmeyer said there is an old house out on Kentucky Avenue that they let a man live in and he has now moved out and the place is stripped so he asked permission of the Commissioners to let the Fire Department to burn it.

Commissioner Ossenberg moved that Mr. Nussmeyer have permission to ask the Fire Department to burn the house down. Commissioner Willner seconded the motion. So ordered.

RE: KENTUCKY AVENUE BRIDGE

Mr. Nussmeyer asked Mr. John to disperse the money for the Kentucky Avenue Bridge and he will then bill them so the money can be put back in the account. He said he has \$200,000 in the account now but he must have the rest of the money in the account before they can let the contract.

RE: BAUMGART ROAD

Mr. Nussmeyer submitted the Notice to Bidders and the specifications for the rest of Baumgart Road which is Burch Drive North to Mt. Pleasant Road East of Highway 41 North. He asked that bids be advertised for on May 6th. & May 13th. with the bid opening date to be May 17th. 1976.

Commissioner Ossenberrg moved that the specifications be approved and that the Auditor be authorized to advertise for bids on specified dates. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

HAROLD ANTHONY DUGAN JR....203 N.W. 5th. St....Pigeon Twp...Ms. Bowling, Investigator

The notice of poor relief action from the Trustee's office denied Mr. Dugan's request for rent by stating that the rent has been paid since 10/1/75 and they received a medical report stating that the recipient may return to sheltered employment as of January 1, 1976.

Mr. Dugan said he was employed by the City on November 6, 1974 as a night watchman and a zoo keeper trainee and he worked continuously for about 8 months and then in July and August of 1975, he had to see a Dr. Smith in reference to something that pertained to his job at work and during the course of his appointment that he had with Dr. Smith, he wrote a letter to the Director of the zoo as to the condition of Mr. Dugan, with regard to his associations at work and consequently had to do with his depression and he recommended that Mr. Dugan be put on an indefinite leave of absence for health reasons.

He said that the Director of the zoo then wrote him a letter, granting him a leave of absence for an indefinite period.

Mr. Dugan said that when he took his medical leave of absence, he had a certain amount of resources which he lived on for a month but ran out about the beginning of September and he still wasn't able to return to work so he went to the Pigeon Trustee's office and presented the letter to them from the doctor and explained to them that he had no resources and was unable to draw unemployment because he worked for the City and also unable to draw any sick leave because of prior time that he was in the hospital, and still under the doctor's care.

He said they agreed that this was the situation, in fact, so they put him down at the Y.M.C.A. starting the end of August or the first of September and the Trustee paid his rent through November 26th. of 1975 which was for three months and then they put on a note to the Director that they were discontinuing assistance and that Mr. Dugan should come to their office to see the Trustee for further relief. He said that prior to going back to the Trustee's office, he went back to the doctor to see if he could secure part time work, that he had talked to the Goodwill Industry and the man in personnel was interested in hiring him if he could secure a letter from the doctor, so he then went to the Doctor's office in December and the doctor told him that he would write a letter so he could work part time but that he was not to return to his regular job at the zoo.

He said he then went to the Trustee's office and was told that they would need a letter from the doctor stating exactly what his condition was or they couldn't continue his assistance, also that if Goodwill put him on, he was to work until he got his first paycheck and bring the stub down to Ms. Bowling in the Trustee's office and she would compute on the basis of what he made as to how much help they could allow him.

He said he went back to the Goodwill around December 15th. and asked them if they had received the letter from the doctor but they hadn't and they also gave him a form for a physical which the doctor had to fill out as to how many hours he could work per week and if he could lift anything, so he took that and went back to the doctor and explained that Goodwill needed the letter from him that he said he would send, and after checking with his secretary, told Mr. Dugan that the letter went out today and that he would fill out the physical and that they would probably get it after the holiday season.

He said he went back to Goodwill the first part of January and was told they still would hire him and that they did get the one letter back from the doctor telling them that he could work there but that they were still waiting on the other letter that had to do with his physical, so he waited a couple of weeks but it never came about so he went back to the doctors office.

He said that he had only been to this doctor three times as a patient but he had papers that had to be signed every month, so he asked the doctor why he hadn't sent the physical back to Goodwill and he said that he just hadn't gotten to it but that he would send it in but after two weeks more, they still hadn't received it so he called the doctors office and his secretary couldn't find it so he had to take another form in.

He said that Goodwill still wanted him to work there and they would wait for the physical, so he went back to the Trustee's office and told Ms. Bowling that he should be getting the job at Goodwill any day and that the Director at Y.M.C.A. was wondering who was going to catch up on his rent since they hadn't paid it for over two months and he asked her if the Trustee was going to pay it and if they were also going to pay his rent forward on a percentage basis, according to what his pay will be.

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He said that Ms. Bowling told him that if he started to work at Goodwill and if he brought her his paycheck stubs and he was working as part of the doctor's therapy, but that she had received a letter from the doctor dated December 1, 1975, stating that as of December 1st. Mr. Dugan had been released to return to work and that according to the way it read, he was able to go back to his regular job at the zoo.

He said he went back to the doctor and told him that the letter had been misinterpreted and that the doctor should explain to them, in detail, that Mr. Dugan was still under therapy and was still unable to return to his regular work but that he could work part time at the Goodwill, and the doctor said he would write a letter of explanation to the Trustee.

He said that time went on and it seemed that the doctor didn't want to send the letter to the Trustee, so he talked to Vic Funke, who talked to the doctor and the doctor told him that Mr. Dugan could work at Goodwill part time but that he was a little perturbed because he had only seen Mr. Dugan three times as a regular patient but that he had been there a number of times with papers that had to be signed, so Mr. Funke got the doctor to sign the physical and send it in.

He said he went back to Goodwill in April and they told him they finally got the paper but that it had been too long and there wasn't an opening at the time, so now the V.M.C.A. wants to know who is going to pay for the rent.

He said he has no property or resources what-so-ever, that he cannot draw unemployment or sick-leave or any type of assistance so he has no source of income, but that he does get food stamps.

Commissioner Willner asked Mr. Dugan if the work load at the zoo was too much for him.

Mr. Dugan said this wasn't the problem, that it had to do with another person that worked at the zoo and the relationship he had with that person, that it caused a conflict of interest to a point where it was hurting the work of both persons involved, also that the other person is still employed at the zoo.

Ms. Bowling said that when the Trustee took this case, Mr. Dugan was only supposed to be off one month, so she really based her decision on the doctor's medical records, that she talked to the doctor and he came to the conclusion that Mr. Dugan does not want to go back to work.

She said she asked Mr. Dugan to go into Goodwill and try it but he said that he has to pay his money out to the V.M.C.A. if he works, since she drew a budget on him and he would have to pay half his rent and the Trustee would pay the other half which would amount to \$8.00 from each per month.

She said they do this to give the person some responsibility but that Mr. Dugan said that if he had to pay his part, he wouldn't go so he didn't.

She said that she sent a letter to Mr. Dugan back in December, telling him to get into the program and that he had 30 days to do this and that if he didn't, he had to come in to the Trustee's office to see her on January 1. She said she has been working with Mr. Dugan ever since, that he bought a car and that he drives the guys to work every morning and that he also has a C B Radio but he says he can't be with people but he is always with people and the people that the Trustee has at the V.M.C.A. are either in a work program or trying to get a job and the ones that are there longer than six months are the ones that the Director of the Y notifies the Trustee about and Harold is one of them.

He said that what Mr. Dugan tells her is that if he does go to work, that he doesn't want to pay any bills and she said that he would have to because this is what is expected of him.

She said that the doctor feels that Mr. Dugan is able to go back to work but he doesn't want to go back and he doesn't want to get in a sheltered work program either.

Commissioner Willner asked Ms. Bowling if Mr. Dugan has any relatives that are living.

Ms. Bowling said that he had a wife but that he is divorced and that his parents live in Tennyson, Indiana.

Commissioner Willner asked Mr. Dugan how old he was and Mr. Dugan said that he was 27 years old.

Ms. Bowling said that she thought Mr. Dugan should try to work and if he finds that he can't, then he will have to go into another program because he shouldn't be on relief for a year as a temporary case.

Mr. Dugan said the car is a 1967 Chrysler and that he bought it through the Police Credit Union back in February of 1975 when he was still working at the zoo and when he went on medical leave of absence, his insurance made the payments of \$16.00 per week and has been paying it ever since and he still owes \$200.00 on it.

Mr. Dugan also said that he hasn't seen the doctor since January of this year and during the course of that time, he has tried for four months to get a job out at Goodwill Industries to work part-time and make a little money and to say that he wouldn't pay part of his rent at the Y.M.C.A. is completely incorrect. He said he wouldn't be in any better situation now to work at the zoo than when he left due to things that have come up.

He said that he is in the process of getting another doctor and that he is sure that the doctor will type out the report as to his condition and whether he is able to return to his job at the zoo.

He also said that the people that he takes to work gives him money for gas.

Ms. Bowling said she didn't see why Mr. Dugan couldn't try working at Goodwill and see how he worked out but he don't want to go to work and she told him that there would be no rent until he tried it which he hasn't done.

Commissioner Ossenbergh told Mr. Dugan that he was preconditioned when he stated that the doctor was going to write a letter because he doesn't know that, in fact.

Mr. Dugan said he doesn't know that, in fact, but after he sees the doctor, he thinks he will write a letter.

Commissioner Ossenbergh said that Mr. Dugan stated that the doctor was perturbed because he had only seen Mr. Dugan three times and that it seemed to him that if the doctor wanted to see more of him, he would have had him come more often.

Mr. Dugan said that the first time he went to see Dr. Smith, he explained the situation at the zoo and why he thought he needed to take a medical leave of absence and that the doctor agreed and told him that when he thought he was in a better position to return to his regular job, he should make another appointment with him and he would check him out and sign him back into his job at the zoo.

Commissioner Ossenbergh asked Mr. Dugan why he didn't go down and ask personnel to transfer him to another job in the city if he had a conflict with an individual at the zoo and possibly another individual.

Mr. Dugan said there are two or three different reasons for not doing this and one is that he liked that job out there as night watchman and zoo keeper trainee, also that if he changes his job within the city, he would lose his seniority and he has been out there almost two years.

Commissioner Ossenbergh said that when Mr. Dugan goes back to the zoo, he may have the same conflict as before and he will be right back where he was before.

Mr. Dugan said this is correct and that what he is getting at is that he hasn't seen the doctor in six months so he doesn't know because he hasn't told the doctor what has happened during the six months in regard to the situation out there.

Ms. Bowling said that Mr. Dugan expects the situations to revolve around him and this isn't the case at the zoo, that he either has to adjust to the situation out at the zoo or he isn't going to work and the same goes for Goodwill and she can't make him see this but he is going to have to do it or he is on his own, that it is just as simple as that, and this is all they can do.

Commissioner Schaad said that businesses can't change their operations because of him.

Ms. Bowling said that Mr. Dugan just had a fit when he saw the first report that the doctor sent and he said the doctor was wrong, that he definitely wasn't able to return to work, so when he went back to the doctor and had a fit, the doctor told him he would put him in a sheltered workshop to see if he could make it but that Harold has never tried it so the doctor definitely doesn't want to fool with him anymore.

Commissioner Willner moved that this case be referred back to the Trustee. Commissioner Ossenbergh seconded the motion. So ordered.

RE: CLAIM FROM WELBORN HOSPITAL

County Attorney Swain said they have looked at the record and as near as he can figure it, this case has been confused with a Deaconess Hospital case they had and he can't find any reason for turning it down.

The claim is from Welborn Baptist Memorial Hospital for medical services in the case of Paul Smith who was jailed and while in the custody of the Sheriff,

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Mr. Smith was hospitalized on January 12, 1974 and expired on January 14, 1974. Mr. Smith was indigent and had no money and since he was in the custody of the Sheriff, the hospital feels the expense should be borne by Vanderburgh County. The claim is in the amount of \$1,346.01.

County Attorney Swain explained that Mr. Smith had a concussion and was taken to the hospital and that a suit has been filed but he doesn't know the status of that suit.

Mr. Hayden said the case was dismissed on the plaintiffs motion which was Paul Smith's heirs and that the case was a personal injury suit against the City.

Commissioner Ossenberg moved that this claim be approved on the recommendation of County Attorney Swain. Commissioner Willner seconded the motion. So ordered.

The Commissioners signed the claim at this time and it will also have to have the signature of the Sheriff.

This type of claim is usually paid from the Jail Account.

The meeting recessed at 11:20 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Thomas Swain
Paul Wendel

Secretary: Margie Meeks

Thomas L. Swain

Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS' MEETING
MAY 3, 1976

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The meeting of the County Commissioners was held on Monday, May 3, 1976; at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Terry Hayes opened the meeting, this being the first meeting of the month.

The minutes of the previous meeting were approved as engrossed by the Auditor with one correction, in that, under Employment Changes, the appointment of Sandra Whipple to the County Treasurer's office should have read \$16.10 per day instead of per hour as stated. This has been corrected for the permanent record.

The reading of the minutes was dispensed with.

Commissioner Ossenberg explained that President Schaad couldn't be with us today because he is in Indianapolis, representing the City of Evansville, at a very important meeting on Revenue Sharing.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County Owned Surplus Property. The bidding will remain open and the sale will continue next week.

RE: CONTRACT AWARDED ON KENTUCKY AVENUE BRIDGE

The following bids were received last week for the construction of the Kentucky Avenue Bridge, Structure #116-A, BC-4-76:

G.H. Allen	\$340,750.07	Robert Traylor.....	\$365,086.90
Barnett Bros.....	\$333,482.90	Deig Bros.....	\$317,672.40

Mr. Nussmeyer said his office has studied these bids and they recommended the contract be awarded to the low bidder which is Deig Brothers.

Commissioner Willner moved that the contract be awarded to Deig Brothers in specified amount, subject to the City coming up with their share of \$150,000. Commissioner Ossenberg seconded the motion and said that he understood the City will approve their portion of the money tonight. So ordered.

Mr. Nussmeyer explained that the bridge is the County's responsibility, and that the City is participating in the approaches, and that in the past, they have never awarded a job without the money being there.

Commissioner Ossenberg said the City's portion for it, \$150,000 and the County \$200,000 and it is obvious that the bid came in much better than anticipated so it looks like it will be a reduction from both, but they have to have the money.

He said the City has to come up with \$15,000 local money and that they have already received permission from the State of Indiana on their R & S account.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDEBURGH COUNTY ELECTION BOARD

Jeffrey R. Franks	7118 Washington	Chairman Election Bld.	\$300.00 bi-an	Eff: 5/3/76
Claude Bates	102 Fernwood	Member Election Bld.	\$300.00 Bi-ann	Eff: 5/3/76
Ricky Ray McCormack	3126 Arlington	Ass. Mechanic	\$2.30 Hr.	Eff: 4/27/76

VOTERS REGISTRATION OFFICE - ELECTION DAY ONLY

Gloria Evans	1369 E. Chandler	Clerk	\$32.20	Eff: 5/4/76
Lucille Musgrave	4304 Pennington	Clerk	\$32.20	Eff: 5/4/76
Joyce Truitt	918 N. Helfrich	Clerk	\$48.30	Eff: 5/4/76
Virginia Robinson	909 Meyer Ave.	Clerk	\$16.10	Eff: 5/4/76
Eric Evans	1369 E. Chandler	Clerk	\$16.10	Eff: 5/4/76
Marie Lurker	2100 Schutte Rd.	Clerk	\$32.20	Eff: 5/4/76

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VOTERS REGISTRATION OFFICE APPOINTMENTS, CON'T. - ELECTION DAY ONLY

Anita J. Sawyer	5404 Cunningham	Clerk	\$32.20	Eff: 5/4/76
Mary T. Hoffman	501 Olmstead	Clerk	\$16.10	Eff: 5/4/76
Beverly Abell	3417 Austin	Clerk	\$16.10	Eff: 5/4/76
Gary Kuebler	8020 Petersburg	Clerk	\$16.10	Eff: 5/4/76
Charlene Pfeffer	3710 N. Baker	Clerk	\$16.10	Eff: 5/4/76
Barbara Baker	3119 Droll Ave.	Clerk	\$16.10	Eff: 5/4/76

BURDETTE PARK

Patricia Fabian	1301 W. Eichel	Ground Crew	\$2.30 Hr.	Eff: 4/26/76
CETA - David White	1931 S. Bosse	Ground Crew	\$2.30 Hr.	Eff: 4/26/76
Mary Ward	1126 W. Hills	Cashier	\$2.30 Hr.	Eff: 4/16/76

PROSECUTOR'S OFFICE

Patricia Yates	912 E. Blackford	Secretary	\$8,500 Yr.	Eff: 5/3/76
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VANDERBURGH SUPERIOR COURT

Jane Schmitt	Riding Bailiff	\$7,615.00 Yr.	Eff: 5/3/76
Susan Muensterman	Asst. Chief Clk. Prob. Div.	\$6,700.00 Yr.	Eff: 5/3/76
Leah R. Graham	1464 Harrelton Ct. Cler. Asst.	\$6,020.00 Yr.	Eff: 5/3/76

SHERIFF'S DEPARTMENT

Linda Greer	314 S.E. Third St.	Cook	\$23.00 Day	Eff: 4/24/76
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COUNTY HIGHWAY DEPARTMENT

Russell C. Schroeder	10024 Upper Mt. Vernon	Truck Driver	\$4.02 Hr.	Eff: 4/28/76
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Ora E. Dorsey	601 Gum St.	Field Deputy	\$20.00	Eff: 4/20/76
J. Ervin S. Stucki	1301 Laubscher Rd.	Field Deputy	\$20.00	Eff: 4/26/76

RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

Leona Brown	1505 W. Florida	Ground Crew	\$2.30 Hr.	Eff: 4/26/76
AWE David White	1931 S. Bosse	Ground Crew	\$2.30 Hr.	Eff: 4/26/76

VANDERBURGH SUPERIOR COURT

Jane Schmitt	Asst. Chief Clk. Probate Div.	\$6,700.00 Yr.	Eff: 5/3/76
Susan Muensterman	Clerical Assistant	\$6,020.00 Yr.	Eff: 5/3/76

SHERIFF'S DEPARTMENT

Mamie Gold	424 Lincoln Ave.	Cook	\$23.00 Day	Eff: 4/24/76
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COUNTY HIGHWAY DEPARTMENT

Russell C. Schroeder	10024 Upper Mt. Vernon	Laborer	\$3.947 Hr.	Eff: 4/28/76
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RE: PENN CENTRAL RAILROAD AGREEMENT

Commissioner Ossenberg said that the Penn Central agreement has arrived and he thanked Lieutenant Governor Orr's office and Mr. Ken Cockrum, Mr. Orr's Executive Assistant, who, through their efforts, secured this agreement for us.

He said we now have a right to go on St. Joe Road and that it is in front of a Council Call, that it will be constituted as a bridge, so hopefully, they will soon have a very dangerous situation corrected.

RE: MATTER OF GOLDEN RULE INSURANCE

Commissioner Ossenberg said that the County presently has Golden Rule Insurance and that they are in the process of asking for a very substantial increase. He said the Agent of Record is Mr. Barthel and that the Commissioners were in a meeting with him last week and they have asked that they receive bids from other companies and said that the Commissioners will have to go with the best bid.

He said that he has asked Mr. Barthel to obtain four or five other bids, also, that Commissioner Schaad is out seeking other bids.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Hartford Accident and Indemnity Company, on Feigel Construction Co. the Agent being Schultheis Insurance Co. and it is noted that such insurance as is afforded by the contractual liability insurance coverage part, forming a part of the policy applies to the Resurfacing of County Roads, RC-1-76, Kuebler Road, Kleitz Road and Meier Road.

Certificate of Insurance received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by the Ohio Casualty Insurance Co. and the West American Insurance Co. on Insured, William R. Nix, DBA Bill Nix Construction Co. This is a corrected policy and applies to Construction, Division A, General Construction of Central Service Facility for Burdette Park.

Certificate of Insurance received and filed.

RE: LETTER FROM VETERAN SERVICE OFFICER

The following letter was received by the Commissioners from Bob Moran, the Veteran's Service Officer:

Operation Military Experienced Directed Into Health Careers will be in Evansville with conjunction with the Veterans Service Office.

Two Educational Career Counselors will be in Room 105 City County Building May 12 and May 13, 1976 from 8:00 a.m. to 5:00 p.m. They will assist veterans with some type of Health Experience in service into health careers or Veterans without any type of experience into a Health Career Educational Program.

Contact Robert J. Moran, City County Building, Room 105, Evansville, Indiana Veterans taken by appointment only. Phone 812-426-5239 or 426-5240.

Signed, Robert J. Moran
Service Officer

Mr. Moran said this matter first came up when the Veterans Clinic opened up here and they had a lot of veterans who were trying to get in and it is hard to do under Civil Service so this program was set up and there are a lot of veterans here who has some kind of health career in service and they thought they could help them in this way.

He said he would give this information to the news media.

RE: REQUEST TO DELAY ACTION ON INSURANCE

The following letter was received by President Schaad, from Kate Appuhn who is the Assistant Manager and Secretary of the Auditorium:

Dear Bob:

Pursuant to your Memo, to be effective on April 26, 1976, would it be possible to revise, said Memo, to begin June 1, 1976. I work 30 days ahead on my contracts and this Memo could be included from June contracts on, excluding contracts already executed by the County Commissioners.

Will await your decision.

Signed Kate Appuhn
Asst. Mgr. & Secretary

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Commissioner Ossenberg explained that this involved the Insurance that the Commissioners changed and that what Ms. Appuhn is asking is that since she already has signed contracts a month ahead, that the Commissioners revise what they did last week, effective until June 1, 1976, and this was for more liability Insurance to be required by the lessee.

He said the Commissioners took action effective April 26, 1976 and she is asking that the Commissioners rescind their action of last week and make it effective as of June 1, 1976.

Commissioner Willner moved that the Commissioners rescind their action of last week and that it become effective as of June 1, 1976.

Commissioner Ossenberg seconded the motion. So ordered.

RE: BRINKS RATES TO BE RAISED

A letter was received from Brinks, Inc. stating that as of June 1, 1976, the Clerk's rate will be raised to \$94.80 per month.

After checking, Mr. John found that they are now charging \$85.80 per month, so this would be a \$9.00 raise per month.

Commissioner Ossenberg said that Brink's make a trip to the Clerk's office every day.

Commissioner Willner said that he would like to know how much this service is costing the County since they also service the Treasurer's office.

This matter will be studied and again placed on the agenda for next week.

RE: CHECKS RECEIVED

A check was received from Robert T. Hamilton by the Commissioners, in the amount of \$4,000.00 which is rental on the Golf Course and another was received from the Bob Hamilton Golf Foundation, Inc. for rent on house at 5950 N. Fares Avenue, in the amount of \$600.00.

Commissioner Willner moved that the checks be signed and credited to the County Revenue Account. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Robert J. Moran for travel expenses incurred in a round trip to Indianapolis to attend the annual Veterans Service School, in the amount of \$178.23.

Commissioner Willner moved that the claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was submitted by Peyronnin Construction Co. for the construction of a new wood structure at the County Garage, for the replacement of a building that was destroyed by a storm, less the deductible amount of \$100.00 Insurance. The claim is in the amount of \$2,275.00 and was approved by Mr. Hotz.

Commissioner Willner moved that the claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: JACK BARNES ON STRIP MINING

Mr. Barnes appeared and said he wanted to share some ideas he has on strip mining in the County which is now on the County line and he is a concerned citizen and he wants to share some of these things with the Commissioners. He said there are a number of homeowners who live in Vanderburgh County, Pike County and Warrick County who are being blasted from their homes two to three miles from the strip mining operations by the Coal Company's in this area and by the time the Coal Company's approach the homeowners to negotiate for the strip mining rights, the houses of the owners have been shattered and cracked and their water wells ruined by the high blasting charges used by the Coal Company's.

He said that complaints of the Coal Company's action to the Indiana Department of Mines and Mining go unanswered or treated with disdain and the Coal Company's treat it as a cost of business and that they have a list of law suits as long as your arm right now and he feels that their attitude is, why pay damages on a home that they plan to destroy as their stripping operations proceed, which is a clear violation of constitutional rights.

He said it is really worse than a war because they don't have the law on their side and if they go out and start shooting back, they wind up in jail and it has more implications than that, and that in April of 1975, Public Law #257 which was designed to protect citizens and property from strip mining operations, was passed by the Indiana General Assembly and signed by the Governor and the responsibility for promulgating rules for an enforcement of this law was assigned to the Department of Mines and Mining, but one year later, this bill has not been enforced.

He said that last week, they had the Bureau of Mines men down here and they listened to a number of complaints about the blasting, among other things and they were to meet with the homeowners last Saturday and examine the damage, so they waited for the men but they failed to show up, also at a recent grievance hearing in Evansville, dozens of families registered complaints about the Coal Company's blastings and the effects it is having on their homes.

He said that testimony reveals that blasting is sporadic and unannounced and people are being shaken in their beds at night and this insecurity to persons and homes is an obvious violation of their constitutional rights, also that when the implications are investigated, it is having an effect on our food supply, since strip mining in this area has destroyed the precious top soil on thousands of acres of top land, that fertilization can restore some ground to the grass land or low yield wheat land but not to the level of it's former productivity.

He asked what we will tell our children about the agriculture base that we have left them, that in effect, what we are doing, is destroying our land for jobs right now and not worrying about what is going to happen thirty years from now when the world population is doubled, so the Coal Company's are leaving us a vanished land that may not support our children or feed the nation in the future, and it is vital that we maintain our food production capacity in order to preserve our freedom and independence and this is our ace in the hole and we are frittering it away out there right now.

He said the stripping of coal from beneath our priceless farm land is not the answer to our energy problem, that conservation and the development of alternate energy supplies offers our children some hope and in addition, we have all kinds of weather problems associated with this thing, that the run-off from over fertilization and acid mine drainage is a drawing threat to our water supply, that the proliferation of coal fired power plants in the Ohio Valley that supply electricity to the Northeast is a growing threat to our air quality, also that farm families that have worked the land for several generations, are being uprooted as the strip mining of our crop land continues and that the wild life in the stripped areas are destroyed of it's habitat and can be brought in again afterwards but the present life is destroyed.

He said this whole thing is tied together with the Wabash Canal, which will bear it's coal from Southwestern Indiana, to power plants all over the Ohio Valley and this thing will also destroy \$15,000 to \$20,000 of our best farm land, so everyone can see what is happening to our agricultural base, that is not only in Vanderburgh County but that part of it is and he thought the Commissioners ought to consider these implications so he wants them to become more familiar with the strip mining situation and it's implications, and he would first encourage them to support the adoption of laws that would ban all strip mining of crop land so that we can preserve our food supply for ourselves and our children, that he didn't want them to consider this to be blind opposition to progress, that rather it is opposition to blind progress and this is what he thinks they are into now.

Mr. Barnes said that another suggestion is that if the Commissioners decide to go ahead with strip mining in the County, they should make it a tough one, that the Coal Company's are raking us right now and that he would take the Commissioners on a tour if they want to see it.

He said that the West Virginia strip mining law is a pretty good one and that the national law which was vetoed by Ford is coming up again and is modeled after the West Virginia mine law and there are some things that ought to be included in any strip mining legislation.

He said he understands that the Coal Companies' think that Vanderburgh County has an ordinance against strip mining, that he called the Area Plan Commission and they can't seem to find this ordinance, so in the event that there is an ordinance, he would like to make the following suggestions, that the top soil be scraped from the top six inches and saved to be put back on the ground after the stripping is done, that drainage and water supplies be protected and no acid mine drainage should be pumped into our streams and they are doing it right now, that the ground should be returned to it's original contour,

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that every effort should be made to return the ground to its former productivity, that there should be a County severance tax on coal to maintain an inspection and enforcement agency in this County and in addition to that, a \$5,000 bond per acre to insure compliance with these regulations, so if they come in here and do it, they are going to have to save the top soil, save our water supply, return the productivity and the assurance of all this will be the \$5,000 bond per acre, but hopefully, the Commissioners will decide that they will have no strip mining in Vanderburgh County, that it just isn't worth it.

Commissioner Ossenberg asked the County Attorney's if they were aware as to if there was an ordinance prohibiting strip mining in the County or not.

County Attorney Wendel said he didn't think there was an ordinance prohibiting strip mining, that it is permissible in agricultural zoning areas with a conditional use permit.

Commissioner Ossenberg asked Mr. Barnes if the Department of Natural Resources would come into this on a state level.

Mr. Barnes said that perhaps they should probably come into it but he hasn't contacted them as yet but that the Bureau of Mines and Mining has been so unresponsive in this thing and there are a great number of families out there that just feel the law has left them behind.

Commissioner Ossenberg said he brings this up due to the fact that it pollutes natural streams, and etc., it looks like they could be an assistance to the people.

Mr. Barnes said he will contact them next, that he plans to do it all around but that he wanted to come before the Commissioners first.

Commissioner Ossenberg said that to his knowledge, he didn't think there has ever been a request for any strip mining since he has been on the Board.

Mr. Barnes said they have, within a half-mile from the County line and to give the Commissioners an idea, they paid \$1,000,000.00 for 300 acres in there, that this is the kind of thing that has been going on and it is going to be almost impossible to keep them from coming across the line and blasting those houses out from under the people so that by the time they get there, those people are ready to sell.

He said they use all kinds of gimmicks to keep the thing rolling but in the process, they are destroying our agricultural base.

Commissioner Willner said he was sure there was an ordinance that prohibited all strip mining in Vanderburgh County and that the Commissioners passed an ordinance in the past six years, that absolutely prohibited strip mining.

Mr. Barnes asked where this ordinance would be filed.

Commissioner Willner said it would be filed in the Auditor's office and he was sure that the Area Plan would have it, but he isn't saying that it is constitutional or that there won't be a court battle over it.

Mr. Barnes said that if Area Plan does have one, they couldn't find it but they are still looking for it.

Commissioner Ossenberg said he really didn't know but that it would be filed in the Auditor's office if one was passed.

Mr. John said he would see that the Auditor's records will be checked to see if an ordinance can be found.

Commissioner Willner said that he would work on this matter also.

Mr. Barnes said that he was going to show slides on this to the Area Plan Commission Wednesday night and that he would like for the Commissioners to attend if they could find the time to do so.

RE: COMMENT ON USING LAW LIBRARY

A young man from North High School appeared and said that he is having a legal dispute with a store owner and he is currently trying to use the legal library but he is having trouble because the library is only open from 9 a.m. to 4:00 p.m. and he gets out of school at 3:10 p.m. and by the time he gets there, it is

3:30 p.m. so he only has one-half hour to research it. He said he talked to Judge Miller and he asked who makes the setting of the hours and wondered if they could be changed.

Commissioner Ossenberg said that the Commissioners regulate the hours but those hours go along with the Courts and the Courts go from 9:00 a.m. to 4:00 p.m.

The gentleman said that the half-hour isn't enough time and at that rate, he will never get anything done and the only alternative is to hire a lawyer which would be extremely expensive and he has no means with which to pay one.

County Attorney Smith said that the gentleman could check some books out through Judge Miller or his secretary.

The gentleman said that he is researching several encyclopedia's which would be hard to take out, and when he was asked if he had contacted Legal Aid, he said he wasn't eligible for Legal Aid.

The young man said that Judge Miller has the same gripe as he has but that he wanted someone else to come before the Commissioners.

County Attorney Wendel said that the gentleman might find the encyclopedia that he needs, at the two University Libraries or at Central Library.

Commissioner Ossenberg told the gentleman to first see if either University Library has the encyclopedia and if he can't find one,, he should get back in touch with him and he will go to the law library with the young man.

The young man said he would do this and he thanked Commissioner Ossenberg for his help.

RE: MR. CROOKS

Mr. Crooks reported that the house on Spry Road that was owned by Margaret Behme and the Commissioners had so much trouble with, was finally sold and that they have started work on it.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report of the County Highway employees for the past week.
Report received and filed.

RE: BORING UNDER ROADS FOR TAP-INS

Mr. Siebeking said the Commissioners were quite concerned about the new surface on Kuebler Road, Meier Road and Kleitz Road because of needed tap-ins. He said the Water Company isn't finished with their tap-ins and that he talked to Mr. Milligan who is the General Superintendent at Green Construction Co. again this morning, who is doing the work and that Mr. Milligan told him to assure the Commissioners that there would be no damage to the new surface, that they are boring under the road for all tap-ins and that the only thing was, that in case they would hit solid rock where they couldn't bore, they would then have to make a cut but that there is no solid rock in that area, so all tap-ins will be bored under the new surface rather than cut-ins and that Mr. Milligan told him that when they get done, the roads will be just as they are now.

RE: AUDUBON DRIVE

Mr. Siebeking said they have about a 337 ton under-run of bituminous material left from the contracts that were let last year. He said that one of the roads they had talked about repaving with road mix, was Audubon Drive which is about 1300 feet long and that it is in terrible shape, so with the permission of the Commissioners, he thought that Feigel would do the work and said that this bituminous material should do the job. He said this is a concrete street that went bad but that it is good underneath and that one area has been patched several times and it is very rough and with the new material on top, they will have a good road for a long time.

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Commissioner Willner moved that Feigel be permitted to repave 1300 feet of Audubon Drive with the bituminous material they have on-hand. Commissioner Ossenberg seconded the motion. So ordered.

RE: CUTS IN

Indiana Bell Telephone Company requests permission to make a shoulder cut into Apache Pass to bury a telephone cable.

Indiana Bell Telephone Company requests permission to bore under Burch Drive at Baumgart Road to place buried telephone cable.

Indiana Bell Telephone Company requests permission to push under Shawnee Drive at Waterworks Road to provide telephone facilities to Inland Marine Boathouse.

Commissioner Willner moved that these cuts be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CERTIFICATE AND PERFORMANCE BOND

The Industrial Board of Indiana submitted a Certificate showing that Feigel Construction Corp. has complied with the provisions of the Indiana Workmen's Compensation Act and the Workmen's Occupational Disease Act, effective 1/31/76 and expires on 1/31/77. The Performance Bond in the amount of \$95,182.06 for Resurfacing County Roads, RC-1-76.

The Certificate and the Performance Bond were noted as being received and filed.

RE: GREEN RIVER ROAD

Mr. Nussmeyer submitted the application for \$112,500.00 in R & S money for the Green River Road Extension.

Commissioner Willner moved that the application be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM

A claim was submitted by Feigel Construction Corp. for paving of county roads, 201-2260, in the amount of \$18,468.95.

Commissioner Willner moved that the claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg asked Mr. Nussmeyer if Feigel has started back on Green River Road, on what work they have to do.

Mr. Nussmeyer said they were out there last week.

A claim was submitted by JEBCO for the work done on Green River, on the Stella Hirsch Crowell property in the amount of \$6,580.17 and was approved by Richard Nussmeyer. Acct. #201-2260.

Commissioner Willner moved that the claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CONTRACT SIGNED

The Commissioners signed the contract for Deig Brothers for the construction of the Kentucky Avenue Bridge, Structure #116 A at this time. The amount of the bid is \$317,672.40.

Commissioner Ossenberg asked Mr. Nussmeyer, if the City comes up with their money on this project tonight, which he is sure they will, if he was ready to start construction immediately and if Deig Brothers is ready to start immediately.

Mr. Nussmeyer said they were ready to start immediately and that by November 1, 1976, this bridge should be open to traffic.

RE: CUT IN

The Water Company submitted a request to make a shoulder cut at 4226 Mesker Park Drive.

Commissioner Willner said that Mesker Park Drive is a new road that is in good shape and he isn't going to sign his approval of the cut.
This matter will be held until next week.

The meeting recessed at 10:22 a.m.

PRESENTCOUNTY COMMISSIONERS

Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Paul Wendel
Ed Smith

Secretary: Margie Meeks

Thomas L. Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 10, 1976

The meeting of the County Commissioners was held on Monday, May 10, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

Ms. Doris Dever bid \$25.00 for parcel #32, the Code number being 30-34-16, which is located at 1911 W. Illinois Street.
She said that her address is 1914 W. Illinois Street.

Commissioner Ossenberrg moved that the Commissioners accept the bid of \$25.00 and that parcel # 32 which is located at 1911 W. Illinois Street be sold to Ms. Dever. Commissioner Willner seconded the motion. So ordered.

There being no further bids, the bidding will remain open and the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CLERK OF THE CIRCUIT COURT

Sally McMillen 605 Meyer Dep. Clerk \$224.88 Pay Eff: 5/10/76

GERMAN TOWNSHIP ASSESSOR

Danny Nix 7001 Happe Rd. 249-112-116 Farm Land Assess. \$20.00 Day Eff: 5/3/76

KNIGHT TOWNSHIP ASSESSOR

Jean Dixon 1801 S. Fairlawn Deputy \$16.10 Day Eff: 5/10/76

AREA PLAN COMMISSION

Ann Rose Schmidt 2721 N. New York Planner I \$10,300 Yr. Eff: 5/10/76

SUPERIOR COURT

John S. MacCauley	Probation Officer	\$9,491.00 Yr.	Eff: 5/3/76
Morton Lubowitz	Probation Officer	\$9,491.00 Yr.	Eff: 5/3/76
Thomas M. Swain	Judge	\$9,500.00 Yr.	Eff: 5/3/76

BURDETTE PARK

A.W.E. Edward Casteel	1710 Grove St.	Ground Crew	\$2.30 Hr.	Eff: 5/3/76
A.W.E. Danny Diefenbaugh	3123 Forrest	Ground Crew	\$2.30 Hr.	Eff: 5/3/76
Maria Huggman	213 E. Michigan St.	Cashier	\$2.30 Hr.	Eff: 5/3/76

PLEASANTVIEW REST HOME

Mabel Clark 304 E. Columbia St. Cook \$2.30 Hr. Eff: 5/5/76

RE: EMPLOYMENT CHANGES.....RELEASES

CLERK OF THE CIRCUIT COURT

Jean Hammond 5817 Shelbourne Deputy Clerk \$224.88 Pay Eff: 5/10/76

AREA PLAN COMMISSION

Ann Rose Schmidt 2721 N. New York Planner I \$4.95 Hr. Eff: 5/7/76

SUPERIOR COURT

John S. MacCauley	Probation Officer	\$8,800.00 Yr.	Eff: 5/3/76
Morton Lubowitz	Probation Officer	\$8,800.00 Yr.	Eff: 5/3/76

EMPLOYMENT CHANGES.....RELEASES - CON'T.BURDETTE PARK

A.W.E. John Hill	1715 S. Grand	Ground Crew	\$2.30 Hr.	Eff: 5/5/76
A.W.E. Jerry DeJarnett	601 E. Chandler Gr.	Crew	\$2.30 Hr.	Eff: 5/5/76
A.W.E. Rebecca O'Bryan	4537 Meadowridge Gr.	Crew	\$2.30 Hr.	Eff: 5/5/76
A.W.E. Tony Austin	2242 Van Biver	Ground Crew	\$2.30 Hr.	Eff: 5/10/76
Sherry Brooks	3018 Adams Ave.	Cashier	\$2.30 Hr.	Eff: 5/5/76

PLEASANTVIEW REST HOME

Gladys Lane	Opdyke Ave. Mt. Vernon Ill.	Cook	\$2.10 Hr.	Eff: 5/4/76
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RE: MONTHLY REPORT

Mr. Harness submitted the Report of the Pleasantview Rest Home for the month of April, 1976.

Report noted as being received and filed.

RE: BRINK'S RATES TO BE RAISED

A letter dated April 26, 1976 was received by the Clerk of the Circuit Court last week and reads as follows:

Dear Customer:

Recent wage increases granted to labor, together with an overall increase in other operating costs necessitates our reviewing all present contracts.

Even though considerable time has been spent in the re-routing of our runs in order to attain maximum efficiency, our efforts have not been able to completely satisfy these additional costs. We must therefore request an increase in our charges effective June 1, 1976.

The new charges to your account will be as follows:

\$94.80 per month - Items A & B

All other items of your present contract dated 3/26/70 will remain the same.

Brink's, Incorporated operates under Interstate Commerce Commission regulations as a contract carrier (Permit No. MC-124328); therefore, it is important that you sign and return the attached copy of this letter and retain the original for your records.

Thank you for your understanding of this matter.

Very truly yours, R.T. Haller
Vice President, Central Region

This matter was discussed and it was found that the charge would be \$9.00 more per month.

This matter was deferred until this week for final action.

Commissioner Ossenberg said they will get the same thing on the Treasurer's office, also that Brink's make one trip per day..

Commissioner Willner said that as long as Brink's has no competition, there is nothing the Commissioners can do about it.

Commissioner Willner moved that the raise be approved. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Schaad signed the acceptance of the new rates at this time.

RE: CHECKS RECEIVED

Torian Agency, Inc. submitted two Insurance checks to the Commissioners, with the following note attached:

Enclosed are checks totaling \$4,727.63 covering the destruction of Surveyor's equipment in Alvin Paul's automobile accident last year. This covers the damage in full less the \$100.00 deductible.

Sorry for the delay in getting this to you as the checks were stuck in the file.

One check dated 11/25/75 was in the amount of \$1,610.81 and the other was dated 12/5/75 and was in the amount of \$3,116.82..

Commissioner Schaad said that he understands that these checks can be deposited back into the same account which is the Surveyor's Motor Vehicle Account #106-723.

Commissioner Ossenberg moved that the Commissioners sign these checks. Commissioner Willner seconded the motion. So ordered.

RE: BLOCK GRANT COMMUNITY DEVELOPMENT FUNDS DENIED

A copy of the following letter was received by President Schaad of Vanderburgh County and by President Gerhardt of Warrick County:

Subject: Community Development Block Grant Program
Pre-Applications for Metropolitan Area Discretionary Funds
Fiscal Year of 1976.

I sincerely regret to inform you that the Area Office will be unable to provide Block Grant Community Development funds for your community during this program year. As you may know, the Area Office received 81 pre-applications for discretionary Block Grant funds in metropolitan areas. These pre-applications requested over \$13,000,000 in funds as compared to an Area Office allocation of only \$2,800,000 for all metropolitan areas.

The process of deciding which applications and communities were to be invited to submit a full application was very difficult and time consuming. All pre-applications were matched against the Area Office rating system (a copy of which was sent to you with your pre-application forms). This rating system was based upon the criteria established in the Federal Register for the Block Grant Program. Although the activities which you proposed were worthwhile and reflect sincere efforts on the part of the community to identify and solve local housing and community development programs, unfortunately they did not rank sufficiently high in our final analysis to warrant the submission of a full application. In some cases, the activities were ineligible or sufficient funds could not be provided to assure the completion of the project.

We sincerely hope that your failure to receive funds during this program year will not discourage your community from pursuing its projects with other means which may be at your disposal and that you will improve your application to better compete for Block Grant funds during Fiscal Year 1977. Thank you for your interest in the programs of the Department, and we look forward to working with you in the future. Please believe me in expressing my sincere regret that you were unable to receive funds this program year.

Sincerely, James E. Armstrong, Director

Commissioner Schaad explained that this pre-application had been made for federal funds, to hopefully begin to solve the East side drainage problems and said that when it left the Commissioners office, it looked like it was pretty high on the priority list and they had every expectation that it would be approved, but he understands they were led to believe that H.U.D. would have about \$37,000.00 down here for the five counties and it developed that there was less than \$267,000.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted from Feigel Construction Co. which is a blanket policy and certifies that they are in compliance with the Indiana Workman's Compensation and Occupational Disease Acts.

Commissioner Schaad explained that Vanderburgh County is under contract with Feigel Construction and this Certificate proves that they are covered. Certificate received and filed.

RE: DATA ON SUIT OF PONCIA, ET AL VS. BOARD OF COUNTY COMMISSIONERS ET AL

The following letter was submitted to the Commissioners which was addressed to the Honorable Thomas F. Strubbe, Clerk of the Court of Appeals, Seventh Circuit, in Chicago, by Attorney Edwin R. Smith, Jr.: No. 76-1228

Dear Sir:

Enclosed please find an original and three copies of an Appearance entered by Edwin R. Smith Jr. as one of the counsel for the defendants in the above cause.

Thanking you for your attention to this matter, I remain, Very truly yours,
Edwin R. Smith, Jr.

APPEARANCE

Before the Honorable S. Hugh Dillon, Judge

Comes now Edwin R. Smith, Jr. and respectfully shows unto the Court that as of May 1, 1976, he is the duly appointed and acting Co-County Attorney for the County of Vanderburgh, State of Indiana, and as such does now enter his appearance as Co-Counsel for the Board of County Commissioners of Vanderburgh County, Indiana, et al., defendants in the above styled action.

Signed, Edwin R. Smith, Jr. County Attorney

PROOF OF SERVICE

Before the Honorable S. Hugh Dillon, Judge

Edwin R. Smith, Jr., County Attorney for the defendants, The Board of Commissioners of Vanderburgh County, et al., hereby certifies that on the 5th day of May, 1976, he deposited in the United States mail with sufficient postage prepaid thereon a copy of the attached Appearance, full, true and complete copies addressed to John D. Clouse, 1004 Hulman Building, Evansville, Indiana and Donald Ewers, 323 S.E. Eights Street, Evansville, Indiana, 47713, Attorneys for the plaintiff, Donna K. Poncia, et al.

DATED at Evansville, Indiana this 5th day of May, 1976.

Signed Edwin R. Smith Jr. County Attorney

This appeal will be heard in Chicago on May 27th and the Commissioners authorized the travel of both County Attorney's at the expense of the County on March 15, 1976.

RE: REQUEST THAT A LANE BE NAMED

The following letter was sent to the Area Plan Commission by Francis Hillenbrand of R.R. 7, Box 391, Evansville, Ind.:

Gentlemen:

This letter is a request for the naming of a lane off of Bromm Road. The lane is approximately 82 feet from the center of Apache Pass to the center of our lane up the center of Bromm Road. The lane extends approximately 1333'9" West from the center of Bromm Road along the center of and to the end of our lane.

The three names we have picked for this lane are listed below in order of preference:

1. Henry's Lane (or Henry Lane)
2. Hillvey Hill Lane
3. Bluebird Lane

Our Address is as above. Our phone is: 963-5434. We would appreciate your immediate attention to this matter. Thank you,

Francis Hillenbrand

Commissioner Schaad said this letter was first received by the Area Plan Commission but was turned over to the Commissioners so it could go through proper channels.

Commissioner Willner moved that this letter be referred to the Area Plan Commission. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

A claim was received from Torian Agency for Insurance (General Fund) Continental Yacht policy #YC 02 09 06 to cover the boat of the Sheriff's Department, in the amount of \$190.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency, Insurance - County Highway Department, Continental policy #IMC 12 53 00 covering Contractor's Equipment in the amount of \$1,600.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Brink's Inc. for services rendered the Clerk of the Circuit Court, #325912210, in the amount of \$85.80 for the month of May. This is by contract.

Commissioner Ossenberg moved that this claim be approved for payment. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Jane Griffith, Court Reporter of the Vanderburgh Superior Court, for preparation of transcript re: CIV-3522 portion reported by Jane Griffith in the amount of \$169.75.
State ex rel Wm. J. Brune vs. Paul Brown et al.

Commissioner Ossenberg said this suit was mandated in 1975 and should be County Council.

County Attorney Smith said that Paul Brown was president of the County Council at the time and that the suit reads et al.
He said the suit was originated in 1975 and that former County Attorney Swain was going to appeal.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by the Auditorium News for the ad to fill a vacancy that was created by the resignation of Doyle Dressback, in the amount of \$50.00.

Commissioner Ossenberg moved that the claim be approved. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said he thought that the Proof of Publication should accompany the claim from the Auditorium News.

Commissioner Ossenberg moved that the Proof of Publication accompany the claim. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON VOTING PROCEDURES IN VANDERBURGH COUNTY

Commissioner Willner said he would like for the Commissioners to set up a meeting with the Election Office and the County Clerk over the Election procedures in Vanderburgh County.

He said there has been some serious problems in the Primary Election and he would like to see if it was the machines or what is at fault and he would like several questions answered, also that we have had two elections with the new machines and they have had trouble at both elections, either by running out of ballots or being sent to the same address on absentees and he thought the problems were going to have to be cleared up by the General Election in the fall and he would like to see this meeting held publicly, to ease the minds of the voters of Vanderburgh County as to just what the problems are.

He said he was under the impression that they were going to computerize the ballot card system and he understands now that they even had some paper ballots, that he doesn't understand this, also that from 4:00 p.m. until 6:00 p.m. on election day, the Election Office wouldn't answer their telephones and he said that he wanted some answers.

Commissioner Schaad said he would need a legal opinion here, that the County bought the machines and if something was wrong with them, the Commissioners might enter into it but asked if the running of the elections wasn't completely in the hands of the Election Board.

Commissioner Willner said this is correct, but he was wondering if the machines were at fault.

Commissioner Schaad said not in any area that he has found.

Commissioner Willner said the County pays for the telephones in the Election Office and if they aren't going to answer them....well...

Commissioner Ossenberg said that in Ward 1, Precinct's 15 and 16, of which he is part of, he went to the phone and called the Election Office at 4:15 p.m. and 4:30 p.m. and they answered the phone.

Commissioner Willner said he personally called the Election Office and could not get an answer, so there is some serious trouble here somewhere.

Commissioner Ossenbergsaid as far as ballots are concerned, they went back to previous elections as to the number that voted, in furnishing the ballots for this election and that he thought there was no ballot shortage in the Democratic Party but there was a ballot shortage in the Republican Party, which was due to the fact that they went back over several years and found out the most that had ever voted in a Republican Primary had been about 12,000 so this is what it was based on, so they had a sufficient amount of ballots but what was happening was that every precinct was calling for more ballots and some got too many, while others didn't get enough and there wasn't the manpower to go out and get them. He said they started calling at 8:00 a.m. and by this time, they had voted 48 Republican ballots and only had a total of 100 ballots and he did run out of ballots because the Yellow Cab broke down.

He said they fortunately were located in Dexter School where there were two precincts, so they got the opinion of the Election Board and since Ward 1, Precinct 15 had more ballots than Ward 1 Precinct 16, the ballots were numbered and signed by both Boards and they agreed to loan the ballots until more ballots were received to pay them back.

He said there were some votes on paper ballots across the County, but not in his precinct.

Commissioner Willner said he wondered why they were having paper ballots printed up and not the punch cards they needed.

Commissioner Schaad said he thought this was necessary, by law.

Commissioner Ossenbergsaid he would go along with the request of Commissioner Willner, to assure that things will run more smoothly in the fall, that he just thought there was an error in judgment of the amount of ballots needed and said, quite frankly, that the two County Chairmen, in their predictions, that in the Republican Primary, they thought there would be from 10,000 to 12,000 votes and in the Democratic Primary, 12,000 to 15,000 and they far exceeded this amount. He said that in his precinct, in the City Election of 1975, they voted 83 Republican Primary votes and in this particular election, they voted well over 220.

Commissioner Schaad said he didn't think it was the County Commissioner's prerogative to do anything about it because it is pure and simple, an Election Board problem since they run the elections, so he thought this was a good place to air the problem in public but he thought it to be out of order before this board and should be addressed to the Election Board.

RE: MATTER OF STRIP MINING

Commissioner Willner said he was informed that no Ordinance on Strip Mining could be found, either in the Auditor's office or in the Area Plan Commission so he thought they should get to work on one immediately. The other Commissioners agreed.

Commissioner Schaad said he had a call sometime ago from the Engineering Firm in Indianapolis, who was working on I-164 and he wanted to know if there was an Ordinance that prevented strip mining in Vanderburgh County. He said he thought they were getting a lot of static from a coal mining company over in Warrick County and they said if they did put I-164 down in Warrick County, they wouldn't be able to get several tons of coal and they thought maybe an alternate thing would be to just put it in Vanderburgh County, but if Vanderburgh County had an Ordinance on no strip mining, there would be no point in making a recommendation so at that time, he talked to Mr. Swain and others and apparently they couldn't come up with anything on an Ordinance in Vanderburgh County against strip mining but Commissioner Willner thought there was.

Commissioner Willner said he was still working on it but he didn't think the Commissioners should rest on the fact that one will be found and that they should work on one.

Commissioner Schaad said this is something that should be thought about very seriously.

Commissioner Ossenbergsaid they must also think about the damage that strip mining does to the peoples homes.

Commissioner Willner said that these people are looking for leadership and the Commissioners shouldn't pass the buck.

Commissioner Schaad said he thought they had a right to pass an Ordinance under the new law and if this is the wishes of the Commissioners, they could have the County Attorney's draw one up and have the hearings that were necessary.

Commissioner Willner moved that the County Attorney's be instructed to start forthwith, on an Ordinance, prohibiting strip mining in Vanderburgh County. Commissioner Ossenberg seconded the motion. So ordered.

County Attorney Smith asked the Commissioners if they wanted to have a public hearing to get the feeling of the public before they start on an Ordinance.

Commissioner Schaad said he knew they would have to have a preliminary public hearing before the Ordinance is passed.

Commissioner Willner said there were some questions on it and he isn't too sure that the Ordinance should strictly prohibit strip mining, that maybe they should set it up so that each individual case must come before the Commissioners or that they should apply for application or some stipulations that they will, in certain cases, allow strip mining if it is controlled and reclaimed.

He said that he wasn't sure what the answer was.

He said that what enters his mind is if they can say, per se, no strip mining in Vanderburgh County, since he doesn't know if this would be legal, so maybe to get around it, they need to set up a control permit.

Commissioner Schaad said the County Attorney would need to research this matter to see if there are other counties in Indiana that may have an Ordinance already and if so, he could use them as a guide and get some ideas as to what should be included in the Ordinance.

Commissioner Ossenberg said it would be his suggestion to get in touch with the Department of Labor and the Department of Natural Resources in the State of Indiana and see if anyone else has one and to find out just what guidelines they set forth, since we may not have the power to absolutely control it, that they may be able to give them conditional use on it and reclaim it.

Commissioner Schaad suggested that the County Attorney come before the Commissioner after he has researched the matter, before the Commissioners take any action.

Commissioner Willner said this would have to be done, also that he would like to keep it out of the Area Plan as much as possible, since he would like to get it before an elected body.

It was agreed that this matter be deferred until the County Attorney has researched the matter and reports his findings to the Commissioners.

RE: LETTER ON IMPROPER CONSTRUCTION PROCEDURE

The following letter was sent to Mr. Ron Ziliack, a property owner and Mr. Urban Adler, a Building Contractor, by Mr. William H. Mitchener, the Soil Erosion Technician:

Gentlemen:

Mr. Ziliack received building permit #6515 on March 11, 1976, for a residence to be erected at 14417 McCutchan Road.

Prior to receiving the permit, a drainage check was performed at which time it was determined, due to the soil and the high water table in this area, that no basement should be built and the floor level should be 24" above center of the road.

However, between the contractor and the owner, arrangements were made to dig a basement over our objections. Approximately April 20, 1976, inspection was made. At this time the concrete was poured and water was standing where the footing was placed. A pump was finally utilized to remove some water to permit laying of block.

A footing inspection was not made due to this office not being notified until after it was completed. Both the contractor and the owner assured everyone it was dry when poured and was 12" deep. Spot checks were made and the footing appeared solid where checked. Ten inch block walls were set up and water still stands in and around footing.

It was agreed the owner would install sump and pump with cross section drains to sump on inside with perimeter drains on outside also piped to sump and proper seal on outside of wall. No assurance can be made that the basement will be dry.

This department and the County Government cannot be held responsible for any damage that may occur to building or contents due to improper construction procedure.

Very truly yours, William H. Mitchener
Soil Erosion Technician

Mr. Crooks submitted a copy of this letter to the Commissioners so that it can be made a matter of record.

RE: QUESTION OF BEING LIABLE ON CLAIM FROM WELBORN HOSPITAL

Sheriff DeGroote appeared and stated that he would naturally comply with the wishes of the Commissioners but that he was wondering about the advisability of paying the bill that was submitted from Welborn Hospital in the total amount of \$1,346.01 pertaining to an indigent that was sent to the hospital by the Sheriff's Department, when they found he hadn't responded to sobering up in the drunk tank. He said this case goes back to 1974 which was prior to his taking office, but that the man, Paul Smith, came in as a result of an arrest by the City Police and was in the County Sheriff's care and had not responded the next morning so they sent him over to the hospital, that he was admitted on January 12th. and died on January 14th. and the man was obviously an indigent and he isn't aware of the reason for his death, he assumed it was from natural causes, that there was no further case made by the City Police, but he was wondering about the advisability of the Sheriff paying this bill from his budget, since they are allotted an X number of dollars to run the jail for the year, which includes all medical, doctor, drug and clinical expenses, also the guarding of the prisoners, etc., and he is hurting in this account already this year, mainly because of cost raises in medical, doctor and drug expenses in the jail.

He said they have appealed these cases, especially the indigent cases, to Mr. Work at the Welfare Department and have gotten considerable relief from them and he was wondering if the Commissioners would advise him to directly pursue this means, since it wouldn't then come out of his budget.

Commissioner Schaad said it doesn't hardly seem fair that they pick someone up and then get stuck with the bill.

There was discussion of the claim being previously approved by the Commissioners and Mr. John said that the claim was approved, subject to the approval of the Sheriff and if he denies it, the claim wouldn't be paid by the County.

Commissioner Ossenberg said that the Commissioners approved the claim on the advice of former County Attorney Tom Swain and he understands that County Attorney Ed Smith doesn't share that opinion.

Sheriff DeGroote said they have paid many bills in the past for inmates for medical expenses but he felt that they were perhaps paying a great many dollars in a years time that they really shouldn't have to pay.

He said that the policy in the past has been that if a person comes into the jail and he assumes custody, and then take them to the hospital or the doctor and they have no funds to pay for it, they do pay the bill and some of it goes through Welfare so this does help.

He said that he has applied to the State of Indiana, since the Indiana Medical Association has received a federal grant to do a study on medical services provided by jails in Indiana and he wrote to them and requested that they be placed high on the list, to send a medical examiner down here to see if they were in compliance with the medical requirements as set out by the state and he received a call back that they were going to send someone down here and he wanted to discuss this matter with them also, but in this particular instance he didn't feel that it should be their responsibility.

Commissioner Ossenberg asked Sheriff DeGroote if a federal prisoner came up sick, whose responsibility would the expenses be.

Sheriff DeGroote said that the federal government would then be responsible.

Commissioner Ossenberg said that the claim was approved subject to the Sheriff's approval and he thought this matter should be pursued with Mr. Work

Sheriff DeGroote said that he has heard of instances where a person needing medical care has committed some minor crime and be committed to his care and then all of a sudden, he has a complaint and the Sheriff's Department has to take care of the medical bill and he thought it to be a little ridiculous that the taxpayer is burdened with this type of thing.

Commissioner Schaad said that if it is agreeable with the other Commissioners, he would be glad to go with the Sheriff to talk to Mr. Work.

Sheriff DeGroote said that he has already spent \$12,613.86 to date, just on doctor, medical and hospital bills for prisoners and this isn't including the guarding fee, not for the drugs that they provide on a daily basis for the inmates that are pre-trial detainees that are confined to his care, so he will accept the recommendation and he will see what Mr. Work has to say.

Commissioner Willner asked what proof do they have that this man was indigent.

Sheriff DeGroote said that he has the file that the City Police had compiled on the case, that they were investigating the probability of foul play so they did a pretty good file on him, and he was proved to be indigent.

Commissioner Schaad said he would get with Sheriff DeGroote and they would go to talk with Mr. Work.

RE: MR. HOTZGLASS AT AUDITORIUM

Mr. Hotz said that in relation to the glass at the Auditorium, they are working on the problem.

Commissioner Schaad explained that they have had some problems with the glass and that not long ago, someone tried to walk right through it but fortunately, he didn't break the glass and that of this moment, they haven't been sued by him, but they have had problems before and in making an investigation on his own, he found that if this building were built today, the glass couldn't be put in as it is now because it wouldn't meet the state standards, so he had Mr. Hotz to do some checking to see what they might do to bring it up to meet the state safety standards. He said there is a law suit pending, where someone went through the glass.

Mr. Hotz said that Central Glass has three proposals that they are going to submit and that Mr. Crooks has agreed to go over to the Auditorium and they are going to check the complete thing out as to what safety devices are needed.

He said that one is a rail of stainless steel that will be 18 inches from the floor, which he didn't think would be sufficient, that they talked about two rails and that they are going to submit a proposal on replacing the glass with safety glass but he hoped this wouldn't be necessary because it would be an expensive procedure, but they are going to look at it again and see what they come up with.

The Commissioners agreed that Mr. Hotz and Mr. Crooks should pursue this matter to see what can be done to meet the state safety standards and make the glass safe.

RE: LEASE ON BOEHNE

Mr. Hotz said that he submitted a recommended list on the Insurance to Torian Agency, Inc.

Commissioner Schaad said they had discussed that perhaps the value should be greater out at Boehne now, so they did have the County's Agent of Record to make a recommendation as to how much Insurance they should have on the buildings out there, so it can be written into the lease.

He said that the recommendation has come through and he understands that the Board does agree with the figures that have been set by the Insurance Agent of Record and that it is just a matter of drawing up the lease.

He said that the County Attorney's can just alter the old lease and that it needs to be done as quickly as possible.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees of the County Garage for the past week.

Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking said that they have an underrun on hot mix from the last three roads that were resurfaced which were Kuebler, Meier and Kleitz Road and they have enough material to probably resurface a little over 4,000 feet of road. He said that Feigel likes to keep things in one area so they have come up with a total of 4,224 feet on three roads that they had considered doing some work on, which are Marigold, Raintree and Westmore and are all together, so with the permission of the Commissioners, he would like for Mr. Ludwick to contact Feigel and see if they will do these roads on the underrun they have left from the previous contract.

Commissioner Ossenberg moved that permission be granted for this to be done. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said that he has traveled Kuebler, Meier and Kleitz Roads and that they did a very good job on them.

Mr. Siebeking said that the four roads that are finished now, which are Kuebler, Meier, Kleitz and Detroy, still needs the shoulder rocked which the County has agreed to do, so he is holding up and let the roads set up a little bit before he does have the rock put down.

He said he thought they would do it with some oil, then put the rock down and shoot it again on top with oil to hold it in there.

He said he thought they did a real nice job.

RE: RIGHT OF WAY BUYER NAMED

Mr. Nussmeyer said that in discussing St. Joe Avenue over the old Penn Central Bridge, he would suggest going back maybe 1,000 feet and pick up dirt and use it for fill to lower the grade and to do this he would need a right of way buyer. He said it would make it about four feet lower, also that he thought they would have to buy about 80 feet of right of way.

Commissioner Ossenberg moved that Dan Riddle be the right of way buyer. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said they have been waiting long enough and that they need to get this thing to going and asked Mr. Nussmeyer how long he thought it would be.

Mr. Nussmeyer said that hopefully they would be ready to go by mid-June. He said it is on the Council Call for May 18, 1976.

Commissioner Ossenberg said that when the Council passes approval on this, he thought they should go on record to contact Mr. Eades to get a verbal okay.

Mr. Ludwick said that there is \$93,000 in that account that can be used to start with.

Commissioner Ossenberg said that what he was thinking about is that if the money wasn't there, they could get quick verbal approval rather than having to wait five or six weeks for the State Board of Accounts when Frank Eades can get one in five days and they will then have time for their advertisements.

Mr. John will be requested to contact Mr. Eades for verbal approval as soon as the County Council approves the money, since this is almost an emergency.

RE: CLAIM

Mr. Nussmeyer submitted a claim from Floyd I. Staub for the Nurrenbern Road construction in the amount of \$14,858.98 which is the final bill.

Commissioner Ossenberg moved that this claim be approved on the recommendation of Mr. Nussmeyer. Commissioner Willner seconded the motion. So ordered.

RE: R & S APPLICATION

The application for \$112,500.00 in R & S money for the Green River Road Extension was submitted last week and Mr. Nussmeyer said he had a call and they requested that he re-submit on the same project so it is just a matter of paper work

Commissioner Ossenberg moved that the application be approved and re-submitted. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

The Waterworks Department requests permission to cut into 4225 Mesker Park Drive, to make a shoulder cut.

Commissioner Ossenberg said that this came up last week and the Commissioners didn't approve it because Commissioner Willner said this was a new road. He said he didn't want to approve it until he talked to the Waterworks to see how they are going to do it and to get their assurance that they are going to do it right and that they aren't to touch this road until this is done.

Commissioner Willner said that the County has been patching the cuts made by the Water Company, that they just let them lay until the County comes along and patches them.

Commissioner Ossenberg said he knew this and he thought that someone should go down and talk to someone in the Waterworks Department.

Commissioner Schaad said they need to get Jack Siebeking and Clarence Reuger to talk to them.

The request by the Water Company to make a cut will be held up until this matter is settled. A request from them to make a pavement cut was also held up.

The Indiana Bell Telephone Company requests permission to cut into Petersburg Road, South of S.E. Browning Road to push buried wire under road to provide facilities.

The Indiana Bell Telephone Company requests permission to make a under pavement cut into Orchard Road, 1/4 mile west of Schenk Road. This is a push job.

Commissioner Ossenberg moved that the cuts be permitted as requested by the Indiana Bell Telephone Company. Commissioner Schaad seconded the motion. So ordered.

RE: OFFER TO SETTLE SUIT

County Attorney Wendel said that the County was sued by Anna Joeckel for the bridge work that was done on Smith-Diamond Road and her Attorney has made an offer to settle this suit for \$4,252.91.

Commissioner Ossenberg moved that this offer be denied but after some discussion as to what the County can and can't do and what belongs to who, the Commissioners decided that Mr. Nussmeyer and County Attorney Smith go out there first and take a look at it.

A decision will be made on this matter next week.

The meeting recessed at 10:55 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Paul Wendel.
Ed Smith

Secretary: Margie Meeks

Bob Schaad

Thomas L. Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 17, 1976

The meeting of the County Commissioners was held on Monday, May 17, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bidders present today to bid on the County-owned Surplus Property but Commissioner Schaad said he did receive bids from a Mr. Jack Elliott, in the mail.
His bids were as follows:

A bid of \$25.00 on parcel #13 Code 18-160-34, Next to 363 Craig Ave. Evansville Industrial Addition, Lot 33 in Block 71.
There being no other bids on this property,
Commissioner Ossenberg moved that the \$25.00 be accepted on Parcel #13, Tax Code 18-160-34 and that the parcel be sold to Mr. Elliott. Commissioner Willner seconded the motion. So ordered.

A bid of \$25.00 was received from Mr. Elliott for parcel #28, Code 21-59-14, 788 Line Street.
There being no further bids on this property,
Commissioner Ossenberg moved that the \$25.00 be accepted on Parcel #28, Tax Code 21-59-14 and that the parcel be sold to Mr. Elliott. Commissioner Willner seconded the motion. So ordered.

A bid of \$25.00 was received from Mr. Elliott for parcel #29, Code 21-65-12, 713 Line Street.
There being no further bids,
Commissioner Ossenberg moved that the \$25.00 be accepted on Parcel #29, Tax Code 21-65-12 and that the parcel be sold to Mr. Elliott. Commissioner Willner seconded the motion. So ordered.

A bid of \$25.00 was received from Mr. Elliott for parcel #33, Tax Code 21-65-11, 715 Line Street.
There being no further bids,
Commissioner Ossenberg moved that the \$25.00 be accepted on Parcel #33, Tax Code 21-65-11 and that the parcel be sold to Mr. Elliott. Commissioner Willner seconded the motion. So ordered.

A bid of \$25.00 was received from Mr. Elliott for parcel #34, Tax Code 21-78-10, 901 Line Street.
There being no further bids,
Commissioner Ossenberg moved that the \$25.00 be accepted on Parcel #34, Tax Code 21-78-10 and that the parcel be sold to Mr. Elliott. Commissioner Willner seconded the motion. So ordered.

There being no more bidding on the County Owned Surplus Property today, the bidding will remain open and the sale will continue next Monday.

RE: AUTHORIZED TO OPEN BIDS

The County Attorneys were authorized to proceed with the opening of the bids for the reconstruction of Baumgart Road, Phase II.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

SHERIFF'S DEPARTMENT

Mamie Gold 424 Lincoln Cook \$23.00 Day Eff: 5/10/76

111-REGULAR BUDGET CENTER TWP. ASSESSOR

111-121 Jock A. Stucki	1345 Laubscher	Field Deputy	\$16.10 Day	Eff: 5/10/76
111-113 Sherry Culp	2918 S. Villa	Real Est. Dep.	\$240.00 Pay	Eff: 4/30/76
111-113 Wanda Johnson	3905 N. St. Joe	1st. Dep.	\$231.69 Pay	Eff: 4/30/76

APPOINTMENTS...CON'T.249-CENTER TOWNSHIP ASSESSOR REASSESSMENT BUDGET

249-113 K. Kent Logsdon 1821 Stevens Commercial & Ind. Super. \$35.00 Day Eff: 5/3/76
 249-113 Kathy Scherer 3905 N. St. Joe Field Deputy \$20.00 Day Eff: 5/10/76
 149-113 Richard Christian 6709 E. Oak Field Deputy \$20.00 Day Eff: 5/10/76
 149-113 Gregory Denton 3223 Elmridge Dr. Field Dep. \$20.00 Day Eff: 5/10/76
 249-113 Julie L. Kloke 1344 Laubscher Rd. Field Deputy \$20.00 Day Eff: 5/10/76
 249-113 Jay A. Ritter 5010 Elmhurst Dr. Field Deputy \$20.00 Day Eff: 5/10/76

BURDETTE PARK

Janet Hudson 4240 Bellemeade Ground Crew \$2.30 Hour Eff: 5/8/76
 Julie Hudson 4240 Bellemeade Ground Crew \$2.30 Hour Eff: 5/8/76
 Anne Ensner 5338 Nottingham Ground Crew \$2.30 Hour Eff: 5/8/76
 Barb Koressel 1719 Conlin Ave. Ground Crew \$2.30 Hour Eff: 5/8/76
 Robin Winstead 4801 Hogue Road Ground Crew \$2.30 Hour Eff: 5/8/76

VANDEBURGH CIRCUIT COURT - BAIL BOND PROGRAM - 136-129.5

Joe Adams 3517 Wansford Bail Bond Assistant \$4,822.40 Yr. Eff: 5/7/76

136

George C. Barnett 2511 E. Gum Probation Intern \$6,094.92 Eff: 5/10/76
 Loren R. Gabe R.4 St. Wendel Rd. Probation Intern \$6,094.92 Eff: 5/10/76
 Tom Dorsey 643 Jefferson Probation Intern \$6,094.92 Eff: 5/17/76
 Terry White Oakland City Probation Intern \$6,094.92 Eff: 5/17/76

BURDETTE PARK

Toby Ellington 355 Koch Ave. Cashier \$2.30 Hr. Eff: 5/12/76
 Duke Ellington 355 Koch Ave. Rink Guard \$2.30 Hr. Eff: 5/12/76

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

Lyn Siebeking Cypress-Dale Rd. Clerk-Typist \$225.00 Pay Eff: 5/10/76

PIGEON TOWNSHIP ASSESSOR

249-115 Lillian V. Young 762 E. Virginia Deputy Clerk \$20.00 Day Eff: 5/12/76

VANDEBURGH CIRCUIT COURT / BAIL BOND PROGRAM

Robin Kinney 463 S. Ruston Bail Bond Interviewer \$3.00 Hr. Eff: 5/14/76

AREA PLAN COMMISSION

Francis J. Seib 917 Irvin Ave. Temporary Help \$2.75 Hr. Eff: 5/17/76
 Marc Randall Loge 4121 Kuebler Rd. Temporary Help \$2.75 Hr. Eff: 5/17/76

COUNTY SURVEYOR

Donald Fink 2117 Southeast Blvd. Draftsman \$6,300.00 Yr. Eff: 5/17/76

RE: EMPLOYMENT CHANGES.....RELEASES

111-113 Sherry Culp 2918 S. Villa Dr. 1st. Deputy \$231.69 Pay Eff: 4/29/76
 249-113 Wanda Johnson 3905 N. St. Joe Field Deputy \$20.00 Day Eff: 4/29/76

VANDEBURGH CIRCUIT COURT - BAIL BOND PROGRAM

Janet McConnaughay 1681 Broadmoor Bail Bond Adm. Asst. \$1,797.52 Eff: 5/7/76
 Joe Adams 3517 Wansford Bail Bond Asst. Comm. \$8,240.00 Eff: 5/7/76

BURDETTE PARK

Toby Ellington 355 Koch Ave. Head Cashier \$2.75 Day Eff: 5/12/76
 Duke Ellington 355 Koch Ave. Sr. Rink Cashier \$2.75 Day Eff: 5/12/76

RELEASES.....CON'T.VANDEBURGH CIRCUIT COURT / BAIL BOND PROGRAM

Terry Meyers 1407 Howard Apt. C-18 Bail Bond Interviewer \$3.00 Hr. Eff: 5/1/76

COUNTY SURVEYOR

Thomas Reisinger 2518 W. Illinois Draftsman \$6,300 Yr. Eff: 5/14/76

RE: MONTHLY REPORTS

The Monthly Report was submitted for the Evansville Association for Retarded Citizens for the month of April.
Report received and filed.

The Monthly Report was submitted by the Clerk of the Circuit Court for the month of April. Report received and filed.

The Monthly Report of the County Treasurer was submitted for the month of April. Report received and filed.

The Monthly Report of the Building Commission was submitted for the period of April, 1976.
Report received and filed.

RE: ANNUAL REPORT

The Annual Report of the Board of Commissioners of Vanderburgh County, to the State Superintendent of Public Instruction was submitted by the County Auditor, on the Report on Conditions of School Funds, for the year ending April 30, 1976. He asked that the Report be approved and signed by the Commissioners.

Commissioner Ossenbarg moved that the Commissioners approve the Annual Report and sign it so that it can be sent to state. Commissioner Willner seconded the motion. So ordered.

Mr. John explained that this is a principle that is invested and is the same amount of principle every year.

RE: OUTSTANDING DISABLED VETERAN OF THE YEAR NAMED

The following letter was received by Mr. Robert J. Moran, the Veteran Service Officer of Vanderburgh County, from Mr. Patterson of the Disabled American Veterans Organization:

Dear Mr. Moran:

This is to notify you that you, Robert J. Moran, have been selected as the State Commander's Award Winner for the "Outstanding Disabled Veteran of the Year, 1975-76."

We take this opportunity to invite you and Mrs. Moran (Judy) to attend our annual convention banquet which will be held Saturday, June 26, 1976, 7:00 p.m. in the Windsor Room of the Stouffer's Inn, 2820 North Meridian Street, Indianapolis, Indiana.

During the banquet you will be presented the "Outstanding Disabled Veteran of the Year Award. A dance and some Southern Hospitality will follow at 9:30 p.m.

Looking forward to seeing you at that time, I remain,

Sincerely, R. G. Pat Paterson, State Adjutant

Commissioner Schaad told Mr. Moran that we are all mighty proud of him. He congratulated Mr. Moran and said he thought the reward was justly earned.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from McReynolds & Associates, Ind. of the American Employees Insurance Companies and issued to the Board of County Commissioners on the insured, U. S. Sheet Metal & Roofing Co. Inc. on the operations of Roofing and Sheet Metal Installation.
Certificate of Insurance received and filed.

A Certificate of Insurance was received from Greene & Greene Agency, Inc. of the St. Paul Insurance Companies and issued to the Vanderburgh County Commissioners on the insured, Welborn Memorial Baptist Hospital, Inc. on Public Liability, for the use of the Auditorium....Certificate of Insurance received and filed.

RE: MANPOWER PLANNING CONSORTIUM AGREEMENT

A Transmittal on the Manpower Planning Consortium was submitted to the Commissioners for their signatures, in order to continue their participation of it.
The Commissioners signed the Agreement at this time.

RE: NOTICE OF CLAIM

A Notice of Claim which was signed by James L. Crawford of Sacopulos and Crawford Law Firm of Terre Haute, Indiana, was submitted to the Commissioners, stating that they have filed it on behalf of the Administrator of the Estate of John Keith Rose with respect to claim against the governing body of the Evansville Airport.

The Notice Claim reads as follows:

TO: Evansville-Vanderburgh Airport Authority District

Board of Aviation Commissioners
Evansville-Vanderburgh Airport Authority District

Airport Manager, Evansville Dress Regional Airport

City Council of Evansville, Indiana

County Commissioners of Vanderburgh County

Board of Aviation Commissioners, City of Evansville, Indiana

Board of Aviation Commissioners of Vanderburgh County

City Attorney

Mayor of City of Evansville

PLEASE TAKE NOTICE, that the undersigned, as attorney for and on behalf of the Merchants National Bank of Terre Haute, as Administrator, with Will annexed, of the Estate of John Keith Rose, deceased, hereby advises and gives notice of claim against any and all of the above entities who are or may be charged with the operation, management or, supervision of the Evansville Dress Regional Airport.

The said Merchants National Bank is the duly authorized Administrator with will attached of the Estate of John Keith Rose, pursuant to Order of the Vigo Circuit Court, Probate Division.

This claim arises out of the wrongful death of John Keith Rose sustained in a fatal aircraft crash occurring at approximately 7:21 p.m. Eastern Standard Time, on November 6, 1975, near Highway I-64 east of Lynnville, Indiana. Prior to this crash the said aircraft occupied by John Keith Rose departed from the Evansville Dress Regional Airport at approximately 7:00 p.m., Eastern Standard Time.

It is the contention of the claimant herein that the aforementioned crash in question, and the resulting death of John Keith Rose, was proximately caused by the negligence and carelessness of the agents, servants and employees of the hereinabove named entities who were charged with the duty and obligation of operating, managing and supervising the aforementioned airport, including but not limited to the control of air traffic in, around, arriving and departing said airport in question.

As a proximate result of the aforementioned negligence and carelessness of the entities hereinabove listed, the Merchants National Bank, as Administrator with Will attached of the Estate of John Keith Rose, is entitled to recover damages in the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00).

The address of the Merchants National Bank at the time of the occurrence and at the present time is 700 Wabash Avenue, Terre Haute, Indiana. The residence of John Keith Rose at the time of the occurrence in question was 628 Ash Street, Terre Haute, Indiana.

MERCHANTS NATIONAL BANK OF TERRE HAUTE, AS
ADMINISTRATOR WITH WILL ANNEXED OF THE ESTATE
OF JOHN KEITH ROSE

BY James L. Crawford, Its Attorney

Commissioner Ossenberg moved that this matter be referred to the County Attorney's in order for them to take it up with our Insurance Company.
Commissioner Willner seconded the motion. So ordered.

RE: ORDER OF GARNISHMENT

An Order of Garnishment was submitted to the Commissioners, Case No. 74-CIV-136, whereby in the case of the State of Indiana, the County of Vanderburgh and the Safeway Finance Corporation of Evansville VS Sam Robinson, Jr., it orders that the Auditor of Vanderburgh County deduct money from his pay to reimburse the Safeway Finance Corporation, the amount of \$506.68 plus Interests and Court Costs.

This matter was referred to the County Auditor so that he can carry out the order.

RE: OPENING OF BIDS

The following bids were received on the Construction of Baumgart Road, Phase II:

Feigel Construction Corporation.....\$96,846.51
Midwest Construction Materials Inc.....\$124,990.85

Engineers Estimate is \$99,752.50 and the Bids were in order.

Commissioner Ossenberg moved that the bids be referred to the County Surveyor's office for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF DAMAGES TO TELEPHONE CO. FACILITY

The County Commissioners received a Notice, in that on the 5th day of March, 1976, the Indiana Bell Telephone Company, Inc. suffered damage to certain aerial facilities when an employee of the Vanderburgh County Highway Department collided with a pole in the vicinity of Red Bank Road and Ogden and it states that the damage is in the approximate sum of \$239.88.

Mr. Siebeking said that he has turned this matter over to the Insurance Company.

RE: CHECK RECEIVED.....REFUND ON SURETY BOND

A check was received in the amount of \$20.00, from the Citizens Realty and Insurance Co. Inc. for a refund on the Bond of Teresa Rizer who worked in the Prosecutors office.

Commissioner Ossenberg moved that the check be endorsed and returned to the County General Fund. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by the City of Evansville for the County's share of the Combined Department of Purchasing which is 50%, for April, in the amount of \$1,831.31. This claim was approved by the County Auditor.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the Combined Department of Building Inspection which is 40%, for April, in the amount of \$4,668.25. This claim was approved by the County Auditor.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the Combined Department of Weights & Measures at 42%, for the month of April, in the amount of \$920.62. This claim was approved by the County Auditor.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the Combined Department of the Traffic Engineer at 14%, for the month of April, in the amount of \$4,678.01. This claim was approved by the County Auditor.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the Combined Department of Health at 21.5%, for the month of April in the amount of \$8,693.75. This claim was approved by the County Auditor.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Ruthetta Graves, Court Reporter for services rendered in the transcription of the State of Indiana, ex rel William J. Brune vs. Paul Brown et al, Cause No. 75-CIV-3522, in the amount of \$257.25, for Superior Court.

Commissioner Schaad said that former County Attorney Swain told him that this claim was okay and that the money is available for it.

It was explained that there would be three claims on this matter, that one was approved last week and that this is the second claim of the three.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by James B. & Dorothy E. McCutchan, per order of the Vand. Superior Court of May 17, 1976, for payment into Clerk's Registry Trust Fund - for the use and benefit of James B. McCutchan and Dorothy E. McCutchan for a condemnation award involving the L & N Railroad and Old State Road overpass, in the amount of \$2,280.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: DRAFT OF ORDINANCE ON STRIP MINING SUBMITTED

Commissioner Schaad explained that this matter isn't on the agenda this week, that an Ordinance on strip mining was discussed last week, which the Commissioners think is so badly needed and the Proposed Ordinance was just given to them a while ago, so they hadn't had time to really look it over. He said he understands from talking to County Attorney Smith, that this is the first draft on the Ordinance.

County Attorney Smith said that last week, the Commissioners requested that the County Attorney's come up with something for openers to get this thing started, either to prohibit, regulate or control the strip mining in Vanderburgh County. He said that this is a rough proposed Ordinance, not prohibiting strip mining but regulating it and taking some sort of reasonable control by the Board of County Commissioners since the Commissioners preferred that control be by an elected body rather than by an appointed body. He said there is a state law on strip mining and that the County Attorney's have imposed a couple of requirements that goes a little beyond that of the state law, in that they proposed to require a conditional permit by the County, that the operator remove the designated topsoil pursuant to specifications by the Soil Conservation District in this County and then on completion of the strip mining, to replace the topsoil. He said they just got something together for the Commissioner's consideration, for them to change or alter as they see fit.

Commissioner Ossenberg said he would like to take the matter under advisement so he could study the proposed Ordinance for a week or two.

County Attorney Smith said there was also a concern here of the protection of property, against blasting damages and they have included a division for the protection of the public.

Mr. Jack Barnes, a Geology Professor at Indiana State University appeared and asked if there was any division on inspection, since this was one of the real weaknesses in the state law which isn't being enforced and he said if there were one to see that the land was reclaimed, there wouldn't be the problems that there are now.

He said whether it is due to lack of funds for inspection or not, he isn't sure but that could be avoided by severance tax on the coal to go to a County Inspection team to make sure this land is reclaimed and this would solve some of the problems.

County Attorney Smith said what is being proposed in this Ordinance is that the County Surveyor be designated as being the Administrator of the Act, also they are providing for an Ordinance Bond and a reclamation plan, that the Bond would continue with adequate surety to insure compliance or reclamation of re-vegetation and as far as inspection, it could be done any time by the Surveyor or whoever the Commissioners designate as Administrator and if it doesn't comply, there would be a forfeiture and it will also provide for a temporary restraining order and will provide for civil damages to the County and will also provide for damages to any private person.

Mr. Barnes said this answers his question, since if this really moves into the County, they will need to have a permanent inspection team to see that it is done correctly and that the legal requirements are met.

County Attorney Smith said he hasn't really had an opportunity as yet to conform this to the zoning areas within the County, that this Ordinance here would absolutely prohibit strip mining in certain areas and only allow it in other areas on condition they conform to the requirements.

Mr. William Baumholser of 5725 Lost Bend Lane, submitted a petition that was signed by people who have felt the reverberations from the blasting and said they are getting damages now from the works in Warrick County and that if they allow strip mining in Vanderburgh County, they are going to need some kind of control on the blasting because it tears up too much property.

He said he has from \$4,500 to \$5,000 damage now, that he is two miles from the blasting and the talk is that they are trying to buy everything up from Warrick County to McCutchanville in five years and this will take in a lot of territory and will damage a lot of homes.

He said after pressure being put on them, he hasn't felt anything since a week ago Saturday but that when they both let up, the blasting will be over-charged and when they blast, it is just like an earth tremor.

He said bills are supposed to be before the state house but it seems they can't do anything to control it, that we don't want these problems in Vanderburgh County, since a man spends all his life in building up his land and then with Amax coming in, it won't take much for them to tear it up and this is what is happening.

He said that some people on the petition have damages and some of them are six or seven miles from the blasting but can still feel the vibrations so they want to keep it out of Vanderburgh County since they have too much good farm land for them to get in here and tear it up.

He said he has never seen land, where there are mines, that can be reclaimed for the growing of crops and he hoped the Commissioners could do something to keep it out of Vanderburgh County. He said he has a law suit against them now and that they are in Warrick County.

County Attorney Smith said in his research of the law, also as to what the other states and communities have done, it is his opinion that the state law is a little general and really doesn't go as far as it should go to really reclaim the land, also it doesn't seem to give protection to blasting.

He said what they have in the proposed Ordinance is an Ordinance that would legislate in those areas that the state law doesn't apply to.

Mr. Baumholser also said that when they had their meeting, the Coal Company said they wouldn't damage any property but that they are doing a lot of damage.

Commissioner Schaad said all comments are appreciated because they need input on this thing to try to make everyone happy.

Mr. Lawrence Stahl who represents the Vanderburgh County Farm Bureau said that he didn't see why Vanderburgh County wanted to pass an Ordinance to allow strip mining at all in the County, since he felt it was too near being the residential County to allow any strip mining in the County and he thought there was an Ordinance to that effect a few years ago and he felt they should have an Ordinance that would ban strip mining completely in Vanderburgh County.

He said he didn't know what the bond that the Coal Company would have to put up would amount to under the new Ordinance but that there has been cases in the last few years where the mines had to put up a bond but that the bond was so little and they didn't comply so they paid the bond and went free.

He said he definitely recommended that if at all possible, the people of Vanderburgh County should request that there be no strip mining in Vanderburgh County.

He said they have ruined the Northern section of Warrick County and it would be a benefit to the whole County of Vanderburgh to keep them out.

He said they didn't buy the coal in the Northern part of Vanderburgh County, that they stole it for the small pittance they gave for it.

Commissioner Ossenberrg said that the Commissioners, as a member of this body to the Southwestern Indiana-Kentucky Regional Council of Governments, the other night, took this into matter and letting all counties in this particular region, which is five counties including Pike, Warrick, Gibson, Posey and Vanderburgh, to bind together to see if they can stop this thing in this particular area.

He said in all fairness, the state law is too weak and that the County Attorney of Pike County told him that he doubted, very seriously, the way the law is set up, that we can actually, in fact, have an Ordinance to prohibit this.

He said there are some County Commissioners that are under study right now, taking the possibilities of cutting roads and putting culverts under them because they can control the weight which goes over a culvert and that this way, they would stop it and according to Mr. Rausch, this is the only power the Commissioners have.

He said they have had trouble galore in Pike County and Gibson County is having trouble as well as Warrick County, so he would like to go on record in stopping the strip mining and keep it out of Vanderburgh County but he thought that the Indiana General Assembly would have to give them the power to stop it and he thought what they are doing now is to get some type of control right here and he thought after the final draft they would get that control.

Mr. Roebuck said he was wondering if the Commissioners couldn't add an environmental impact clause and regulate the blasting as far as on a seismograph, as to what is structural damaging and levy an immediate fine for anything over this on a richter scale, also if they are going to go in and take the coal out, the County should be allowed to have equal cuttage of refuge before over-burden and replaced, which will solve the landfill problem.

Mr. Barnes said they may also be able to attack it on the basis of the drainage from fertilization going into the water and surely the environmental attack ought to be enough to stop it.

He said he hasn't contacted the Department of Natural Resources as yet but that he is going to talk to them.

Mrs. Paul Patry said that she lives in Warrick County and that when Amax first came in, she was in the original Soil Group and they had a meeting at Castle High School, that they tried to ban it but the Company was already strip mining so there was no way out and Amax told them that they could control the blasting and that the people should not be hurt and that they would be good neighbors but said that the blasting is a crime.

She said her house was built ten years ago, that she has a three-bedroom brick home with a fireplace in her concrete block basement and that the stone mantle is cracked in five places and one wall of concrete block that is split in half and they say it isn't them causing it, but that she knows that it is, also that they blasted twice in one hour and fifteen minutes.

She said she hasn't filed suit, that she is waiting to see how the others do.

Commissioner Willner said that several years ago, the state passed a Home Rule Bill and he was under the impression that it gave to the County, the right to pass any ordinance in the best interest of it's citizens, so far as it didn't counteract any federal or state law so he is thinking that the state has given the Commissioners the power to do what they want to do here, that as he sees it, that one thing they have to worry about is whether they are on solid ground.

He asked the County Attorney's if they had strictly ruled out the possibility of an ordinance banning strip mining in Vanderburgh County per se.

County Attorney Smith said that as a general proposition, when the state legislature enacts legislation in any area or on any subject matter, and assumes to control or regulate that area, it is then called pre-empting the field so that local units of government such as the municipalities or counties or townships are prohibited from enacting legislation within an area where the state has pre-empted so the question is whether or not, in a situation like this where the state has enacted legislation controlling strip mining, whether or not they have pre-empted the field so as to prohibit the local units of government from also imposing restrictions conceivably more stringent than what the state law does and only the courts can answer this question sometimes, so in his opinion, they should proceed with what they think is in the best interest of Vanderburgh and he so stated this in the Ordinance, and they can see how they come out on it.

Commissioner Willner asked County Attorney Smith if he had stated that to absolutely ban strip mining in Vanderburgh County would be unconstitutional.

County Attorney Smith said he would say they could enact an ordinance to prohibit it and then it would be contested and go into court and whether it would survive a constitutional challenge or not, would be for the courts to decide but in his opinion, he didn't think they could absolutely prohibit strip mining within the County.

Ms. Nan Hardin of Newburgh appeared and said that she has been concerned with the strip mining issue for several years.

She said that she is the Vice President of the Soil Group which hasn't actively functioned in the past year or so because they thought this problem would be taken care of at the federal level and would have been so, had it not been vetoed on two occasions and there were rather stringent provisions for some of these matters.

She said that something that hasn't been mentioned and is an acute problem in Warrick County is the number of open stripper pits which are left there and the understanding she has of the Indiana State Law is that in a specific permit, what is called the final cut, can be left open by the Coal Company and in Warrick County, they have several open stripper pits and there are several drownings every year and that it is a matter of great concern to them for the young people and it is very difficult for the county police to police these areas because they are remote which also encourages vandalism and they are very dangerous.

She said according to the State Law, for every nine acres that is mined, they can leave one acre of water which could be leveled off to make a farm pond but that these final cuts are very dangerous.

She said the Indiana State Law is a very weak law and were it not for the Department of Natural Resources in enforcing this law, there would be absolutely no control over strip mining in Indiana and there are at least 8 to 10 areas that the Federal Law would have covered that would have been much stronger than the Indiana State Law which includes topsoil, final cut, contours and vegetation which is minimal. She said that she has people from all over to come and look at their reclamation and they are astounded that it is so bad.

County Attorney Smith said that Ms. Harden is correct, that the Indiana Law is general and really isn't specific, nor does it propose nearly the sufficient requirements for proper reclamation.

He said they have researched the law in Kentucky as well, because it is a coal mining state also and their law, in his opinion, really goes further than the Indiana State Law on what is required in replacing the overburden of topsoil. He said they have borrowed some of their provisions and incorporated it into what they propose in this ordinance.

Ms. Hardin said she engaged in this colossal mis-use and waste of land they are engaged in and that there was a company, just recently, given a prize for removing 20,000 people over a period of twenty years and they stripped the land and they removed the people while stripping the land and they then put the people back on the land.

She said they don't do their land like we do and our children are going to suffer for this and it is possible in this area to totally reclaim this land, that we aren't like the west, we have water, that we aren't like Appalachia, where she comes from and we don't have the problems of erosion and we don't have the problems of acid mine drainage that they have there, so it is quite possible to return this land to it's original use but the Coal Companies have to be made to do it.

Commissioner Schaad said that maybe we need a lesson from the Europeans, that they have so little land and that it may be that way here some day if we don't take care of it.

Commissioner Willner said that according to the newspaper, St. John's Catholic School will be closed next year due to the strip mining and he was thinking that the church will possibly go next and he didn't think that Vanderburgh County could tolerate this sort of thing, that this is another side effect of strip mining.

Mr. Barnes said that isn't just the destruction of land, that it is the destruction of the entire social structure and the coal companies have no way to replace the social structure.

Commissioner Schaad said it seemed to him that it would be so easy to stop it if the people didn't sell or lease their property to them.

Ms. Hardin said if the people didn't sell their property, they would blast them out anyway. She also said they are only taxed \$50.00 an acre on strip mining.

Mr. Roebuck said there are existing laws for the protection of water resources, the Drainage Codes on pollution, public interest and the Extension Service at Purdue University and the Indiana Drainage Laws that can be used.

Commissioner Schaad thanked everyone for being present to submit their input on the problem of strip mining and he wanted everyone to voice their opinions because they are going to have to make a decision on it and he hopes it will be very soon.

RE: REZONING PETITION.....76-15-PC VC-26-76

Petitioner and Owner of Record....Southern Indiana Gas & Electric Company.

Premises affected are composed of two separate tracts, the first of which is situated on the West side of U. S. Highway 41 North and the other tract is located on the East side of U. S. Highway 41 North.

The commonly known address of the real estate on the first tract is 18026 U.S. Highway 41 North up to but not including 18700 U. S. Highway 41 North and the second tract is located at 18301 U. S. Highway 41 North up to but not including 18901 U. S. Highway 41 North.

The requested change is from Agricultural to M-2 and the proposed land use is for an Industrial Park.

This petition was continued until the June meeting of the Area Plan Commission.

The Commissioners referred this petition back to the Area Plan Commission.

RE: REZONING PETITION.....76-16-PC VC-27-76

Petitioner...Barnes Lumber Co. Owner of Record....George Barnes

Premises affected are situated on the east side of Fuquay Road, a distance of 2600 feet north of the corner formed by the intersection of Pollack and Fuquay Rd.

The requested change is from R-1 to R-3 for multiple family dwellings. This petition was continued until the June meeting of the Area Plan Commission.

The Commissioners referred this petition back to the Area Plan Commission.

RE: REZONING PETITION.....76-17-PC VC-28-76

Petitioner and Owner of Record.....Frederick J. Spencer

Premises affected are situated on the West side of County Line Road, a distance of 2400 feet South-West of the corner formed by the intersection of Millersburg Road and County Line Road, more commonly known as R.R. 3 Heckle Road.

The requested change is from Agricultural zone to an M-2 zone for a salvage yard.

The Area Plan denied this petition by eleven votes.

Mr. Ronald Freeson appeared and said that at the last meeting this was scheduled, they asked that it be continued for one month so they might examine it further. He said at this time he would like to request permission to amend the petition as submitted and ask that the Commissioners refer it back to the Area Plan Commission. He submitted a new proposed plot plan and ordinance and explained that initially this was a ten-acre tract which belongs to Frederick Spencer and was referred to the Plan Commission and they had initially assisted with the filing and it was denied by the Plan Commission.

He said that they were asking a salvage type operation which had existed since 1959 and at this time they would like for it to be amended requesting an M-1 zoning which is for a body shop and they are asking for 6/10 of an acre for the actual location plus about 5/10 of an acre for the access and said that the only improvement of permanent nature there is a 30' by 32' block building.

He said this property is between Millersburg Road and Heckle Road on the North and South and County Line Road and Green River Road on the East and West.

He said that the property to the immediate South is remonstrating against a salvage type operation, that party being Mr. & Mrs. James Henning and they are here today.

He said he has had a conversation with them and have talked to them about some covenants in regard to the proposed zoning that might be acceptable to them, which includes an 8 foot fence concealing the property South of the proposed zoning, also the road access not to be used for the storing of any automobiles and that all

debris be behind the fence and a maximum number of vehicles to be kept on the property in the body shop operation. He said that the covenants haven't been written as yet but he would like to request that the Commissioners refer this petition by affirmative vote, to the Plan Commission so they might study it further. He said he believed the professional staff had recommended approval of the original petition as a salvage type operation so he would be hopeful that with these covenants, that they would also recommend approval of this petition as amended, also that there has been in the excess of 100 vehicles moved from this property since they requested the continuance, so that it fully complies.

Commissioner Willner said they would have to convince him that they are going into a completely new type of business and not just getting a zoning for a body shop and then have the same thing they had and it would be their job to convince him that this wouldn't happen. He asked if Mr. Spencer had previously been in the auto body repair business or if this was a new field.

Mr. Freeson said that the auto body repair was there with the salvage operation and has been there since 1959 and he thought that the removal of over 100 vehicles would show his good intentions and they would be hopeful that the remaining vehicles not being used by the body shop operation would be removed prior to the time he will be back before the Commissioners next month.

Mr. Henning said he and his wife are the adjoining property owners, also that Commissioner Willner has presented a very good point and one that concerns him. He said the garage has only been there for about three years and he isn't opposed to a small body shop but he is opposed to it getting out of hand and getting back to the situation that existed approximately two months ago but they have removed a lot of the cars and there are more and a lot of debris that still has to be removed and they promised that this would be done. He said what he wanted to know is what protection he has as a property owner, if the zoning is allowed, that they will fulfill and keep their agreement to conceal all the cars they might need for their body works.

Commissioner Ossenberg said the only answer he can give on this is through the Area Plan Commission, by inspection, also that if they submit a covenant, he is protected by law and he would imagine they could get a restraining order through the courts and close them down immediately. He asked Mr. Henning if he was in agreement as to what they have proposed.

Mr. Henning said he was just presented with the plot plan this morning and that he would get together with them before the amended petition goes before the Area Plan Commission again.

Commissioner Ossenberg moved that petition VC-28-76 be re-filed back to the Area Plan Commission, as amended. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....76-38-PC VC-32-76

Petitioner and Owner of Record.....Harold Schroeder of Copper Line Road

Premises affected are situated on the South side of Mill road, a distance of 572.5 feet east of the corner formed by the intersection of St. Joe Ave. and Mill Road.

The requested change is from Agricultural to M-2 zoning for a lumber yard.

This petition was approved with seven affirmative votes by the Area Plan Commission.

Mr. Dick Lentz representing Mr. Schroeder appeared and said they have reviewed this petition with the various departments, that they just got through on a ponding and they are concerned about the creek and the low level but that he thought everything could be worked out, that he has plans and a proposed ponding way of controlling their part of the water. He said they have discussed the plans and he hasn't heard any strong objections to what they are agreeing to right now.

There were no remonstrators

Commissioner Willner moved that petition VC-32-76 be approved as stated. Commissioner Ossenberg seconded the motion. The vote was unanimous in the affirmative. The motion carried.

RE: REZONING PETITION.....76-39-PC VC-33-76

Petitioner.....Curt Huber & Art Walling Owner of Record.....Jacob Hirsch, Heirs

Premises affected are situated on the East side of New Green River Road, a distance of one mile North of the corner formed by the intersection of Division Street and Green River Road, more commonly known as 829-929 North Green River Road.

The requested change is from R-2 to a C-1 zoning for a shopping center.

This petition was approved by the Area Plan Commission with seven affirmative votes

Mr. Deems of the Lensing Law Firm represented the petitioners and said the petition was heard on May 5 and received the unanimous vote of the Area Plan Commission, that the petition is presently designated as R-2 and the request is to change it to C-1. He said the property adjacent to this property is zoned C-1 and that the property to the East is presently zoned R-2.

There were no remonstrators present.

Commissioner Ossenberg moved that petition VC-33-76 be received and filed on the Area Plan report and that it be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING EPTITION.....76-40-PC VC-34-76

Petitioner and Owner of Record....Joseph B. & Leona W. Hopf

Premises affected are situated on the South side of Olmstead Road, at the intersection of Olmstead and Old Boonville Highway.

The requested change is from Agricultural to C-1B zoning for a dwelling and retail store. (non-conforming).

This petition was approved by the Area Plan Commission with seven affirmative votes, also the petition was amended to C-1 instead of C-1B.

Mr. Carl Hoffman, Realtor, said that he has this property listed at present and that when he listed it for the multilist, he needed a zoning certificate for it to be a commercial zoning and when he got to checking, found that it was zoned Agricultural, so instead of waiting, they thought they would get it properly rezoned.

He said they amended it at the Area Plan Commission from C-1B to C-1 and they passed it.

Commissioner Ossenberg asked why it was amended to C-1 rather than C-1B.

Mr. Wilson of Area Plan explained for this change and said that for C-1B they wouldn't have to go through anything to get it changed and there are a lot of C-1 uses and that this was agreeable.

There were no remonstrators.

Commissioner Ossenberg moved that petition VC-34-76 be received and filed from the Area Plan Commission and that it be approved as amended. Commissioner Willner seconded the motion.

Commissioner Willner said he wanted to clarify this, that it is of non-conforming use right now and he thought they were trying to clear up some of the areas that are non-conforming now and he would hate for them to tear that building down or not be able to use what they have but he didn't think the corner was big enough to do any expanding and this is the reason he seconded the motion.

The vote was then taken and was unanimous in the affirmative. The motion carried.

RE: REZONING PETITION.....76-41-PC VC-35-76

Petitioner.....Industrial Constructors Inc. Owner of Record.....Penn Central Transportation Co.

Premises affected are situated on the South side of Mill Road, a distance of 1350 feet East, by the intersection of St. Joe Ave. and Mill Road.

The requested change is from Agricultural to M-2 zoning for an Industrial Park. This petition was approved by the Area Plan with seven affirmative votes.

Mr. Ted Ziemer said that he represents the Penn Central R.R. Co. who is the owner of the property and the petitioner, Industrial Contractors Inc. He said it is contemplated that the Industrial Park will be privately owned and maintained by Industrial Contractors, that at the present time, they only have proposed uses for the park and they do have a proposal which is tentative to establish a warehousing operation in the Northeast corner of the park which would comprise about 150,000 square feet of warehouse space and the company that is considering this, is considering two other locations in Vanderburgh County and it is tentative at this time.

He said in addition to that, there would be other uses similarly found in an Industrial Park and he cited, as an example, the Stockwell Industrial Park and said that certain residents who do live approximately 800 feet east of this real estate on Kratzville Road were concerned about certain uses that they might put this property to and as a result of this, they have signed a covenant indicating that they would use the property for any use permitted in an M-2 County zoning district except an animal pond, firearms manufacturing operations, slaughter house, a foundry, a manufacturing processing of insecticides, etc., use for wrecked auto's, junk, salvage, etc. and use for a chemical manufacturing plant that would emit obnoxious offensive odors and in that same connection, the individuals that own this residential property on Kratzville Road indicated some concern, that their property dips down to the Railroad track and they were concerned about the possibility of water gathering on the other side and not passing through existing drains if they should raise the level or otherwise interfere with drainage on the other side of the Railroad tracks and that they have included in the covenant that they will not do anything to disturb the flow of water through the 40 inch steel drain that passes under the Railroad tracks and their property.

He said this has been examined by the property owners who has discussed it with them and they have approved the form of the covenant and on his assurance that the covenant would be filed, they indicated their satisfaction.

He said most of the real estate that surrounds this property is already zoned M-2 except for the residential area on Kratzville Road, also that they realize a development of this kind will increase the flow of traffic in the Mill Road area and after a discussion of this matter with Mr. Lochmueller, they have agreed that they will construct an acceleration-deceleration lane by the entrance to the Industrial Park on the South side of Mill Road and at the same time, they would provide a lane for passing left-turning vehicles on the North side of Mill Road and they do have in this area, as indicated in the Soil Conservation Report, of some prospective drainage problems but Industrial Contractors has discussed this matter with the County Commissioners office and the Soil Conservation Department and they will provide adequate drainage.

He said they are aware of the ponding requirements of the Soil Conservation Dept. and have agreed to do such ponding as is necessary to handle drainage during heavy storms, also that the property is above the 100 year flood plain and there is no particular problem expected in that area.

He also said that the Building Commission indicated that the floor level of any structure built in the 177 acres should be at least 384.7 feet above sea level which requires that they install some fill but the warehouse facility they are contemplating will be 386 feet above sea level and storm sewer, etc. will be built as needed in the project.

He said they have City water available through a 12 inch main on St. Joe Avenue and a 6 inch main on Allens Lane and there is a 12 inch sanitary sewer available on St. Joe Avenue.

He said this is an excellent opportunity to attract new industry to Vanderburgh County in this area and he couldn't find a better area more suited for an Industrial Park than this one.

Commissioner Willner said that Mr. Ziemer indicated that he would go along with the recommendation of the Building Commission and the Soil Conservation and he asked Mr. Ziemer if a holding pond is necessary, if he is agreeable.

Mr. Ziemer said this is correct.

Mr. Roebuck said he has attended about nine meetings in the last three months here and to him, this is the most complete proposal he has seen submitted to the Commissioners, taking into consideration, the environmental impact, the transportation impact and the drainage and he thought if the Commissioners used Mr. Ziemer's guidelines for further rezonings, especially into Industrial Parks and into residential subdivisions, that a lot would be learned from it. Mr. Ziemer and the Commissioners thanked Mr. Roebuck for his comments.

There were no remonstrators present.

Commissioner Ossenberg moved that on petition VC-35-76, the Area Plan report be received and filed and approved, with the covenants added. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....76-42-PC VC-36-76

Premises affected are situated on the south side of New Harmony Road, more commonly known as 5030 New Harmony Road.

The requested change is from a C-1B zone to a M-1 zone for a printing shop.

In the Area Plan meeting, this petition was amended to a Conditional Use in a C-1B zone which would permit the printing operation and there were seven affirmative votes, approving the amendment.

Mr. Wilson of the Area Plan Commission said that when this petition was changed to C-1B with conditional use, in effect, this rezoning was withdrawn so there is really no need to act on it, since, because of the conditional use, it was approved by the Area Plan Commission and it doesn't need to come back to the County Commissioners.

He said they changed it from M-1 to a conditional use and they didn't want to change it to M-1 because they thought there would be too many uses out there.

Commissioner Ossenberg said it is automatically C-1B then, by their action.

Since this petition was changed to Conditional Use, there is no action needed.

RE: REPORT ON CONSTRUCTION WORK (HIRSCH PROPERTY)

Mr. Roebuck reported on the work that JEBCO has done on the Stella Hirsch Crowell property on Green River Road.

He said there has been five days of rain and this is the first time they have had to really evaluate the work and that they are about 85% completed at this time and that the work has been excellent, also that Mr. Alcott was out there this morning and he has one recommendation to make which he will do next week for the Commissioners to pass on to JEBCO and concerning the West side of Green River Road from Theater Drive to the Hirsch property line, he would like to thank Mr. Siebeking and Mr. Nussmeyer for the work that was done out there.

He said they have about a 70% increase in flow of water out of the fields, down the ditch and into the Stella Hirsch Crowell property, down to Pigeon Creek and it has done a tremendous job, that you can see the water moving out of the fields, especially a day like today but when you look across the road to the East side of the road, you can see water standing in hundreds of acres and it can get no where because the ditch is no longer there.

He said the Surveyor's office has completed the study and they are prepared any time that the Drainage Board recommends to go ahead and put in the ditch from Theater Drive, down to Hirsch Road where it will be when the road is widened. He said he was hoping that the County Garage, with the Surveyors office, could start to work on this or that the Commissioners let a contract on it if it is necessary.

Commissioner Schaad said they will all get together on it and see what it takes to do the work and they will come back at another time.

RE: MATTER OF INSURANCE

Commissioner Schaad asked Mr. Hotz if he has anything on the lease agreement of Alcoholic Help Inc. at the old Boehne Hospital.

Mr. Hotz said he had referred this matter to the County Attorney's.

Commissioner Schaad explained he had a call from them the other day and they wanted the appraisals changed on the amounts of Insurance that the County Agent of Record had recommended and he said it was the recommendation of our Agent of Record and if they wanted to change it, they should have their Insurance Co. get together with the County Agent of Record, to determine that and he hasn't heard anything more on it since.

County Attorney Smith asked who out there is handling this, that he can talk to on the lease.

Commissioner Schaad said that it is Mr. Ubelhor at the Alcoholic Help Inc. , that this needs to be done since the Commissioners need to get a lease.

RE: TRAFFIC PROBLEM ON DIXIE FLYER EXPRESSWAY

Commissioner Schaad said he had a call on the Dixie Flyer Expressway where people get to the intersection of the Dixie Flyer Expressway and Broadway where people park on the right hand side and it is awfully hard to see if there is a car coming west and it makes a very hazardous and dangerous intersection, so he thought a study needs to be made by Mr. Judd's Department to see if some "no Parking" signs need to be put up there.

RE: COMPLAINT ON DRAG RACING

Commissioner Schaad said he has had some complaints on Broadway Avenue at the West Side Drive In Theater, that it is being used for drag races at the bridge by Carpenter Creek and that maybe they need to install some speed limit signs there and have the Sheriff's Department to police the area.

Commissioner Willner asked if this wasn't in the City.

Mr. Siebeking said that it is in the City which goes to Speaker Road, that the West Side Drive In, itself, is in the County but up further is the City.

Commissioner Schaad said that it would be a good idea for Mr. Judd to also take a look at this situation.

RE: CHECK RECEIVED.....INSURANCE SETTLEMENT

Mr. Siebeking said that a lady backed into one of their pickup trucks which is truck #21 and the Insurance Company has sent a full and final settlement for the claim.

He said the estimate was \$269.49 to fix the truck.

He submitted the check in this amount at this time, which is made out to the County Highway Department. The check will be deposited into the Account of Repairs to Trucks which is #201-4252.

RE: OAK HILL ROAD DETERIORATING

Commissioner Ossenbergh said that Oak Hill Road is deteriorating and he asked Mr. Siebeking if he had any sealer or if he had any money in that account.

Mr. Siebeking said they had no sealer material at all and no money in that account but that they could use material that is practically the same thing.

Commissioner Ossenbergh said he was wondering because he traveled out Oak Hill Road this past week-end and it looked to him that if they don't do something to this road, they are going to have quite a repair bill on it.

Mr. Siebeking said they could use the other material on these alligator cracks, that it does a better job and it would come out of their regular bituminous account.

He said they did half of this road three years ago and they would do the other half the same way.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees of the County Highway Garage for the past week.
Report received and filed.

RE: PROBLEM OF FLOODLIGHT

Mr. Siebeking said there is an Oil Refinery Company that has an unloading facility on Dixie Flyer Drive where they load the big transport trucks with oil from the barges and that they have a big flood light set up that shines direct North and that they leave it on practically all the time and any night a person goes down there, heading toward Union Township, he is blinded for better than a half-mile and can't see a thing.

He said he didn't know who to contact on this or whose responsibility it would be to see if something couldn't be done about it, that it is a dangerous thing for people be blinded and not be able to see.

Commissioner Ossenberg said that the Traffic Engineering Department would be the place to go on this matter.

Mr. Siebeking said he would mention this to Mr. Judd to see if there is anything can be done about it.

RE: BASELINE ROAD

Commissioner Willner said he would like for Mr. Siebeking to look at Baseline Road, from County Line Road to West of the County line, that the school buses refuse to travel it, that it is absolutely the worse section of road in Vanderburgh County, barring none.

Mr. Siebeking said they chip and sealed this road two years ago and it didn't hold so they went out there this spring to put rock on it and shape it up but Warrick County had already done it. He said he would go back out there to shape it up again so it will be taken care of.

RE: PROBLEM OF WATER COMPANY CUTS

Commissioner Schaad said the requests of cuts by the Water Company are being held up and something needs to be done.

Mr. Siebeking said he has discussed the matter with Mr. Rueger and he told him to contact everyone involved so the Commissioners would know that everything is taken care of as it should be.

Commissioner Schaad asked Commissioner Willner if he had any specific complaints about cuts that have been made.

Commissioner Willner said that three cuts were made on Darmstadt Road and Fleener Road and the County finally came along and filled them and they have now settled and are as bad as they ever were, but said that the County had to do it and not the Water Department.

Mr. Siebeking said he called them twice on it and that is as far as it goes. He said there is another one on Red Bank Road that the Water Company made three years ago and that he would make up a list on the cuts made by the Water Department, including the locations, approximate dates and how long ago they were made and submit it to the Commissioners.

RE: ROUND-UP AT 4-H CENTER

Commissioner Willner said that Brandeis Machinery and Equipment Company is having a Round Up which will be a day of demonstration at the 4-H Center on May 22nd. and they would like for the Commissioners, County Garage employees, etc. to come out to see their new equipment, to drive it and operate it, that they will also have food, drinks and entertainment.

He said their representative was here but had to leave so asked him to relay the invitation.

RE: CERTIFICATE OF INSURANCE AND CONTRACTORS BOND

Mr. Nussmeyer submitted a Certificate of Insurance and a Contractors Bond for Construction Form 86A-47 on Deig Brothers Lumber & Construction Co. for the Kentucky Avenue Bridge Structure #116-A, BC-4-76.

Certificate of Insurance received and filed.

The Commissioners signed the Contractors Bond for Construction at this time.

RE: GREEN RIVER ROAD TO BE CLOSED

Commissioner Schaad notified the news media that Green River Road will be closed between Heckle Road and Millersburg Road for approximately six weeks from today, while the road is being worked on.

RE: CLAIM

Mr. Nussmeyer submitted a claim from Feigel Construction Company for the resurfacing of Kuebler Road, Kleitz Road and Meier Road, Project #RC-1-76, Acct. # 201-2260, in the amount of \$74,077.76 which is the total amount of the project less the 5% retainage fee.

Commissioner Ossenberg moved that the claim be approved for payment. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

Indiana Bell Telephone Company requests permission to do a push job under Kratzville Road and Kuiken Lane at the Bethel Sanitarium, to place a telephone cable underneath Kratzville Road.

Commissioner Ossenberg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

RE: EMERGENCY DECLARED.....CONTRACT AWARDED

Mr. Ludwick explained that the Surveyor's office is without a van, that the old one is caput and they need one desperately so he attempted to get informal bids and checked with every dealer in town and as of Friday, there was only one van available which was at Key Ford at the cost of \$4,346.82 with trade, also one came in this morning at Kenny Kent and he sent the survey crew over to look at it.

He said the cost of it was \$4,038.00 with trade but it was without windows or seats or anything but that the one at Key Ford is what they need so he would recommend that they buy the van from Key Ford.

Commissioner Ossenberg moved that an emergency be declared and that the van be purchased from Key Ford at the cost of \$4,346.82 with trade. Commissioner Willner seconded the motion. So ordered.

RE: PAVEMENT SINKING

Commissioner Willner said the pavement at the bridge on Boonville-New Harmony Road at County Line Road, East of Daylight, is sinking on the East side and needs to be fixed.

Mr. Nussmeyer said that he would check on it.

The meeting recessed at 11:45 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Paul Wendel
Ed Smith Jr.

Secretary: Margie Meeks

Bob Schaad

Thomas L. Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 24, 1976

The meeting of the County Commissioners was held on Monday, May 24, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COMMISSIONERS MEETING RE-SCHEDULED

Commissioner Schaad announced that due to next Monday being Memorial Day, the Commissioners meeting will be held next Tuesday, June 1, 1976, at 9:30 a.m. in the Commissioners Hearing Room.

RE: COUNTY OWNED SURPLUS PROPERTY

Ms. Janice Jackson appeared on behalf of Roy J. & Lucille Wills of 502 E. Morehaven Drive of Carson, California and said they would like to bid \$25.00 on Parcel # 9, Code 22-76-1, which is located at 1800 S. Elliott Street.

Commissioner Ossenberg moved that the Commissioners accept the bid of \$25.00 on Code 22-76-1 at 1800 S. Elliott Street from Ms. Jackson for Mr. & Mrs. Wills. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED.....BAUMGART ROAD RECONSTRUCTION

Two bids were received last week on the Reconstruction of Baumgart Road, Burch Drive North to Mt. Pleasant Road east of Highway 41 North, RC-2-76. They were from Feigel Construction Co. at \$96,846.51 and from Midwest Construction Materials Inc. in the amount of \$124,990.85.

Mr. Ludwick appeared at this time and said that the bids were in order and Feigel Construction Co. was low bidder at the price of \$96,846.51 and they recommend that Feigel Construction Co. be awarded the contract, also that their bid was below the Engineer's Estimate which was \$99,752.50.

Commissioner Ossenberg moved that the contract for Baumgart Road, Phase II be awarded to Feigel Construction Co. at the amount stated above. Commissioner Willner seconded the motion. So ordered.

RE: DATA PROCESSING MATTER

Commissioner Schaad asked Anika Juras, the Executive Assistant of the County Council, to come forward at this time, since she has another meeting and is running late. He said that he and the Council has been meeting with several vendors and it was the consensus of opinion that the Council members, in an informal meeting, said that if this should be developed, that a majority would go along with it, as far as buying equipment, and the Commissioners didn't think there was any point in them going to all this work if they had a feeling that it wasn't going to be done anyway.

He said the Council has been in on all the presentations and there was a consensus of opinion, by majority, that if this thing works out okay and that they get proper bids, that they would definitely consider it.

He said the Commissioners thought that maybe the specifications ought to be written so they can advertise for bids and that Ms. Juras is here so she can be authorized to write the specifications and that after specifications are written, it would perhaps be best for everyone involved, to look at the specifications to see if they approve of them or if there are any changes to make.

Ms. Juras said that she would have the specifications ready by this Friday and that she would circulate them to all members of the Council as well as to the County Commissioners and that if they met everyone's approval, the bids would be advertised for the first time on June 3rd. 1976.

Commissioner Ossenberg moved that Ms. Juras be authorized to prepare the specifications for Data Processing. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked if the Commissioners have some idea as to what the bids are coming in at, if they were given a figure.

Commissioner Schaad said that it was a shame that Commissioner Willner couldn't be at all the hearings, that it is most confusing, that it would be wrong for him to tell what some of the proposals would be, here, because, since if they take bids, it just wouldn't be fair.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Ann Davies	3115 E. Chandler	Pool Manager	\$26.00 Day	Eff: 5/19/76
Cheryl Cox	1304 S. Red Bank Rd.	Head Guard	\$21.00 Day	Eff: 5/19/76
Kim Knapp	3407 Sweetser	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Jennifer Betz	704 S. Alvord Blvd.	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Missy Maxwell	1400 S. Grand Ave.	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Jean Griffin	4518 Tremont Rd.	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Judy Overhausen	4218 Tremont Rd.	Regular Jr.	\$16.00 Day	Eff: 5/19/76
Robert Gulick	2215 W. Illinois	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Julie Brinker	9801 Petersburg	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Janna Gartner	1931 Carol Dr.	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Jennifer Overhausen	4218 Tremont	Extra	\$ 2.30 Hr.	Eff: 5/19/76
John T. Hall	R.R. 8 Box 89A	Regular Sr.	\$17.00 Day	Eff: 5/19/76
Debbie Bowers	722 Mels Drive	Regular Jr.	\$16.00 Day	Eff: 5/19/76
Stacey Lett	1030 N. Roosevelt Dr.	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Martha Franks	3105 W. Indiana St.	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Julie Horner	6408 Lincoln Ave.	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Janet Wittenbraker	2416 E. Walnut	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Debbie Erwin	601 Colonial	Regular Sr.	\$17.00 Day	Eff: 5/19/76
Susan Buthod	703 S. Willow Rd.	Regular Sr.	\$17.00 Day	Eff: 5/19/76
Martha Barrows	9214 Farmington	Regular Jr.	\$16.00 Day	Eff: 5/19/76
Mark Angermeier	3007 Munsterman	Extra	\$ 2.30 Hr.	Eff: 5/19/76
Andrew Gulick	2215 W. Illinois	Extra	\$ 2.30 Hr.	Eff: 5/19/76
David Waltz	6710 Hogue Rd.	Head Guard	\$21.00 Day	Eff: 5/19/76
John Lawson	6711 Hogue Rd.	Ground Crew	\$ 2.30 Hr.	Eff: 5/19/76
Judy Overhausen	4218 Tremont	Ground Crew	\$ 2.30 Hr.	Eff: 5/19/76
Debra Bowers	722 Mels Drive	Ground Crew	\$ 2.30 Hr.	Eff: 5/19/76
Jan Hudson	4240 Bellemeade	Ground Crew	\$ 2.30 Hr.	Eff: 5/19/76
Scott Maley	6314 Hogue	Asst. Head Reg. Sr.	\$19.00 Day	Eff: 5/17/76
John Voorhees	2116 Adams Ave.	Regular Jr.	\$16.00 Day	Eff: 5/17/76
John Wells	911 Oakley St.	Regular Jr.	\$16.00 Day	Eff: 5/17/76
Jan Hudson	4240 Bellemeade	Cashier	\$ 2.30 Hr.	Eff: 5/17/76
Terri Babbs	303 S. Woods Ave.	Cashier	\$ 2.30 Hr.	Eff: 5/17/76
Sherra Gpurley	5341 Stonehedge	Asst. Guard	\$19.00 Day	Eff: 5/19/76
Robin Winstead	4801 Hogue Rd.	Regular Sr.	\$17.00 Day	Eff: 5/19/76
Barb Koressel	1719 Conlin Ave.	Regular Jr.	\$16.00 Day	Eff: 5/19/76
Julie Hudson	4240 Bellemeade	Regular Jr.	\$16.00 Day	Eff: 5/19/76
Anne Ensner	5338 Nottingham	Jr. Guard Reg.	\$16.00 Day	Eff: 5/19/76
Mike Head	614 S. Red Bank Rd.	Regular Sr.	\$17.00 Day	Eff: 5/19/76
John Lawson	6711 Hogue Rd.	Regular Jr.	\$16.00 Day	Eff: 5/19/76

KNIGHT TOWNSHIP ASSESSOR

Karen Bitz	514 Lewis Ave.	Deputy	\$16.10 Day	Eff: 5/14/76
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PIGEON TOWNSHIP ASSESSOR

Mary Lu Miller	711 S. Alvord	Reassessment Clerk	\$20.00 Day	Eff: 5/19/76
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PLEASANTVIEW REST HOME

Denise Nash	1122 W. Louisiana	Nurses Aide	\$ 2.30 Hr.	Eff: 5/20/76
Lois J. Horning	750 E. Columbia St.	Aide	\$ 2.30 Hr.	Eff: 5/19/76

SHERIFF'S DEPARTMENT

Steve Bequette	600 Marigold Ct.	Intern	\$75.00 Wk.	Eff: 5/24/76
Larry K. Blaize	1127 S. Gibson-Princeton	Intern	\$75.00 Wk.	Eff: 5/31/76

GERMAN TOWNSHIP ASSESSOR

Margaret Effinger	Buena Vista Rd.	Field Man	\$20.00 Day	Eff: 5/18/76
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RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

Sherra Gourley	5341 Stonehedge	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
Robin Winstead	4801 Hogue Rd.	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
Barb Koressel	1719 Conlin Ave.	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
Julie Hudson	4240 Bellemeade	Ground Crow	\$ 2.30 Hr.	E66: 5/19/76
Anne Ensner	5318 Nottingham	Ground Crow	\$ 2.30 Hr.	E66: 5/19/76
Spencer Evans	1369 Nottingham	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
Mike Hemp	614 S. Red Bank	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
John Lawson	6711 Hogue Rd.	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
Pat Fabian	1302 W. Eichel	Ground Crew	\$ 2.30 Hr.	E66: 5/23/76
Mike Ginger	1419 Hillside Terr.	Ground Crew	\$ 2.30 Hr.	E66: 5/23/76
Scott Maley	6314 Hogue Rd.	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
John Wells	911 Oakley St.	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
John Voorhees	2166 Adams Ave.	Tround Crew	\$ 2.30 Hr.	E66: 5/19/76
Jan Hudson	4240 Bellemeade	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
Judy Oberhausen	4218 Tremont	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
Deb owers	722 Mels Dr.	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
David Waltz	6710 Hogue Rd.	Ground Crew	\$ 2.30 Hr.	E66: 5/19/76
Jeane Dixon	1818 S. Fairlawn	Deputy	\$16.10 Day	E66: 5/14/76

GERMAN TOWNSHIP ASSESSOR

Catherine Elfreich	249-112-113	Field Man	\$20.00 Day	E66: 5/17/76
Margaret Effinger	R.R. Buente Rd.	Deputy	\$16.10 Day	E66: 5/17/76

RE: MONTHLY REPORT

The Monthly Report of the Legal Aid Society of Evansville, Inc. was submitted for the month of April, 1976.
Report received and filed.

RE: APPOINTMENT MADE

Commissioner Schaad said that the Commissioners appointment to the Airport Authority Board will expire on June 30th. 1976 so they need to make this appointment.

Commissioner Ossenberg moved that Charles Weaver Jr. of 5725 Weaver Road, who is presently filling out the term of John Dunn, who was originally appointed to this Board and then resigned, be re-appointed to the Metropolitan Airport Authority Board, effective July 1st. 1976, with his term to expire on June 30th. 1979, which is a three year appointment.

Commissioner Schaad seconded the motion. So ordered.

RE: INSURANCE MATTER

Commissioner Schaad explained that the Commissioners had received a letter from Golden Rule stating that the Vanderburgh County Insurance rates were increasing substantially and said that the County would need \$37,500 from the Council to pay the increased rate for the balance of the year if they stayed with Golden Rule. He said he attended the meeting of the County Council and it was their opinion that the Commissioners advertise for bids on the Health, Life and Accident Insurance, for a combined bid, then for a bid on each Insurance separately and they should ask for bids with a guarantee of a fixed price for twelve months. He said that before they went into the Council meeting, they had informally asked for four people to submit proposals on Insurance for the County and that none of them were interested at all, also that Blue Cross-Blue Shield in Marion County had increased so terribly much, that they weren't even asked to bid. He said the only thing he could see here was for the Commissioners to authorize Bob Barthel, who is the County's Agent of Record, to prepare the specifications or whatever is necessary so they can advertise for bids.

Mr. Barthel said if there were any questions that the various companies have, they could call him and he would try to help them.

Commissioner Schaad said he supposed that it would be best for the County Attorney, Paul Wendel to write the ad so it comes out the way they are stating it here, also in speaking further on the same subject, he said that of course the County's money, with the increased rates that they will get from Golden Rule, effective July 1, 1976,

it is obvious that the County will run out of money before the end of the year so at that time, they will see what kind of bids they get and he wondered if there should be an effective date as to when they bid from a certain time to a certain time, since they can't wait until they run out of money and on the other hand, if there is no money in that account for the balance of this year, they can't very well ask for bids if there is no money there.

Mr. John said they can ask for bids but they can't award the contract until they get the appropriation from the County Council.

Commissioner Schaad said the only reason he is bringing this up is that maybe when they do send a bid, that the amount of the bid will be held open for at least 30 days and then take them under advisement and go before Council and ask them to appropriate the money and then they could award the contract.

Mr. John said he would think it should be held open for 60 days, since it will also have to be approved by the state and this will take some time.

County Attorney Wendel was then instructed to include that the bid be held open for 60 days in the specifications for the bidders.

Mr. Barthel said that if the County Attorney needs any help in preparing the ad or anything else, to just give him a call.

Commissioner Schaad said that if the County Attorney can get the specifications ready by next week, that the Commissioners should be notified so it can be put on the agenda for next week.

RE: PAY LAKE ZONING STATUS

Mr. Wilson, Zoning Administrator for the Area Plan Commission, said they have had trouble with the pay lake and he wanted to inform the Commissioners of what they had decided.

It is the pay lake that belongs to Glenford Lang who had earlier requested a special use zoning permit to operate the pay lake as a public business but the request was turned down because of neighbor's complaints and it is located at Boonville-New Harmony Road.

He said their petition was for conditional use and they withdrew it and now they have set it up on a seasonal basis from February to October and he submitted the lease they have run and said that he has gone over this with Attorney Mike Mitchell and he feels that the way it is set up now does meet the Zoning Ordinance so there is no need for conditional use, so they will be able to operate as they are doing now, since it is being operated as a private club and the public is not invited to attend.

He said to be able to fish there, they do have to be a member and pay an initiation fee just like any other private club, which the zoning ordinance does permit with Agricultural zoning.

He said he thought they went about it in the wrong way but that in the end, they do comply with the zoning ordinance.

Commissioner Schaad said he had been receiving complaints on this matter and the people said that ads were in the newspaper and that people are paying to go out there and fish and this is when he called it to Jeff's attention, but that now they are doing it legally.

Mr. Wilson said it is legal if they keep it set up as is, also that their lease runs until October 31, 1976, with an option to continue it from February to October of 1977, so it will be seasonal and from October to February, there won't be any fishing out there, supposedly, that his department will police it and there is a provision in the lease, that the lease is void if they violate the Zoning Ordinances and that he has had this recorded.

He said that the owner apparently wants to operate it for awhile and show the neighbors it won't cause any problems, then return to the plan commission and seek to open the pay lake to the public so he might come back and try for a public pay fishing license.

The Commissioners said that they have still been receiving complaints from the residents in the area of the lake.

RE: MEETING SET FOR PROPOSED ZONING ORDINANCE

Commissioner Schaad said that the next meeting on the proposed zoning ordinance will be held on June 3rd. at 7:30 p.m. in Room 301.

After checking, Commissioner Schaad wondered if the City Council could re-schedule this meeting since on June 3rd., there is an important meeting in Troy Indiana

with all the legislators, regarding some proposed legislation on use of roads which begins at 4:00 p.m., so the Commissioners couldn't make the meeting on the proposed zoning ordinance.

Commissioner Ossenberg said that the Drainage Board, all the legislators from this area, the County Auditor and the County Commissioners will all go to the meeting in Troy Indiana so they won't be able to attend the other meeting.

The Commissioners agreed that Mr. Wilson tell them to go ahead with the meeting but to explain to them that the Commissioners won't be able to be there.

Mr. Wilson said that he would come back if there is any change.

RE: STRIPMINING BAN ORDINANCE AUTHORIZED

Commissioner Schaad said that since discussing the matter of stripmining last time, there was a preliminary ordinance proposed by the County Attorney's and since then, there has been more input and Mr. Wilson has heard from a Mr. Robert Freilich, Professor of Urban Law at the University of Missouri, while attending the Planning and Zoning Conference in Madison, Wisconsin.

Mr. Wilson submitted the following letter to Commissioner Schaad which relates to his meeting with Professor Freilich:

Dear Mr. Schaad:

While attending the Planning and Zoning Conference in Madison, Wisconsin, I had a chance to ask Robert Freilich, Professor of Urban Law, University of Missouri what he felt should be the role of the Planning Commission in the control of strip mining. His feelings were that you could not ban strip mining, however, you might regulate it. First, make it that you need a Special Use permit through the Area Plan Commission. Second, have a registered engineer make a study of the cost of reclamation of the land which they will operate on and have a surety bond posted for this amount. Third, have an environmental impact study done. Fourth, require that the whole area be fenced or guarded. Fifth, set a limit on the amount of ground that could be stripped at one time. Sixth, require that they could work only during certain hours. Seventh, you could ban it in certain areas if there is a more reasonable use for the land. Eighth, you could ban certain activities as being a public nuisance. Finally, set up some means of enforcement.

I recommend that these conditions be included in the new zoning ordinance.

Sincerely, Jeffrey L. Wilson, Zoning Administrator

Commissioner Schaad said they have also received some more input from Mr. Barnes, Geologist.

The letter that was received from Mr. Barnes is headed "What is Happening to Our Land" and reads as follows:

As a concerned citizen and resident of Southwestern Indiana, I feel compelled to share with you some matters of special concern to us all.

Many homeowners living in Vanderburgh, Pike and Warrick counties are being blasted from their homes two to three miles from stripmining operations by the coal companies in this area. By the time the coal buyers approach homeowners to negotiate for strip-mining rights, the houses of the owners have been shattered and cracked, and their water wells ruined, by the huge blasting charges used by the coal companies. Complaints to the coal companies and the Indiana Department of Mines and Mining go unanswered, or are treated with disdain. (Why pay damages on a home that you plan to destroy as your stripping operations proceed?)

In April 1975 Public Law No. 257, designed to protect citizens and property from strip-mining operations, was passed by the Indiana General Assembly and signed by the governor. The responsibility for promulgating rules and regulations for the enforcement of this law was assigned to the Department of Mines and Mining. One year later this law has not been enforced.

At a recent grievance hearing in Evansville, Indiana, dozens of families registered complaints about coal company blasting and the effects it is having on their homes. Testimony reveals that blasting is sporadic and unannounced, and people are being shaken in their beds at night. This insecurity to persons and homes is an obvious violation of constitutional rights.

Also, I ask you to investigate the implications that strip-mining has upon our food supply. You will see that the strip-mining in this area has destroyed precious top soil on thousands of acres of prime crop land. Fertilization can restore some ground to grass land or low yield wheat land, but not to the level of its former productivity. The best reclamation efforts return only grassland where once grew soy beans and corn. What will we tell our children about the agricultural base that we have left them?

The coal companies are leaving us a ravished land that may not support our children or feed the nation in the future. In a world whose population will double in the next 30 years, it is vital that we maintain our food production capacity in order to preserve our freedom and independence. The stripping of coal from beneath our priceless farm land is not the answer to our energy problem. Conservation and the development of alternate energy supplies offers our children some hope.

In addition.....

.....the run-off from overfertilization and acid mine drainage is a growing threat to our water supply;

.....the proliferation of coal-fired power plant in the Ohio Valley that supply electricity to the north-east is a growing threat to our air quality;

.....farm families that have worked the land for several generations to feed our nation are being uprooted as the strip-mining of our crop land continues;

.....wildlife in the stripped area is being destroyed with its habitat;

.....the proposed Wabash Canal, which will barge coal from southwestern Indiana to power plants all over the Ohio Valley, will also destroy 15,000 - 20,000 acres of our best farm land.

I strongly urge you to become more familiar with the strip-mining situation and its implications. I encourage you to support adoption of laws banning all strip-mining of crop land in order to preserve the food supply for ourselves and our children.

Signed, J. H. Barnes

Commissioner Schaad said that this information needs to be turned over to the County Attorney since it has more ideas and they can perhaps incorporate some of these points into the ordinance, also that maybe the ordinance will be drafted by the next meeting and that they can then go through the legal procedures of advertising and having hearings, so that anyone may speak in favor or remonstrate against it before the Commissioners do take action and pass the ordinance.

County Attorney Smith suggested that they first have informal meetings in order to get some input before the ordinance is drafted.

Commissioner Schaad said they could do this or they could go ahead and draft it the way the County Attorney's think it should be and then to have hearings on it, that it would take longer if they try to have input.

Commissioner Willner said that the input from the citizens would just be repetitious.

Commissioner Ossenberg said he read the letter and he thought that some of it could possibly be incorporated and he thought that in zonings affected by removal of earth, etc. there could be some stringent items. He asked if Mr. Freilich told Mr. Wilson where he came up with his information and if it was some other state law.

Mr. Wilson said it was no state law, that Mr. Freilich is a Professor of Law and those are his opinions based upon the law he studied and that he teaches, that most of them are his and that he thought the main two things that the Professor was concerned with was the surety bonds for the reclamation of the land and also the local enforcement.

Commissioner Schaad asked the other Commissioners if they thought something needs to be added and if something needs to be deleted from the suggestions.

Commissioner Willner said he thought they should go to the total spectrum, less noise level, shock level, etc.

Commissioner Schaad said they had this suggestion when the seismograph was mentioned previously.

Commissioner Ossenberg said he thought one very important issue he points out here is having an environmental impact study done which would take care of all these things.

Mr. Roebuck said they could go ahead and publish the proposed draft in the paper and ask for input from the general public which will eliminate a lot of duplication and they could then have an open meeting. He also said that the Home Rule which was mentioned by Commissioner Willner last week, should be looked into.

Commissioner Ossenberg said he has read and re-read the proposed ordinance and he has pretty much gone on record as to the total banning of stripmining in Vanderburgh County and that he would like to stick to this opinion which he shares with Commissioner Willner, that the only thing he thought this particular deal is, that it does allow

stripmining and he would like to be able to have this back in the event they go to court but that he would also like to incorporate the environmental impact study into this particular ordinance.

He said he would like to stress more of the Department of Natural Resources into the ordinance, that he thought this to be one of the most powerful agencies in the state and could be very effective in strip mining, in such things as pollution and water streams.

County Attorney Smith said they should also have a County Zoning Area Map, that he would presume that stripmining would be prohibited by virtue of the zoning code since it describes uses of things they can and can't do in certain areas.

Commissioner Ossenberg said he would say, specifically, that any way they look at it, the Board of County Commissioners are going to have to have the arm of the Area Plan Commission, even though he would like to keep it in an elected body.

County Attorney Smith said that in the proposal they submitted, they placed the authority within the County Commissioners and he asked if they wanted to keep it that way or if they wanted to refer it and put it in the Planning Commission.

Commissioner Ossenberg said he would prefer that it stay in the authority of the County Commissioners but he didn't see how they could police it, also that they have the County Surveyor under the Commissioners in the proposed ordinance but he didn't think the County Surveyor had the staff to do it and quite frankly, he thought they were going to need the protection of the Area Plan Commission.

He suggested that the Commissioners pursue this particular ordinance and that Mr. Wilson contact the Area Plan's attorney, Mike Mitchell and see just how much arm the Area Plan can give them in control of the stripmining and that maybe then, the County Attorney's and Mr. Mitchell could come up with a rough draft for the Commissioners to look at before they advertise.

He said his stand is that he would like to know if they could ban stripmining with the aid of the Area Plan Commission, also that they could always come back to the ordinance on the control of stripmining and he thought that the Area Plan should be incorporated in this rather than the County Surveyor.

Commissioner Schaad said the only thing he thought they would have to be careful of in each instance is that they have been told that they can't ban stripmining and if they say they are going to ban it anyway, it will be a matter of dragging out court procedures and all the legalities of it.

Commissioner Willner said suppose they come up with an ordinance to completely prohibit stripmining in Vanderburgh County, that they don't know whether coal companies will fight the ban or not but if they do, it could result in a delay of at least a year while the issue is before the courts, that this would give the County time to prepare the backup ordinance to regulate stripmining, that they could get input from the other counties, other states and really do an ordinance such as has been started here, which would be good justice.

Commissioner Ossenberg said he thought the Indiana General Assembly is simply going to have to re-write this state law, that it is a very very weak law and he would like to see them adopt something like Kentucky has, who has had a tremendous law with no problems.

County Attorney Smith asked the Commissioners if they then wanted them to draw up an ordinance on the banning of stripmining.

Commissioner Ossenberg said that is what he would like for them to do after getting with Attorney Mitchell, but in the event the court would uphold the law, they would have a lot of time but he would also like something to fall back on, but right now, he wanted to abandon stripmining.

He urged that the backup ordinance to regulate stripmining require a permit from the Area Plan Commission, force coal companies to meet the anti-pollution regulations of the state Department of Natural Resources, require an environmental impact statement for each area to be stripped and give final authority for any stripmine permit to the County Commissioners.

After further discussion, Commissioner Ossenberg moved that an ordinance be drawn up to completely ban stripmining in Vanderburgh County. Commissioner Willner seconded the motion. So ordered.

County Attorney Smith said he would have the proposed ordinance prepared by next week.

Commissioner Schaad said they will first have the first reading and have the ordinance prepared the way they are going to advertise it and they could then have hearings on it.

RE: LETTER OF APPRECIATION FROM DAN WAGNER

The following letter was received by Commissioner Schaad, from Dan Wagner of MEDIHC which is the Military Experience Directed Into Health Careers:

Dear Mr. Schaad:

Operation MEDIHC is a special project of Indiana Health Careers, Inc. that provides free career counseling and job referral development to military veterans interested in an occupation in the areas of health and medicine. Indiana Health Careers is a not-for-profit service organization concerned with the development of adequate health manpower throughout the state of Indiana.

In order to provide a more personal service to veterans outside the central Indiana area, Operation MEDIHC conducts "Two Day Veteran Clinics" in strategic areas around the state. One such clinic was held in Evansville on May 12th and 13th. As a result of this clinic, forty-four (44) new veterans were enrolled in the MEDIHC program where they will receive assistance in making a career decision and/or finding employment in the health field.

The Evansville Clinic could not have been successful without the excellent cooperation of Mr. Robert Moran, Veteran Service Officer for Vanderburgh County, and his fine staff. I want to thank you for the assistance provided by Mr. Moran and his staff. I commend you and thank you for having such personnel employed under your administration.

Sincerely, Dan Wagner, Director
Indiana Operation MEDIHC

Letter noted as being received and filed.

RE: REQUEST TO TRAVEL

The following letter was submitted to the Commissioners by Sheriff James DeGroote:

Gentlemen:

I do formally solicit your approval of my request to attend the annual conference of the National Sheriff's Association, to be held in Chicago, June 20 thru 23, 1976.

The program for the convention includes; Distinguished Speakers; Exhibits of the latest law enforcement equipment and services; Various programs to acquaint Sheriff's with new laws, techniques and developments in our profession; and many other relevant topics of current interest.

My travel and lodging expenses would be paid out of our Travel Account.

Respectfully, Jim DeGroote, Sheriff of Vand. Co.

Commissioner Ossenberg moved that Sheriff DeGroote be permitted to travel. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR PHONE HOOK UP

The following letter of request was received by Commissioner Schaad from Judge Thomas Swain:

Dear Sir:

This letter is to request permission for the phone company to hook up a telephone in my office. The office has been rearranged, and this should be a one time charge to activate the plug. The building authority has installed the necessary plug, without expense to the County, but there may well be a one time charge by the telephone company to activate the plug.

The Centrex number involved is 426-5403.

Best regards, Yours very truly, Thomas M. Swain, Judge
Vanderburgh Superior Court

Commissioner Ossenberg moved that the request of Judge Swain be approved. Commissioner Willner seconded the motion. So ordered.

RE: PETITION FOR REPAIR OF STREETS

The following letter was received by the Commissioners from Mr. Robert Myers of 219 S. Elm Street, requesting repairs be made on S. Elm and S. Woods Ave.:

Gentlemen:

We the petitioners submit this petition to the Vanderburgh County Commissioners to request:

1. That the streets indicated in yellow on the attached map be repaved and widened.
2. That the streets indicated in yellow on the attached map be repaved and widened.
3. That the curve on Elm Street, indicated by a "red circle" on the attached map be widened.

The reasons we are requesting these improvements are:

1. The streets indicated are in general disrepair. Many unsuccessful attempts have been made to fill the chuck-holes.
2. In the spring of 1975, a fire occurred at 308 S. Woods Street, the fire department truck was unable to make turn at curve, mentioned in request #3, as a result, more damage was incurred than necessary.

Please address all correspondence concerning this request to:

Mr. Robert Myers of 219 S. Elm Street, Evansville, Indiana

Sincerely, Robert Myers

Commissioner Ossenberg moved that this matter be referred to the County Engineer. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad told Mr. Ludwick that he would have to decide just what is City and what is County in this area and that maybe they can work with the City and still accomplish it, that as far as the fire plugs are concerned, the Board of Works can get in on it so he should give them a copy of it, then he should come back with a recommendation as to what can be done

RE: LETTER FROM DEPARTMENT OF NATURAL RESOURCES

The Following letter was received by the Commissioners from Mr. Joseph D. Cloud who is the Director of the Department of Natural Resources:

Gentlemen:

As you may already know, House Enrolled Act 1156, 1976 General Assembly, is now in full force and effect. This statute provides for two categorical exemptions from those provisions of the Flood Control Act of 1945 (IC 1971, 13-2-22), which require the prior approval of the Natural Resources Commission for construction in floodways, as follows:

- (1) reconstruction or maintenance projects, as those terms are defined in the Indiana Drainage Code (IC 1971, 19-4-6), on those streams or legal drains in agricultural (or rural) areas where the total length of the specific stream or legal drain is ten (10) miles or less;
- (2) construction or reconstruction projects on highway bridges in rural areas across streams having an upstream drainage area of fifty (50) squares miles or less.

Pursuant to this amendment, the Natural Resources Commission, at its March 18, 1976, meeting, adopted a policy with respect to the determination of stream length as called for in paragraphs (1) and (2) above for the purposes of guidance in the determination of whether a specific stream or legal drain falls within the purview of the exemption. A copy of this policy is enclosed for your information.

Your attention is particularly directed to the note at the bottom of this policy which specifically mentions the statutes which are not affected by this amendment.

I hope this information is of assistance to you and if you should have any questions concerning this matter, please contact Mr. Victor H. Wenning, Assistant Chief, Division of Water.

Very truly yours, Joseph D. Cloud
Director

A copy of the policy that was adopted was enclosed.

Commissioner Schaad said that before, they just thought it applied to legal drains as we understand legal drains but that this goes beyond that and it is quite complicated.

He said he didn't know what action needs to be taken other than to see that everyone is given a copy of it and if anyone has a question on it, they can contact the County Attorney.

RE: GENERAL REVENUE SHARING PLANNED USE REPORT

Mr. John said that the General Revenue Sharing Planned Use Report must be approved and signed by Commissioner Schaad so he would like for the Commissioners to help fill it out so there is no question on it, also that the money is appropriated at the Council meetings.

Commissioner Schaad said he didn't think the Commissioners should have any input into this thing because regardless of what they put on it, the Council went ahead and appropriated monies they saw fit.

Mr. John told Commissioner Schaad that he could go ahead and sign it and he would fill it in then.

Commissioner Ossenberg said that it must be sent in truthfully and Mr. John knows what the figures are and he thought that it should just be signed and Mr. John fill it in.

He said he told Council, last year, that this could become a standstill, that the Commissioners have the authority to spend revenue sharing money but they had already budgeted it for what they wanted done, but if the County wants to continue getting revenue sharing money, they are going to have to sign the report.

Commissioner Willner moved, that since the Council goes ahead and spends the money in the manner that they want to anyway, that Commissioner Schaad sign the form and that Mr. John fill it out. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM

A claim was submitted by Sheriff DeGroote for the meals of the prisoners in the amount of \$6,284.20, for the period of April 15, 1976 to May 14, 1976. This claim has been signed by Sheriff DeGroote.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: ERROR ON PURCHASE ORDER

Commissioner Schaad said there was a purchase order, No. VC-3677 and requisition No. 1835 on April 26, 1976, issued from the County Garage on a John Deere Motor Grader and the amount of it was \$41,369.75 and since the subject Purchase Order was issued it was brought to the attention of K & W. Equipment Co. that the trade-in was not deducted from the total price so the amount of the motor grader, less the trade-in is \$33,889.72.

RE: CLAIM

The claim was then submitted by K & W Equipment Co. for the John Deere Motor Grader for the Vanderburgh County Highway Department in the correct amount, including trade-in, of \$33,889.72.

Commissioner Willner moved that the Commissioners approve and pay the amount of \$33,889.72 for the John Deere Motor Grader. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST OF TIME CHANGE ON FLIGHT

County Attorney Smith has plane reservations since he must appear on the matter of the Massage Parlor Ordinance and he requested that he be permitted to change the time of his return flight, since he has other business to take care of.

Commissioner Ossenberg moved that the time of the flight change be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. ROEBUCK

Mr. Roebuck said that in reference to last week's meeting, he has a letter from Mr. Alcott on the Stella Hirsch Crowell property that he would like to submit to the Commissioners, which states the recommendations on what needs to be done on the construction work.

He said that Commissioner Schaad had stated that they would get together on it and see what it takes to do the work and they will come back on it at another time.

Mr. Siebeking said they dug on the west side of the road out there and he noticed they are farming right beside the ditch, in fact, they threw dirt into the ditch and it was recommended that they stay back six to seven feet and that the farmer may have stayed from six to seven back from the ditch on the east but they sure didn't on the west side where the county has been digging.

Mr. Roebuck said that was already in when Mr. Siebeking started his work, that they have been told and that they would stay off of it now. He said he was hoping they could get together on the rest of the work today. There was a question of what they could do about the gates and he said they could send JEBCO a copy of the letter so they can put up the animal gates.

Mr. Ludwick said that it wasn't part of the contract and that if they wanted the gates, they would have to do it themselves.

Mr. Roebuck said they would take care of this then and he said he would like some word from the Commissioners as to when they are going to alleviate the drainage on the east side of Green River Road from Theater Drive to Hirsch Ditch.

Commissioner Ossenbergsaid as he understands it, the Surveyor has it all drawn up and he asked Mr. Siebeking if he had ever contacted the Surveyor.

Mr. Siebeking said he hadn't but that if it goes back out east of Green River Road, he can't do it, but he could do the road ditch itself, like he did on the west side if this is what they want done.

Mr. Roebuck said it is 45 feet from center.

Mr. Siebeking said he can't reach it.

Mr. Ludwick said if they want to go ahead and five years from now or whatever, to repave Green River Road, Heckel Road South to the Highway at Theater Drive, that they had one time talked about going ahead and placing those ditches where they belong but to do this, they will have to let a contract and to let a contract they are talking about a lot of money, to get the road elevated like they had discussed.

He said it is the decision of the Commissioners as to if they want to just go in there and clean the roadside ditches out now and let it go or to go in there with a contract and do the whole job.

Commissioner Ossenbergsaid it was his understanding that it wouldn't take too many days to do this.

Mr. Ludwick said that Mr. Nussmeyer figured that it would cost somewhere in the neighborhood of \$125,000 to go to Theater Drive North to Hirsch Road to elevate the road and a way out of this right now would be to clean out the roadside ditches as they exist and this would alleviate the problem.

Mr. Roebuck said they would take this now rather than the five year promise.

Commissioner Ossenbergsaid if the drawing they had was the latest drawing.

Mr. Roebuck said he had a private contractor who said that the actual ditch could be put in where it will be when the road is widened and the grading done and that would be in the neighborhood of the low \$20,000's but it wasn't including the hauling of the dirt down to the area of Hirsch Road where they needed the dirt which would constitute a savings in the long run.

He said he didn't know what the long range plan of the Commissioner's is for Green River Road but for the amount of traffic it carries, it seems to him that thinking five years from now and betting on the availability of federal funds, that it is a little short sighted but since they haven't had the ditches cleaned out on the east side of Green River Road in over 20 years, he would be tickled to death to solve some of their immediate problems.

He said that Mr. Siebeking's department did an excellent job on the west side of the road and they could see the water that is moving out.

Commissioner Ossenbergsaid he agreed with Mr. Roebuck on one thing, that he thought the county, at this time, can only afford to clean out the ditches on the east side with the county crew doing the work but he thought to look for federal dollars is either here nor there, that he didn't know if they were going to exist or not, that he thought this county, in due time, is going to have to do Green River Road such as they have done Heckel Road, all the way up to Hwy. 57, but that is from 5 to 10 years from now.

He said at this time he would ask that the other Commissioners go along with him in getting those ditches on the east side cleaned out such as Mr. Siebeking did, and also said that Mr. Siebeking really did a good job in cleaning that ditch. He said he would go on record to say that what ever Commissioners that are in office, he would like to go on record in saying that they will have to take Green River Road because he knows the traffic count out there and it was the proposal of Mr. Nussmeyer, at the very beginning, to build that road exactly that

way so he would appreciate it, if the other Commissioners agree that they clean out the ditches on the east side of Green River Road such as Mr. Siebeking did on the west side.

The other Commissioners agreed that Mr. Siebeking should have his crew clean out the roadside ditches on the east side of Green River Road.

RE: MR. HOTZ.....GLASS AT AUDITORIUM

Mr. Hotz said that Mr. Crooks checked out the legal requirements on the glass at the County Auditorium and his findings were that they can get by with installing one crash bar on each window. He said he secured two proposals and that according to Mrs. Appuhn at the Auditorium, they don't have enough money in their budget to do this work but he thought they could do it out of the account of Repairs to Buildings and Grounds. The bids he obtained are from Central Glass Company in the amount of \$1,240.00 and the other bid was from Red Spot, in the amount of \$1,246.00.

Commissioner Schaad asked if this would put us in compliance with the safety requirements of the state.

Mr. Hotz said this is correct.

Commissioner Schaad said there is one law suit pending now and they have had another accident over there but it was one of President Ford's men and he didn't think they would be sued over it, that he didn't break the glass but he really hit it pretty good. He said that building couldn't be built today the way it was built, with the safety requirements of the state but the point is that they are showing good faith by trying to bring it up to safety standards.

Mr. Hotz said that he and Mr. Crooks have recommended that these bars be placed 24 inches from the floor. He said it would be a little different in architecture, also that he had enough money in his account to do the job.

Commissioner Willner moved that the low bid of Central Glass Company be approved and that the work be done. Commissioner Ossenbergh seconded the motion. So ordered.

Mr. Hotz said he would check to see if the other bars could be moved up but that if they couldn't, he would ask them to be consistent in placing them.

RE: SEWER IN OPERATION

Mr. Hotz reported that the sewer is in operation at the Pleasantview Rest Home and that it has been approved.

Commissioner Schaad said that he was trying to get this thing to going and when they fired the thing up there was such a vibration in the pump motor but he supposed they got it straightened out.

Mr. Hotz said they worked out all the problems on it and that it is now in operation.

RE: ALCOHOLIC HELP INC.....LEASE

Commissioner Schaad asked Mr. Hotz if he had anything to report on the lease of Alcoholic Help Inc.

Mr. Hotz said he hasn't heard anything on it as yet.

Commissioner Schaad said that the only thing on the change of Insurance of concern was that they had the County's Insurance Agent of Record to re-appraise the buildings out there and they came up with a new figure and when he first talked to Mr. Ubelhor, he agreed, but then later he was called back and they wanted to negotiate and he told Mr. Ubelhor that their Agent of Record should talk to the County's Agent of Record or whoever made the appraisal and if they can agree on a figure other than the one they recommended, fine, but if not, that is the way it will be, that it must be determined before they have a lease.

Mr. Hotz asked where he would find out about this.

Commissioner Schaad said he should call Mr. Ubelhor at Alcoholic Help.

Commissioner Willner said he wished the County could stockpile \$1,000,000.00 and they would stop all Insurance.

RE: SPEED LIMIT SET ON BROADWAY

The following recommendation was submitted by Mr. Judd:

Due to the large amount of traffic from the West Side Drive In and because this particular area is residential, it is my recommendation to reduce the speed limit to 30 m.p.h. on Broadway from the city limits to Frey Road.

The Board of County Commissioners approval is requested.

Signed William T. Judd
Traffic Director

Mr. Judd said this situation is very dangerous and that it is impossible for anyone coming out of the West Side Drive In to see when they come out onto Broadway Avenue, that there is a fir tree there also and it probably belongs to the Drive In Theater.

Mr. Siebeking said he didn't think hardly any of it was on the County Right of Way.

Commissioner Schaad said maybe they should talk to the manager and see if it is a hazard for the patrons, that maybe they have had some complaints on it and they could ask his co-operation.

Commissioner Ossenberg said it was also creating a health hazard and they could report it to the Health Department if the manager doesn't want to co-operate.

Commissioner Ossenberg moved that the speed limit be reduced to 30 m.p.h. on Broadway from the city limits to Frey Road. Commissioner Willner seconded the motion. So ordered.

RE: DIXIE FLYER EXPRESSWAY

Commissioner Schaad said that one other item that was brought up last week was the dangerous intersection that comes off the Dixie Flyer Expressway onto Broadway and a gentleman told him that cars are parked there and it made it very hard to see around the curve but Mr. Judd told him that cars no longer park there, that there is a chain link fence and a guard rail there so that takes care of this situation.

Mr. Siebeking said he has had several complaints of people parking along the east side of the street, that they even straddle the ditch and he wondered if they were allowed to do this.

Mr. Judd said that the complaints he had been getting was on the point where they can't see to the right to get out.

Mr. Hotz said this was a problem for the Safety Board.

Mr. Judd said this is in the City and that he will take it to the Safety Board.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report on the employees at the County Garage for the past week.

Report received and filed.

RE: WATER DEPARTMENT CUTS IN APPROVED

Commissioner Schaad said they had some requests for cuts from the Water Department and he told Mr. Siebeking that he was willing to go with him to talk to them to try to solve some of their differences and see if they could get some co-operation but it is taking a while to do this and he has been getting so many calls and the Water Company is saying they won't do anything because the Commissioners won't let them make any cuts and one of them wasn't even a county road.

He said that he doesn't feel that the Commissioners should keep the public from having water service because they are having differences with the Water Department, and for this reason, he didn't ask Commissioner Willner because he knew how he felt about it but he did call Commissioner Ossenberg and asked him if it was agreeable to approve the requests that they have up to now, and then, since they have the information, to talk to the Water Company, he and Mr. Siebeking will still talk to them but he couldn't see why they should penalize these people who wanted water service, so he and Commissioner Ossenberg approved them.

The Water Department cuts that were being held-up are for the following locations:

4808 Hogue Road to repair water main break
 1604 B Allens Lane to install water service
 6300 Rosser Drive to install water line
 Reiter Drive off Broadway to replace 2" water line with 6" water line
 1950 Speaker Road to install water main
 Green Briar Court to install 450' 6" pipe
 702 Evergreen to install water service
 4225 Mesker Park Drive to install 725' 8" water main
 Old Boonville Hwy. to remove fire hydrant & install intake and Discharge lines for pumping station

RE: NEW CUTS IN

The Water Department requests permission to cut into 6400 Little Schaefer Road to install 490' 8" water line to provide water service. Shoulder cut.

Commissioner Ossenberg moved that this cut be approved. Commissioner Schaad seconded the motion. So ordered.

Indiana Bell Telephone Company requests permission to cut into Bayou Creek Road to bury a telephone wire. Push job.

Commissioner Ossenberg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

RE: ROAD STRUCTURES TO BE REPAIRED

Mr. Ludwick submitted a list of smaller structures in Vanderburgh County that are mostly one lane bridges that the County Garage and the County Surveyor's office gets complaints about quite often and most of the structures are 16 foot in length. He said what they have done is to take each structure and surveyed it and they would like to group about seven of these bridges together and let one contract, so for the first one, they would like to take the Base Line Road Bridge and add exterior beams only and to widen the structure, the second structure of Volkman Road would get exterior beams only, the third, Buente Road, would be all new beams, the fourth, Kansas Road Bridge, they are thinking about possibly pipes in certain locations, the fifth, Mohr Road, maybe a pipe in that structure as well as on the St. Joe Road Structure, and that with the permission of the Commissioners, they would like to group these together and let two different contracts at two different times within the next month or so, for this type of repair work and the road work can be done at a later date by the County Garage. He said they have done two smaller structures in the last couple of months the same way which was the Emge Road structure and the Orchard Road structure, that one job went for \$7,000 and one went for \$14,000 but he thought they could take care of a lot of the problem areas as far as the bridges are concerned with a small amount of money and get some of the headaches out of the way and if he has the permission of the Commissioners, they will get them taken care of in a month or so.

Commissioner Schaad said he thought this was an excellent idea and the other Commissioners agreed.

Mr. Ludwick said if what they are trying to do works, they will try to get three contracts and come up with another list, he would be glad to have other structures on it that the Commissioners may have.

Commissioner Willner wondered if the structures could be broken down into maybe three catagories as to what needs to be done to them.

Mr. Ludwick said this is what they are going to do and try to get a package deal where a contractor will come in and hopefully submit a low bid and take care of it. He told the Commissioners to get a list of the structures they want fixed and he will be glad to check them out.

Commissioner Ossenberg moved that Mr. Ludwick be permitted to go ahead with this project and if they have any more structures they want fixed, to see that Mr. Ludwick gets them. Commissioner Willner seconded the motion. So ordered.

RE: PROBLEM ON SURVEYORS VAN

Mr. Ludwick said there is a problem on the bid of Key Ford that was awarded last week, for the van needed desperately by the Surveyor's Department, that Jack

Kohlmeyer from Key Ford had informed them that the van was in so the Commissioners declared it an emergency and when they went to pick it up Wednesday, the van wasn't even made yet and all Mr. Kohlmeyer could say was that he was sorry and Mr. Ludwick said that he told him that being sorry didn't quite get it, so they went everywhere and there are no other vans available so they went to Kenny Kent who had a truck and men were sent over to verify that it was there and then there was a question as to if they could use it since it was a short wheel base, 1/2 ton truck and they wondered if their equipment would fit, so they had to take their equipment over there to see if it all would fit. He said they don't have much choice, that they had the old van hauled into the County Garage, where it will stay until the County has a surplus sale. The bid price from Kenny Kent for the 1/2 ton van is \$4,042.00. This was declared an emergency last week and still remains as such.

Commissioner Ossenberg moved that the 1/2 ton van be purchased from Kenny Kent. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad told Mr. Ludwick to take the papers down to Mr. Huffman in the Purchasing Department and have him make a purchase order for this vehicle.

RE: BRIDGE ON BOONVILLE-NEW HARMONY ROAD

Commissioner Willner said that Mr. Ludwick has Boonville-New Harmony Road on his list, 1/10 mile east of Green River Road and he asked what is in the making on the two that are west of Green River Road, where there was an accident about two months ago and they were going to do something about it.

Mr. Ludwick said that this was turned in on a federal program and he didn't know the status of it since it is in Keith Lochmueller's group.

RE: PAVEMENT SINKING

Last week, Commissioner Willner said the pavement at the bridge on Boonville-New Harmony Road at County Line Road, East of Daylight is sinking on the East side and needed to be fixed so Mr. Nussmeyer said that he would look at it.

Mr. Ludwick said the pavement is sinking and that it needs some blacktop so he will get with Mr. Siebeking on it to see if his crew can do this work.

RE: WRIGHT DRIVE

Commissioner Schaad said he thought he had mentioned this to Mr. Ludwick, that on Wright Drive, if you go out St. Joe Avenue to Meier Road and take a left, it is the first road that comes back to the left, that he understands from Mr. Siebeking that the County had been maintaining it, that he has driven this road and it is just a one-lane deal which is really rough and hilly but a gentleman by the name of Tom Savage lives out there and he would like to move that road over at his expense and then the County would dedicate the old road back to him so he will have more room in front of his house.

Mr. Siebeking said that all that property belongs to Ervin Lipper or his family and he asked if Mr. Savage was going to buy all that property to build the road.

Commissioner Schaad said that all he knows is that Mr. Savage said that he wanted to move the road at his expense after he acquired the property and the right of way and then he would want the old road dedicated back to him. County Attorney Wendel said that Mr. Savage will need to file a petition to move that road, so Commissioner Schaad said he will contact Mr. Savage to advise him to get an attorney to proceed with plans which must be approved by the Commissioners.

RE: BRIDGE ON BOONVILLE-NEW HARMONY ROAD....CON'T.

Commissioner Ossenberg asked Mr. Ludwick if he had any drawings on the area of the accident on Boonville-New Harmony Road.

Mr. Ludwick said that the plans have been let for a long time.

Commissioner Ossenberg said that Mr. Ludwick had better add this bridge to his list, that there is a possibility by the time they get into this, that they will have an answer but that the state hasn't even pre-determined as yet as to what they are going to do.

Mr. Ludwick said that he would add it to his list.

RE: MR. ADLER WANTS TO REMOVE BRIDGE

Commissioner Willner said that a Vincent Adler contacted him and said that the guard rails on Adler Road, about 2/10 of a mile east of St. Joe Avenue has been knocked down and he wants to do a soil conservation program in that area, that he has already built some terraces and has cut the water flow down through this bridge in half as of this time and he wants some help to see if they can't take that bridge out and replace it with pipe.

He said that Mr. Adler is also going to do some roadside ditching there and he wants to do this as soon as the crops are out, so he asked Mr. Ludwick to try to contact Mr. Adler this week, also that he might contact the Soil Conservation Serv.

Mr. Ludwick said that he wouldn't promise but that he would try to see Mr. Adler within the next week, also that they have done some work for him in the last month or so.

RE: EVERGREEN ACRES

Commissioner Schaad said that he has been getting quite a few calls on Evergreen Acres, that sometime ago, they all met out there along with the Surveyor and the County Highway Garage and they did take some streets over and put that new catch basin on the lake out there and he had a call during the flooding and they thought the dam was going to break again and Mr. Siebeking went out there and found that it wasn't as serious as they thought but apparently the catch basin is doing a pretty good job but there are still some serious problems in that area and one of them is where the water comes under Heather Place and as the water comes under there, they had it open where there were railroad ties and they got it cleaned out but they said at that time, that it is all underground sewer on the south side of Heather Place and then opens into an open ditch and everyone agreed that it should be a larger tile but at that time, because of a lady that lived there on the corner, there was no way, but he understands at this point that the property has changed hands and that someone else lives there & they are very receptive and they want something done so he asked Mr. Ludwick if he would, this afternoon, to get several people together and see if they could all meet out there and see if they could get some of these problems taken care of.

RE: POOR RELIEF CASE NO. 59590

LEWIS EDWARD BARNES.....913 S. Governor St.....Pigeon Twp...Robert Morrison, Trustee

The Trustee's report stated that Mr. Barnes was requesting rent but was denied because he was offered gas & oil to return to his home in Pennsylvania.

Mr. Barefoot, the attorney for Legal Aid appeared on behalf of Mr. Barnes and said they agreed to continue this case without date, since he thought they might have a solution.

The meeting recessed at 11:30 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

Secretary: Margie Meeks

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Paul Wendel
Ed Smith Jr.

Bob Schaad
Thomas L. Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
JUNE 1, 1976

The meeting of the County Commissioners was held on Monday, June 1, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

Deputy Sheriff Terry Hayes opened the meeting, this being the first meeting of the month.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County Owned Surplus Property, so the bidding will remain open and the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Debra J. Mooney 401 S. Weinbach Planning Intern \$2.75 Hr. Eff: 5/24/76

BURDETTE PARK

Cindy Casteel	1710 Grove St.	Ground Crew	\$2.30 Hr.	Eff: 5/24/76
Keith Milling	1900 E. Mich.	Pool Jr. Guard	\$16.00 Day	Eff: 5/25/76
Terri Babbs	303 S. Woods	Cashier	\$2.30 Hr.	Eff: 5/27/76

249 - CENTER TWP. ASSESSOR RE-ASSESSMENT BUDGET

Mark Bradley 7721 Bartels Dr. Field Deputy \$20.00 Day Eff: 5/19/76

CIRCUIT COURT PROBATION DEPT.

Mike Coleman	632 S. Harlan Apt. 809	Bailiff	\$117.21 Wk.	Eff: 5/17/76
Dave Hatfield	632 S. Willow Rd.	Bailiff	\$117.21 Wk.	Eff: 5/17/76
Brenda Boyd	738 E. Powell	Clerk	\$193.75 Pay	Eff: 5/22/76

GERMAN TOWNSHIP ASSESSOR (112 - 113)

Ed Allison R.13 New Harmony Rd. Deputy \$16.10 Day Eff: 5/24/76

VETERAN SERVICE OFFICE # 127

#121 Susan Jane Rohner 2525 N. Heidelberg Vac. Clerk \$2.30 Hr. Eff: 6/1/76

RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

Debra J. Mooney	401 S. Weinbach	Planning Intern	\$2.50 Hr.	Eff: 5/21/76
Marc R. Loge	4121 Kuebler Rd.	Part time help	\$2.75 Hr.	Eff: 5/28/76

CIRCUIT COURT PROBATION DEPT.

Mike Coleman	632 S. Harlan Apt. 809	Night Intern	\$57.00 Wk.	Eff: 5/14/76
Dave Hatfield	632 S. Willow Rd.	Night Intern	\$57.00 Wk.	Eff: 5/14/76
Brenda Boyd	738 E. Powell Ave.	Clerk-Part time	\$118.57	Eff: 5/23/76

PLEASANTVIEW REWT HOME

Shirley Smith 10 S. Denby Nurses Aide \$2.30 Hr. Eff: 4/19/76

RE: RON HUNTER.....INSURANCE MATTER

Mr. Ron Hunter who is with the Hilbert & Hunter Insurance Agency, here in Evansville, appeared and said that he would like to submit a bid, formally, for the County's Group Health Insurance.

He said that he would suggest that the Life and Health Insurance be combined into one package under the new bid since it is more economical for both parties concerned.

He said their program is unique since it is administered by a trust out of the Continental Illinois National Bank & Trust out of Chicago. He said they are developing a single trust, providing they get the bid, for the County only, so therefore it is more economical by using the trust, also that there is a local office from where all claims can be handled and problems solved, if there are any. He said that by putting them both into one package, it will alleviate some of the work load of the County Auditor's office since there will only be one check to write on one company.

Commissioner Schaad told Mr. Hunter that if he was going to get into cost, that this is suppose to be a sealed bid and he asked him not to give out any figures.

Mr. Hunter said that he wasn't aware that it was to be a sealed bid. He thanked Commissioner Schaad for telling him and said that he wouldn't divulge his figures, but he did say that they have found substantial savings in the comparison, and that the figures they took as far as the savings are concerned, that they are on the Health only and not the Life, also that they are going to put the dental disability income, \$10,000 worth of Life Insurance instead of the \$7,500 and he feels that it is a better health product under one package for approximately what the County is paying now for just the Health. He said there are a couple of avenues they can take, that they can give more benefits at about the same price or they can talk it out and save the County several thousands of dollars and that as soon as they find which way the County wants to go, he will give the Commissioners a confirmed price in a sealed bid.

Commissioner said that anyone interested can bid on Health and Accident together and also bid on Life Insurance separately or bid it all together.

RE: LETTER OF RECOMMENDATION

Mr. Hunter then submitted the following letter to the Commissioners, from Local 104 of the Aluminum Workers International Union:

TO WHOM IT MAY CONCERN:

The dealings I have had with Ron Hunter from United Home Life Insurance Company have been good for the membership of A.W.I.U. Local 104.

The dealings have displayed high integrity on his part.

I feel anyone dealing with Mr. Hunter will agree with our feelings here at Local No. 104.

Sincerely yours, Aluminum Workers International Union
Local No. 104, Kenneth L. Palmer, President

Letter received and filed.

RE: STRIPMINE ORDINANCE PRESENTED

Commissioner Schaad said that the Stripmining Ordinance has been discussed before and that the only reason for bringing it up at this time is to introduce it, that there will be no discussion on it this morning, since it will have to be advertised and they will have to have hearings on it.

He said that he understands that they will have to give 10 days after it is advertised for the first time, so if it is advertised on June 4th and 11th, the first hearing can be held on June 15th, and hopefully, another meeting on June 22nd.

He said that it might be more beneficial for the public if they have a night meeting on the Ordinance.

The other Commissioners agreed and after checking to see if the Council Chambers would be available, it was decided that the first hearing will be held on June 15th. at 7:00 p.m., the second hearing on the 22nd.. at 7:00 p.m. in the Council Chambers.

Commissioners Schaad said that all comments for the Ordinance and all comments opposed to the Ordinance will be heard at these hearings and then the Commissioners can act on the Ordinance, the following Monday, which is June 28th.

He explained to those present that the Commissioners decided to ban stripmining for Vanderburgh County so this is, in essence, what the Ordinance says and that Section 2 reads as follows:

It shall be unlawful for any person or operator to engage in the business of stripmining, and any such operation is hereby prohibited.

RE: LEASE WITH ALCOHOLIC HELP INC.

County Attorney Wendel said that the lease with Alcoholic Help Inc. has been prepared and with the permission of the Commissioners, he would like to submit

it to Mr. Ubelhor and invite him to the Commissioners next meeting so that he can sign it.

Commissioner Schaad said, as everyone knows, the County does lease the old Boehne Hospital Buildings to Alcoholic Help Inc. and that lease is due to be re-negotiated.

The Commissioners agreed that County Attorney Wendel invite Mr. Ubelhor to next week's meeting.

RE: MONTHLY REPORT

The Report of Traffic Engineering was submitted for the month of April, 1976, by Mr. Judd.
Report received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Jesse Stock, an authorized representative for Crum & Forster Insurance Company, on Jan's School of Dance Inc. for a dance recital that will be held on June 4, 1976 and June 5, 1976, at the Auditorium. Certificate received and filed.

RE: INSURANCE BOND

An Insurance Bond was received by the Commissioners stating that Clifford M. Luton is insured by the American States Insurance Co. and that he has applied for an application as a general contractor and that it will be in effect until 1/1/77.

Commissioner Schaad said that the County has no contract with Mr. Luton at this time but that it will be held in case they should bid on any County work.

Commissioner Ossenberg moved that the Insurance Bond be signed by the Commissioners. Commissioner Willner seconded the motion. So ordered.

RE: BRINK'S RATES RAISED FOR TREASURERS OFFICE

The following letter was received from Brink's Inc. in reference to a raise of cost of their services for the Treasurer's office:

Dear Customer:

Recent wage increases granted to labor, together with an overall increase in other operating costs necessitates our reviewing all present contracts.

Even though considerable time has been spent in the re-routing of our runs in order to attain maximum efficiency, our efforts have not been able to completely satisfy these additional costs. We must therefore request an increase in our charges effective July 1, 1976.

The new charges to your account will be as follows:

\$253.20 per month.

All other items of your present contract dated 3-6-72 will remain the same.

Brink's, Incorporated operates under Interstate Commerce Commission regulations as a contract carrier (Permit No. MC-124328); therefore, it is important that you sign and return the attached copy of this letter and retain the original for your records.

Thank you for your understanding of this matter.

Very truly yours, R.T. Haller,
Vice President, Central Region

Commissioner Schaad said he understands that they make one pick-up per day, but that two different deliveries are made to two different banks.

Commissioner Ossenberg said that a letter had previously been received from them, notifying the Commissioners of a raise in cost for the Clerk of the Circuit Court and at that time, he said that they would soon come forward with an increase for the County Treasurer's office.

Commissioner Ossenberg moved, for lack of competition, that the raise be accepted. Commissioner Willner seconded the motion, for lack of competition. So ordered.

RE: REQUEST TO HAVE TELEPHONE MOVED

The Commissioners received the following request from the Chief Deputy Recorder:

Gentlemen:

We have a phone installed now in our old Photostat Room which at the present time is not in use. We wish to have the phone moved to a desk in our office so it could be used to our advantage.

Thanking you for your consideration in this matter.

Signed, Louis Grewe. Chief Deputy

Commissioner Willner moved that the request of Mr. Grewe be approved.
Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST REMOVAL OF PHONE JUMPER

The following request was submitted by the Department of Public Welfare:

County Commissioners:

I am requesting permission to have the phone company remove the "jumping" feature on phone #5328.

On incoming calls, when this phone is in use, the calls automatically "jump" to phone #5330. This has caused problems especially with long-distance calls.

Signed, William Igleheart, Adm. Div. Supv.
(Purchasing Officer)

Commissioner Schaad said that this comes out of the budget of the Welfare Dept., that the Commissioners just have to approve it.

Commissioner Willner moved that the removal of the phone jumper be approved.
Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

The following request was received from the Veteran Service Officer of Vanderburgh County:

Gentlemen:

I request permission to attend the Indiana State Convention of the Disabled American Veterans.

It is to be held in Indianapolis June 24-26, 1976.

Yours very truly, Robert J. Moran
Service Officer, Vanderburgh County

Mr. Moran said that he has money in his budget to cover his expenses.

Commissioner Ossenberg moved that Mr. Moran have permission to attend the Convention.
Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO WITHDRAW REZONING PETITION

The following request was submitted by Mr. Becker from the Law Firm of Bamberger, Foreman, Oswald and Hahn in regard to the Rezoning Petition of Southern Indiana Gas & Electric Company, Cause No. 76-15-PC -- VC-26-76:

Gentlemen:

Request is hereby made on behalf of Southern Indiana Gas & Electric Company that the above captioned Rezoning Petition be withdrawn from any and all further consideration by the Board of Commissioners of the County of Vanderburgh.

Very truly yours, Bamberger, Foreman,
Oswald and Hahn,

By Robert M. Becker, Attorneys for S.I.G. & E. C

Commissioner Ossenberg said this Rezoning Petition is in Area Plan and that if he recalls this particular one, they have consistently asked that it be held up and now they are asking that it be withdrawn.

Commissioner Willner said that the reason it was held up was because there were seven members present and they had to have seven affirmative votes.

Commissioner Willner moved that the withdrawal of Rezoning Petition 76-15-PC--VC-26-76 be approved. Commissioner Ossenberg seconded the motion and said that Area Plan should be notified of this action. So ordered.

RE: PUBLIC NOTICE FROM THE DEPT. OF THE ARMY

The following Public Notice was received from Colonel James Ellis, the District Engineer for the Louisville District Corps of Engineers:

TO WHOM IT MAY CONCERN:

Notice is given that the Louisville District, Corps of Engineers, under authority of Section 6 of the River and Harbor Act of 1909, is planning the placement of riprap for bank protection for 1440 linear feet along the right bank of the Ohio River immediately downstream of the Newburgh Locks and Dam in Newburgh, Vanderburgh County, Indiana.

Plans of the proposed work are attached to this notice.

The decision on whether this authorized Federal project will be performed will be based on an evaluation of the probable impact which the proposal will have on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonable foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historical and archeological values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality and, in general, the needs and welfare of the people. The evaluation of the impact of the proposal on the public interest will include application of the guidelines promulgated by the Administrator, U. S. Environmental Protection Agency under the authority of Section 404 of the Federal Water Pollution Control Act Amendments of 1972.

The National Register of Historic Places has been consulted and it has been determined that there are no properties currently listed on the Register which would be affected by the proposed work.

Preliminary review of the proposed work indicates that an Environmental Impact Statement will not be required.

Any person who has an interest which may be adversely affected by the proposed work may request a public hearing. The request must be submitted in writing to the District Engineer within thirty days of the date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

Written statements received in this office on or before 28 June 1976, will become a part of the record and will be given due consideration in making the determination.

Signed James N. Ellis

Colonel, Corps of Engineers
District Engineer

Public Notice received and filed....No action needed.

RE: CLAIM

A claim was submitted by Brink's Inc. for services rendered to the Clerk of the Circuit Court, #350086210, in the amount of \$94.80.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: DATA PROCESSINGAUTHORIZED TO ADVERTISE

Commissioner Schaad said that Data Processing was discussed last week and the Commissioners weren't sure that the specifications would be drawn up by today, but apparently someone worked over the holiday weekend and completed the specifications in order that the Commissioners might ask for bids on the installation of Electronic Data Processing Equipment for the County.

He said that at the present time, members of the County Council and Anika Juras, their Executive Assistant, are meeting in the Commissioners office to study the specifications since they didn't have time to do so over the weekend and that time is of the essence and if they are going to do this, they need to get with it in the advertising of it to see how they are going to come out on it.

He said the Attorney's have been through it so it is in good legal order and the Commissioners do need to evaluate the possibility of getting into Data Processing for the County, that more and more, work needs to be done all the time, costs are going up and Data Processing is one way that maybe some of these rising costs can be eliminated, not that a lot of money will be saved at the beginning but perhaps in the long run, they can, so he thought they owe it to the County to at least consider the possibility of going into Data Processing in Vanderburgh County and

the only way they can do it is to draw up the specifications and let the bidders come in.

He said the reason they have gotten the County Council into it is because if the Council doesn't provide the money for it, there is no point in doing all this work, so the Council has been in on it and they have listened to the proposals from four different suppliers and at this place and time, they have more or less in principle, said they do go along with Data Processing after they see the figures and if the County can afford it and if the cost can be kept down so they can afford to put it in the budget for 1977, they would consider it and that is why they are going ahead with it, so they are looking it over and if they do come out, Ms. Juras can generally tell us what the proposal is on Data Processing and if the specifications are approved, they can advertise for bids and take it from there, that the bids don't have to be accepted but at least they need to consider it.

After a time, the members of the County Council entered the meeting, including it's president, Dan Kollker and Anika Juras who is the Executive Assistant for the County Council.

Commissioner Schaad explained what they are attempting to do, that he thought it was necessary that the Commissioners at least investigate the possibility of going to Data Processing in the County and to do this they have to draw up some specifications somewhere down the line before they can advertise for bids and as he explained to everyone, this is quite a complicated and technical thing and it seemed like the people are actually knowledgeable about it so what he was attempting to do this morning is to get the approval of the specifications so they can advertise for bids.

He said that all of the members of the County Council have been given copies of the specifications and that they have been in the back office studying them. He asked Ms. Juras to explain what it was all about.

Ms. Juras explained that generally, these specifications represent an optimum condition for the County to get into Data Processing, to get certain things done by a certain time at the beginning of next year on the type of system that they desire.

Mr. Kollker said that the Commissioners has the support of the County Council with the specifications as they were submitted.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

The bids will be advertised for, on June 4th. & 11th. and they will be opened at the Commissioners meeting on June 14th.

Commissioner Schaad thanked the Council members for taking the time this morning to get this thing started.

He said he knew this was highly irregular but since time is of the essence, he does appreciate the members being here.

RE: MR. JUDDDIXIE FLYER EXPRESSWAY

Mr. Judd said he ran down the owner of the property on Dixie Flyer Drive and that the light in question is going to be turned and they promised that it would be done right away.

This problem was discussed last week since there had been several complaints on people not being able to see to get around the corner from the Dixie Flyer Expressway, onto Broadway, so Mr. Judd talked to the Safety Board about it and said that it will be taken care of.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the employees at the County Highway Garage for the past week.
Report received and filed.

RE: MR. SIEBEKING.....HOBART & ST. JOE AVENUE

Mr. Siebeking said that at the intersection of Hobart and St. Joe. there is a fence on the County right of way and people have called him and asked that the fence be removed so the County could keep the grass mowed back, that they are getting more and more calls all the time on this right of way from 460 on out to Mill Road, that the County does have 100 feet of right of way out there so they are having to mow back off the road quite a bit because these people refuse

to do anything about it.

He said he checked with Mr. Ludwick to be sure of the right of way and that the people coming out of Hobart onto St. Joe can't see because of the blind spot so he will see that the fence is removed since it is of no value and since the County has required the right of way, the people aren't taking care of it anymore and they are asking that the County take care of it, that it is more work but it is the County's responsibility.

RE: DETROY ROAD

Mr. Siebeking said they did find the water leak out on Detroy Road and that it is being taken care of.

RE: EVERGREEN ACRES

Mr. Siebeking said they do have another problem out in Evergreen Acres, that at the particular spot out there, where they found the spring,, that the Water Department was out there this morning and they are of the opinion now that it is a water leak and they are taking samples and are going to check it, so they will know for sure, that it is coming from way up in the court area and coming down under the street and it is all undermined, but they will know for sure by noon as to if it is a water leak rather than a spring.

Commissioner Schaad said they all went out there last Monday afternoon to check on some of their problems, that they met with the people out there and they thought it was a spring.

Mr. Siebeking said that it may still be but that it was very suspicious and may be a water line leak because they found that there is a four-inch water line under the street and it looks like it could be a water leak, since it is running about the same stream at all times, so they are going to take a sample this morning and that they will let him know what they find.

RE: LARCH LANE

Mr. Siebeking reported that in the area of the top of Larch Lane, they have it cut out but they haven't finished the job yet. He said they have received calls over the weekend, at the garage on this matter, as well as did Commissioner Ossenberg.

He said they have the old thing cut out and have the back filled in and they are going to concrete those areas out but they want to do it all at one time so consequently, they have some barricades out there at the present time. He said they have discussed the problem before and the Commissioners okayed it, that down at the bottom where the tile goes under the street and down along side the tennis court, he thought they may have remedied the problem by cleaning it all out and putting a catch basin in there when they found that the tile was completely choked off about fifteen feet off the street but apparently it isn't going to do the job.

He said that Mr. Gilbert's Insurance Company called him and wanted to know what the County was going to do about it.

He said that it is really the County's responsibility but it is something the County didn't create, but the County now has it on their neck to take care of, also that he can understand peoples problems but when the Insurance Company's start calling the County and demanding that they do so & so, then he thought someone was getting a little carried away.

He said that he explained to Mr. Gilbert what has been done and that he thought this would take care of it because they are talking about a \$10,000 expense on taking care of it and apparently it isn't going to do it with a heavy rain, that it would probably take care of it on an average rain but it seems that we can't get an average rain fall around here.

He said they would probably have to go in there and replace the existing tile, all up through the easement the County acquired, also that the lady that bought the house didn't know that the County had an easement through her yard but we do and that it has been recorded.

Commissioner Schaad said they were all out there and that on the other side where the big ditch comes through, it was pretty choked up with grass so the lady said that since she was aware of it, she would see that it is kept clean.

Mr. Siebeking said there were fish in the bottom of that ditch, so apparently the old Howard Lake is overflowing so they are getting a big watershed that is coming down through there and he said he realized it is a County problem but it is something the County did not create.

Commissioner Schaad said that he has had quite a few calls from Ms. Gilbert and she indicated to him that she could meet them out there almost any time but she couldn't be reached at home or at the office, so it wasn't that they discussed the problem without her knowledge since she was to meet them out there.

RE: STORM DAMAGE

Mr. Siebeking said they had a quite a few trees down over the weekend from the different storms but they have all the roads opened up and he has crews out this morning, finishing up the job.

RE: EMERGENCY CUT

Mr. Ludwick said that as Mr. Siebeking just mentioned, they have discovered a water line leak on Detroy Road, so they do have an emergency cut request from the Water Department to repair a water break.

Commissioner Ossenberg moved that the emergency cut at 3715 Detroy Road be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CUTS IN

The Water Department requests permission to make a shoulder cut into Rosenberger between Hogue Road and the Expressway to repair a water main break.

Commissioner Ossenberg moved that the cut be approved. Commissioner Schaad seconded the motion. So ordered.

RE: COMMENT ON PROBLEM OF CUTS MADE BY WATER DEPT.

Commissioner Schaad said he did meet with Mr. Stallings and Mr. Mills, along with Mr. Siebeking and they have agreed that when they come to a cut across the road, they will concrete it like they do in the City so it can be blacktopped by Feigel Construction Co. when they get to it and it won't sink like the rock and gravel does.

He said Mr. Rueger was also there and he was told to follow up on the cuts a little more closely and to keep a record and tabulate all the cuts and see that they are progressing and if they don't, he should bring it to the attention of the Commissioners because sometimes, they get so bad before the Commissioners know about it, so if they tabulate the cuts and report periodically on what has been done and if they need some attention, Mr. Rueger can report it to Mr. Siebeking or to the Commissioners.

RE: CLAIMS

A claim was submitted by the L & N Railroad Co. Inc. for the design of structures #9805 & 9806 on the Ray Becker Expressway in the amount of \$25,238.84.

Mr. Ludwick said the County has agreed to pay for this re-design of those two structures and that this was an open-end deal and the price wasn't specified.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Feigel Construction Co. for the paving of Kleitz, Meier and Kuebler Roads, RC-1-76 in the amount of \$18,695.34 as final payment.

Mr. Ludwick said that there is an underrun of \$2,408.96 on this particular contract.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Feigel Construction Co. for final payment of paving County roads from last year's contract, 201-2260, in the amount of \$13,198.60 as final payment.

Mr. Ludwick said there is also an underrun on this contract in the amount of \$2,433.02.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: ROAD PLANS SUBMITTED

Mr. Ludwick said they have two road plans that are being submitted by Engineer's Associates for two subdivisions which are Orchard Heights and St. Joseph Village and that the Surveyor's office has looked at the plans and they have approved the preliminary plans.

Commissioner Ossenberg moved that the plans for these two subdivisions be approved.

Commissioner Willner asked Mr. Ludwick if these were the ones that were on a steep incline.

Mr. Ludwick said they were and that St. Joseph Village is the one he would worry about because it is hilly and the percentgrade they have established for this, there is a limit to what they think the percentgrade should be and that is no greater than 20% and anything under that, they have talked to the developer and this is what he wants to do so they have no choice but to approve his plans.

He said the Commissioners have seen the ground and that it would cost a fortune to develop it properly and that they have accepted some in the past with grades close to these or even greater at times.

Commissioner Willner said that he was worried about both the subdivisions and he asked about the undermining of the roads and he asked Mr. Ludwick if he thought they could eliminate that.

Mr. Ludwick said they are going to blacktop, which the Surveyor's office recommended instead of concrete and when they go to blacktop, it will give them a little better way to maintain the roads and streets if they do have a problem, but he doesn't anticipate any if they do it right.

Commissioner Willner seconded the motion, with a request, urging Mr. Ludwick to keep a close eye on it. So ordered.

Mr. Ludwick said if the Commissioners will look at the plans of Orchard Heights, they will see that they have two inches of blacktop.

He said that he called Mr. Nicholson of Engineer Associates this morning and recommended that he change his sepiia to three inches, since this is in the ordinance and this is what they recommend, so he will change his sepiia.

RE: ST. JOE AVENUE BRIDGE

Commissioner Schaad asked Mr. Ludwick where they stand on the St. Joe Avenue bridge over Penn Central.

Mr. Ludwick said that this afternoon, they are giving the legal description of the right of way where there are six parcels involved, to the right of way buyer that was appointed about two weeks ago and it will take him a week or two to get the right of way, that they are asking for twenty feet of additional right of way and in a couple of cases, they may or may not get it and they will just have to wait and see what happens.

He said the plans are being drawn up at the present time.

RE: CLAIM

A claim was submitted by Karen Flittner, Court Reporter, for preparing transcript of evidence in Cause No. 75-CIV-3522, William J. Brune vs. Vanderburgh County Council, in the amount of \$114.00. This is the third of the three claims in this matter.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

CHARLES KRATZER.....1630 E. Franklin-Apt. D....Pigeon Twp...Mary E. Mueller, Inv.

The notice of Poor Relief Action from the Knight Township Trustee, Jack Chaddock, stated that Mr. Kratzer applied for rent and utilities and was denied because on May 10th. they paid the current utility bill and on 5/10/76 they paid \$60.00 rent to the Columbia Apartments (Rent for one person) with the balance of rent owed being \$27.00 since the Trustee is only allowed to pay the \$60.00 per month.

Mr. Kratzer said they want their rent paid right now and that they are going to try to get into the 8th. Street Apartments as soon as they get a clearance.

He said the Trustee told him that they couldn't pay the \$99.00 per month rent where they are living now.

He submitted a paper from the Social Security office, showing that he applied for his total disability and said that he is now married and he said that his wife will also have to be on total disability.

He said there is still money owed on this months rent but that he hasn't received his utility bills as yet, so he is asking for the balance of the rent which is a little over \$28.00 and if he can't get into the 8th. Street apartments where they can get cheaper rent, he would need \$99.00 for the June rent.

He said they put in an application for an apartment on 8th. Street and they told him that as soon as they had an apartment available, they could have one, that it would be a lot cheaper rent.

Ms. Mueller said she sent them to Public Housing.

Commissioner Ossenberg said there is a long waiting list for public housing, especially at Buckner Towers on 8th. Street.

Mrs. Mueller said that Mr. Kratzer came in the other day for help and they paid \$60.00 rent in May for Mr. Kratzer and at the time the Kratzer's were not married, that she was just getting a divorce, also that they are getting food stamps.

Commissioner Ossenberg asked if either of them could do any work.

Mr. Kratzer said that he is on medicaid and they will not let him do anything and that his wife has a statement from the doctor stating that she can't work, and they have no income at all, also that he is a veteran.

Ms. Mueller asked Mr. Kratzer if he didn't have a popcorn wagon that someone was operating for him.

Mr. Kratzer said he didn't know why that is even being brought up because it isn't in the making at all. He said he has a piece of junk that he was trying to fix up for one but that medicaid said he can't do it. He said he is still under the doctor's care and that he still gets shots for his nerves.

Ms. Mueller said that Mr. Kratzer applied for A.D. and that according to her records, it wasn't approved.

Mr. Kratzer said that Welfare is picking up his medicaid and if it wasn't for this, he didn't know what he would do.

Commissioner Schaad asked if they had any children.

Ms. Kratzer said that she has two children but that her ex-husband has them, also that she and Mr. Kratzer were married on May 28th. in Evansville.

Mrs. Mueller asked Ms. Kratzer if her ex-husband paid for the divorce right away.

Ms. Kratzer said that he is paying on it but she didn't know if he had it paid for or not, but she thought he did, and when she was asked if she had a marriage license, she said that she didn't have it with her.

Ms. Mueller said that Mr. Kratzer applied for total disability and Social Security on 5/14/76 and that it takes 6 to 8 months for anyone to hear anything from them.

Commissioner Ossenberg said that according to his application, it reads that it is currently being appealed and there is no decision on it what-so-ever at this time, so this could continue for some time.

Commissioner Willner asked Mr. Kratzer if his back is his only problem.

Mr. Kratzer said this isn't the only problem, that he is going out to the rehabilitation center for a hearing aid which he should get within the next ten days and then after wearing it for two weeks, he will have to go back out there for more tests.

Commissioner Ossenberg asked Ms. Mueller if she has talked to the landlord.

Ms. Mueller said that she had and that the landlord understands that the Trustee pays once a month.

County Attorney Wendel asked Ms. Kratzer when they were married.

Ms. Kratzer said that they applied for their marriage license on May 28th and got their blood test the day before and then they were married on May 29th but after being told that this was Saturday, he said he wasn't sure, that the papers were at home.

County Attorney asked if they didn't wait the three days before getting married, also who performed the ceremony.

Ms. Kratzer said they got their marriage license one day and was married the next day and that Brother Todd married them and they gave him the marriage license

County Attorney Wendel said that is impossible.

Mr. Olsen of the Pigeon Township appeared with a record showing where they had supplied help previously to Mr. Kratzer.

Ms. Kratzer said she got her divorce in the morning, then that evening, they got their blood test and the next day they were married.

Commissioner Ossenberg said that was against the law.

Commissioner Schaad said this isn't particularly an emergency case, that they don't even know whether or not they are going to be declared totally disabled so they don't know if they will get any relief or not and since it looks like they are going to need continued help, it looks like it should be in the Welfare Dept. rather than in the Trustee's office.

The lady from the Welfare Department said that they only pay medical assistance, that they don't furnish them with money.

Mr. Kratzer said that he will have to pay \$4.00 for his food stamps next week but he didn't know why he had to pay this amount, that this is what the man told him.

Commissioner Ossenberg said it dates way back in the records of Pigeon Township Trustee to where they have been helped and he doesn't see any other way, that they will have to move out, since the Trustee can't pay more than \$60.00 per month. He said that Mr. Kratzer was previously living in a \$50.00 per month place.

Mr. Kratzer said that the floor fell through and the bed fell through the floor so they had to move and the \$90.00 per month place was all they could find.

Commissioner Schaad said that these people aren't married at this point.

County Attorney Wendel said they are legally divorced but they aren't legally married, that they have to wait until they get the license as a result of the application they had submitted, if they were both listed as being unemployed, he didn't think they could get a license because he must be able to support a wife.

Ms. Kratzer said that she did get the results from the blood test and that she does have a marriage license and that she can bring them in so the Commissioners can see them, and her husband said they paid for them from money his wife got back from her income taxes, by working before she fell and hurt herself.

Commissioner Schaad asked Mr. Kratzer why he didn't use this money to pay the rent.

Mr. Kratzer said you've got to do some things legal, that you can't do everything illegal.

Commissioner Willner said he has heard a lot of cases but that this is a toughy.

Mr. Kratzer said he didn't think he got married against the law because no one told him any different.

Commissioner Willner said that they are going to have to find an apartment for \$60.00 or under, or they will have to go somewhere like the County Pleasantview Rest Home until they get their affairs straightened out.

Mr. Kratzer said they will have to get out and see what they can find then, because they weren't going into a Rest Home.

Mr. Jesse Esters introduced himself to the Commissioners and said that he was with the Family Resource Center, which is a component of C.A.P.E. and that they make a practice of coming to these meetings and he has been listening to this case and they are in the business of finding people houses and employment, that they have worked with the Trustee's on utility bills and they did pay some until a month ago, when their funds ran out, but they do carry an up-to-date listing of housing and rental agencies and he may be able to find them something so he would like to meet with them and the Trustee's, that maybe he can help to take some of the burden off their shoulders.

Commissioner Schaad said he thought this was a real fine gesture, that we need more of these services to come forward and try to help people such as these.

Commissioner Willner moved that this case be deferred for one week.
Commissioner Ossenbergh seconded the motion. So ordered.

Commissioner Schaad told Mr. Kratzer that he could go to the Legal Aid Department to check on the legality of their marriage, since they have an attorney that won't cost him anything.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenbergh
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Tom L. Ossenbergh
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 7, 1976

The meeting of the County Commissioners was held on Monday, June 7, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County Owned Surplus Property. The bidding will remain open and the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Frances M. Carrel 2717 Buchanan Receptionist-Sec'y \$6,186.00 Yr. Eff: 6/8/76

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Marc D. Rueger	6030 First Ave.	Summer Emp.	\$2.30 Hr.	Eff: 5/26/76
Mark C. Stocker	R. 5 Martin Road	Summer Help	\$2.30 Hr.	Eff: 6/7/76

BURDETTE PARK

Ermon B. Hart	2821 Forest Ave.	Rink Guard	\$2.30 Hr.	Eff: 5/30/76
Cindy Peter	9613 Petersburg Rd.	Extra	\$2.30 Hr.	Eff: 5/26/76
David Schuler	100 S. Ruston Ave.	Reg. Jr.	\$16.00 Day	Eff: 5/26/76
Jenny Oberhausen	4218 Tremont Rd.	Reg. Jr.	\$16.00 Day	Eff: 5/26/76
Dan Waltz	6710 Hogue Rd.	Extra	\$2.30 Hr.	Eff: 5/26/76

BAIL BOND PROGRAM VAND. CIRCUIT COURT

Richard Reed 917 W. Idlewild Dr. Bail Bond Int. \$3.00 Hr. Eff: 5/30/76

PLEASANTVIEW REST HOME

Eva Thompson 945 Independence Nurses Aide \$2.30 Hr. Eff: 6/1/76

VANDERBURGH AUDITORIUM

Fred G. Dewes 640 Englewood Ave. Manager \$543.19 Pay Eff: 6/5/76

Commissioner Schaad introduced Mr. Dewes and welcomed him as Manager of the Vanderburgh Auditorium.

RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

Jami Collins 2390 Sunburst Apt. 135 Receptionist-Sec'y. \$6,186 Yr. Eff: 6/7/76

BURDETTE PARK

Jenny Oberhausen	9613 Petersburg Rd.	Extra	\$2.30 Hr.	Eff: 5/24/76
Martha Barrows	9214 Farmington	Reg. Jr.	\$16.00 Day	Eff: 5/24/76

RE: MONTHLY REPORTS

The report of the Building Commission was submitted to the Commissioners for the month of May, 1976, as well as the Revenue for the year of 1975 and 1976 to date. Report received and filed.

The report of the Clerk of the Circuit Court was submitted for the month of May, 1976.
Report received and filed.

The report of the Pleasantview Rest Home was submitted for the month of May, 1976.

Commissioner Ossenberberg moved that the report of the Pleasantview Rest Home be signed, received and filed. Commissioner Willner seconded the motion. So ordered.

RE: ESTELLA MOSS.....BLACK POLITICAL CAUCUS

The following letter was submitted to the Commissioners by Estella Moss:

The Evansville Black Political Caucus Committee met on May 26, 1976 when this organization was organized. There were certain purposes in mind, and one is to deal with problems that effect the total black community, not intended to force any issues beyond the law, but to try to insure equality and integrity and fairness. The problems at hand is the voting situation that exists in Ward 4, the first 7 precincts. The main issue is the voting place in Ward 4 Precinct 5, namely the City Garage, located on Governor and John Sts. This problem has been discussed on several occasions with Mr. Robert Schaad and Mr. Willner.

Mrs. Moss appeared before the Board of Commissioners before the November election 1975, and the situation was again called to the attention of Mr. Robert Schaad before the May 4th primary, 1976, to no avail.

This is the reason for our request along with the residents of Ward 4, Precinct 5 to appear before the County Commissioners on June 7, 1976.

Sincerely, Estella Moss, Chair Woman
The Evansville Black Political Caucus Committee

Ms. Moss appeared and said that she was the President of the Black Political Caucus and that she would like for the Commissioners to hear from the residents who are in this particular precinct so they can hear their views on this particular situation.

Ms. George Clemmons of 609 S. Evans Avenue said that she thought it was a shame that the people who had the privilege of voting in the City of Evansville, have to go to the City Garage to vote. She said that they can hardly see, they have to go in the side door and the people over there don't know what they are going, they can't find the machine and there are plenty public places that are more convenient for voters to go to, such as the Community Center or the Service Center or Lincoln School or the church on Lincoln Avenue.

Ms. Katherine Davis of 514 Olive Street said that she has acted as inspector in Precinct 4,-8 until they changed it to 4-5 and that the City Garage is terrible, that the ladies must use the men's rest room while someone stands at the door to see that no one comes in while they are in there, also that the light facility is very bad. She said they had to wait until the morning of election to set up the tables and they have trouble in getting the machines set up.

Mr. Solomon Stevenson of 512 E. Cherry said that for some time now, he hardly knows where he is going to vote since he has voted three different places in the past few years and each time before, he found nothing wrong with the places but the present location of the City Garage is undesirable because it is like going through a maze in getting to the voting area so it isn't very desirable for people to go over there to vote and especially for the elderly. He said there has been a lot of talk about absentee voting and of discouraging it and that he has nothing against of it being discouraged but with such conditions that there are at the City Garage, it would tend to encourage people not to go there but to look for other means for voting and he didn't think it was right, also that the light situation is very bad and the older people need more light than other people. He also said that Governor Street is very busy and hard for people to cross, that Heidelberg Ave. isn't as busy and that he certainly wants to register his concern about having to vote at the City Garage.

Mr. Craig Wade of 660 E. Cherry Street said he doesn't plan on going into the City Garage to see what it is.

Ms. Betty Clemmons said she doesn't feel they should have to go to the City Garage to vote, that they are citizens and live here and she feels that the black community should have a better place to vote, other than the City Garage, that they have an odor there and the steps are hard to climb and it is hard for anyone to see their way around in there and she feels it should be a place where the people should want to go in to vote. She said she was quite sure there wasn't any damage done where they voted before and there is no reason why they couldn't go back there to vote again, and if not, there are other places that are decent enough for the people to go and vote. She said they have voted for years and years and have helped to put a number of the people in office and they should have a place that is decent enough for the people to vote, and regardless of what policy they belong to or

what race but it should be a fit place to vote, there are churches, the Community Center and other places that they could vote. She said they are citizens of the community and they pay their taxes and should be treated as human beings.

Mr. William George of 525 S. Denby Ave. said that when they said that the people of this precinct would vote at the City Garage, he went, also that he had always wanted to go in there and when he did, he found that the people were sitting on top of one another and it was cold and nasty and just plain dirty. He asked the Commissioners why they changed the voting place in the first place and why was the Community Center closed, that there was no place for the workers to eat, no parking facilities, also that people had to go across town to vote when there were closer places that were nicer for them to vote at. He said he would like for the Commissioners to get on this matter right away, since, if they don't, they will run into this problem again. He said there are older people who would like to walk to the polls but it impossible for them to do so.

Ms. Whitlock said she has been a vice-committeeman out there for 20 to 30 years and she has been very hurt because the City Garage was a very dirty place to work in, that she felt terrible for her voters and had to apologize for the terrible place they had to vote at. She said she felt that the Commissioners knew the condition of the City Garage since she knew they had been there at one time or another. She said that when they went to open the polls, the people there didn't know anything about it so they called the Election office until they finally got someone to open it and the polls opened at 7 a.m. since there was no key to open the door and people had to go back home because they had to go to work and the Commissioners know that this isn't right. She said they have worked in this precinct and have done their best and then to put them in a place like that doesn't make her very happy, so she hopes the Commissioners will do something about it.

Ms. Moss said that the first time she mentioned this to the Commissioners, they said it was too late, so the second time, they just wouldn't change it, period, so she is before the Commissioners now in plenty of time before the General Election in November.

She said all these people are sincere and the situation is terrible and she hopes the problem will be solved, also that she understands the strategies that the politicians use and she knows the reason for stringing the polls from one end of town to another, so she hopes they are in time today and that the Commissioners have listened to what the people here had to say, also that she hopes that the Commissioners will be as sincere as they are.

Commissioner Schaad said he appreciates all these people coming down today to express their concern, also that he did visit 50 or 60 of the precincts on Election day but this, unfortunately, wasn't one of them. He said he isn't entirely disagreeing with them but he has been other places that were about the same and he has been to a lot of others that were much better but the Community Center was being used and the City Garage was closed on Election day so they thought there would be less problems there but he said that everything the people have said will certainly be taken into consideration and he didn't know why they couldn't make a change.

Commissioner Ossenberg said that he would go on record at this time in saying that they will go back to the Community Center, however, he wanted to point out one thing that was brought up here and that is, if by chance, the precinct was not opened until 7:00 a.m., then there is an inspector who was lacking in his duties.

Ms. Moss said they couldn't get in, that the building was locked and she had to run all over everywhere trying to get the building opened.

Commissioner Ossenberg said he is on record for them to go back to the Community Center.

Commissioner Schaad said he will go along with this, that after they received the letter, they discussed the matter and decided these people should have something nicer than the City Garage so he will go on record that they will change the precinct place by November and they will perhaps go back to the Community Center.

Commissioner Willner moved that they do not use the City Garage in the next Election. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Schaad said they will then put it back to the Community Center and he thanked everyone for coming.

Ms. Moss and the other residents thanked the Commissioners for their decision in changing the voting place from the City Garage to the Community Center.

RE: JEFF WILSON.....COMPREHENSIVE PLAN

Two letters were received from the Area Plan Commission, which read as follows:

June 3, 1976

Gentlemen:

This is to certify that the amendment to the Comprehensive Plan of 1962 to adopt a Comprehensive Plan for Parks, Recreation and Open Space for the City of Evansville and Vanderburgh County, Indiana was approved by the Area Plan Commission at a public meeting held June 2, 1976. There were thirteen voting members present and there were thirteen affirmative votes.

It is required by law that this also be approved by the City Council and County Commissioners.

Respectfully, Horace M. Lukens, III
Acting Executive Director

June 7, 1976

Gentlemen:

This is to certify that the amendment to the Comprehensive Plan of 1962, to adopt the Sewer Study Report, Part I, Existing Sewer System prepared by Henry B. Steeb & Associates as the part of a Sanitary and Storm Water Sewer element of the Comprehensive Plan was approved by the Area Plan Commission at a public meeting held May 5, 1976. There were seven voting members present and there were seven affirmative votes.

It is required by law that this also be approved by City Council and County Commissioners.

Sincerely, Horace M. Lukens, III
Acting Executive Director

Mr. Wilson explained that there are basically two different studies, that one is on the sewer study that was prepared by Henry Steeb & Associates and they need this information for their comprehensive plan for when developers come in and ask them what facilities are available, how big a sewer line they will need, etc., that they need some information that has been adopted to be able to relay this information to them and the other study of Parks, Recreation and Open Space is basically the same thing, as to what is planned for a certain area, as to if it can be developed there, etc. that they need a documentation to be included into the Comprehensive Plan, that they have been adopted by the Area Plan Commission and will be in front of the City Council at their next meeting.

Commissioner Ossenbergh moved that the Amendments to the Comprehensive Plan be adopted. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS ON INSURANCE

Commissioner Schaad said that a couple of weeks ago when they discussed the matter of bids on the Life, Health and Accident Insurance for the County employees, he supposed that it was his fault by not looking it over for last week, that they may have been able to have it then to prepare the specifications so that all the bidders could pick them up in order to submit bids and he asked County Attorney Wendel if he had the specifications prepared.

County Attorney Wendel said he has the specifications prepared which include the material that was submitted by Bob Barthel and is in the Auditor's office, that he has also prepared a Notice to Bidders which reads as follows:

NOTICE TO BIDDERS:

Sealed bids for group health and life insurance for employees of Vanderburgh County, Indiana, will be received at the Office of the Board of Commissioners of the County of Vanderburgh (hereinafter referred to as "the Board") until 9:30 a.m. local time on Monday the 21st. day of June, 1976, at which time all bids will be publicly opened and read aloud in the Hearing Room of the Board at its regular meeting.

Bids shall be delivered in sealed envelopes bearing the name and address of the bidder and shall state that the bid is for Vanderburgh County employee group insurance.

Bids shall guarantee an unchangeable premium for at least twelve (12) months for the benefits on which the bid is made.

Bids shall remain open for acceptance by the Board for at least sixty (60) days from the date of being publicly opened.

All bidders bidding on both health coverage and life coverage shall bid on said coverages both separately and in combination.

Specifications for insurance coverage may be examined at the Office of the Auditor of Vanderburgh County.

Dated this 7th day of June, 1976.

Mr. William Taylor, Third District member of the County Council, appeared and said that on the Insurance Program they presently have, they have a rider where it incorporates the people who are 65 years and over, that when most Insurance Companies send out this bid, they don't incorporate these people so he thought this should be in the specifications so these people will be able to get the maximum amount of Insurance they can and the specifications don't call for that, they just call for \$7,500 of Life Insurance per employee but the Companies won't write that much Insurance on a person 65 years and older, so that would exclude those people unless this provision is put in there for them.

Commissioner said that the American United Insurance Company is presently covering them for \$7,500, that Mr. Dauble went back and got them covered.

Mr. Taylor said it doesn't show that in the policy.

Commissioner Ossenberg said they made a special deal and he didn't know if they would next year or not but as he sees it, the way these specifications are written, they read, as the company bids on an employee, whether he is 65 years old or not and if they want to come with an alternative bid and say if a person is 65 years or older, they will drop it to \$1,000, then that really isn't the way the specifications are written.

Mr. Taylor said if they bid on that, they definitely will not be as a group, it will be compiled on ages and come up with an age bracket, that if they send the specifications out with all employees chunked in, the rates are going to be higher, simply because they have older people in there, that the way they have it now, they go from 0 to 65 years of age and use that as an age bracket to come up with the premium and it goes from 65 and older, giving them an additional premium and if they go just like the specifications are written, their premium will be sky-high.

Commissioner Ossenberg said that a man from one Company has already been in to talk to him and he said it will not increase it, that they could cover it and it would be a lower premium.

Mr. Taylor said Life Insurance is regulated by the state and Insurance Companies can't cut it up and down, that while the Health Insurance is flexible, the Life Insurance isn't.

County Attorney Wendel asked if anyone knew how many County employees there are who are 65 and older at the present time.

Mr. Hotz said he was told that there are 69 employees who are 65 and over, in the County.

Mr. Taylor said if this is true, that is over 10%, so their rate will go up 10%.

Commissioner Schaad asked County Attorney Wendel if the specifications could be changed in this regard, that for those people over 65, they can bid it as it is written now or if they want, they can put in another bid for the people over 65 to lower the benefit to \$1,000.00.

County Attorney Wendel then added this stipulation to the specifications.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: INTRODUCTION ON VACATION OF WARD ROAD

Commissioner Schaad said this is just to introduce a petition that is signed by

property owners to request partial vacation of Ward Road and that it was advertised once and will be again. He said he understands from the County Attorney that they are to appoint three people who are disinterested parties as viewers, to see if there is any reason for this portion of Ward Road to be vacated.

County Attorney Wendel said the viewers should be named by next Monday.

After further discussion, the Commissioners agreed that Mr. Judd, Mr. Wilson and Mr. Crooks could view the area in question.

Commissioner Willner asked for what purpose do the viewers view the area.

Commissioner Schaad said they have to check to see if there are advantages or disadvantages, or if anyone will be harmed by it, that they are to look at the overall thing to see if there is any objection to it.

County Attorney Wendel said this follows the statute and they will present their reasons for wanting a portion of Ward Road vacated when they have a hearing.

Commissioner Willner said these people that were mentioned as viewers is fine but if he knew the reason they wanted it vacated, he could probably talk a little more intelligent on it.

Commissioner Ossenbergs said not to hold him to this but he thought they told him that on this particular portion, they wanted to build a swimming pool and they want to do some landscaping and he does know that they plan to build an \$80,000 home at the end of Ward Road.

Mr. Cole of the Southern Indiana Gas & Electric Company said they would like to get a copy of the petition because they would like to investigate to see if they have any facilities within the area to be vacated, since if they have, they would like to retain an easement for these facilities.

Commissioner Ossenbergs then moved that Jesse Crooks, Bill Judd and Jeff Wilson be appointed as viewers, effective next week. Commissioner Willner seconded the motion. So ordered.

RE: ALCOHOLIC HELP INC.....LEASE

Mr. Ubelhor of Alcoholic Help Inc. presented the lease between the County Commissioners and Alcoholic Help Inc. which begins the 7th day of June and ends on the 6th of June, 1981.

Commissioner Schaad said they did ask the County Agent of Record to re-appraise the buildings out there to see if they had adequate Insurance coverage on them and that appraisal was made and Alcoholic Help Inc. went along with it.

Mr. Ubelhor said the rest of the lease remains the same as the previous lease.

Commissioner Willner moved that the Commissioners sign and approve the lease agreement with Alcoholic Help Inc. Commissioner Ossenbergs seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

The following letter of request was received by the Commissioners from Nikki Juras:

I am requesting permission to travel on June 17, 1976 to Bloomington, Indiana for the purpose of meeting with Rex Hume (IU/SPEA) to discuss the data-processing bids. A summary of our discussions will be prepared by and submitted to the Commissioners by Mr. Hume. The expected amount of travel expense is \$32.50 (250 miles @.13¢ per mile) and I am requesting that this be paid out of the Commissioners account 130-213.1.

Sincerely, Nikki Juras
Executive Assistant to the County Council

Commissioner Ossenbergs moved that permission be granted for Ms. Juras to travel to Indianapolis. Commissioner Willner seconded the motion. So ordered.

RE: INSURANCE DIVIDEND CHECK RECEIVED

An Insurance Divident Check was received from the American United Life Insurance Company, payable for 5th policy year ending 1-1-76, in the amount of \$3,996.12. Gerald Dauble, Agent.

Commissioner Ossenberg moved that the check be signed and accepted and that it be credited to the County General Fund of the County. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg told Bill Taylor that this is something else, that each year, this Insurance Company comes back with a check for from \$3,000 to \$7,000.

Mr. Taylor asked why this hasn't happened on the Health Insurance.

Commissioner Schaad said he doesn't have those figures, that they were promised to him last week and he neglected to call them about the reserve amount.

Mr. Taylor said this has been his concern, that they haven't received any reserve from Golden Rule on the Health Insurance and they should have gotten a refund but there hasn't been any at all in the three years they have had this Insurance program.

Commissioner Schaad said he is sorry he doesn't have it as yet, but as soon as he gets it, he will report on it.

RE: CLAIMS

A claim was submitted by Torian Agency Inc. for Annual Audit - Workmen's Comp, Policy No. WC 2 09 93 64, in the amount of \$13.00 and approved by the Co. Auditor.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the combined Department of the Traffic Engineer at 14% in the amount of \$3,327.89.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the combined Department of the Health Department at 21.5, for May, in the amount of \$6,748.80.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City for the County's share of the Combined Dept. of the Building Inspection at 40%, for May, in the amount of \$4,222.23.

Commissioner Ossenberg moved that this claim be approved for payment. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the Combined Department of Purchasing at 50%, for May, in the amount of \$1,549.82.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the Combined Department of Weights & Measures at 42%, for May, in the amount of \$625.17.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the National City Bank of Evansville for the fixed rental (last six months of 1976, due 6-30-76), in the amount of \$331,285.00.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for the additional rental that is due on June 30, 1976 and is for the last six months of 1976, in the amount of \$332,531.50.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency Inc. for Insurance on Continental Bond #BND1752599 covering 3D annual installment on County Treasurer, in the amount of \$1,528.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Torian Agency Inc. for General Fund, Continental policy #WC 2 09 93 64 - annual audit-Workmen's Compensation in the amount of \$1,191.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Edwin R. Smith, the County Attorney, for travel expenses and luncheon reimbursement in attending appeal in Chicago, Ill, on Massage Parlor Ordinance in the amount of \$18.70.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. HOTZ - Building not being torn down

Commissioner Schaad said that the County Commissioners had an agreement with Frank Arnold & Son on the tearing down of the old building at Pleasantview Rest Home and the following letter was sent to Mr. Arnold by Commissioner Schaad in April of this year:

Our Superintendent of County Buildings, Herman Hotz, has reported to us that the project of tearing down and hauling away of the material from the old barn has not been completed.

If completion of this project is not done by April 26th. 1976, the Commissioners will have to complete the project.

If you don't intend to do any further work, please do not remove any material from the site.

Mr. Hotz said there has been nothing done on it since they received the letter so he thought the County should finish the job.

Commissioner Willner moved that Mr. Hotz see that the job is completed. Commissioner Ossenberg seconded the motion. So ordered.

RE: BOONVILLE-NEW HARMONY ROAD AND HWY. 65

Commissioner Willner said he has a problem that he would like to talk to Mr. Judd about.

He said that at the corner of Boonville-New Harmony Road and Highway 65, there has been numerous accidents and he has tried to get the exact figure from the Sheriff's office this morning but was unable to.

He said there is a blind corner there and the people traveling west on Boonville-New Harmony Road at Hwy. 65 are unable to see oncoming traffic until they pull out into the road and he wondered if Mr. Judd would please check that corner and get a letter to the state to see if the County couldn't participate with the state in getting the banks cut down and cleaned up at that intersection.

RE: BASELINE ROAD & OLD PRINCETON ROAD

Commissioner Willner said he also has two places where the people have requested signing and that is at the corner of Baseline Road and Old Princeton Road, where they need a "cross-road" sign or one that reads "caution - traffic entering", that Mr. Judd will have to see what kind of sign is best suited for this location.

Mr. Judd said they are getting into there and they are going to run into a lot of money in the County, if every intersection in the County, that they are going to have to notify that there is a crossroad.

He said if it is a through road, he thought a stop sign would be sufficient.

Commissioner Schaad said that Mr. Judd probably isn't aware of this but that sometime ago they talked about it and they thought there was federal money available to make a safety study for the county as far as the inventory of all signs and recommendations on what needs to be done and assuming that it is approved by the federal people on a 70%-30% basis and as soon as this is approved, he thought when the inventory has been made, that Engineer Associates is going to do the engineering work but they do have to have the contract approval before they can go ahead, so they are working on it and as soon as it comes through, he thought they would have a study of the entire county as to the recommendations on what needs to be done.

RE: BOONVILLE-NEW HARMONY ROAD...SIGN NEEDED

Commissioner Willner said there is a problem on Boonville-New Harmony Road just East of the Penn Central Railroad tracks, that there is a business there and there is a blind spot and there needs to be a "slow" sign installed there.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report for the employees of the County Garage for the past week.
Report received and filed.

RE: MR. SIEBEKING...WESTCHESTER & WHITMAN DRIVE

Mr. Siebeking said that a lady by the name of Mrs. Moore who lives on Westchester and Whitman Drive, across from the garage, had called the Commissioners previously. He said that these streets aren't county accepted roads and the problem she has is the that the storm sewers over there backing into the housing project and the water won't drain off her street, but they aren't ours. He said that Corbett Electric Company started that project and when called, they they say "forget it", that she has called them and gets the same answer. He said they have water that stands in the streets and they can't get to their storm sewers but these are not accepted roads so we have nothing to do with them, only the entrance ways, but he did check it out and he did talk to the lady and that this is as far as he can go with it.

RE: ST. JOE AVENUE

Mr. Siebeking said that just North of there on St. Joe, where they have been having the problem of water standing in the ditch for so long, back when Mr. Martin was Superintendent, he got with the Railroad and with Fiberfil and they were going to clean the ditch out all along the Railroad tracks to Mill Road. He said he went out to check this thing out and that he is going to get in touch with the Railroad Co. since if they would bore under the railroad tracks on the west side of St. Joe Avenue and put an eighteen inch pipe in there, he can take care of the whole bit by draining all the water south to Mill Road. He said that maybe if he calls them and tells them that it is damaging our road and maybe he can get them to do it, if not, we will probably have to do it ourselves because of the damage where the water stands all the time.

RE: DITCH PROBLEM

Mr. Siebeking also said that the ditch he was called on is not a legal drain, that this is the one they walked into at the entrance out in the woods, off Heather Court.

He said there are trees and everything else in the ditch but that it isn't a legal drain so it isn't the County's responsibility.

Commissioner Schaad said there is a water main or something going through there which catches a lot of the debris.

Mr. Siebeking said he called Mr. Bussing and asked his permission to lay a line across, about 30 feet of his property into that one ditch to drain the water out of that street and he refused.

He said he told Mr. Bussing that he created the problem of the streets he built and that the County is trying to take care of them for him and he said, "well, it is the County's baby now, that the County accepted them and he wouldn't give permission", so he has had to go down, all along the streets on the County Right of Way and lay a pipe so they are working out there now.

RE: MR. LUDWICK - STREET AND SEWER PLANS APPROVED

Mr. Ludwick presented Street Plans and Storm Sewer Plans for the Subdivision of Green River Estates. He said his office has checked the grades and pipe sizes, etc. and they will be sufficient and he recommended that the Commissioners approve these plans. He said that Mr. Dockery, the Engineer, is present today in case anyone has any questions.

Commissioner Ossenberg moved that the plans be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

Mr. Ludwick submitted a claim from Barnett Brothers for Baumgart Road - Burch Drive to Mt. Pleasant Road, Account No. 203-3831, in the amount of \$20,938.95 which is Estimate No. 1.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Ludwick said they are paid once a month, for whatever items they have completed.

Mr. Ludwick submitted a claim from Feigel Construction Co. for Green River Road, Est. #5, in the amount of \$82,339.75.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: WIMBERG ROAD AND LINCOLN AVENUE

Mr. Ludwick said that the City Engineer's office has established certain streets and roads in the City of Evansville and some in the County for their street pavement program this year and they have asked the County to participate on two roads and this is on Wimberg Road from Kratzville Road to the Railroad tracks and he said that the dividing line is right down the center of that street so the City takes care of one side and the County takes care of the other side. He said from Lincoln Avenue to Fuquay Road, there is another street that they have asked the City to participate in the cost of paving these streets, so he said what was decided was that the County would take the one street that was the shortest and the City would take the longer street.

Commissioner Schaad wondered, since we no longer have a contract with Feigel Construction Co. to do any County Roads and the City does have, if the City would maybe go ahead and pave both roads and bill the County for the one street.

Mr. Ludwick said the County's portion will be less than \$2,000 so no bids need to be taken.

Commissioner Ossenberg said they would need to enter into an agreement. After further discussion, the Commissioners decided to take this matter under advisement to see how it is going to be handled. The meeting recessed at 10:55 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner
Secretary: Margie Meeks

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Bob Schaad
Tom Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 14, 1976

The meeting of the County Commissioners was held on Monday, June 14, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: HEARING TO BE HELD ON STRIP MINING ORDINANCE

Commissioner Schaad reminded everyone that the first Public Hearing on the Strip-mining Ordinance will be held tomorrow evening, in Room 301, at 7:00 p.m. He said the second Hearing will be held on Tuesday, June 22, in the same room at the same time.

RE: AGREEMENT ON PARKING OF FREEDOM TRAIN

The following letter was received by Mr. Ruston, the General Manager of the Civic Center, from the Evansville-Vanderburgh County Building Authority:

Dear Mr. Ruston:

This letter will serve as the agreement made by the City of Evansville, by Mayor Russell G. Lloyd; Vanderburgh County, by President Robert A. Schaad; and the Evansville-Vanderburgh County School Corporation, by Superintendent, Victor Fisher to allow the American Freedom Train to park the Train at the rear of the parking lot behind the Civic Center. The train will be parked in this area from Monday, June 14th through Thursday, June 17th.

Also, the northwest quadrant of the Civic Center Parking Lot will be roped off solely for the purpose of parking by the American Freedom Train visitors.

President Schaad signed the agreement at this time and he reminded everyone to get their tickets.

The following announcement will be placed on the bulletin board for the benefit of all employees of the Civic Center:

The back northwest quarter of the Civic Center parking lot will be closed Monday, June 14, thru Thursday, June 17, to accommodate anticipated crowds for the Freedom Train Display.

We appreciate your patience and understanding of this necessity.

Signed by the Evansville-Vanderburgh County Building Auth.

RE: AUTHORIZED TO PROCEED WITH THE OPENING OF BIDS

The County Attorney's were authorized to proceed with the opening of the bids that were received today for the Data Processing of the County.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the County-owned Surplus Property today, so the bidding will remain open and the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

George R. Shuttle	1700 Dalehaven	round Crew	\$2.30 Hr.	E66	6/7/76
Roger Bice	1414 Jeanette	Ground Crew	\$2.30 Hr.	E66	6.7.76
Debra S. Hape	2824 Dennison	Cround crew	\$2.30 Hr.	E66	6/7/76
Lauru A. Hape	2824 Dennison	Ground crew	\$2.30 Hr.	E66	6/7/76
Donna Bowers	722 Mels Dr.	Extra	\$2.30 Hr.	E66	6/6/76
Leadra McDonald	711 S. Weinbach	Extra	\$2.30 Hr.	E66	6/6/76
Kim Lilly	2601 Magnolia Dr.	Extra	\$2.30 Hr.	E66	6/6/76
Sally Tuholski	6313 Newburgh Rd.	Extra	\$2.30 Hr.	E66	6/6/76
Gerri Brusse	4506 Covert Ave.		\$2.30 Hr.	E66	6/6/76
Anthony Guntel	R.7 Bartons La.	Ground Crew	\$2.30 Hr.	E66	6/6/76
John Walker	9000 Middle Mt.	Vern. Ground Crew	\$2.30 Hr.	E66	6/6/76
Dirk Hartman	2124 Blackford	Ground Crew	\$2.30 Hr.	E66	6/6/76
Jay Glass	3417	Ground Crew	\$2.30 Hr.	E66	6/6/76
Jeff Harpor	2921 New Harmony	Ground Crew	\$2.30 Hr.	E66	6/6/76

RE: EMPLOYMENT CHANGES.....APPOINTMENTS..CON'T.VANDEBURGH COUNTY HIGHWAY DEPARTMENT

Jack D. Vindhurst	720 N. Boehne Camp	Summer Help	\$2.30 Hr.	Eff: 6/14/76
Steve A. Hendrix	311 Harrison Blvd	Summer Help	\$2.30 Hr.	Eff: 6/14/76
William C. Elliott	1820 Bayard Ph. Dr.	Summer Help	\$2.30 Hr.	Eff: 6/14/76
David C. Nix	7001 Happe Rd.	Summer Help	\$2.30 Hr.	Eff: 6/14/76
David W. Bennett	1926 Chickasaw Dr.	Summer Help	\$2.30 Hr.	Eff: 6/14/76
David E. Dauble	4401 Meadowridge	Summer Help	\$2.30 Hr.	Eff: 6/14/76

KNIGHT TOWNSHIP ASSESSOR

Portia Miller	391 Alvord Blvd.	Deputy	\$16.00 Day	Eff: 6/14/76
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PIGEON TOWNSHIP ASSESSOR

Doris M. Whobrey	745 E. Riverside Dr.	Reassessment clerk	\$20.00 day	Eff: 6/8/76
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111-121 CENTER TOWNSHIP ASSESSOR - REGULAR BUDGET

Barbara A. Stephens	915 Canterbury Rd.	Office Deputy	\$16.10 Day	Eff: 6/7/76
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249-CENTER TOWNSHIP ASSESSOR - REASSESSMENT BUDGET

249-113 James L. Buthod	5001 Elmhurst Dr.	Field Deputy	\$20.00 Day	Eff: 6/8/76
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PROSECUTOR'S OFFICE

Jack E. Miller	232 Fernwood Dr.	Investigator	\$7,000 Yr.	Eff: 6/14/76
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RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

Gerri Brusse	4506 Covert Ave.	Extra	\$2.30 Hr.	Eff: 6/6/76
Nellie Casteel	1710 Grove St.	Ground Crew	\$2.30 Hr.	Eff: 6/6/76
Cindy Casteel	1710 Grove St.	Ground Crew	\$2.30 Hr.	Eff: 6/6/76
CETA-David White	1931 S. Bosse	Ground Crew	\$2.30 Hr.	Eff: 6/6/76
A.W.E. David Stoneberger	2201 Allens La.	Ground Crew	\$2.30 Hr.	Eff: 6/6/76

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

Tony Harvey	5300 First Ave.	Equip. Opr.	\$4.368 Hr.	Eff: 6/11/76
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CENTER TOWNSHIP ASSESSOR RE ASSESSMENT BUDGET

K. Kent Logsdon -249-113	1821 Stevens Ave.	Comm. & Ind. Super.	\$35.00 Day	Eff: 6/11/76
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RE: MONTHLY REPORT

The County Treasurer's Report was submitted for the month of May.
Report received and filed.

RE: AMOCO REQUESTS PERMISSION TO BORE UNDER ROADS

Mr. Robert Erickson who is with Amoco Pipeline Company, appeared and said that he is appearing for Mr. Clifford A. Sisco who was unable to attend the meeting today. He said that he is Project Engineer with the Company and he is here to request permission to cross two roads in Vanderburgh County. He then read the following letter:

Gentlemen:

Amoco Pipeline Company, A Maine corporation, proposes to construct, operate, and maintain a carrier pipeline of refined petroleum products between the Chicago, Illinois area and the Decatur, Alabama area.

The design, construction testing and operation of the completed pipeline will be in accordance with Federal Regulations; Title 49 - Transportation; Part 195 - Transportation of Liquids by Pipeline.

Amoco proposes for the county road crossings to use eight and five-eighths (8 5/8) inch O.D. pipe; no less than specification and grade API 5LX 52, electric resistance welded having a wall thickness no less than 0.188 inch, the grade and wall

thickness being subject to economic conditions at the time of pipe selection. The pipe will be coated and cathodically protected.

The time of construction is scheduled for no earlier than July 1, 1977, with completion expected December 31, 1977. Notice will be given to the Commissioners approximately 30 days prior to the time of construction.

Amoco Pipeline Company herewith submits a listing of County roads we propose to cross, a map indicating the crossing locations, and a typical plan-profile drawing of a County road crossing.

Amoco Pipeline Company kindly requests blanket approval to cross the indicated County roads in Vanderburgh County, Indiana. We ask that following your review, one copy of the authorized document be sent to our office. Should you have any questions regarding details of the proposed crossings, please contact either Mr. W.D. Lomax, Project Leader, or Mr. Robert E. Erikson, Project Engineer, Amoco Pipeline Company, Field Office, 788 South Third Street, Terre Haute, Indiana, 47807 - Telephone 812-232-0396.

Very truly yours,

W.D. Lomax, Project Leader, by R.E.E.

Mr. Erickson then submitted the following letter to the Commissioners:

Gentlemen:

Our company's Mr. Clifford A. Sisko met with Mr. Mike Ludwick of the Vanderburgh County Surveyor's Office on May 25, 1976. Upon review of our proposed pipeline alignment at that meeting, it was concluded that no legal drainage ditches would be crossed in Vanderburgh County. Consequently, it was agreed that Amoco Pipeline Company would not file for permit application.

Very truly yours,

W.D. Lomax, Project Leader, by R.E.E.

Mr. Erickson said that he has the original and three copies, which he is submitting to the Commissioners and that it is his understanding that this will be taken up with Mr. Ludwick in the Surveyor's office.

Commissioner Ossenberg moved that this matter be referred to the County Engineer's office for study and recommendation.

Mr. Erickson said that on the agenda for today, under item #7, it reads, "permission for road cuts, but in this case, both County roads they will be crossing are improved, hard surfaced roads and in that case, they will bore the roads so they will not be cut and is so designated in the drawing.

Mr. Ludwick said he has studied this matter and he recommends that it be approved.

Commissioner Schaad wondered if there was any requirement such as a bond that would be needed in this case.

The County attorney's agreed that nothing would be needed in this case.

Commissioner Willner asked which two roads were involved here.

Mr. Erickson said that they are Olmstead Road and Old Boonville Highway. He explained that all that is necessary for the Commissioners approval is for them to submit a letter to Amoco's office, attached to one of the copies.

Commissioner Ossenberg moved that permission be granted for Amoco to bore under the roads as requested. Commissioner Willner seconded the motion. So ordered.

RE: PROPOSED TRAFFIC SAFETY STUDY

The following letter was received by the Commissioners, from Mr. Gervasio of the American Consulting Engineers, Inc., in reference to a proposed traffic safety study for Vanderburgh County:

Dear Sirs:

Vanderburgh County has been selected by the Indiana Department of Traffic Safety to be part of a pilot study for a County oriented Traffic Safety Study.

We are the consultants for this proposed traffic safety study for the Indiana Department of Traffic Safety and would appreciate an appointment to explain the proposed study and obtain your consent to perform the study for Vanderburgh County. This study will be performed at no cost to Vanderburgh County.

It will take approximately one half hour to explain the study and answer most questions.

We would appreciate an appointment to your June 14, 1976 meeting as we are scheduled for other counties on other Mondays. We would also appreciate being informed by June 7, 1976 if your available for us to explain the Study, or if your not interested at all so that we can inform another county.

Mr. Bob Mills, a staff member of the Indiana Department of Traffic Safety is working with us on this study and can answer any questions you may have with their office.

Very truly yours,
American Consulting Engineers, Inc.
William E. Gervasio

Mr. Gary Gambill who is representing Mr. Gervasio, appeared and submitted a copy of the proposed study.

He said that during 1975, American Consulting Engineer's did a roadside hazard study for the Department of Traffic Safety and involved in this, there was a certain amount of statistical analysis for accident rates on County roads and that they found out, that during 1974, over half of the accidents that occurred in rural areas, occurred on County roads and as a result of this, American Consulting Engineer's entered into an agreement with the Department of Traffic Safety, to conduct a Traffic Safety Study on 28 counties.

He said it was then decided, rather than to jump into a major project, that they would do a nine-county pilot study and then determine if the study was worthwhile or not and that Vanderburgh County was one of the Counties that the Department of Traffic Safety selected as a pilot county.

He explained that the study would entail obtaining accident reports from the Indiana State Police and they would then be coded and a physical investigation would be made of the area, probably photographs and traffic counts in various areas and they would establish the higher accident locations, at least 6 per County and then, investigating those in depth as to the cause and if any improvements could be made to alleviate some of the problems.

He said another part of the study is trying to establish some guidelines or ammunition for increased governmental participation in counties, financially, that he didn't think it was a secret that the counties have not been getting their fair share, opposed to the cities and hopefully, they can find enough ammunition here to justify more money and more aid.

He said that copies of the report would be available to the Commissioners for their particular county, also that the end result will be a composite of all nine counties rather than nine different reports and if Vanderburgh County chooses not to allow them to do this study, then they have to find another county to take it's place.

Commissioner Ossenberg asked Mr. Gambill if they were the only Engineering Firm on record with the state.

Mr. Gambill said they were the only firm for this particular project, that their agreement is directly with the Department of Traffic Safety and there would be zero conflict, since he is the only one that is commissioned to do this study.

Commissioner Ossenberg said that his feeling is, that this study isn't going to cost Vanderburgh County any money and he thought they ought to go ahead and have it done.

Commissioner Schaad read Exhibit A in part, which read that they will perform the study on the Counties of Allen, Clark, Delaware, Elkhart, Floyd, Johnson, Lake, St. Joseph and Vanderburgh County, also that the cost for the study would be paid by the Department of Traffic Safety and Vehicle Inspection and the American Consulting Engineers will provide the personnel, equipment and supplies necessary to complete this study by June 30, 1977 and that the American Consulting Engineer's Inc. will enter into an agreement with the Indiana Department of Traffic Safety and Vehicle Inspection to provide the Engineering service to complete this study.

Mr. Gambill submitted a sample letter that the other counties have used in approving this study and said that the Commissioners could type this letter on their letter head stationery or however they wanted to do it. The letter is to be addressed to Mr. Samuel Burch, Director of the Indiana Department of Traffic Safety and will read as follows:

Dear Mr. Burch:

We, the Vanderburgh County Commissioners of Vanderburgh County have reviewed the Proposed Traffic Safety Study for County Rural Roads for the Indiana Department of Traffic Safety and Vehicle Inspection and believe that the results of the study in our County would be a useful guide to assist us in our efforts to reduce the number of traffic accidents in Vanderburgh County.

It is our intention to implement the recommendations of the study, assuming the funds would be available within a reasonable time.

We understand that Vanderburgh County has been selected for a pilot study and that we will have the opportunity to review and comment on the results of the study in our County.

Commissioner Ossenberrg moved that the County Commissioners of Vanderburgh County enter into an agreement with the State Highway Commission and the American Consulting Engineers, Inc. Commissioner Willner seconded the motion. So ordered. The Commissioners signed the agreement at this time, which was typed on the Commissioners' official letter head stationery. Mr. Gambill asked if there was a County map available with the road numbers and the local terminology.

Mr. Ludwick said that Mr. Gambill could obtain such a map from the Area Plan Commission.

RE: REQUEST FOR ROAD TO BE COUNTY MAINTAINED

Ms. Ann Lannert appeared and submitted the following letter of request:

Vanderburgh County Commissioners:

We, the undersigned property owners, at 6521, 6522, and 6523 Old Boonville Hwy., Evansville, Ind. 47715, hereby make a formal petition to the County Commissioners of Vanderburgh County, requesting that the access road to our property, (which is presently privately-maintained) will become county-maintained in the immediate future.

The length of this road is approximately 1500 feet and the width approximately 16 feet, including shoulders. The present surface is white rock (We understand this road has been in use for about one hundred years.) We propose that this road be named Mimosa Lane.

We will appreciate your prompt attention to this matter.

Signed by Mr. & Mrs. Russell, Mr. & Mrs. Miller and Mrs. & Mr. Lanner

Commissioner Ossenberrg moved that this request be referred to the Engineer's office for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: ACCEPTANCE OF E.U.T.S....FORECAST AND ALLOCATION

Mr. Wilson of the Area Plan Commission appeared and stated that he is here in reference to adopting the data that has been computed into their Comprehensive Plan, that was discussed last week, that it is the E.U.T.S. which is the Evansville Urban Transportation System.

Commissioner Ossenberrg moved that the Evansville Urban Transportation Area Forecast and Allocation be adopted. Commissioner Willner seconded the motion. So ordered.

RE: PETITION TO VACATE PART OF WARD ROAD

The request for a partial vacation of Ward Road was discussed last week and the viewers were appointed to view the area for any possible objections to this vacation. The viewers named were Mr. Jesse Crooks, Mr. Bill Judd and Mr. Jeff Wilson and this action was to be effective this week and they are to report back next Monday.

Mr. Ed Cole of the Southern Indiana Gas & Electric Company, appeared and said that he did get a copy of the petition last week, also that he didn't know if the viewers took it into consideration or not but that there is an electric line in the area, that they have no objection to the vacation as such, provided that these facilities are protected in the form of an easement by the property owner, in the event the vacation is approved.

Mr. Larry Kuehne of the Indiana Bell Telephone Company, said they have a telephone cable directly under the lines of the Gas Company and they are also interested in their facilities.

County Attorney Wendel said the adjacent property owner would be the one to grant the easement.

Mr. Cole said this brings up a problem too, because, if in the event they do grant the easement or agree to grant the easement, then they would need to see what the proposed building plans are to see whether the house or the swimming pool is going to be close to the power lines which could propose a hazard but that they could talk about this later.

Mr. Harold Peters appeared and said that there are a great number of people that come out of Knob Hill Drive and with the vacation of this portion of Ward Road, it could be very hazardous.

Commissioner Ossenberg explained to Mr. Peters that the law states that they must appoint three disinterested viewers, which they have done, and they will view the area and come back with a recommendation and hopefully, they will have this all worked out but said that Mr. Peter's comment is well taken.

Mr. Peters then asked, if the hill out there slides, who pays the cost to put it back.

Commissioner Ossenberg said it looks like the County would be responsible since the County accepted it back in 1968. He said the effective date for the viewers is today and they will be out doing the survey work and at that particular time, Mr. Peters can contact any one of them.

A copy of the petition was given to Mr. Kuehne of the Indiana Bell Telephone Co. at this time.

RE: TELEPHONE REQUEST

The following letter of request was received by the Commissioners from the Vanderburgh Circuit Court, Misdemeanor & Traffic Division:

Dear Sirs:

We request 1 (one) additional phone to be used in Room 200, the Misdemeanor & Traffic Division, to be located on the counter.

This phone would help to cut down on the traffic through the working area of our office.

Sincerely, Sharon Owen, Supervisor
Misdemeanor & Traffic Division
County Clerk's Office

Commissioner Ossenberg moved that this request for a phone be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CHECK RECEIVED

A check was received from the Vanderburgh County Circuit Court in the amount of \$2,000.00 which was a judgment award on the Eykamp Condemnation Suit.

Commissioner Ossenberg moved that the check be accepted and entered into the Bridge Fund. Commissioner Willner seconded the motion. So ordered. The Commissioners endorsed the check at this time.

RE: DEDICATION TO BE HELD

The Commissioners received an announcement, in that the Mary Anthony McGary Chapter in the Vanderburgh County Chapter of the Daughters of American Revolution, will have a Bi-centennial dedication of a marker honoring nine revolutionary soldiers that are buried in Vanderburgh County, which will be held at the United States Post Office in the Federal Building, here in Evansville, on Saturday, June 26th, 1976, at 2:00 p.m.

RE: LETTER FROM AMAX COAL COMPANY...SEMINAR ON BLASTING

Commissioner Schaad received the following letter from the Amax Coal Company:

Dear Mr. Schaad:

On Saturday, June 19, AMAX Coal Company will conduct a seminar on blasting as it relates to the surface coal mining industry. This seminar will be conducted for members of the news media and government officials in an effort to provide information on the affects of blasting. It will also illustrate the rules and procedures followed by AMAX as a necessary part of the coal mining process and the steps which AMAX Coal takes to lessen the affects of blasting.

The seminar will begin at 10:00 a.m. and will be conducted at the Ramada Inn, Rail Room Number One, Evansville, Indiana. A luncheon will be provided immediately following the formal presentations. The Ramada Inn is located just south of Dress Memorial Airport on U.S. 41.

You will note on the attached agenda that the presentations at the seminar will not be made by AMAX Coal Company. Those who will conduct the meeting will include representatives from a private vibration measuring company, VME, a commercial blasting powder company, Atlas Powder, and the United States Bureau of Mines. The three persons making these presentations are recognized nation-wide as experts in the area of blasting and vibrations. We feel the seminar will prove truly worthwhile for all attending.

Enclosed is a postcard on which you can express your intentions. We hope your schedule will permit you to participate in this seminar.

Sincerely, Geoffrey A. Emerson

Commissioner Schaad said that it would be well for as many as can to attend this seminar, especially since they have proposed an ordinance on the banning of strip-mining in Vanderburgh County.

RE: LETTER FROM BOB BARTHEL ON INSURANCE MATTER

Commissioner Schaad received the following letter from Bob Barthel who is the present Agent of Record for Vanderburgh County that is dated June 9, 1976.

Dear Bob:

Enclosed is a letter I received this morning from Mark Banach, group underwriter for Golden Rule. I think this will answer the questions that several members of the County Council had regarding the retention for the Vanderburgh County group insurance.

If you have any further questions or we can be of further service, please advise.

Yours truly,
Robert H. Barthel,
General Agent

The letter that Mr. Barthel was referring to, reads as follows:

Dear Bob:

We have recently concluded a study of the unpaid liabilities on this group. We estimate them to be \$70,500. As this is not retention business, the reserves established against this liability are not directly attributable to this group but rather form a part of our total reserves held.

I hope this information is of use to you. If you need anything further,

Sincerely, Mark S. Banach
Group Underwriting for Golden
Rule & Congressional Group Opr. Inc.

RE: CLAIMS

A claim was submitted by the City of Evansville for the County's share of Economic Development as per agreement for 1976, in the amount of \$10,000.00. It has been approved by the County Auditor.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Gloria S. Crenshaw for fees incurred in the Vanderburgh Superior Court Cause No. 75-CTV-2356, Anna Joeckel vs. Board of Commissioners of Vanderburgh County, Indiana et al, in the amount of \$71.00. This is the disposition on the case on Smith Diamond Road.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON LETTER FROM AGENT OF RECORD

Mr. Ron Hunter appeared and said that he has a gentleman with him today from Indianapolis who has dealt with municipalities for the last few years and that he would like to make a couple of points on the letter that was received from the County's Agent of Record.

Mr. James Lill of Indianapolis, appeared and said that he represents packaged programs and that they deal exclusively with the Group and Municipality Insurance business and that Ron Hunter from the Hunter-Hilbert Insurance Agency has consulted with them on a few matters and that during the last few weeks, they have been preparing a proposal to submit to the Commissioners for Group Insurance, in which the bids will be opened next week.

He said in surveying the minutes of the Commissioners meetings for the past several months, he has made a specific notation of an Agent of Record letter that the present Agent of Record for the County's Insurance has, and he said they get into a legal matter here that doesn't involve the Attorney General or the Insurance Dept. of the State of Indiana, that it is in regard to an Agent of Record letter and he wants to make a point very clear today.

He said if the Commissioners are going to open bids next week, that Mr. Hunter has prepared some very respectable bids, and it is imperative that the Agent of Record letter be terminated or be re-written at that particular time if a new carrier is chosen, since the Insurance Commissioner of the state of Indiana awards revenues to the winning bidder in an Insurance case and at the present time, the Commissioners have a letter from an Agent of Record, Bob Barthel, and technically, if a bidder, other than Mr. Barthel was to be accepted by the Commissioners, it would have to be a written termination and he would like for the Commissioners to recognize this and to know this as being a factual document.

He said that the thrust of his point is, that if the Commissioners were to accept a bid next Monday and Mr. Barthel was still the Agent of Record, then technically, he would be the recipient of revenue through this particular program.

Commissioner Ossenberg said this wouldn't be the case, that they would protect the man who was awarded the bid.

He said the bids would be opened on June 21st. but they would probably take the bids under consideration for a week and up to July 1, Mr. Barthel will be the Agent of Record but whoever is awarded the bid will become the new Agent of Record as designated in the specifications.

Mr. Lill said the point being here though, he thought, is that there would be a legitimate grievance on the part of the present Agent of Record unless there is a change made at that particular time.

He also said that the figure of reserves in the amount of \$70,500.00 is a significant figure and he is glad it was brought to their attention and he appreciates it being brought out because they will have a considerable difference in the rate structure that they do develop.

He thanked the Commissioners for their time.

RE: OPENING OF BIDS

There were five bids received on Data Processing. They are from the following companies:

Honeywell
I.B.M.
N.C.R.
Manatron Inc.
Sperry Univac

County Attorney Wendel said the bids aren't consistent in how they are bidding and not all of them have bid bonds so they may need to consider the extension of time on the bonds.

Commissioner Ossenberg moved that the bids be referred to Anika Juras for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: MR. MITCHENER FOR MR. CROOKS

Commissioner Schaad said he received a letter that Mr. Crooks wrote to a Mr. Gregory Barrett concerning property on Highway U.S. 41, South of Stacer Road, dated May 28, which reads as follows:

On February 23rd. we wrote you concerning your property on U.S. 41, South of Stacer Road in Vanderburgh County and since there has been no change in the property or word from you, we plan to bring this matter before the County Commissioners on June 14th. for their action.

If, in the meantime, you give us the plans for your property, it might be resolved.

Commissioner Schaad asked Mr. Mitchener if he had any input on this matter.

Mr. Mitchener said he hasn't heard anything more on the matter from Mr. Barrett, and explained that this was where an automobile hit the house and sat there for a long time and then the house burned in part and it has been empty for a long time. He said with the Commissioner's permission, they intended to condemn the house, but that this was all he knew about it.

This matter was taken under advisement until next week, at which time they can see what Mr. Crooks has in mind as to what they are going to do about it.

RE: GUARD RAIL NEEDS PAINTING

Commissioner Ossenberg asked Mr. Siebeking if that is our guard rail at the Bridge on North Kentucky Avenue that swings around Pfeiffer Road.

Mr. Siebeking said that it belongs to Vanderburgh County.

Commissioner Ossenberg said that the guard rail really needs painting because it is really rough.

Mr. Siebeking said that he will check it out and see that it is taken care of, also that they started this morning with their summer help to paint guard rails, etc.

RE: CUTS IN

The Telephone Company requests permission to do a push job under Detroy Road to bury a telephone cable.

Commissioner Ossenberg moved that the push job be approved. Commissioner Willner seconded the motion. So ordered.

The Water Company requests permission to make a shoulder cut on #26 Meadow Drive to install a 2" water service.

Commissioner Ossenberg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner said he knows of three instances where the Water Company has come back and repaired the roads and he would like to hear from Mr. Siebeking on the rest of them.

Mr. Siebeking said that when he gets complaints, he just refers them to the Water Co., also that they are doing repairs but they are about a year behind on some of it.

RE: LETTER ON BAUMGART ROAD STRUCTURE

Mr. Ludwick submitted a letter from Barnett Bros. Inc. in reference to BC 3-76, Baumgart Road Structure #88A which reads as follows:

Dear Mike:

Our cost for removing trees on the south right of way of Heinlin Road between stations 50 + 50 - 53 + 00 is Eight Hundred Fifty Dollars and no/100 (\$850.00) which cost includes trimming, cutting and hauling to another site for disposal.

We are of this opinion that since the note on the cover sheet of the project plans clearly states to clear only the north right of way of Heinlin Road that we are entitled to the above extra.

Very truly yours, Barnett Bros. Inc.
Owen Barnett, President

Mr. Ludwick said that when they first started on Baumgart Road, they had \$200,000 set aside for the two different contracts and that Feigel's contract was for \$96,000 plus and Barnett's contract was for \$102,000 and this leaves them \$244.00 left in those two accounts.

He said this letter concerns the cost for removing the trees in the South side of right of way on Heinlin Road at \$850.00 so we have no money for paying this extra amount for the extra work agreement.

He said that it is a legitimate change order they are asking for because the trees would be in the shoulder of the new roadway and the reason they got involved in this is because the project has been redesigned about ten times and in negotiating with Chase Virginia, they were going to leave certain trees that they requested and in the changes, there was a note left that should have been removed from the plans. He said they couldn't redesign that section of roadway so the trees are going to have to come out.

The Commissioners agreed that the simplest way to do it would be to let Barnett Bros. do the work and to bill Mr. Siebeking of the Highway Department.

Mr. Ludwick said their Project Engineer and the people who work out on the jobs for them have been told to watch the over-runs like hawks and take precautions so as not to over-run any other items unnecessarily.

Commissioner Ossenberg moved that Barnett Brothers do the work of removing the trees on Heinlein Road and to use the balance of \$244.00 they have in the account, with the balance of \$606.00 to be paid by Mr. Siebeking. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 10:45 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Alice McBride (Deputy)

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Tom Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

PUBLIC HEARING

ON

ORDINANCE TO BAN STRIP MINING

IN VANDERBURGH COUNTY

JUNE 15, 1976

A Public Hearing was held in the Council Chambers on Tuesday, June 15, 1976, at 7:00 p.m. with President Bob Schaad presiding.

Commissioner Schaad explained that the purpose of this Public Hearing is to hear any comments in favor or against the Proposed Strip Mining Ordinance which the County Commissioners are about to take into consideration.

He said there are extra copies of the Proposed Ordinance available for anyone that wants a copy.

He then read the Proposed Strip Mining Ordinance which reads as follows:

WHEREAS, the Indiana General Assembly enacted House Enrolled Act No. 1343, Acts 1975 P. L. 158 (IC 17-2-2.5-1 to IC 17-2-2.5-8 inclusive) which delegates power to the Board of Commissioners of Vanderburgh County, Indiana, to exercise all governmental authority necessary for the effective operation and conduct of government with respect to their county and internal affairs; and

WHEREAS, said Board of Commissioners have been made aware of the possibility of strip mining occurring in Vanderburgh County, Indiana; and

WHEREAS, said Board of Commissioners, in order to protect the health, safety and welfare of the citizens of Vanderburgh County, Indiana, and their property, deems it to be in the public interest to enact this ordinance prohibiting strip mining within Vanderburgh County, Indiana;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Vanderburgh County, State of Indiana, as follows, to-wit;

Section 1. DEFINITIONS

(a) "Surface mining" shall mean all or any part of the process followed in the production of minerals by uncovering therefrom the overburden above the mineral deposits, or the removing of overburden for the purpose of determining the location, quality, or quantity of a mineral deposit.

(b) "Strip mining" shall mean surface mining, as defined herein.

(c) "Operation" shall mean all of the premises, facilities, roads and equipment used on the affected area in the process of producing minerals from a surface mine or removing overburden for the purpose of determining the location, quality, or quantity of a mineral deposit.

(d) "Operator" shall mean a person engaged in carrying on surface mining operations.

(e) "Person" shall include any individual, partnership, corporation, firm or association.

(f) "Mineral" shall mean for the purposes of this Ordinance, coal, clay, or shale.

Section 2. STRIP MINING PROHIBITED

It shall be unlawful for any person or operator to engage in the business of strip mining, and any such operation is hereby prohibited.

Section 3. PENALTY

Any person violating the provisions of this Ordinance shall be fined not more than One Thousand Dollars (\$1,000.00) and/or imprisoned not more than six (6) months.

Section 4. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Vanderburgh, State of Indiana, together with the signature of the presiding officer thereon, and, its publication in the manner provided by law.

Commissioner Schaad said that this Proposed Ordinance was advertised in accordance with the law, in the Evansville newspapers on June 10th. and June 17th., announcing that the Public Hearings will be held, the one that is being held tonight and the second one that will be held on Tuesday, June 22nd., in these chambers at 7:00 p.m.

He said that perhaps the best way to get started on this would be to hear all those who are in favor of the Strip Mining Ordinance and he asked that anyone who is interested in speaking, to please come forward.

Mr. William Baumholser of 5725 Lost Bend Lane, appeared before the Commissioners and said that he lives right at the Vanderburgh County - Warrick County line and that right now, he lives about five miles from strip mining and in a couple of months, he will be about two miles from it, that he has damage now and if the law is passed to where strip mining is allowed in Vanderburgh County, they will have more damage and he thought if they want coal, they should shaft mine it, that he understands that the coal is down there for a purpose but they can get it by deep shaft and he thought this was the way to go, thereby not tearing up the farm land, since we have too many hungry people now.

He said they can tell you they can reclaim the ground but he has, as yet, to see the first one where anything will grow, that all he has ever seen grow, even halfway, is grass.

He also said that Vanderburgh County is too thickly populated for strip mining and that it should be prohibited

Mr. Lawrence Stahl who lives at 7709 Old Boonville Highway, came forward and said that he speaks as a representative of the Vanderburgh County Farm Bureau and also, for himself as a citizen.

He said that he has damage to his home, that three corners of it are split from explosions and the splits are halfway up the wall.

He said that he feels it would be a detriment to Vanderburgh County, if they ever go to strip mining from the standpoint of the farm land being needed, also that land is being gobbled up by the real estate people at the present time for commercial interests and that if we ever let strip mining come into the County, we are going to be in the same situation that Warrick County is in, that they will pick out what land they can get and then they will threaten you if you won't sell your property to them and they will blow your property to pieces, that this has happened in Warrick County, and he doesn't see how the people have stood for it as long as they have, with the damage that is being done.

He said that in today's Boonville newspaper, he read where they dug too close to the road and the road is falling into the stripper pits and he feels that they have made a mistake by letting them strip so close to the road.

Mrs. William Baumholser who lives at 5725 Lost Bend Lane, appeared and stated that she has an article that came from the Evansville Courier, dated April 14th. which reads that the Coal Company officials have insisted that they are adhering to the State mining laws, however, there are no State laws on strip mine blasting, The Commissioner of the Department of Labor said, so she asked how can they be abiding by the law if there aren't any laws.

She said in another article she saw, stated that it might be unconstitutional to try to ban strip mining in Vanderburgh County and she thought this to be stepping on our constitutional rights too, when we can't have peace in our homes.

She said that she has called this company since October of last year and the cracks just keep going up the walls and the fireplace keeps falling down but they claim that it is her downspouts and if it is her downspouts, why did it wait for it happened within the last six to eight months, why didn't it do it in the past twenty-three years.

She said she thought there to be a representative of the Amax Coal Company here this evening and that if he could answer any of her questions, she would appreciate it.

Mr. Bob Reynolds who lives at R.R. 2, Box 256, in Evansville, said that he is a member of the C.E.C. and that he is very much in favor of the Ordinance to ban strip mining, that we live in an Urban area, that we aren't in a rural area in Vanderburgh County, that practically all the farm land that we do have is in the river bottoms and the only reason we have that is because it is overflow. He said he lives right by the County line, by the University in Perry Township, Precinct 7 and that it is very thickly populated out there. He said the Commissioners are to be commended in trying to pass this Ordinance, also that a few weeks ago, he did attend a meeting that was held by the Bureau of Mines and said that our legislators have passed a law in limiting blasting, but unfortunately, we have no agency to enforce the law and the law is no better than the agency that enforces it. He said the Bureau of Mines said they just don't have the money to enforce the law, but he didn't know what happened to the \$60,000 that was appropriated to them for this purpose. He again stated that he is very much in favor of the Ordinance to ban strip mining in Vanderburgh County.

Mr. Jack Elliott of 1604 Adams Avenue stated that he would like to see the Ordinance passed.

No one else seemed to have anything more to say at this time so Commissioner Schaad asked if there was anyone here who wanted to speak against the Ordinance, as it is written, also if the Ordinance is clear enough, or if anyone thought of anything that should be included or excluded from the Ordinance.

Mr. Stahl said he felt that the penalty wasn't strong enough.

County Attorney Smith said that the penalty they have inserted in this Ordinance is the maximum they are allowed to impose under the law.

One spectator asked if there was anything in the Ordinance that would protect the people in Warrick County, that they intend to blast for thirteen years and the people can no longer take it, also they didn't think that the authorities in Warrick County were interested.

County Attorney Smith said the spectators point is well taken and he can see why she would ask such a question and expect some consideration, however, he doesn't believe that they have the authority to legislate or impose laws outside of Vanderburgh County, that this body is constructed to regulate only matters within Vanderburgh County.

He said that she could go to court and file suit for any alleged violation within her rights and he also suggested that she appear before the County Commissioners in Warrick County to take the matter up with them.

Commissioner Ossenberrg said he was sure there was some concern in this matter by the County Commissioners in Warrick County because he served as representative for the Vanderburgh County Commissioners to the Council of Governments and at this particular meeting, they went on record, at least one of them did and that was Commissioner Gerhardt, who said the growing concern of the damage being done in Warrick County, for even the roads alone and that so many tons of coal is being hauled over those roads and he wondered who was going to pay for those roads because Warrick County doesn't have the money to pay for them, also there is some talk that they are even going to take recourse on the Coal Company, that their absolute power is on the bridges, that they can control and stop any run of traffic throughout a county, over a bridge.

He said they were even talking about cutting roads and putting culverts in roads and considering them bridges to stop this, so he is sure they are concerned about the strip mining in Warrick County, also that the Warrick County Commissioners have asked for the aid of Posey, Vanderburgh, Gibson & Pike Counties, along with the whole Southwestern Indiana Council of Governments.

Mr. Baumholser said some of the people have been before the Warrick County Commissioners but he didn't know about it.

Commissioner Schaad said he would suggest the people go on record with the Warrick County Board of Commissioners, in that if they have such a meeting, they would like to be notified of the meeting.

Mrs. Baumholser said that people are afraid to get involved but she isn't afraid to talk out, that her husband and son both fought in the war and now she is fighting this war.

Mr. Wesley Miller of Boonville said if they are fined, they just pay the penalty

and continue stripping the mines by blasting.

County Attorney Smith said that he and County Attorney Wendel have discussed the possibility of maybe amending the penalty clause by making each day a separate violation.

Mr. Stahl said that Stephenson Road used to be a nice road but since they have started strip mining, the Commissioners should see it now, because the various Companies are moving heavy loads of rock over this road.

Mrs. Baumholser said they drove to Warrick County to see their daughters and they couldn't even drive over the roads because of the large trucks they met and one of her head lights was broken.

Mr. Charles Powelson of R. 4, in German Township, appeared and said he is here as a citizen and he is in disagreement on having strip mining in Vanderburgh County. He said he feels that if we need to mine coal and we do it in a deep mine fashion, this is okay but whenever they strip it and take away from the agricultural which seems to be of greater need for the nation and the whole country today, than the need for coal, strip mining should be banned and it should be left to the farmers for them to raise the crops which we need the most.

He said if it comes to the point where they need to have the coal dug for the necessity of our survival, it will be time enough and then it should be in sparsely populated areas, but they should wait until such a time that there is no alternative. He said he read that we are blessed with an abundance of coal and if this is true, lets mine it in the remote areas where the population density would be less than it is in Vanderburgh County.

He said he feels, as an individual, that strip mining would destroy our homes, our property and our surroundings, so lets not let the coal be mined in strip mining fashion until it is absolutely necessary.

Mrs. Gertrude of 701 N. Boehne Camp Road said that she heard the statement made that a certain percent of the Coal Companies are owned by the japanese and she wanted to know if this was true.

Commissioner Schaad said if there is anyone present that can answer this question, he should feel free to do so, but this is a hearing on whether we should ban strip mining or not in Vanderburgh County.

Mr. Powelson said he read in the papaer a while back that it was unconstitutional to put a ban on strip mining and if this is so, the Ordinances they pass on building codes, etc. could also be in jeopardy.

Mr. Stahl said he attended the meeting of the Bureau of Mines and that if there is a lot of blasting, a person should keep track of the times of the blast, since there is a law on over-blasting and he would contact the Bureau of Mines, the Department of Labor at the State House.

He also said that when the meeting was held here about two months ago, it was said a gentleman was to come down to Evansville but he never did show his face, to talk to them about strip mining.

The meeting adjourned at 7:35 p.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenber

Secretary: Margie Meeks

COUNTY AUDITOR

Alice McBride (Deputy)

COUNTY ATTORNEYS

Ed. Smith Jr.
Paul Wendel

Bob Schaad
Tom Ossenber

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 21, 1976

The meeting of the County Commissioners was held on Monday, June 21, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor, as well as the minutes of the meeting that was held Tuesday, June 15, on the Strip Mining Ordinance, at 7:00 p.m. The reading of both meetings was dispensed with.

RE: REMINDER OF PUBLIC HEARING

Commissioner Schaad reminded everyone present that the second and final Public Hearing on the Strip Mining Ordinance Proposal will be held tomorrow evening in the Council Chambers, Room 301, at 7:00 p.m. He said that if anyone is interested, they are invited to attend the hearing and if anyone has anything to say for or against the Ordinance, they should feel free to do so.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County Owned Surplus Property. The bidding will remain open and the sale will continue next week.

RE: AUTHORIZED TO OPEN BIDS ON INSURANCE.....COMMITTEE NAMED

Commissioner Schaad said that in-as-much as the Commissioners are taking bids on County Insurance, rather than to have someone the County has a policy with, it might be well to appoint someone who is a professional to give the Commissioners some advice, counsel and guidance in looking at these bids before they make a determination.

He said that he has talked to Mr. Lukens and he has agreed to accept this appointment as an advisor without pay.

Commissioner Willner asked if it was thought very wise to have just one professional to look these bids over.

Mr. Ron Hunter of Washington National Insurance Co. stated that he would have to agree with Mr. Willner, in that, he didn't think that one opinion on the bids would be sufficient, that he thought there should be at least two.

The bids are from the following companies:

Blue Cross-Blue Shield
Washington National Insurance Co.
New York Life Insurance Co.
Prudential Insurance Co.

After further discussion, Commissioner Ossenberrg moved that each member of the Board of Commissioners appoint a member to the Committee to study the Insurance Bids, that there be a Committee of three, to study the Insurance proposals and to come up with a recommendation. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner moved that the County Attorney's be authorized to proceed with the opening of the bids for the Insurance proposals. Commissioner Ossenberrg seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY BOARD OF REVIEW

Nancy Kuykendall	8300 Hogue Rd.	Clerk	\$16.10 Day	Eff: 6/10/76
Becky Sue Martin	1313 Stinson Ave.	Clerk	\$16.10 Day	Eff: 6/11/76

VANDEBURGH AUDITORIUM

Josephine Van Dyke	319 E. Walnut St.	Maintenance	\$2.60 Hr.	Eff: 6/17/76
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BURDETTE PARK

C.E.T.A. Johnny Pirtle	400 E. Illinois	Ground Crew	\$2.30 Hr.	Eff: 6/12/76
William Harrison	2527 W. Indiana	Pool Extra	\$2.30 Hr.	Eff: 6/13/76

BURDETTE PARK APPOINTMENTS...CON'T.

Scott Gartner	R.R. 2 Box 63	Pool Extra	\$2.30 Hr.	Eff: 6/13/76
Kathy Drier	510 Williams Rd.	Ground Crew	\$2.30 Hr.	Eff: 6/10/76
Linda Drier	510 Williams Rd.	Ground Crew	\$2.30 Hr.	Eff: 6/10/76
Michael L. Brown	2608 Lodge Ave.	Security	\$2.30 Hr.	Eff: 6/10/76
C.E.T.A. Rick Hinton	1051 S. Alvord	Ground Crew	\$2.30 Hr.	Eff: 6/12/76

VANDEBURGH SUPERIOR COURT

Virginia Lomax	Probation Officer	\$9,491.00 Year	Eff: 7/5/76
Mark Russler	Probation Officer	\$9,491.00 Year	Eff: 7/5/76

RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

A.W.E. Johnny Pirtle	408 E. Illinois	Ground Crew	\$2.30 Hr.	Eff: 6/11/76
Pearl Money	1301 W. Eichel	Ground Crew	\$2.30 Hr.	Eff: 6/14/76
Scott Brinkley	201 Glenview	Security	\$2.30 Hr.	Eff: 6/10/76
C.E.T.A. Kim Betts	R.R. 1, Box 352	Ground Crew	\$2.30 Hr.	Eff: 6/10/76
A.W.E. Don Diefenbaugh	3123 Forest Ave.	Ground Crew	\$2.30 Hr.	Eff: 6/10/76
A.W.E. Rick Hinton	1501 S. Alvord	Ground Crew	\$2.30 Hr.	Eff: 6/10/76

CIRCUIT COURT....LEAVE OF ABSENCE

William F. Carr	6128 Kratzville Rd.	Invest. Public Def.	\$8,413 Yr.	Eff: 6/19/76
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VANDEBURGH SUPERIOR COURT

Mildred Morgan	Clerical Assistant	\$6,120.00 Yr.	Eff: 6/18/76
Virginia Lomax	Probation Officer	\$8,800.00 Yr.	Eff: 7/1/76
Mark Russler	Probation Officer	\$8,800.00 Yr.	Eff: 7/2/76

RE: REQUEST FOR FUNDS BY BLACK EXPO

The following letter was received by the Commissioners, that was addressed to the County Council from the Evansville Black Expo "76":

The Executive Committee of the Black Expo request time on your agenda Monday, June 21, 1976, at 9:30 a.m.

The topic of discussion is in reference to the Expo activities to be held in Evansville area July 9 - 11, 1976.

Your co-operation in this matter is appreciated.

With Confidence We Continue,
Ora Ogburn, Chairman

Evansville Black Expo was developed and is presented each year in an effort to improve human relations in our community, establish ways for better communications between all ethnic groups, present positive information about Afro-Americans from 1820 to the present.

The true and final history of Black Expo lies in the uniting of the black community for the purpose of displaying the past, present and future of our culture and in the gathering of Evansville's total community for the purpose of witnessing this display.

BLACK EXPO: A Unique Experience for Evansville Something new and different happened for the citizens of Evansville in 1973. Black Expo was launched. It was the beginning of a unique experience.....one that would unite a cross section of our black citizens for the purpose of displaying the lifestyle and cultural heritage of Afro-Americans.

That first year, under the coordination of Mr. Jerry Chambers, Expo featured, as one of its special events, the Miss Evansville Black Expo Pageant. And one of our local winners, Miss Sherry Martin, was crowned Miss Indiana Black Expo in the Junior division contest in Indianapolis. The Evansville Expo also included a commercial exhibit with business, government, and civic organizations spotlighting local black achievements, an art show featuring the talent of our black citizens, a variety show, and a fashion review.

Expo broadens its scope in '74 and '75

In 1974, local coordinators, working again under the leadership of Mr. Chambers, took steps to expand the scope of Expo. A number of special activities

were initiated that would become annual events. Opening ceremonies with participation by city officials and civic leaders, a speaker's luncheon, featuring Mr. Julian Bond, a talent show, and a dance were added to the program along with the art show, the exhibit, and the pageant.

Last year, Expo events covered several weeks, culminating in a gala weekend that gave Evansvillians a broad variety of activities to attend. Mr. George Berry led the committee closer toward making Expo an unprecedented affair in the history of Evansville. Major activities now included a seminar for local business people, conducted by Ms. Peggy Gleghorn from Indianapolis, Small Business Administration, a kick-off parade featuring local organizations, clubs, and drill teams, a children's film festival, and a gospel sing. Mr. Dick Gregory addressed the luncheon audience and Mis Glenda Alexander came home with top honors in the junior division state pageant.

Expo has unique impact on Evansville

Evansville Black Expo is now an annual event that our citizens look forward to. No other affair spearheaded by the black community has had the impact on our city quite like that of Expo. It is an achievement we can all take pride in..

Ms. Ora Ogburn appeared on this matter and explained that this information is being passed among the Commissioners so they will understand what the Black Expo is, also the calender of events and the budget of last year.

She said that the Black Expo is built around the presentation of positive information about the blacks throughout the city and the state of Indiana, from 1890 up to the present time, that they feel that the activities they have are to create awareness and to create re-dedication of efforts in order to help the blacks and to create better racial relations among the two races.

She said they are not a profitable organization and that they have no funds so they make appeals to different agencies, major corporations and to the black community to finance their endeavors so they are here today to ask that the County Commissioners help them to offset some of the costs and their request to the County Commissioners is to assume the cost incurred at the Convention Center they will be using on July 9th and 10th, that they have also use the Center on May 29th and they already have some cost offset here.

She said she didn't know if they were suppose to ask the Commissioners for this request or if they are suppose to ask the Commissioners to take their request to the County Council, which is why she is here.

She explained that they will have a luncheon and that they are featuring Rev. Martin Luther King Sr. and the luncheon is on July 10th and they are asking the County Commissioners to buy a block of tickets, that they are selling their tickets in blocks of 50, that are \$7.50 each, which amounts ot \$375.00 and they are asking that these tickets be distributed as the County Commissioners see fit, so there will be more participation at the luncheon.

She said they are also aiming to give a scholarship to a worthy black student and they are hoping this scholarship will be \$1,000 and that they are asking the Commissioner to give them \$300 of this \$1,000 and they are asking other agencies and corporations for the balance of the \$1,000, also they have an advertising booklet which is another way to offset the cost of the different activities they are going to have and that they would like for the County Commissioners or the County Council to take a \$100.00 ad in their booklet which, in essence, would put money into their treasury to be able to pay for the different activities they will have.

She said these are their requests and if the Commissioners have any questions, she will be glad to answer them.

Commissioner Schaad said that if he remembered correctly, when they requested help before, they requested the use of the Auditorium at no cost and since this must come from the County Commissioners because they can't enter into a contract with anyone and the Commissioners can, but the Commissioners have no money other than what is allowed in their budget, that they have no funds in their budget for this sort of thing now and by the appearance of the Black Expo before the Council, they were given the amount of money they needed to use the Auditorium for those nights and then they entered into a contract with the Black Expo and this is how the money could be transferred to them for their use.

He asked what the total amount of money was, that they were asking for.

Ms. Ogburn said that without knowing the full cost of the Auditorium, but with the cost being projected as \$500.00, she thought the total amount ran about \$1,400.00, overall.

Commissioner Schaad found that the amount given them last year was \$1,000.00 and that the Commissioners did enter into a contract so the money could be transferred to the Black Expo, so he suggested that Ms. Ogburn prepare this information in detail in her request and that she furnish each Council member with a copy, so they will be aware of it and be able to study it before they meet to act on it, also that it will be advertised and at the time of the Council's meeting, a representative should appear before them to make a presentation.

Mr. John said the next Council meeting will be advertised the first of July but that they won't meet until the third Tuesday in July, but that last year, he didn't think they got the money until August or September.

Commissioner Schaad said the point is, that they won't know, at the time they need the money, whether they are going to get it or not.

Ms. Ogburn said that if they could possibly get a commitment or a tentative approval of the proposal they are submitting, it would be okay.

Mr. Kollker, the President of the County Council, said they couldn't do this but that Ms. Ogburn could get the feelings of the County Council members and she could bank on their feelings, which would be okay, but as far as the Council giving a commitment before the time it is brought before them, wouldn't be very solid.

Ms. Ogburn said they will just have to rely on the hope that Council will help them out and they will submit their proposal to the Council members.

RE: PETITION TO VACATE PART OF WARD ROAD

There had previously been a request for the vacation of part of Ward Road and the Commissioners had appointed Mr. Wilson, Mr. Judd and Mr. Crooks as viewers, to view the area and to report back to them when this had been done. The following is the report that was submitted by the viewers:

Petition is to vacate 15 ft. of the east side of Ward Road beginning at Knob Hill Drive and extending north approximately 594 ft. being a part of Out Lot #1 Knob Hill Subdivision. The purpose of the petition is to obtain proper side yard in order to build a house. The terrain has a high degree of slope.

Ward Road right-of-way in this area is 70 ft. wide with 30 ft on the west and 40 ft on the east of the section line. There are utility service lines along the east side of the road. The surface is black top and approximate 20 ft. wide in fair condition.

The surrounding area is residential except for a water tower at the end of Ward Road. There will be periodic service traffic to the tower.

Recommended secondary county road right-of-way is 60 ft.

It is suggested that the vacation as requested be modified to allow for a 60 ft. right-of-way with the vacated space being dedicated as a public utility easement. In other words, vacate 10 ft. instead of 15 ft. with the 10 ft. being a utility easement to accommodate the utilities in the space.

It is further suggested that the vacation be extended to the end of Ward Road if the property owner (s) would be acceptable. This would make the road right-of-way the same on to the end.

Signed by.... Jeffrey Wilson, Zoning Administrator
William Judd, Traffic Director
Jesse C. Crooks, Building Commissioner

Commissioner Schaad said they had a telephone call this morning to disregard the request for the vacation of a portion of Ward Road, that they should just forget it. No further action needed.

RE: OHIO RIVER DREDGING...PUBLIC NOTICE FROM CORP OF ENGINEER'S

A letter of Public Notice was received from the Department of the Army, Corp of Engineer's of Louisville, Ky., which reads as follows:

TO WHOM IT MAY CONCERN:

1. Reference is made to Public Notice ORLOP-AN No. 74-28, dated 15 May 1974, SUBJECT: CHANNEL MAINTENANCE DREDGING, OHIO RIVER AND TRIBUTARIES.
2. Notice is given that the evaluation procedures specified in Title 33, Code of Federal Regulations, Section 209.145, have been completed and it was found that the proposed action of continuing to dispose of dredged material in the rivers is in the overall public interest.

3. Accordingly, I have decided that the open water disposal of dredged material consequent to annual channel maintenance dredging in the Green, Kentucky, Licking, and Ohio Rivers, as described herein, shall be continued as necessary at the disposal areas listed in Inclosure 1. Furthermore, I have directed that the conditions stated in Inclosure 2 be observed in the use of these disposal areas.

4. Maintenance dredging of the 9-foot project depth navigation channel in the Ohio River is performed by cutterhead suction dredge(s). Dredged material is discharged through a floating pipeline up to 3000 feet long, to disposal areas at or near the water's edge or in deep water out of the channel.

5. The maintenance of 5-foot depth approach channels to boat launching ramps on or near the Ohio River and the 9-foot depth navigation channel in the Licking River is performed by cutterhead dredge and/or derrick barge. Where dredging is performed by derrick and clamshell, dredged material is disposed by casting or by scow haul and dumping.

6. Maintenance of the 6-foot project depth navigation channel on the Kentucky River and the 9-foot and 5.5 foot project depth channels on the Green River is performed by derrick barge. Dredged material is disposed by casting or by scow haul and dumping.

7. The listing of disposal areas in Inclosure 1 is as published in Public Notice 74-28, but reduced by the elimination of some areas in the new pools of Newburgh and Uniontown Dams, and modified by the addition of specific locations on the Green and Kentucky Rivers.

Signed, James N. Ellis
Colonel, Corps of Engineers
District Engineer

Commissioner Schaad said, if anyone has any further interest in this matter, that it will be posted on the bulletin board.

RE: CLAIM

A claim was submitted by the Evansville-Vanderburgh County Building Authority, for the labor and material to install a phone outlet in Room 231, the office of the County Recorder, in the amount of \$40.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM THE SHERIFF....AUTHORIZED TO ADVERTISE

The following letter was received by the Commissioners, from Sheriff DeGroot:

Gentlemen:

I have applied for, and been granted a Federal Grant to cover the \$15,000 expense of installing closed circuit Television system in our jail facility. A TV monitoring system expert (for jails) from the Indiana Criminal Justice Planning Agency has been here and officially approved the specifications submitted to Mr. Al Huffman, Purchasing Agent.

I do hereby request your commission take the necessary steps to advertise for bids as per the specifications in order that the installation can be completed at the earliest possible time.

Respectfully submitted,

James A. DeGroot, Sheriff
Vanderburgh County Police

Commissioner Schaad said he has talked to Mr. Huffman about this matter and that Mr. Huffman has been working with the Sheriff on the specifications.

Commissioner Ossenberg moved that the specifications be drawn up for this and that the Purchasing Department be authorized to advertise for bids after the specifications have been approved. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....VC-37-76

Petitioner and Owner of Record.....Carolyn S. Osborne of 2319 Allens Lane

Premises affected are situated on the North side of Allens Lane, a distance of 250 feet East of the intersection formed by St. Joe Ave. and Allens Lane.

The requested change is from R-1 to C-1B.

The present land use is residential and the proposed land use is for a Used car sales and residence. This is located at an alley between St. Joe and 12th. Avenue.

Commissioner Ossenbergh moved that this petition, VC-37-76, be received and filed and be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....76-16-PC...VC-27-76

Petitioner.....Barnes Lumber Company.

The premises affected is more commonly known as 1900 Fuquay Road.

Nature of Case: Petitioner requests a change from a R-1 zone to a R-3 zone for multiple family dwellings.

The report of Area Plan states that this petition has been withdrawn..

No further action needs to be taken.

RE: REZONING PETITION.....76-17-PC...VC-28-76

Petitioner and Owner of Record.....Frederick J. Spencer of R.R. #3, Heckle Road.

Premises affected are situated on the West side of County Line Road, a distance of 2400 feet South-West of the corner, formed by the intersection of Millersburg Road and County Line Road.

The requested change is from an A zone to an M-2 zone for a salvage yard.

This petition has been postponed until the August 4 meeting of the Area Plan Commission.

This petition will be heard by the Commissioners after Area Plan acts on it.

RE: MR. CROOKS

Mr. Crooks had previously written a letter to a Mr. Gregory Barrett concerning his property on U.S. 41, South of Stacer Road in Vanderburgh County, stating that since he has done nothing to his property that was hit by a car and partially burned, that he planned on taking the matter before the Commissioners.

Pertaining to this matter, Mr. Crooks said that Mr. Barrett did call him and asked what he needed to do or could do and wondered if he could remove the burned-out portion of the building and dress up the rest of the house, if it would be acceptable and he told Mr. Barrett that it would be okay, also that Mr. Barrett asked him what the time element would be and he told Mr. Barrett that it has been three years now and he asked him when he could do the work and Mr. Barrett told him that he would try to do it this summer, so Mr. Crooks said that he told Mr. Barrett that they would go along with him for a while longer.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report of the employees at the County Highway Garage for the past week.

Report received and filed.

RE: ROAD ACCEPTED FOR MAINTENANCE ONLY

Mr. Ludwick said that last week, Mrs. Lannert appeared before the Commissioners, with a petition, requesting that the County maintain their access road near their property on Old Boonville Highway.

He said it was checked out by the Surveyors' office and the road itself does not meet any standards what-so-ever, as far as drainage is concerned, so he did contact her and asked if the County were to assume maintenance on the road as it is, if the petitioners would be satisfied, and a day or two later, she called him back and said that she had talked to the other residents who signed the petition and that they would accept the county's acceptance of the road as it exists, with nothing other than the County grading it now and then and putting some rock on it.

He said this is a rock road and that it is 16 feet wide, also that the County has accepted roads for other petitioners in the past, so his recommendation would be, that if the Commissioners wanted to, they could accept this road as it exists only, for maintenance.

He said they also want to name the road Mimosa Lane.

Commissioner Schaad said the matter will have to go before the Area Plan Commission for the road to be named, but the Commissioners will first have to decide if they want to accept this road for maintenance.

Commissioner Willner said he thought they were bound to treat them all alike and they have been turning them down.

Mr. Ludwick said that it hasn't been too long ago, that they accepted a road that was only 12 feet in width, off Bergdolt Road, under the same circumstances, where the people were satisfied if the County might, ever so often, grade the road down and only put rock on it.

Commissioner Willner said they turned down Hillview and several others.

Commissioner Schaad said they wanted reconstruction of the road on Hillcrest though, but that he doesn't feel too much one way or the other about it, but if they do accept it, he knows of some more they are going to get.

Commissioner Willner said that it is also immaterial to him, as to whether they accept it or not, that they will probably get more gas money but he feels that if they take one, they should take them all.

Commissioner Ossenbergh said that maybe they should take it if they get gas money on it, and they only grade it periodically but he don't believe in reconstructing it.

Commissioner Schaad said as long as they understand that the County will maintain it as it is and that Mr. Ludwick said they did indicate they would be willing for the County to just maintain it as it now exists.

Commissioner Ossenbergh moved that this road be accepted, subject to the recommendation of the County Surveyor, that the road be maintained as it now stands. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner then moved that the request for naming this road, Mimosa Lane, be referred to the Area Plan Commission. Commissioner Ossenbergh seconded the motion. So ordered.

RE: RECONSTRUCTION OF ROADS REQUEST REFERRED TO THE CITY

Mr. Ludwick said that two weeks ago the Commissioners referred a petition to the Surveyors office, that this petition was from Mr. Robert Meyers of 219 S. Elm Street, concerning S. Elm, Woods Avenue and Vuletide, located off Tekoppel Avenue, to reconstruct these roads.

He said his office went out and checked them and found that the streets listed in this petition are inside the City limits so this request should be referred back to the petitioner to see that it gets to the City Engineer's office.

He said that he talked with Mr. Eifler who said he informed these people to write the letter to the County and he didn't check the map but that they are located in the City.

Commissioner Schaad said that Mr. Meyers was in the office and he understands that these streets are in the City and not in the County, so it will be turned over to the City Engineer's office to be processed, so no letter will be necessary, since Mr. Meyers knows what has happened on it.

RE: OPENING OF BIDS ON INSURANCE FOR THE COUNTY

County Attorney Smith said the coverages aren't all the same and there is no way for them to make a comparison and that there is also a question of some potential agreements which would possibly lower the cost, so it would be best for the agents to appear before the Committee, that was appointed by the Commissioners, namely; Mr. Lukens, Mr. Finney and Mr. Miller, to explain the various bids.

Commissioner Ossenbergh moved that copies of all bids be given to all bidders and that the recommendation of the Committee be put in writing as to their reasoning for acceptance and submitted to all the bidders. Commissioner Willner seconded the motion. So ordered.

Mr. Ron Hunter of the Washington National Insurance Company submitted the following letter to the Commissioners:

Washington National Insurance Company benefits are equal to your present program with the exception of the Major Medical which has been increased from \$25,000 to \$100,000.

Also the life insurance benefit for employees 65 and over has been increased from \$1,500 to \$2,500. All retired employees will have \$1,000 death benefit.

EXAMPLE OF SAVINGS:

(Rates)

	Golden Rule	Washington National
Employee Only	\$23.34	\$20.67
Employ with Dependents	\$70.51	\$67.02

There are 235 employees with single coverage and 376 with dependant coverage.

This savings reflects an annual amount of \$23,276.28.

In addition to this annual saving there is also a retention benefit which allows Vanderburgh County a return premium of \$46,597.73. This is in the event your claims do not exceed 88.1%. Last year the County's true claim rate was 76%. Assuming the claim rate remains below 88.2% for 1976-77 your total annual savings will be \$69,874.01.

There will be an additional savings in the administration of a combined program.

Sincerely Yours, Ronald D. Hunter

A copy of this letter will be given to the Committee, along with all bids.

RE: FRANKLIN STREET TO BE CLOSED

Mr. Ludwick said that G. H. Allen Inc. would like to close Franklin Street on July 28th to repair the Franklin Street Bridge over Pigeon Creek, for approximately sixty days.

Commissioner Schaad said this matter has been discussed before and the Commissioners thought it would be well to close it since they thought the job would be done more quickly, since the people do have the Columbia-Delaware Street overpass or the Pennsylvania Street overpass, so it shouldn't be a handicap to anyone and they did agree to close it.

Commissioner Ossenberg moved that Franklin Street be closed on July 28th for approximately sixty days until the job is completed. Commissioner Willner seconded the motion. So ordered.

RE: DEEDS SIGNED

County Attorney Wendel submitted deeds for the Commissioners signatures, on the County owned Surplus Property that has been sold.

They are as follows:

Mr. Jack Elliott.....Next to 363 Craig...Evansville Industrial Add. L. 33 Blk 71,
788 Line Street, 715 Line Street, 713 Line St. 901 Line St.

Roy & Lucille Wills.....1800 South Elliott Street

Doris Dever.....1911 West Illinois Street

Walter & Lue Kimbrew.....785 South Elliott Street.

The Commissioners signed these deeds at this time.

The meeting recessed at 10:25 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert L. Willner

Secretary: Margie Meeks

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed. Smith Jr.
Paul Wendel

Bob Schaad
Thomas L. Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

PUBLIC HEARING

ON

ORDINANCE TO BAN STRIP MINING

IN VANDERBURGH COUNTY

JUNE 22, 1976

A Public Hearing was held in the Council Chambers on Tuesday, June 22, 1976, at 7:10 p.m. with President Bob Schaad presiding.

Commissioner Schaad apologized for the meeting being a little late in getting started.

He explained that the purpose of this Public Hearing this evening is to hear any comment about the proposed Ordinance that the Vanderburgh County Commissioners are going to consider and take action on at their next regular meeting, which will be held next Monday, at 9:30 a.m. in the Commissioners Hearing Room. He said this meeting was advertised, which is necessary by law, so anyone can come to be heard, whether they are in favor of the Ordinance or opposed to it. He said that the ads ran in both Evansville newspapers, announcing the Public Hearings, one of which was held last Tuesday, on June 15th. and again tonight, on June 22nd.

Commissioner Schaad then introduced Commissioner Ossenberg, Commissioner Willner, County Attorney Smith, the County Auditor, Curt John, his Secretary to the Commissioners, Margie Meeks and the Commissioners Executive Secretary, Marsha Smith.

He then read the Proposed Ordinance on the banning of Strip Mining, as follows:

WHEREAS, the Indiana General Assembly enacted House Enrolled Act No. 1343, Acts 1975 P.L. 158 (IC 17-2-2.5-1 to IC 17-2-2.5-8 inclusive) which delegates power to the Board of Commissioners of Vanderburgh County, Indiana, to exercise all governmental authority necessary for the effective operation and conduct of government with respect to their county and internal affairs; and

WHEREAS, said Board of Commissioners have been made aware of the possibility of strip mining occurring in Vanderburgh County, Indiana; and

WHEREAS, said Board of Commissioners, in order to protect the health, safety and welfare of the citizens of Vanderburgh County, Indiana, and their property, deems it to be in the public interest to enact this ordinance prohibiting strip mining within Vanderburgh County, Indiana;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Vanderburgh County, State of Indiana, as follows: to-wit:

Section 1. DEFINITIONS.

(a) "Surface mining" shall mean all or any part of the process followed in the production of minerals by uncovering therefrom the overburden above the mineral deposits, or the removing of overburden for the purpose of determining the location, quality, or quantity of a mineral deposit.

(b) "Strip mining: shall mean surface mining, as defined herein.

(c) "Operation" shall mean all of the premises, facilities, roads and equipment used on the affected area in the process of producing minerals from a surface mine or removing overburden for the purpose of determining the location, quality, or quantity of a mineral deposit.

(d) "Operator" shall mean a person engaged in carrying on surface mining operations.

(e) "Person" shall include any individual, partnership, corporation, firm or association.

(f) "Mineral" shall mean for the purposes of this Ordinance, coal, clay or shale.

Section 2. STRIP MINING PROHIBITED.

It shall be unlawful for any person or operator to engage in the business of strip mining, and any such operation is hereby prohibited.

Section 3. PENALTY.

Any person violating the provisions of this Ordinance shall be fined not more than One Thousand Dollars (\$1,000.00) and/or imprisoned not more than six (6) months. Each day such violation shall occur shall constitute a separate offense. The County Attorney shall, immediately upon any such violation having been called to his attention, institute injunction, abatement, or any other appropriate action to prevent, enjoin, abate, restrain or remove such violation. Such action may also be instituted by any property owner who may also be especially damaged by any violation of this Ordinance. The remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

Section 4. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Vanderburgh, State of Indiana, together with the signature of the presiding officer thereof, and, its publication in the manner provided by law.

PASSED by the Board of Commissioners of the County of Vanderburgh, State of Indiana, on the _____ day of _____, 1976, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

Commissioner Schaad then stated, that at last week's meeting, Mr. Stahl had said that he felt the penalty wasn't great enough, so County Attorney Smith has corrected that part of it to make each day another offense and that he also changed the paragraph on PENALTY under Section 3. He said the Commissioners would like to hear from everyone that wishes to speak for the Ordinance as it is now written, first, and then, from anyone who wishes to speak against the Ordinance.

Mr. William Baumholser of 5725 Lost Bend Lane said he was representing some of the people in his neighborhood who couldn't make it to the meeting tonight, in that, he thought this was one of the best things that could happen to Vanderburgh County, since he lives in Vanderburgh County but that he is getting damage from the mines in Warrick County. He said that with the population and the prices of houses in Vanderburgh County, there shouldn't be strip mining to tear them up, also that with the good farm land that we have, he didn't think the ground should be torn up and ruined. He said that he has been over a lot of country and he has never seen where they have reclaimed land after strip mining, that it would take years after we are gone to be able to get it back to its original use. He said he is disappointed by the attendance tonight because this room should be filled with people from Vanderburgh County and that it seems to him that most people just don't care.

Commissioner Schaad said the minutes of the first Public Hearing on stripmining have been prepared and they have been approved by the County Commissioners, so if anyone is interested in what went on at the meeting, they may pick up a copy at the Commissioners meeting on Monday, as well as a copy of the minutes of tonight's meeting.

Mr. Charles W. Powelson of R. 4, Evansville, in German Township, said that he was here last week, speaking against strip mining and after reading the changes that were made in the proposal, he felt that they made a real good change in the penalty they would be levying against this and the action they would take and he thought it showed that the Commissioners and the other people involved, are interested in protecting the area as far as the homes and farms are concerned and he feels that they are on the right track and said that the people are behind them.

Mr. Crosby Thompkins of 4,000 Kings Hill Drive, who is President of the Audubon Society, appeared and said that both he and the Audubon Society would like to thank the Commissioners for attempting to enact this legislation and that he thought it to be obvious now that the State laws do not protect the citizens, especially in a populated area, from strip mining, the bad effects, such as blasting and acid drainage and there is no way right now that our State laws can have this land reclaimed so it can be useful, so they support this Ordinance and they want to thank the Commissioners very much.

Mrs. Baumholser of 5725 Lost Bend Lane said she is definitely for the Ordinance on banning strip mining and she asked that God Bless all those that had anything to do with proposing this Ordinance.

Mrs. Paul Patry of Heim Road in Chandler Indiana, said that she wished they had the cooperation of the Warrick County Commissioners that the people in Vanderburgh County have, since they didn't get anywhere with them and she thinks that the Commissioners in Vanderburgh County are doing a great job.

Mr. Allen Saum of Tampa Florida said he would like to thank the Commissioners for what they are doing here, that he thinks the Ordinance is really a good one, especially on violations and penalties.

Mr. Wilson of the Area Plan Commission asked the Commissioners if someone would start strip mining, who would enforce the Ordinance, since most Ordinances lay out who is to enforce it, and he thought this should be in here.

County Attorney Smith said the Board of Commissioners is really the constituting body, existing under it by the virtue of the laws of the State of Indiana, the powers legislated to enact in certain areas and also with the powers to impose penalties, consequently, it would be the basic position here, without saying so, that the enforcement of it would be the Prosecuting Attorney, the same as in any other ordinance violation because the County Commissioners are a duly constituted part of the state government.

Mr. Wilson wondered who would do the investigative work since the County Attorney wouldn't always be able to.

Commissioner Schaad said a Commissioner can do it, an attorney can do it and an individual whose home is being damaged can do it, but the point is, what if you would have a complaint from some individual, you can't immediately run to the Prosecutor and say you want it stopped, that an investigation should be made first to see the seriousness of it or if it is a valid complaint, since the Prosecutor would have many many cases but in the case of law, it is either the police or the Sheriff's Department that makes an investigation.

County Attorney Smith said this is no different than any other state law that imposes a criminal penalty or sanction for certain conduct which, by law and in this particular instance, by Ordinance, is prohibited and when this violation is brought to the attention of the legal authorities which would be the Prosecuting Attorney, so the Prosecutors office would do it.

Mr. Wilson said he wondered if the Area Plan Commission would be involved.

County Attorney Smith said he don't contemplate that the Area Plan Commission would necessarily be involved, unless they would want to be or unless it would be advantageous.

Mr. Wilson said they would be involved though, since they have in the new Zoning Ordinance, the special use classification which allows mining, minerals, oil, etc. which, under the new Zoning Ordinance, they will have to be approved by the County Commissioners so they will be involved to some extent.

One gentleman said that by the time any strip mining can be investigated, the people are kicked out of their house or blown out and have to move and he wondered if all the complaints the people have wouldn't be enough.

commissioner Schaad said he didn't think it would get this far before someone stopped it since they would first have to move in all of their equipment.

The gentleman said the mines can work underground and they are under a house in Warrick County right now and he thought they could work underground from Warrick County to Vanderburgh County, that he has seen it done.

Commissioner Schaad said that this Ordinance has to do only with stripmining and then, just for Vanderburgh County.

Commissioner Willner said that even for deep shaft mining, they would have to first lease the property, that they can't dig under anyone's property without leasing the property first.

County Attorney Smith said that the gentleman's point is well taken and he doesn't dispute his work but he would like to draw attention to the question that is before this group and that is the question of strip mining, that the question of shaft mining

or deep mining isn't what they are involved in right now and he didn't know if they would have the authority to get into the area that the gentleman is complaining about, that we are only addressing ourselves to the problem of surface stripmining. He also said that if a person's home is damaged, they would have a remedy, that they would have recourse to recover for any damages.

Ms. Schonabaum of 5501 Lost Bend Lane said that the Ordinance looks very good and asked if the Ordinance is passed next Monday, if it would be like the law that was passed with the Bureau of Mines and not be enforced for a year or two, or will it be effective when it is passed.

Commissioner Schaad said that it will be just a matter of days, that if it is passed, it will become effective after it is signed and published.

Ms. Schonabaum said that she lives in Vanderburgh County but that they have been fighting Amax for the past year and a half, with the law that was passed a year ago but it doesn't mean anything just because the law is on the books, that it doesn't mean anything.

Ms. Schonabaum wondered what the chances were for the Ordinance to be passed and Commissioner Schaad said that it looks pretty good and asked her why she didn't come to the meeting Monday morning and find out.

Ms. Catherine Guthrie of 700 Drexel Drive wondered if the \$1,000 was a large enough amount for a penalty, that if a coal company does decide to surface mine, if this will be such an ineffective penalty, that they are willing to pay it.

County Attorney Smith said they made some slight modifications in the Ordinance, in the penalty section, since last week's meeting and that it now provides that each day will be a separate offense, also that an individual has the right to institute action for any damages, also that when a violation is called to the County Attorney's attention, they can go into court and seek an injunction for a restraining order without notice or they can move for a permanent injunction..

He also explained that by law, the maximum penalty the County Commissioners can impose is a fine up to \$1,000.

He also said that if anything else comes up, that the Ordinance can be amended.

Commissioner Willner said they can also get six months in jail.

Ms. Guthrie said that she understands there is box siding in this area too.

Commissioner Schaad said the Ordinance doesn't include box siding, that it includes coal, clay or shale.

Ms. Guthrie said the reason she mentioned it was because they were at a meeting and someone mentioned it.

Commissioner Schaad said if they could think of every possible thing to put in the Ordinance, it would have delayed it much more and the County Attorney had said that box siding could be added by amending the Ordinance if need be.

Someone asked if there was something they did overlook in the Ordinance and the Coal Company decided to fight it, could they come up with something that was left out.

County Attorney Smith said that anyone would have the right to go into court and question the constitutionality of the Ordinance, as to whether or not this was a proper Act and whether or not the County Commissioners had the constitutional authority to do this particular thing and as to how the courts would rule, he wouldn't, at this point, presume to anticipate such a decision.

The lady then asked if, in the event a Coal Company decided to do something like this, in the meantime, can they move into Vanderburgh County while they are fighting this in court.

County Attorney Smith said no, as long as this Ordinance is on the books and hasn't been declared unconstitutional or repealed by the Commissioners or by the courts, it would be an existing, valid, enforceable law.

Commissioner Schaad said this is the law until the courts say it isn't.

There was no one present that was opposed to the Proposed Strip Mining Ordinance.

Commissioner Willner said that he is sure this matter will come before the Commissioners Monday morning and if anyone would like to come down, the meeting will be in Room 307 and will start at 9:30 a.m. and the Commissioners will try to get it at the top of their agenda.

Commissioner Ossenberrg said he would like to think that the article in the newspaper, this evening, is a result of the initiation of the Vanderburgh County Commissioners, in that they ban strip mining in Vanderburgh County. He said the Indiana General Assembly is going to wake up and give these people some stricter laws throughout this state to control this strip mining.

Ms. Baumholser said that all the people present can believe that there is still a little truth and honesty in Government with officials like the Vanderburgh County Commissioners.

Ms. Nan Hardin of Newburgh Indiana, said that in regard to the third paragraph of the Ordinance, on Health and Welfare, she wondered if it was stated strong enough, since when they had a Meeting on blasting, there was a lady present who mentioned the Health in terms of the tension that people are under when they had these sudden unexpected noises, also the change in the blood pressure and the heart rate, etc. and in regard to Safety, as the state law now stands and if Vanderburgh County has strip mines, it does have stripper pits which are very hazardous and she wondered if there are any Ordinances or acts that could be stated here to strengthen the Ordinance.

Commissioner Schaad said he isn't an attorney but he would venture to say that if they tried to write an Ordinance that was conclusive and they thought of absolutely everything, there perhaps would be no need for courts and no one could contest it and there is always going to be a place of disagreement, regardless of how it is stated.

County Attorney Smith said that the basic responsibility that the Commissioners have as the legislative and sometimes judicial body of the Vanderburgh County and representing the County, their basic responsibility is to protect the safety, welfare and health of the inhabitants or citizens of the County and it is upon that basic ground that the authority rests for this body to enact Ordinances, pursuant to that responsibility to act for the best interest of the health and safety, that this is the foundation for the authority to enact such an Ordinance as this, in other words, an Ordinance or any act, has to be grounded upon some theory or some basis and the local units such as the County Commissioners of the County or the City Council within the City, their responsibilities act for the best interest of the citizens. He said that the question that Ms. Hardin is talking about would be matters of evidence, specifically, if it came down to it.

Commissioner Willner said that most everything comes under Health, Welfare & Safety that they just about cover the field.

County Attorney Smith said this is true and that they are always the basis on which such legislation or ordinances are enacted.

Ms. Schonabaum said, in regard to the same paragraph of Health, Welfare & Safety, she asked what about the poor souls that live in Vanderburgh County that are going absolutely bananas because of the strip mining in Warrick County.

County Attorney Smith said that by law, the Commissioners of Vanderburgh County have only authority in Vanderburgh County.

Commissioner Schaad said the people still have the courts and that they can ban together and get a good lawyer and sue the Coal Company.

County Attorney Smith said they would either have to look to the laws of Warrick County, something comparable to what is being done here and in the absence of such a finding, they would have to look to the state law.

Ms. Baumholser said that last week, they were advised to contact the Warrick County Commissioners and she called them Monday morning and was told that there was nothing they could do about it so her husband called Mr. Gerhardt, the President of the County Commissioners there, who told him that they couldn't do anything about it, that they rent land from the Amax Coal Company so if he rents land from them, he isn't going to do anything to go against them and they won't help the people in any way.

Commissioner Schaad said he thinks what Ms. Baumholser is doing, is expecting someone to fight their battle for them and he doesn't have the authority to do it and since there are no such laws in Warrick County, but she has the right to hire an attorney and sue them and the civil courts will decide whether she is right or not and will award her whatever judgment she thinks she has been damaged, that this is why they have courts and he suggested that if she feels so strongly about it, he would certainly take action in the morning.

He asked the people to please not to misunderstand, since he knows that they are all upset because of what has happened to them but to please remember the purpose of this meeting is to hear the Ordinance and arguments for and against it.

He said they could air their feelings but it wouldn't do them any good because the Vanderburgh County Commissioners couldn't do anything about it anyway.

Someone asked if the Commissioners thought the Coal Companies would show up Monday morning and tell their side and that maybe the Commissioners would go with them or did the Commissioners think the people should all go to the meeting Monday.

Commissioner Schaad said the Commissioners didn't know what will happen any more than the people do, but if they stay home, they can't tell what will happen.

Commissioner Willner said that it is his intention to vote for this Ordinance Monday morning, the reason being, that he thinks with some state laws, it is possible in some parts of the country but certainly not in Vanderburgh County and he intends to vote this way regardless of who is there, that this is his feeling.

Commissioner Schaad said that the Coal Companies have had their opportunity to be heard at both meetings, the same as all the people have and no one even favoring doing away with the Ordinance showed up.

Ms. Baumholser said they have two votes from the Commissioners and she asked Commissioner Schaad if he could give them a hint as to how he would vote.

Commissioner Schaad said he, very frankly, don't like to be done that way, that he feels he is in the position that he likes to hear all sides of anything before he makes a decision and he has done this in many instances before.

County Attorney Smith said, in answer to the question of whether or not the people should be at the meeting Monday morning, if they remember what Commissioner Ossenberg said about the impact that maybe the Commissioners action is having on the state, then perhaps a good strong turn out at the meeting might have some influence and might help some of the people in other counties, of which this Board has no authority to act on, but that it might have that effect on the state level, so a good turn out might do that.

Ms. Hardin said she has been to four public hearings which gave Amax Coal Company the opportunity to appear and none has appeared and she thought they should have appeared before the people at these meetings instead of having their private meetings, that she thought this to be a good example of what is wrong with government in the country and government in the state right now.

She asked if the Coal Company appears Monday, if they will have a chance to talk about the Ordinance.

Commissioner Schaad said they would then be heard, that it is a public meeting and anyone can be heard since they have an agenda and the matter of the Strip Mining Ordinance will be on it, so they will hear any final comments on it as well as on anything else. He said this matter will be placed on the Agenda so it will be the first item of business the Commissioners take up Monday morning.

The meeting adjourned at 8:00 p.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR
Curt John

COUNTY ATTORNEY
Ed Smith Jr.

Secretary: Margie Meeks

Bob Schaad
Tom Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING JUNE 28, 1976

The meeting of the County Commissioners was held on Monday, June 28, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor, as well as the minutes of the Public Hearing that was held on Tuesday, June 22, on the Strip Mining Ordinance, at 7:00 p.m. The reading of both meetings was dispensed with.

RE: MEETING DATE SET

Commissioner Schaad announced, that since the 4th. of July will be celebrated next Monday, the next meeting of the County Commissioners will be held on Tuesday, July 6th. 1976, at 9:30 a.m.

RE: INTRODUCTION

Commissioner Schaad introduced Diana Boyles who is the Auditor of Posey County, and is a guest at today's meeting.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the County Owned Surplus Property. The bidding will remain open and the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

ARMSTRONG TOWNSHIP ASSESSOR

Francis Martin	R.R.1, Poseyville	Extra Help	\$16.10 Day	Eff: 3/1/76
Louise Luigs	R.R.1, Haubstadt	Extra Help	\$16.10 Day	Eff: 4/1/76
Marian Hepler	R.R.7, Box 313	Chief Deputy	\$1,618.00 Yr.	Eff: 6/1/76

CENTER TOWNSHIP ASSESSOR RE-ASSESSMENT 249

249-113	Susan K. Kloke	1344 Laubscher Rd.	Field Deputy	\$20.00 Day	Eff: 6/11/76
" "	Jock A. Stucki	1345 Laubscher	Field Deputy	\$20.00 Day	Eff: 6/11/76
" "	Richard Cardwell	6006 Locust Dr.	Field Deputy	\$20.00 Day	Eff: 6/11/76
" "	Virginia Parrish	3313 N. 12th Ave.	Comm. & Ind. Super	\$35.00 Day	Eff: 6/15/76
" "	George D. Manley	3101 Kratzville	Res. Rate Dep.	\$25.00 Day	Eff: 6/17/76
" "	Deborah I. Acton	6939 Arla Jane Dr.	Field Deputy	\$20.00 Day	Eff: 6/18/76

CENTER TOWNSHIP ASSESSOR - 111

111-121	Elaine A. Croft	5204 Elmhurst	Office Deputy	\$16.10 Day	Eff: 6/11/76
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BURDETTE PARK

Tom Wallis	2201 E. Iowa St.	Security	\$2.30 Hr.	Eff: 6/15/76
Mike Higdon	2727 Mt. Vernon	Security	\$2.30 Hr.	Eff: 6/15/76
Kenneth Mitz	1204 S. Parker	Rink Guard	\$2.30 Hr.	Eff: 6/15/76
John Gildersleeve	1010 E. Chandler	Pool Guard	\$2.30 Jr.	Eff: 6/19/76
Anne L. Myers	1128 Wimbledon Ct.	Extra Grounds	\$2.30 Hr.	Eff: 6/19/76

CIRCUIT COURT

Michael Campese	801 S. Meadow Rd.	Probation Intern	\$117.21 Wk.	Eff: 6/19/76
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PROSECUTORS OFFICE

J. Robert Kinkle	Perm. Savings Bldg.	Dep. Prosecutor	\$10,000 Yr.	Eff: 7/1/76
Sue G. Vance	1307 Savannah Dr.	Secretary	\$6,800 Yr.	Eff: 7/1/76

SHERIFF'S DEPARTMENT

Eric M. Herrman	218 S. Spring St.	Intern	\$75.00 Week	Eff: 5/31/76
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PIGEON TOWNSHIP ASSESSOR

Susan A. Hirsch	220 N. Burkhardt	Re-assess. Clk.	\$20.00 Day	Eff: 6/23/76
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VANDEBURGH COUNTY HIGHWAY DEPT.

Arthur L. Kibby	219 Waggoner Ave.	Pt. Time Watchman	\$3.974 Hr.	E66: 6/22/76
William H. Martin	2220 W. Illinois	Head Mechanic	\$4.917 Hr.	E66: 6/23/76
Orbie R. Davis	309 E. Florida	Mechanic Assist.	\$4.263 Hr.	E66: 6/23/76
William Bayne	506 Jackson	Dog Catcher	\$3.947 Hr.	E66: 6/28/76

RE: EMPLOYMENT CHANGES.....RELEASES

111-121 Jock A. Stucki 1345 Laubscher Rd. Field Deputy \$16.10 Day E66: 6/10/76

BURDETTE PARK

Martha Franks	3105 W. Indiana	Extra Grounds	\$2.30 Hr.	E66: 6/19/76
Mark Angermeier	3007 Muensterman	Extra Grounds	\$2.30 Hr.	E66: 6/19/76
Julie Horner	6408 Lincoln Ave.	Extra Grounds	\$2.30 Hr.	E66: 6/19/76

PROSECUTORS OFFICE

J. Robert Kinkle	Perm. Sav. Bldg.	Dep. Prosecutor	\$15,000 Yr.	E66: 7/1/76
Sue G. Vance	1307 Savannah	Secretary	\$7,000 Yr.	E66: 7/1/76
Kenneth W. Macke	Old River Town	Dep. Prosecutor	\$10,000 Yr.	E66: 6/18/76

COUNTY HIGHWAY DEPARTMENT

Marc D. Rueger	6030 First Ave.	Summer Help	\$2.30 Hr.	E66: 6/21/76
Monroe Mullen	808 Covert Ave.	Night Watchman	\$ 3.947 Hr.	E66: 6/22/76
William H. Martin	2220 W. Illinois	Mechanics assist.	\$4.263 Hr.	E66: 6/22/76
Orbie R. Davis	309 E. Florida	Head Mechanic		E66: 6/22/76
Arthur L. Berry	828 Bellemeade	Dog Catcher	\$3.947 Hr.	E66: 6/23/76

RE: ORDINANCE ON THE BAN OF STRIP MINING APPROVED

Commissioner Schaad explained that advertising, as required, has been done, and there has been two public hearings on the Proposed Strip Mining Ban Ordinance, to hear all the comments from anyone that was in favor of the Ordinance or against it.

He then read the Ordinance that was proposed on the ban of Strip Mining, as amended, which is as follows:

Whereas, the Indiana General Assembly enacted House Enrolled Act No. 1343, Acts 1975 P.L. 158 (IC 17-2-2.5-1 to IC 17-2-2.5-8 inclusive) which delegates power to the Board of Commissioners of Vanderburgh County, Indiana, to exercise all governmental authority necessary for the effective operation and conduct of government with respect to their county and internal affairs; and

WHEREAS, said Board of Commissioners have been made aware of the possibility of strip mining occurring in Vanderburgh County, Indiana; and

WHEREAS, said Board of Commissioners, in order to protect the health, safety and welfare of the citizens of Vanderburgh County, Indiana, and their property, deems it to be in the public interest to enact this ordinance prohibiting strip mining within Vanderburgh County, Indiana;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Vanderburgh County, State of Indiana, as follows, to-wit:

Section 1. DEFINITIONS.

(a) "Surface mining" shall mean all or any part of the process followed in the production of minerals by uncovering therefrom the overburden above the mineral deposits, or the removing of overburden for the purpose of determining the location, quality, or quantity of a mineral deposit.

(b) "Strip mining" shall mean surface mining, as defined herein.

(c) "Operation" shall mean all of the premises, facilities, roads and equipment used on the affected area in the process of producing minerals from a surface mine or removing overburden for the purpose of determining the location, quality, or quantity of a mineral deposit.

(d) "Operator" shall mean a person engaged in carrying on surface mining operations.

(e) "Person" shall include any individual, partnership, corporation, firm or association.

(f) "Mineral" shall mean for the purposes of this Ordinance, coal, clay, shale or bauxite.

Section 2. STRIP MINING PROHIBITED.

It shall be unlawful for any person or operator to engage in the business of strip mining, and any such operation is hereby prohibited.

Section 3. PENALTY.

Any person violating the provisions of this Ordinance shall be fined not more than One Thousand Dollars (\$1,000.00) and/or imprisoned not more than six (6) months. Each day such violation shall occur shall constitute a separate offense. The County Attorney Shall, immediately upon any such violation having been called to his attention, institute injunction, abatement, or any other appropriate action to prevent, enjoin, abate, restrain or remove such violation. Such action may also be instituted by any property owner who may also be especially damaged by any violation of this Ordinance. The remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

Section 4. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Vanderburgh, State of Indiana, together with the signature of the presiding officer thereof, and, its publication in the manner provided by law.

PASSED by the Board of Commissioners of the County of Vanderburgh, State of Indiana, on the _____ day of _____, 1976, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

Commissioner Schaad said in order to expedite the Ordinance, that in the past, they have heard from those that were in favor of the Ordinance, at the Public Hearings, but there were no remonstrators. He asked if there was anyone present today that is against the Ordinance and thinks we should be permitted to strip mine in Vanderburgh County.

There was no one present that was opposed to the Ordinance.

Mr. Elmer Bruck appeared and asked the Commissioners if there were any state laws that would supercede the laws of Vanderburgh County.

County Attorney Smith said that there is a state statute that controls the regulations of strip mining and there is also a state law that is termed "Home Rule Act" or "Law", which, in effect, delegates a great amount of authority to local units of government, to legislate and enact in those areas that particularly affect or pertain to the local unit, which in this instance, would be the Board of Commissioners of Vanderburgh County.

He said, in getting to the more legal end of it, originally there was a presumption that where the state had enacted legislation in a particular field or in a particular area, such as a traffic speed limit, etc., was the presumption that the state had pre-empted that field, thus to prohibit local units from doing anything within that area, contrary to the state law.

He said that he and County Attorney Wendel have researched and studied this Home Rule Act and that it, in effect, pretty much reverses that presumption and states, in effect, that unless the state specifically pre-empts the field and says, as such, that there is also a presumption that a local unit of government, such as a municipality or a Board of Commissioners, can legislate within a field or an area, even though the state has also acted in that area.

Commissioner Ossenbarg moved that the Strip Mining Ordinance, as proposed and amended, be approved. Commissioner Willner seconded the motion. The vote was unanimous in the affirmative. The motion carried.

County Attorney Smith said that Ordinance must be published twice in both newspapers, once each week, before the Ordinance becomes effective.

The Ordinance will therefore be published in both newspapers on July 1, and again on July 8th. 1976.

RE: MONTHLY REPORT

The Monthly Report of the Legal Aid Society of Evansville, Inc. Joint Department of Legal Services was submitted for the month of May, 1976. Report received and filed.

RE: CHECK RECEIVED

A check was received from the Federal Topics Program, for reimbursement in the amount of \$2,430.54.

This check covers the Environmental Impact Statement - 495, on Outer St. Joe Avenue. The consultant was D. E. McGillem & Associates, Indianapolis, Indiana.

This check will be entered into the R & S Account 216-3775.

Commissioner Bob Schaad endorsed the check at this time.

RE: LETTER FROM BLUE CROSS-BLUE SHIELD

Commissioner Schaad said that a letter was received from Blue Cross-Blue Shield and they extended the bids that the various companies had submitted on the County Insurance. This letter is noted as being received and referred to the Insurance Study Committee.

RE: CLAIMS

A claim was received from Torian Insurance Agency, Inc. on a Continental Bond #BND 2 05 81 18 for \$5,000 for Fred G. Dewes as Manager of the Vanderburgh County Auditorium in the amount of \$20.00.

Commissioner Ossenberrg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Sheriff James DeGroote in the amount of \$344.22 which covers the following expenses, as explained in the the letter that was attached to the claim:

Dear Sir:

I would appreciate your assistance in preparing a claim to reimburse for the following expenses incurred while attending the annual National Sheriff's Association Informative Conference, held in Chicago, June 20 thru 24, 1976:

Travel (RT Air, via Delta Airlines).....	\$82.00
Hotel	\$154.22
Conference Registration.....	\$50.00
Meals, 4 days @ 12.00 per day.....	\$48.00
Limo service to & from airport.....	\$10.00
	<u>\$344.22</u>

Reimbursement is to be taken from Travel and/or Training & Exams account.

Respectfully submitted

Jim DeGroote, Sheriff of Vanderburgh County

Commissioner Ossenberrg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Sheriff DeGroote for meals served the prisoners from May 15, 1976, to June 14, 1976, in the amount of \$6,290.70.

Commissioner Ossenberrg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: PRESS RELEASE RECEIVED

The following Press Release was received from Shirl K. Evans Jr., the Executive Director of the Association of Indiana Counties, Inc. for release on Sunday, June 20, 1976:

June 18, 1976

INDIANAPOLIS -- In Superior Court 3 of Marion County today, Judge Betty Barteau ruled that interest was due on a judgement entered in Shelby County, Indiana, October 26, 1970, for 91 Indiana Counties share of inheritance taxes withheld by the state of Indiana. The suit, which was filed by the Hendricks County Board of Commissioners, was joined by the other Indiana Boards of County Commissioners. The judgement, in the amount of \$16,555,787.95 made on October 26, 1970, was not paid until June 7, 1971. Interest which had accrued on the judgement during that time at 6% per annum was \$609,521.65 and was never paid.

Judge Barteau ruled that this was an unsatisfied portion of the judgement and today ordered it paid with interest.

Appearing today for Indiana County governments were Dwain Laird, President of the Association of Indiana Counties and Shelby County Auditor, and Shirl K. Evans, Jr., Executive Director of the Association.

Plaintiffs' attorneys in the case were General Counsel of the Association of Indiana Counties and Hendricks County Attorney, E. Alonzo Deckard of the Hendricks County firm of Lind, Deckard & O'Brien; and Ronald S. Lieber of the Indianapolis law firm of Lieber & Neff.

Mr. John said that he has talked to the Inheritance Tax Division of the Department of Revenue of Indiana, the State Board of Accounts, the State Board of Tax Commissioners, all of which didn't know much about it and he talked with the State Auditor and she said that she would try to find out how much our share is, and that she imagined that Marion County was one County that was left out since they were probably reimbursed automatically.

Commissioner Schaad said that one other thing they have never found out about is that they did take some of the highway fund and it was going to be put into County Highway, but the Commissioners haven't heard anything about that either, and he supposed it would be forthcoming. He said he tried to find out what that percentage would be but he couldn't get any figures on it and it will go into the County Highway Department if and when it is decided.

RE: PARKING LOT POSTS DOWN

Commissioner Schaad said that he wondered what happened to the posts that are on the Auditorium Parking Lot at the exit, since they are both pulled out of the asphalt and he asked Mr. Hotz what caused this.

Mr. Hotz said that cars must have torn them down and he would check into it.

RE: NEW GLASS AT THE AUDITORIUM

Commissioner Schaad asked the other Commissioners if they saw the new glass at the Auditorium, that it is uniform and looks very nice, also that he was sure that they now meet the Indiana Safety Code. He said they raised the new rails a little more than the old guard rails, also that if they have any more law suits, he felt they would be in a better position.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report for the employees of the County Highway Garage for the past week. Report received and filed.

RE: REQUEST FOR LEAVE OF ABSENCE

Mr. Siebeking read the following letter of request for a leave of absence for Mr. Orbie Davis:

Gentlemen:

Orbie R. Davis, Head Mechanic at the Vanderburgh County Highway Department, has asked permission for a leave of absence, starting June 23 through August 3, 1976, reasons, ill health.

This was the reason for the change on the employment sheet.

He was head mechanic and has asked for the six months leave of absence since his health is very bad and he has asked for this leave of absence which I granted,

with the approval of the County Commissioners, of course, that this is the reason he was demoted from head mechanic to an assistant mechanic and brought the assistant mechanic up to the head mechanic's job, because he feels that the man that is doing the job should be getting the head mechanic's wages.

I granted this leave and I ask the Commissioners grant it.

Commissioner Ossenbergh moved that the Commissioners honor this request for the leave of absence for Mr. Davis. Commissioner Willner seconded the motion. So ordered.

RE: REQUESTS PERMISSION TO GET FIGURES ON MACHINERY

Mr. Siebeking said that he would like the permission of the Commissioners to check into and receive some preliminary figures on some type of ditch-digging machine that the County Highway Department is in dire need of.

He said he has talked to several people and with the permission of the Commissioners, he will start to get some figures together and see where they stand.

He said that at the present time, he doesn't have enough money in his Equipment Account but that he does have some money in the General Fund, but would first have to go before Council to get it.

He said he thought it would be a good idea to get some preliminary figures so they know how much money they are even talking about, since it may be completely out of the question.

Commissioner Schaad said that at this point, after the study has been made of it, and Mr. Siebeking thinks they can afford it, the Commissioners can go ahead and give him permission to draw up the specifications and advertise for bids.

After further discussion, Commissioner Willner moved that permission be given to prepare the specifications and advertise for bids if Mr. Siebeking finds that they can afford the equipment. Commissioner Ossenbergh seconded the motion. So ordered.

Mr. Siebeking asked Mr. John when would be the first possible time that he could go before the County Council.

Mr. John said that he can go before the Council in July if he gets his request to the Auditor's office by the end of the week.

RE: CLAIM

A claim was submitted by G. H. Allen Inc. on the Orchard Road Bridge Replacement, Account #203-2260, in the amount of \$7,340.00.

This is final payment and Mr. Ludwick said the project has been completed for several months now and he approved this amount be paid them.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: ST. JOE AVENUE PROJECT FORTHCOMING

Mr. Ludwick said he has the right of way agreements for the St. Joe Avenue project, over the Penn Central tracks and that within the next two weeks, they should be ready for a legal ad to be prepared and will be ready to take contracts on this project.

He said they just have one small problem and that is, the Southern Indiana Gas & Electric Co. and the Telephone Co. do have poles that will be required to be moved out of the construction area and he is getting them a set of plans today.

Commissioner Ossenbergh said that he talked to Mr. Vaughn at the Gas Company and he asked Mr. Ludwick if Mr. Vaughn contacted him.

Mr. Ludwick said that he had called the Gas Co. but that by the time they prepare the ad and specifications, the Utility Companies will have plenty of time to get the poles out of the way.

He said there was a transmission line but he was told by Mr. Gordon Hurst that it was a dead line and that it could be moved without too much of a problem.

RE: CLAIMS AND RIGHT OF WAY EASEMENTS

A claim and easement was submitted by Ms. Anna Wortman of R.R. 7, Box 120, St. Joe Avenue. The claim is for 17,400 sq. ft. and all crop damage in the amount of \$2,500.

Commissioner Ossenbergh moved that the easement be signed and the claim approved. Commissioner Willner seconded the motion. So ordered.

A claim and easement was submitted by Arthur and Retha Kuester. This is for 5,600 sq. ft. @ .05 per sq. ft. The claim is in the amount of \$280.00.

Commissioner Ossenberg moved that the easement be signed and that the claim be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said that he understands they will go ahead with the plans that were first drawn up, but that, at first, they thought they were going to have to change it before, because they were having some problems with some of the right-of-way purchasers but that it has been straightened out, so they can go ahead as originally planned.

He said this is the old Penn Central Bridge that is located on Outer St. Joe Avenue.

RE: TEMPORARY EASEMENTS

A temporary easement was submitted to the Commissioners from Michael C. & Robin R. Morgan for improving, etc. the right of way of St. Joseph Avenue.

Commissioner Ossenberg moved that the easement be approved.. Commissioner Willner seconded the motion. So ordered.

A temporary easement was submitted by Frank and Alvina Duncan, for improving, etc. the right of way on St. Joe Avenue.

Commissioner Ossenberg moved that the easement be approved. Commissioner Willner seconded the motion. So ordered.

A temporary easement was submitted by Ms. Dorothy Wolf for the purpose of improving, etc. the right of way of St. Joseph Avenue. This was also for Anna May Kleiman.

Commissioner Ossenberg moved that the easement be approved. Commissioner Willner seconded the motion. So ordered.

A temporary easement was submitted by William J. Akin for the purpose of improving, etc. the right of way on St. Joe Avenue. This was also for Bonnie A. Akin.

Commissioner Ossenberg moved that the easement be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was submitted by Daniel Riddle, for the right-of-way purchasing of the Penn Central property to St. Joe Avenue, Acct. # 203-2251, in the amount of \$1,200.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 10:15 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

Secretary: Margie Meeks

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Bob Schaad
Tom Ossenberg
Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

320

COUNTY COMMISSIONERS MEETING
JULY 6, 1976

The meeting of the County Commissioners was held on Tuesday, July 6, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

Deputy Sheriff Clarence Cotton opened the meeting, this being the first meeting of the month.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids received today, on the parcels of County-owned Surplus Property that are still for sale.

The bidding will remain open and the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENT

COUNTY SURVEYOR

Michael R. Cochran 2816 S. Court Dr. Summer Employee \$92.00 Wk. Eff: 6/28/76

RE: EMPLOYMENT CHANGES.....RELEASES

PLEASANTVIEW REST HOME

Mabel Clark 304 E. Columbia St. Cook \$2.30 Hr. Eff: 6/4/76

BURDETTE PARK

Lawrence Ellington	355 S. Koch Ave.	Rink Guard	\$2.30 Hr.	Eff: 7/1/76
Katoya Ellington	355 S. Koch Ave.	Rink Guard	\$2.30 Hr.	Eff: 7/1/76
A.W.E. Edward Casteel	1710 Grove St.	Ground Crew	\$2.30 Hr.	Eff: 7/1/76
C.E.T.A. Johnny Pirtle	408 E. Illionis	Ground Crew	\$2.30 Hr.	Eff: 7/1/76

RE: MONTHLY REPORT

The report of the Evansville Association for Retarded Citizens was submitted for the month of May, 1976.

Report received and filed.

RE: REPORT OF COLLECTIONS OF GROSS INCOME TAX

A report was submitted by the County Treasurer, of all collections of Indiana Gross Income Tax on sale of Real Estate for the Quarter ending on June 30, 1976.
Report received and filed.

RE: CONTRACTS APPROVED

Contracts were submitted by the Board of Animal Health for Bovine Brucellosis and Tuberculosis Eradication Programs in Vanderburgh County.

This is an annual contract on the County estimated cost of \$1,000 for the state's inspection of cattle. This is done every year as a health measure.

Mr. John said that the money in that account is encumbered each year since this is by contract.

Commissioner Ossenberg moved that the contracts be approved and signed and sent back to the Secretary of the State Board of Animal Health for his signature, after which time, he will return one copy of the signed contract to the Auditor for his file.

Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON KUEBLER ROAD

Commissioner Schaad said that he has received quite a few calls on Kuebler Road, that this road was just recently resurfaced by the County and the people out there are very proud of it and are pleased with the way it was done, but that when it was rough, the trucks weren't using this road, but now that the road is smooth, they have a lot of heavy trucks and are using Kuebler Road as a short cut in getting to Hwy. 65.

He said that it has been discussed before, as to whether the Commissioners could legally keep trucks off a County road or not, that he knew they couldn't put a weight limit on a bridge, but they wondered about on a road, so he called the County Attorney just to see, since they have this new Home Rule law, if they could pass an ordinance now.

County Attorney Smith said that the Home Rule provides general rules and unless the legislature has specifically pre-empted the field, he presumed that the local units can legislate in the area where it needs to be, as far as our local situation is concerned.

County Attorney Wendel said that it is his opinion that the Commissioners can't pass an ordinance, that there are several cases that say it is pre-empted by the state.

Commissioner Schaad said that he didn't think the state has set any weight limits on Kuebler Road, and that the Commissioners established a weight limit on Green River Road before they had the new Home Rule law but they couldn't make it stick. He said that it wasn't that the Commissioners wanted to keep trucks off the County Roads because the roads are there for the public to use but that Kuebler Road wasn't made to carry that kind of heavy traffic and the trucks will tear it up in no time, also this is a cut off for them and they could go a different way. He said they had the same problem from Allens Lane, that they were using N. 12th. Avenue and they tore up the road pretty good and now the County must resurface it. He said the dumpsters were using this road and the Commissioners asked them not to use this road any more so the neighbors were asked to call in if the dumpsters continued to use the road, so he thought they have cooperated and aren't using the road anymore.

Commissioner Ossenbergsaid they haven't quit using the road because he has had calls this past week on it and that Browning Ferris people are using this road.

Mr. Siebeking said that he talked to their general manager or whoever and he promised that he would talk to all of his drivers about this, but that he would call him again

Mr. Siebeking said that on the problem on Kuebler Road, they could contact Evansville Materials, since all of the trucks being used out there are being leased through Evansville Materials.

Mr. Siebeking was asked to call Jack Land and Browning Ferris again, to ask for their cooperation.

RE: REQUEST TO TRANSFER A TELEPHONE

The following letter of request was received from the Knight Township Assessors office:

Dear Sirs:

Please consider this request for the transfer of an existing phone from the counter to a desk. Mr. Kornblum, Real Estate Deputy, does not have a phone on his desk at this time.

I would also like, at that time, to have the telephone number for Roman F. Gehlhausen, Knight Township Assessor, changed.

Mr. Gehlhausen's number so resembles the Welfare Department's number so as to result in Mr. Gehlhausen answering 20 to 25 calls a day from indigents wanting the Welfare Department. I feel, as does Mr. Gehlhausen, his time can certainly be put to better use other than transferal services.

Your favorable consideration in these matters will be greatly appreciated.

Sincerely, M.F. Ginger, Chief Deputy
Knight Township Assessor

Commissioner Ossenbergsaid moved that the request from the Knight Township Assessor be approved to move the phone and have the phone number changed for Mr. Gehlhausen. Commissioner Willner seconded the motion. So ordered.

RE: ANTHONY'S DRIVE ACCEPTED FOR MAINTENANCE BY COUNTY

This matter has previously been before the Commissioners and the following letter was received from Anthony Faccone on the completion of Anthony's Drive:

Gentlemen:

This is to report that I have completed according to specifications a two-inch layer of blacktop on the above described Drive, and it is now ready for acceptance

by the County for maintenance.

Respectfully submitted,
Anthony Faccione

Mr. Ludwick said he received the letter on this last week, so he has already prepared the Resolution and that it will be Amendment #22. He said the Engineers office recommended that this road be accepted as platted in the Anthony's Estate Subdivision.

Commissioner Ossenberg moved that Anthony's Drive be accepted for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Anika Juras for traveling expenses to and from Bloomington on June 17, 1976, in the amount of \$32.50 which is for 250 auto miles traveled at .13 per mile..

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Vanderburgh County Recorder for the recording fee for three Clerk's Deeds conveying three easements of rights of way to the Board of Commissioners of the County of Vanderburgh concerning the Old State - L & N Railroad overpass in the amount of \$10.50.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from Brink's Inc. for services rendered the Clerk of the Circuit Court, #374164210, for July, in the amount of \$94.80.

Commissioner Ossenberg moved that the claim be approved for payment. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by D. E. McGillem & Associates for partial payment for work completed to date for environmental study for St. Joe Avenue from the Franklin Street Intersection to just North of the Mill Road Intersection, in the amount of \$2,802.60.

Commissioner Schaad mentioned that the County has already received their money from the state.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from Central Glass Co. of Indiana for the complete charge to furnish and install 1" x 2" aluminum tube safety crash bars on both inside and outside of the plate glass openings adjacent to the entrance doors on both the Walnut Street and Locust Street sides of the Auditorium Convention Center Building all as per quotation dated 5/26/76 and as ordered by Mr. Herman Hotz, Superintendent of County Buildings. The amount of the claim is \$1,240.00.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Barnett Brothers, Inc. for the removal of four trees, the cost of which includes trimming, cutting down and hauling to another site for disposal, as approved by the County Commissioners, in the amount of \$850.00.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Welborn Memorial Baptist Hospital for hospital expenses of a Paul Smith in the amount of \$1,346.01.

Commissioner Schaad explained the hospital bill of Paul E. Smith from Welborn Baptist Memorial Hospital, in that Mr. Smith was picked up by the City Police and put in the County Jail in January of 1974, thinking he was drunk and when he didn't respond, he was hospitalized and he died and they presented Vanderburgh County with a bill for \$1,346.01.

He said it seemed to him that a former County Attorney informed the Commissioners that they would have to pay the bill whether they liked it or not, but the Commissioners thought if Mr. Smith was an indigent, and couldn't pay, that maybe the Welfare Department could pay it from their funds, since the Sheriff said he had no funds to pay this bill, so the Sheriff took up the matter with the Welfare Department and he received the following letter from them, dated June 25, 1976:

We are returning attached hospital bill on Paul E. Smith to you.
Due to the expiration of time limits, this particular bill does not meet the requirements of any of the medicaid programs or the hospital medical programs of Vanderburgh County, Department of Public Welfare.

Signed R.D. Work, Director,
by James E. Baxter

County Attorney Smith said he could talk to the hospital's attorney and even though the Commissioners don't feel responsible, they could offer to compromise and thereby, be done with it.

County Attorney Wendel asked if the Commissioners denied the claim more than thirty days ago.

Commissioner Schaad said "no", that as a matter of fact, the claim was first denied and later approved and then it was turned over to the Sheriff but he said he didn't have the money to pay it and it was then that Sheriff DeGroote contacted the Welfare Department.

Commissioner Ossenberg said that one thing is that it ends up with the County Commissioners but another thing is that it belongs to the Township Government but, of course, the township has no money either, so the Commissioners will probably end up paying it.
He asked County Auditor, Curt John, if they filed suit against the County Commissioners and the court would find the Commissioners in the wrong, could they pay the bill from the Judgments and Awards Account.

Mr. John said he was sure they could pay it from this account if the Commissioners were found to be in the wrong.

Commissioner Ossenberg said this seemed to be the position they would have to take, since there is no place else to pay it from.

Commissioner Schaad wondered if their Liability Insurance could take care of it in any way.

Commissioner Ossenberg said that through Liability Insurance, they would have to prove negligence.

Commissioner Schaad said there was none, that they really went beyond the call of duty, that this is a case where the good samaritan gets slapped with the bill.

Commissioner Willner said he would like to know why the Welfare Department turned the case down, also that he didn't know the Welfare Department had a statute.

Commissioner Schaad said that Mr. Smith was admitted to the hospital on January 12, 1974 and was discharged on January 14, 1974, at which time he passed away.

County Attorney Wendel suggested that the claim be denied and wait 30 days to see if the hospital sues the County.

Commissioner Ossenberg then moved that the Commissioners deny the claim from Welborn Memorial Baptist Hospital, for Paul E. Smith, in the amount of \$1,346.01.
Commissioner Willner seconded the motion. So ordered.

Mr. John said that if the Commissioners are sued and they must pay the bill, that it could probably be taken out of the Sheriff's Account, since they do have a Jail Account for all prisoners and they do take other medical expenses out of it, but he may need to go before the Council to get more money to do it.

RE: CORRECTIVE DEED

A Corrective Deed was presented to the Commissioners for their signatures. This deed was on a parcel of County owned Surplus Property that was sold to Mr. Frederick J. Bumb and Albert J. Mueller on January 19, 1976, Code #8-16-3 which is located off Shawnee Drive.
The Corrective Deed was prepared since the parcel needed a better description.

Commissioner Ossenberg moved that the deed be signed. Commissioner Willner seconded the motion. So ordered.

RE: SURPLUS EQUIPMENT TO BE SOLD

Mr. Hotz said he had Mr. Curran Miller over to look at some surplus equipment, such as coat racks and a Gantry A frame, etc. over at the Auditorium that Mr. Dewes wants to get rid of.

Mr. Dewes, the Manager of the Auditorium, submitted the following letter:

Re: (1) Gantry A-frame model 2004A-15-A
Mfg. B.E. Wallace Products Corp.]

The above gantry was purchased when the auditorium was built. It was to be used to raise and lower sections used in enlarging the stage.

In actual use the gantry is not practical. Stage hands can install and remove sections manually in far less time when compared to the gantry procedure.

Doubtless, one of the many county operations can make use of this unit.

We ask this gantry be declared surplus and removed from the auditorium receiving area as soon as possible.

Vanderburgh Auditorium
Fred G. Dewes, Manager

Mr. Hotz said that Mr. Dewes wants to move the vending machines into the check room from the lobby.

Commissioner Schaad said the vending machines are destroying the carpeting even though they have rubber mats and it would be much better to move them out of the lobby. He asked Mr. Hotz if there was any more surplus items he wanted to get rid of.

Mr. Hotz said they have two other items he would like to combine with these and that is the old sound system from the Burdette Park Skating Rink, since they have installed a new one and also, he has a judges bench that came out of the office of the Justice of the Peace at the old Court House.

He said that Mr. Morrison told him that he would release it so it could be declared as surplus and they could sell them at the Auditorium on the Walnut Street side, since they couldn't move the gantry and the coat racks can stay in tact.

Commissioner Schaad said the judges bench might be worth some money but that he wondered if it should be donated to the museum, but he didn't know how the other Commissioners felt about this, since he hasn't discussed it with them.

Mr. Hotz said that Mr. Miller had indicated that if the advertisements were taken care of, he could have the sale on July 20 at about 10:00 a.m. but since that time, there was an accident on Mr. Miller's farm and his grandson was killed when a vehicle on which he was riding, turned over.

Commissioner Ossenberg moved that all the items with the exception of the judges bench, be declared as surplus and that they be advertised. Commissioner Willner seconded the motion. So ordered.

Mr. Hotz said they have a lot of miscellaneous items such as doors, drapes, typewriters, adding machines and old building equipment to get rid of and he talked to Mr. Miller and in his opinion, it would be best to take all the items out to his place on Highway 57 to sell it, since they had some experience in the past when they had some old hospital beds from Boehne Hospital that couldn't be sold at a regular sale so they took them out there and Mr. Miller sold them the third time he put them up for sale and they sold at \$25.00 each, so he would like for these items to be declared as surplus so they can be hauled out there, so Mr. Miller can try to sell them.

Mr. Harness said he had a few lawnmowers they couldn't use anymore at the Pleasantview Rest Home.

Mr. Hotz said this is the reason he was wanting to hold off declaring these items as surplus until next week and at that time he will have a complete list of surplus items from the various departments and he would like to have the approval of the Commissioners to take all the surplus items to Mr. Miller's sale place, after they have been declared as surplus.

Commissioner Schaad said there would be a fee attached and he asked what Mr. Miller's percentage would be.

Mr. Hotz said that Mr. Miller's fee is 25%.

He said it would be advertised the same as a private sale and there would be a better chance of selling the items out there, also that if they aren't sold at the first sale, he can continue to offer them at other sales.

The Commissioners agreed that Mr. Hotz bring in the list next week and they will decide what to do at that time.

RE: PARKING LOT SIGN POSTS RE-INSTALLED

Commissioner Schaad asked Mr. Hotz if he checked on the parking lot sign posts that were torn out of the ground.

Mr. Hotz said that the posts were sunk in concrete and had been completely torn out and this time, they put the chains separate and took an old tire, filled it with concrete and it weighs 300 pounds, that they put a pipe in with an X on the bottom of it and put hooks on the bottom and the chains are attached to them and if someone should hit the chain, it won't tear up the concrete.

RE: MR. HARNESS.....REQUEST FOR ADMISSION TO PLEASANTVIEW

Mr. Harness submitted an application for the admission to the Pleasantview Rest Home of a Mr. Paul Brown, that was submitted by the Pigeon Township Trustee. He recommended approval of this admission.

Commissioner Ossenberg moved that the admittance of Mr. Brown be approved. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report of the employees at the County Highway Garage for the past week.
Report received and filed.

RE: DISCUSSION ON REPAIR OF ROADS

Mr. Siebeking said that he received permission last week, from the Commissioners, to get some prices on a grade-all or some type of equipment to dig ditches and he has them now, so with the permission of the Commissioners, he will draw up the specifications and bring them back next Monday.

He said that a gentleman came in and talked to him again this morning, that he had proposed this proposition about a year ago, on doing some work on some roads and that this man now has a new machine to do this work and he will use a hot mix material, putting down probably 1 1/2 to 2 inches of material and that the County will furnish the trucks, roller, the flagmen and this gentleman will furnish the machine and put the machine down and he would like to try this on a trial basis.

He said that money-wise, he thought they could do it for about \$11,000 per mile, that right now, it is costing the Highway Department just a fraction over \$10,000 per mile to do the roads, the way they have been doing the roads with the cold mix but that this would be a hot mix.

He said he thought the money could come out of his Bituminous Account and that there are several short roads that he thought would be good ones to try this out on to see just what they come up with.

County Attorney Smith said this is over the statutory limits and it would have to be advertised for bids and he asked if there were other companies that were in a position to bid on the same basis Mr. Siebeking was talking about.

Mr. Siebeking said there were probably companies that can but he didn't think there are any companies that will.

Commissioner Schaad said he thought this would be worth a try if they could figure out some way to work it out.

Commissioner Ossenberg said he also thought this would be a good deal and he didn't think any other contractor would come forward, but to stay within the law, they should advertise.

He asked Mr. Siebeking if he had specific roads in mind, also how much money there was in the bituminous account.

Mr. Siebeking said they had right at \$50,000 and that he had some specific roads in mind.

Commissioner Schaad said it would be easy enough to transfer the money from the bituminous account to the contractual account, explaining what they are doing.

Commissioner Ossenberg said the only thing he has to say is that this came to the Commissioners before and they know what the cost of roads are, probably \$20,000 to \$21,000 per mile and if they can build them for \$11,000 per mile and can get much better roads than what the county would actually be doing that cost near the \$11,000 and they are going to get a hot mix and he would say they ought to explore and pursue the idea.

Commissioner Willner said he agreed with this.

Commissioner Ossenberg moved that Mr. Siebeking draw up his list of roads and bring them back next week.

Mr. John said that Mr. Siebeking will have to go before the County Council to have the money transferred from the Bituminous Account to the Contractual Account but that it wouldn't have to be advertised.

Mr. Siebeking said he would also have the letter for the transfer of money to present to the County Auditor and the County Council by next Monday.

RE: CUTS-IN

Indiana Bell Telephone Co. Inc. requests permission to push under Fisher Road, approximately 4611' North of Mohr Road to bury a telephone cable.

Commissioner Ossenberg moved that the request be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was submitted by Feigel Construction Company for the Green River Road Project from Heckel Road to Boonville-New Harmony Road, Progress Estimate #6, in the amount of \$61,352.76. Account #216-3774.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Ludwick said that Feigel has about two weeks of work to do out there yet.

RE: AUTHORIZED TO ADVERTISE

Mr. Ludwick submitted specifications and the Notice to Bidders for the reconstruction of St. Joe Avenue, over the Penn Central Tracks, North of Orchard Road, South of Boonville-New Harmony Road.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

Mr. Ludwick said he would like for the Notice to Bidders to be advertised on July 8th. and 15th. with the bids to be opened on July 19th. 1976. He explained what they plan to do and said they are removing the bridge totally, as it exists.

Commissioner Willner asked if it wasn't in the agreement with the Railroad Co. to remove the rails, that he would just as soon not but he was sure that it was in there and that Mr. Ludwick had better take a look at it.

Mr. Siebeking said the floor boards would be all they would be able to use but he did want the metal plates since they belong to the Highway Department and if there are any side rails he could use, they could take them off but this would be about all.

Commissioner Ossenberg asked Mr. Siebeking why he didn't just go out and see what he wanted to keep.

Mr. Ludwick said there should be something put in the specifications as to what Mr. Siebeking wanted to keep. He also said that it reads in the contract that there will be 40 work days on this project and that there is a definite date it must be completed.

Commissioner Schaad asked Mr. Ludwick if he has talked to the Utility Companies.

Mr. Ludwick said that Southern Indiana Gas & Electric Company is on strike but the week before the employees went out, they did send a crew out who did some preliminary work and whether they got the paper work done far enough to where they can go ahead and do the work or not, he didn't know, since he hadn't been told yet. He said if they had to, they could work around them for a time but that it would take about 30 days before it is bid and the contract can be let, so he hopes that the strike will be settled in that time.

RE: NOTICE FROM PENN CENTRAL

The following notice was received by the Commissioners:

The Trustees of Penn Central Transportation Company hereby give notice, pursuant to Section 304(b) of the Regional Rail Reorganization Act of 1973, as amended, of their intention, effective July 29, 1976, to abandon the Evansville Secondary Track, between Skelton, (Milepost 132.0), and L & N Connection, (Milepost 154.1) in the State of Indiana.

In the Final System Plan adopted under the terms of the 1973 statute, as amended, the line to which this notice relates is not designated for continued operation by Consolidated Rail Corporation or any other carrier, and no offer of subsidy pursuant to Section 304(c) of the above statute has been received.

Robert W. Blanchette, Richard C. Bond and
John H. McArthur, Trustees of the Property
of Penn Central Transportation Co., Debtor.

Mr. Ludwick said this is the same system under the St. Joseph Bridge and if they ever open up those tracks, it will be the responsibility of Vanderburgh County to build the bridge back, but what they are saying is that this will never happen.

The meeting recessed at 10:30 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Tom Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
JULY 12, 1976

The meeting of the County Commissioners was held on Monday, July 12, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes were approved as engrossed by the Auditor, with one correction, in that discussing Kuebler Road on Page 2, Commissioner Schaad said that it has been discussed before, as to whether the Commissioners could legally keep trucks off a County road or not, that he knew they could put a weight limit on a bridge, but they wondered about on a road, and the minutes incorrectly stated that they couldn't put a weight limit on a bridge.

The reading of the minutes was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There was no one present today who wished to bid on the County Surplus Property.

Commissioner Schaad said that he did receive a bid in the mail this morning and he submitted the following:

Dear Mr. Schaad:

I submit this bid in the amount of \$25.00 for surplus property Tax Code 29-106-5 (1408 West Maryland Street.

If my bid is accepted, I would like my deed to read Morris A. Gibson.

Sincerely, Morris A. Gibson
1414 Southeast 2nd Street
Evansville, Indiana 47713

Commissioner Ossenberg moved that the bid of \$25.00 by Mr. Gibson be accepted for parcel at 1408 W. Maryland Street be accepted.

Commissioner Willner seconded the motion. So ordered.

The bidding will remain open and the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT

Kenneth D. Hood 2619 Vogel Road Spec. Prob. Officer \$900.00 Mo. Eff: 7/3/76

VOTERS REGISTRATION OFFICE

Lorraine Pike	615 SE 3rd. St.	Typist	\$16.10 Day	Eff: 7/12/76
Brenda Carney	5614 Westhaven	Typist	\$16.10 Day	Eff: 7/12/76
Beverly Kempf	1208 N. 2nd. Ave.	Typist	\$16.10 Day	Eff: 7/12/76
Rhonda Crawford	638 Jefferson	Typist	\$16.10 Day	Eff: 7/12/76
Beverly Abell	3417 Austin	Typist	\$16.10 Day	Eff: 7/12/76
Anita J. Sawyer	5404 Cunningham	Typist	\$16.10 Day	Eff: 7/12/76
Marie B. Lurker	2100 Schutte Rd.	Typist	\$16.10 Day	Eff: 7/12/76
Catherine Frick	3211 Mt. Vernon	Typist	\$16.10 Day	Eff: 7/12/76

JOINT DEPARTMENT OF LEGAL SERVICES

William W. Deems 630 Arcadian Hwy. Staff Attorney \$7,416.00 Yr. Eff: 7/5/76

VANDEBURGH AUDITORIUM

Mike Genet 2218 Jefferson Ave. Maintenance \$2.30 Hr. Eff: 7/8/76

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

Donald E. Manchette	7501 New Harmony Rd.	Summer Help	\$2.30 Hr.	Eff: 7/6/76
James M. Clayton Jr.	10 N. Alvord Blvd.	Summer Help	\$2.30 Hr.	Eff: 7/12/76

PLEASANTVIEW REST HOME

Sherry A. Hunter 1001 Old Post Rd. Cook \$2.30 Hr. Eff: 7/9/76

PIGEON TOWNSHIP ASSESSOR.....REASSESSMENT

Jeffrey Lannert	1516 S. Frederick	Res. Rate Setter	\$30.00 Day	Eff: 7/7/76
Mark MacGregor	641 Jefferson	Res. Rate Setter	\$30.00 Day	Eff: 7/7/76
Robert C. Kollker	545 Lodge Ave.	Res. Rate Setter	\$30.00 Day	Eff: 7/1/76

SCOTT TOWNSHIP.....REASSESSMENT

Gladys B. Martin	R.R.5 Box 242	Field Man	\$20.00 Day	Eff: 6/18/76
Buford Williams	R.R.8 Box 135	Field Man	\$20.00 Day	Eff: 6/17/76
Norma M. Miller	R.R.8 Box 398A	Clerk	\$20.00 Day	Eff: 6/24/76
Leona M. Hudson	R.R.5 Hoing Rd.	Clerk	\$20.00 Day	Eff: 6/24/76
Joe Gossman	R.R.7 Box 390	Field Man	\$20.00 Day	Eff: 6/28/76
Barbara A. Wilson	R.R.8 Box 435E	Field Man	\$20.00 Day	Eff: 6/30/76
Harley Seybold Sr.	R.R.5 Box 449	Field Man	\$20.00 Day	Eff: 6/28/76
William D. Killion	Luray Drive	Field Man	\$20.00 Day	Eff: 6/28/76

RE: EMPLOYMENT CHANGES.....RELEASESCIRCUIT COURT

Robert J. Hayes 7517 Taylor Cir. Court Commissioner \$5,000 Yr. Eff: 7/3/76

JOINT DEPARTMENT OF LEGAL SERVICES

Thomas H. Barefoot 1406 S.E. 2nd. Staff Attorney \$7416.00 Yr. Eff: 7/9/76

RE: CLAIM AND CONTRACT

A claim and contract was submitted that was between the County Commissioners and the Freedom Festival Foundation, Inc. which designated the Vanderburgh County's contribution, to the Freedom Festival Foundation in the amount of \$725.00, which was approved by State Board Order 6-5533.

Commissioner Ossenberg moved that the contract and the claim in the amount of \$725.00 be approved. Commissioner Willner seconded the motion. So ordered.

RE: AGREEMENT C.E.T.A.

An Agreement was submitted by the Comprehensive Employment Training Act.

Commissioner Schaad said there was a question on this agreement since they were suppose to give the Commissioners a date on which they were to file their report of finances.

The Commissioners agreed that they call and find when the report will be ready and fill in the proper date.

The agreement read that the purpose of this modification is to extend the length of the Title II Program. The program's length of operation will be from 6/18/76 to 1/31/77.

The funding level for this program is increased from \$26,277 by \$75,777 to \$102,054. However, funds are not presently available for the entire amount of the program. Therefore, the Prime Sponsor's obligation is limited to \$96,571.

The Prime Sponsor shall not be obligated to reimburse the sub-contractor/sub-grantee for cost incurred in excess of the amount currently available and funded. By reason of the foregoing the total amount of funds available is \$96,571.00.

Commissioner Ossenberg moved that President Schaad sign the agreement. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON T B PATIENTS

The following letter was received by the Commissioners from the City-County Department of Health:

Dear Mr. Schaad:

The following is a list of patients admitted to Good Samaritan Hospital Vincennes, Indiana for treatment of active tuberculosis since January 1, 1976.

Veneman, James E.
1333 N. 4th. Avenue
B.D. 9/25/05 Age: 70

Hoang, Tam Thi
509 W. Berkeley Avenue
B.D. 6/7/53 Age: 22

Steele, Leonard M.
3320 Fickas Rd.
B.D. 3/21/32 Age 44

Hamilton, James B.
1702 Delmar Avenue
B.D. 4/5/38 Age: 38

At this time, it seems likely that all individuals, except for Mr. Steele, will have adequate medical/hospitalization insurance to cover their expenses.

Mr. Steele's hospitalization benefits are quite limited and the family will probably need financial assistance with his hospital bill if Medicaid coverage can not be obtained.

If there are any questions, please, feel free to call.

Sincerely, Mildred M. Knodel, R.N.
Tuberculosis Control Officer

Commissioner Schaad said the Commissioners don't need to take any action on this matter, that it is just a matter where they may be billed by the Good Samaritan Hospital in Vincennes at a later date, if Mr. Steele's Insurance doesn't cover his medical expenses, since it is the responsibility of the County Commissioners to do it since we no longer have a tuberculosis hospital here and our residents are sent to Good Samaritan Hospital..

RE: CHECK RECEIVED

Mr. Hotz submitted a check in the amount of \$47.10 for two loads of scrap iron that was sold to General Waste Products, Inc.

Commissioner Ossenbergh moved that the check be accepted and entered into the County General Fund. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Hunnicutt & Associates Inc. for work completed on the Knight Township Reassessment by June 30, 1976, 1/16 of total contract, in the amount of \$12,093.75.

The Performance and Payment Bond for the Reassessment was also enclosed.

Mr. John explained that all reassessment contracts state that we will be billed 1/16 of the total contract each month and they are suppose to be completed in a sixteen month period.

Commissioner Ossenbergh moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted from the Southwest Indiana Mental Health Center Inc. for the remaining 50% of Vanderburgh County's share of their operational expenses, for 1976, in the amount of \$70,733.00.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for labor and material to install one new phone floor outlet in Knight Township Assessor's office, Room 221 of the Administration Building, in the amount of \$40.00.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by Kenny Kent Chevrolet Corp. for a 1976 Chevrolet Van, less trade of a 1965 Plymouth Station Wagon, in the amount of \$4,042.00. This Van is for the Surveyors office.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CHECK RECEIVED

Commissioner Ossenberg said that he received a check from the City of Evansville, made out to the Vanderburgh County Commissioners for their local share of the North Kentucky Avenue approach, in the amount of \$15,000.00. He said they have already received their check for \$135,000.00 from R & S, so this will be their total commitment.

Commissioner Ossenberg moved that the Commissioners endorse the check and turn it over to the Auditor. Commissioner Willner seconded the motion. So ordered. The check will be entered into Account #216-3826.

RE: PETITION FOR CHANGE OF THE ZONING ORDINANCE MAPS

Petitioner..... Tri-State Aero, Inc. on 6101 Flight Line Drive
Owner of Record..... Alice L. Bergdolt of 6414 Oakhill Road
Contract Purchaser..... Betty A. Hurt of 6201 N. Fares Avenue

1. Petition is hereby made for the change of "Zoning Maps" of the Area Plan Commission of Evansville and Vanderburgh County, pursuant to Section 52, Chapter 138, Acts of 1957 (Burns 53-1052) and Chapter 1187 of the Municipal Code of Evansville, Indiana, 1962.

2. The premises affected involve approximately three and one-half acres bounded on the north and west by Farea Avenue, and on the east by the C. & E. I. Railroad right of way.

County Attorney Wendel said that the County owns contiguous property, that this property is out by the Airport, so this is to notify the Commissioners of the action being taken.

Petition noted as being received and filed.

RE: OFFER TO SETTLE CLAIM

County Attorney Smith said that he has a claim from George Ryan, whereby they will settle the law suit for \$5,000.00.

Commissioner Ossenberg explained that the bridge near the entrance of Burdette Park had caved in and was declared an emergency by the Burdette Park Board and the bid from Ryan Construction Co. was \$4,987.00 and ended up in the neighborhood of \$20,000 and then they sued the County, so through negotiations, in talking to George Ryan, he was able to make a settlement of \$5,000.00. He asked Attorney Smith to find out what the Account number is that this is to be paid from, since he said he was sure that it was agreeable with Bob Hertzberger to go ahead and pay it from the Burdette Park budget.

County Attorney Smith said he would find out and bring the claim back to the Commissioners next week.

RE: REQUEST FOR PROGRESS MADE BY INSURANCE COMMITTEE

Mr. Ron Hunter appeared and said that he would like to find out the progress that has been made in regard to County's Health and Life Insurance Program, on the Committee that was set up, since there were four companies that submitted bids, two of which, that will save county money and he was wondering what the committee had done on this.

Commissioner Schaad said that he talked to Mr. Lukens about it this morning, who said they have had two meetings and they are pulling out the benefits, the costs, and it is just a question of how soon they can get it done, since they are all bus

Mr. Hunter said that the original payment on the Golden Rule Insurance was due on July 1, 1976, and they have already had to pay that premium for July, which is an increase over what we would have had to pay and he was hoping it would be settled.

Commissioner Schaad said that until they get a decision from the Committee, he couldn't tell Mr. Hunter anything further.

Commissioner Willner said he had a call from Jerry Miller, his appointment to the Committee, and he said that he was ready to make his decision, also that there was another Insurance Policy bid sent down to him after the closing date and he didn't understand this.

Commissioner Schaad said that since this bid didn't come in before the deadline, no official action could be taken on it and it couldn't even be considered.

RE: MONTHLY REPORT

Mr. Crooks submitted the Report of the Building Commission for the month of June, 1976.

Report received and filed.

RE: AUTHORIZED TO ADVERTISE SALE

Mr. Hotz said that he would like to have a sale of various items on Monday, July 26, at the Vanderburgh County Auditorium and he would like the permission of the Commissioners to advertise for the sale. He listed the items as follows:

1 Music and Sound System used at Burdette Park Skating Rink

Check room coat/hat racks - Mfg. - Vogel Peterson, Inc.
12-single rack stands, 16/rack-with hanger & number tags
12-double rack stands, 50/rack-with hanger & number tags

1 Gantry A-frame model 2004A-15-A with Electric Hoist
(Mfg. B.E. Wallace Products Corp.)

Commissioner Ossenberg moved that the Auditor be authorized to advertise for the sale. Commissioner Willner seconded the motion. So ordered. The ads will appear in both newspapers on July 15th and 22nd, the sale to be held on July 26th, 1976.

Mr. Hotz also requested permission to employ Mr. Curran Miller to conduct the sale.

Commissioner Ossenberg moved that permission to employ Mr. Miller be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Hotz said, in regard to all the other surplus items, they were busy this past week and didn't have a chance to get around to all the officeholders to see if they had anything they wanted to get rid of, so they will do that this week and he will have a complete list of surplus items to sell, next Monday, to submit to the Commissioners.

RE: CONCRETE SINKING

Commissioner Schaad asked Mr. Hotz if he had talked to Mr. Dewes at the Auditorium about the sidewalk sinking.

Mr. Hotz said that he had talked to Mr. Dewes and that they made an emergency repair of it, using the concrete sealer, which will keep anyone from falling on it, that he didn't know if it would stay or not but said that he would keep a close eye on it to see if it was going to sink anymore or not. He said they had in mind to remove a section of the concrete to see what the problem was that is causing the sinking, since there could be a drainage problem and again, it could be quicksand, so he will watch it.

Commissioner Schaad said that Mr. Dewes is new at the job and suggested that Mr. Hotz work with him and give him some guidance in these matters, that he is conscious of these things and watching them, which is good, but rather than to go out on these things alone, it would probably be better if Mr. Hotz would kind of give him some guidance since he had been around a lot longer than Mr. Dewes has.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report on the employees of the County Highway Department for the past week.
Report received and filed.

RE: PROBLEM OF HEAVY TRUCKS ON KUEBLER ROAD

Mr. Siebeking said that he talked to Jack Land at Evansville Material Inc. as the Commissioners had instructed him to last week, about those heavy trucks out on Kuebler Road and he said that he had definitely told the men not to use this

road, that he would check into it further and that he would see that it was stopped.

Mr. Siebeking said that he has had no calls on it since then, so apparently he did get it stopped.

He said that he also talked to the General Manager at Browning Ferris about the problem on Twelveth Avenue and he said that he had also instructed his people not to use this street as a short cut through there and he said that he would see that it was stopped, however, he did ask that if any of the Commissioners receive any calls from any resident on that street, he would appreciate the person's name and a truck number, if possible, or even a date. He said he hasn't received any calls since last Monday afternoon, so apparently, this has been stopped.

Commissioner Schaad said that he had a call on the Kuebler Road problem and he told the person the same thing, since he knew that Evansville Material's Inc. would be more than happy to cooperate, also that their employees have agreed to stay off the road, as well as the people from Browning Ferris.

RE: MR. SIEBEKING

Mr. Siebeking asked the Commissioners for another week to draw up the specifications and roads for re-surfacing of roads, that he requested last week, since they have run into a few problems and they didn't have the time to prepare them.

The Commissioners agreed to defer this matter until next week, at which time, Mr. Siebeking will have the prepared list ready for the Commissioners.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to cut under Outer Harmony Way to place a buried telephone cable.

Indiana Bell Telephone Co. also requests permission to cut under Fisher Road to bury a telephone cable.

Commissioner Ossenbergh moved that these push jobs be approved. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner said that the Water Co. had made a cut on Darmstadt Road and they did do a good job in putting it back.

Commissioner Schaad said that if there are complaints, he thought it was nice to hear the compliments also.

Mr. Robuck said that Tom Hirsch made a comment that he would like to have passed on to Mr. Siebeking, in that on Burkhardt Road, from Lincoln on down, should be posted for no trucks except farm trucks, that the ditch out there was sprayed out there last year and one reason that road is breaking off is because the banks are giving way because there are no roots or weeds to hold the bank up.

Commissioner Schaad said they have been through this before and that legally, they can't do it and unless he knows something, legally, that the Commissioners don't know about, they don't have the authority to keep a truck off the road. He said they can put a weight limit on a bridge but this would include a farm truck. He said that with the new Home Rule, they thought they might be able to come up with a ordinance that did, but they couldn't, so it is just a matter of cooperation.

The Waterworks Department requests permission to cut into Keenland Blvd. and into East Walnut Street to install Water Mains. These are pavement cuts.

Commissioner Ossenbergh moved that these cuts be approved. Commissioner Willner seconded the motion, subject to it being given to the Road Inspector for checking, with the understanding that they are going to concrete. So ordered.

RE: CLAIMS

A claim was submitted by Deig Brothers Lumber & Construction Co. Inc. on the Kentucky Avenue Structure #116A, Acct. #216-3826, Estimate #1, in the amount of \$30,768.13.

Commissioner Ossenberg asked Mr. Ludwick if this bridge is only on this particular deal and if they are giving the City of Evansville their breakdown.

Mr. Ludwick said "no", that they will be given a copy of this estimate and that at the end of the job, they will go through this item by item, for the City, and will show them what they spent, what they used and that kind of thing.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Barnett Brothers, for the Baumgart Road. - Burch Drive to Mt. Pleasant Road, Acct. #203-3831, Estimate #2, in the amount of \$45,748.59.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 10:20 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Thomas L. Ossenberg
Robert L. Willner
VANDERBURGH COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS' MEETING
JULY 19, 1976

The meeting of the County Commissioners was held on Monday, July 19, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: INTRODUCTION

Commissioner Willner introduced Mr. Bob Brenner who is a democratic candidate for County Surveyor. He thanked Mr. Brenner for attending the meeting this morning.

RE: AUTHORIZED TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of the bids that were received today, for the reconstruction of St. Joseph Avenue, over Penn Tracks.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids received today on the County-owned Surplus Property that is for sale. The bidding will remain open and the sale will continue next week.

Commissioner Schaad said he did have a call and that someone was interested in a parcel of property but in checking, they found that the property had already been sold, also that someone else was interested and he was given a list of all the County-owned Surplus Property that is still for sale, so he hoped that the gentleman would return at a future date to bid on some of it.

RE: ANNOUNCEMENTS.....HEARINGS SET

Commissioner Schaad announced that there will be a hearing on the Zoning Ordinance on Thursday, July 22, at 7:30 p.m. in the Council Chambers. He said this hearing will have to do with the Zoning Ordinance change in Vanderburgh County.

Commissioner Schaad also announced that the State Transportation Advisory Commission will have a public hearing on Wednesday, August 25, 1976, at 10:00 a.m. on Highway financing problems that are being experienced in Indiana, on all levels, the County, the City and the State. The hearing will be held in the Council Chambers.

RE: LETTER FROM THE SHERIFF.....COURT ORDER ISSUED

The following letter was received by the Commissioners from Sheriff DeGroot, dated July 9, 1976:

There has been a Court Order issued by the Federal Judge, Hugh Dillon, pertaining specifically to Marion County, but it may have some affect in Vanderburgh County. This is to provide some outdoor recreational facilities for prisoners.

Commissioner Schaad said that the Sheriff does have a plan outlined here and that the Sheriff would like for the Commissioners to visit with him to discuss this matter. He said the Commissioners will try to see the Sheriff today, to see what he has in mind and to physically see the spot that he has considered for this purpose.

RE: COUNTY SURVEYOR WELCOMED BACK

After having a serious operation, Dick Nussmeyer, the County Surveyor, was welcomed back to work, by the Commissioners.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Kim Babbs 303 S. Woods Ave. Rink Cashier \$2.30 Hr. EFF: 7/7/76

APPOINTMENTS...CONTINUEDAREA PLAN COMMISSION

Clifton H. Sebree 325 Ridgeway Zoning Inspector* \$8,000 Yr. Eff: 7/19/76
 Roy Edwards 203 N.W. 5th. St. Draftsman \$7,000 Yr. Eff: 7/19/76

* Funded by the Department of Metropolitan Development

SCOTT TOWNSHIP REASSESSMENT

Marguerite J. Richardt	R.R. 8	Deputy Clerk	\$16.10 Day	Eff: 6/1/76
Rex Fialkowski	Radio Ave.	Deputy	\$20.00 Day	Eff: 6/17/76
W. Marvin Lundy	R.R. 5	Deputy	\$20.00 Day	Eff: 6/17/76
Robert F. Southwood	R.R. 8	Deputy	\$20.00 Day	Eff: 6/21/76
Jeffrey A. Richardt	R.R. 8 Box 197	Deputy	\$20.00 Day	Eff: 6/17/76
David L. Bethel	13300 Gilles Lane	Deputy	\$20.00 Day	Eff: 6/21/76

VOTERS REGISTRATION OFFICE

Julie Ann Orman 100 N. Roesner Rd. Typist \$16.10 Day Eff: 7/19/76

RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

C.E.T.A. Bryan Wells	363 S. Craig Ave.	Mechanic	\$3.25 Hr.	Eff: 7/7/76
William Harrison	2527 W. Indiana	Life Guard	\$2.30 Hr.	Eff: 7/7/76

AREA PLAN COMMISSION

Clifton H. Sebree 325 Ridgeway Ave. Draftsman \$7,000 Yr. Eff: 7/19/76

VANDEBURGH SUPERIOR COURT

Lucille Jones Clerical assistant \$6,134.00 Eff: 7/16/76

SCOTT TOWNSHIP REASSESSMENT

Harley Seybold Sr. R.R. 5 Deputy \$16.10 Day Eff: 6/28/76

VOTERS REGISTRATION OFFICE

Brenda Carney 5614 Westhaven Typist \$16.10 Day Eff: 7/16/76

RE: MONTHLY REPORTS

The report from the Clerk of the Circuit Court was submitted for the month of June, 1976.

Report received and filed.

The report of the County Treasurer was submitted to the Commissioners for the month of June, 1976.

Report received and filed.

The report of the Pleasantview Rest Home was submitted for the month of June, 1976, for the Commissioners signatures.

Commissioner Ossenberg moved that this report be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: JOHN BRANSTRATOR.....ST. JOSEPH CHURCH

Commissioner Schaad said that Mr. John Branstrator had requested to be on the Agenda, to discuss the St. Joseph Church property that is located at the intersection of St. Joe Avenue, but for some reason, he failed to appear. He said he thought there needed to be some clearing of the property on the deed, before the Commissioners could finalize this matter. He said if Mr. Branstrator appears later, the Commissioners will come back to this matter.

RE: MIKE HINTONR & S FUNDS REQUESTED

Commissioner Schaad said there two items that are progressing very nicely and he submitted a report on the Lynch Road project to Mr. Hinton. He said that the Commissioners are working with Engineer's Associates on the contract to do the Engineering from U.S. 41 to Oak Hill Road to make it a four-lane, also, they are working on a contract with the Roberts & Petry Engineering Firm of Indianapolis, Indiana, to do the Engineering on St. Joe Avenue, which is also to be four lanes, from Diamond Avenue to Mill Road. He said these roads will be 70% federally funded and 30% local money, also that the Commissioners have heard from the State on the St. Joe Project, that the state and the federal Highway Commission has approved the contract, with one small exception, and that is on the design of the signalization. He said he was sure this was included but that it wasn't specifically brought out.

Mr. Hinton presented applications for R & S funds which he has prepared to match funds for Lynch Road in the amount of \$400,400.00 of federal money which has been received from the Federal Highway Administration and he said that in the case of St. Joe Avenue, the amount of the request is \$56,000.00. He said that both of these applications will be for monies, to do the preliminary engineering and E.I.S.. He said the right of way is also included in the Lynch Road project, that the E.I.S. has already been submitted to the state, last week, and he thought it to be advisable to go ahead and get the right of way money so they can proceed with the project as quickly as possible.

Commissioner Schaad said that Mr. Hinton did the environmental on Lynch Road and D.E. McGuillem & Associates did the environmental on St. Joe Avenue and that both of them have been completed.

Mr. Hinton noted that the amount of R & S funds being requested for these applications amount to \$171,600.00 for P.E. and Right of Way on Lynch Road and a new application of \$8,320.00 to supplement the \$24,000.00 already received on St. Joe Avenue and this makes a total of \$32,320 of R & S money allocated to that project, upon the signing of this application.

Commissioner Ossenberg asked if they didn't get some of that money back on the environmental impact on St. Joe Avenue.

Mr. Hinton said they did and what they are doing on St. Joe Avenue is that all they do is to get programmed and authorized to spend the federal aid highway money and when they get their local match down here, they were paying out of the R & S Account, downstairs, directly paying the consultant and after they pay him, all they have to do is send a claim up to the State Highway Commission and they have already received 70% of the payment they made to D.E. McGillem & Associates and that this will happen with both the projects and the money is earmarked for construction.

Commissioner Ossenberg moved that Mr. Hinton be authorized to request the R & S monies. Commissioner Willner seconded the motion. So ordered..

All necessary signatures were signed on the application at this time.

RE: OPENING OF BIDS

The following bids were received on the Reconstruction of St. Joe Avenue, over the old Penn Central Railroad Bridge:

Priest Hazelwood & Sons.....	\$72,497.10
Deig Brothers Lumber & Construction Co.....	\$84,481.51
Midwest Construction Co.....	\$98,812.27
Karberstein Trucking Inc.....	\$97,806.75
Feigel Construction Co.....	\$85,353.86
Engineer's Estimate.....	\$93,578.25

Commissioner Ossenberg moved that these bids be referred to the Surveyor's office for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: LETTER OF REQUEST FOR REIMBURSEMENT OF OLD ATTORNEY FEES

The following letter was received by the Commissioners from Roman F. Gehlhausen:

Gentlemen:

The undersigned, while a duly elected commissioner of Vanderburgh County, Indiana, and as a Commissioner of Vanderburgh County was also a member of the Evansville-Vanderburgh Metropolitan Plan Commission, was named as a co-defendant in a suit in Vanderburgh Circuit Court, 1968 Term, Cause No. 2012 whereby the State of Indiana was the Plaintiff in which some funds were alleged to have been misappropriated in the office of the Evansville-Vanderburgh Metropolitan Plan Commission and which recovery was sought by the State of Indiana against the undersigned and others.

The undersigned was advised by the Vanderburgh County Attorneys at the time of the filing of the complaint in Vanderburgh Circuit Court, 1968 Term, Cause No. 2012, that I should retain an attorney to represent me therefore avoiding any conflict of interest on the part of the Vanderburgh County Attorneys.

The Law Firm of John Bunner was retained to represent me. For the legal services of John Bunner in my defense I expended Six Hundred (\$600.00) Dollars.

I am asking that Vanderburgh County, Indiana, re-imburse me the legal fees I expended for my defense as a Commissioner of Vanderburgh County, Indiana.

Sincerely,

Roman F. Gehlhausen

County Attorney Wendel recommended that this claim be denied, since it is eight years old, it isn't on the proper claim form, the money was not appropriated for that purpose at the time, and also the County Attorney has no authority to incur any debts for the County.

Commissioner Ossenberg moved that the claim be denied, on recommendation of the County Attorney. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said he didn't see how the County could possibly pay for it, also that it should have been filed within a two-year period. He said that if Mr. Gehlhausen thinks he has a valid legitimate case, he should go before the County Council and plead for the money and let them be the guideline as to whether he should receive the money, being a past Commissioner, but that the State Law requires that two years is the statute of limitations, so if there is a moral obligation, he should pursue it with the Council and even then, he doubted that the State Board of Accounts would even allow it.

Commissioner Schaad said if it was a moral obligation, it seemed to him that it should have been pursued long before now and there should have been an understanding back then.

County Attorney Wendel said he has waived it by waiting so long.

RE: LETTER FROM CONTINENTAL INSURANCE COMPANY ON RECORD KEEPING....OSHA

Commissioner Schaad said he and the Commissioner's Executive Assistant have been working with this, in regards to meeting the requirements of OSHA, that this went into effect on July 1, 1976, and they talked with him several times and he was to get kits to all the various County offices.

The letter from the Insurance Company reads as follows:

July 9, 1976

Re: WC 6174169

Dear Mr. Schaad:

This letter will confirm my last visit to your office on July 2, 1976. I met with Mrs. Smith, Secretary.

We discussed the record-keeping requirements as presented by OSHA and the passing out of Continental OSHA kits to the various departments. As you recall from our previous meetings, it was decided what departments outside of the main location should have these kits and that the different departments would report to your office on a monthly basis for logging or filing of such records.

Also previously discussed, was the fact that your office would check into problem areas regarding injuries or accidents in order to develop a program to aid in abating reoccurrences.

We also discussed the different departments that I visited recently and discussions that I had with the various department heads regarding the record-keeping requirements.

I plan to visit again next year, however, I will be in contact with you or your secretary to follow up on the progress of your program.

If I can be of further service, please do not hesitate to call.

Very truly yours, R.A. Hernandez,

Engineering Field Representative

Commissioner Schaad said that this amounts, more or less, to every County Department, to fill out a report monthly, that there was talk at one time that the County needed a Safety Director, but he personally felt we didn't need this expense to the taxpayers, but if each County Department would have one of these kits and make out reports on what accidents have occurred in his department for the month, and the idea is to submit them all to the Commissioner's office and they can be compiled on a flow sheet and the idea is if there is an area where we are vulnerable or an area where accidents are re-occurring, it will show up and they can then make corrections to avoid further accidents.

He said he supposed that OSHA feels the County is just going along and don't have any record keeping or that they are making any study or seeing if there is an area where there are more accidents than any other, that they will never make any corrections and they will just keep going the way they are now.

He said that it is well taken, also that Ms. Smith said they didn't have enough of these kits and he is making a trip down here sometime in August and is hoping he will have enough kits at that time.

Commissioner Schaad suggested that each County Department of Officeholder, or anyone associated with County government, to be sure and log any accidents so they can be filled out at a later date.

He said they must do this, that it isn't just a request where we are asked to do it, so all County offices and all County departments are to keep records on all accidents.

He asked Mr. Siebeking, who has a kit, if there is a provision for accidents where there is no personal injury.

Mr. Siebeking said they would like records on any type of accident, whether is it on personal injury or not.

Mr. Judd said he makes this report on the Traffic Department for the City and he asked if he must also make out a report for the County.

Commissioner Schaad said he supposed that all Joint Departments are reporting to the City and there is no reason for duplicate reporting so they can just continue to make their reports to the City.

RE: NOTIFICATION TO COUNTY OF REZONING PETITION

The following letter of notification to the County, as an adjoining property owner, was received from Mr. Shrode on a rezoning petition that will come before the County Commissioners this morning:

July 9, 1976

On this date, I filed a petition to rezone my property which lies north of Petersburg Road and fronts along Hamilton's Golf Course. This was formerly the old Veck farm and I enclose herewith a copy of the petition, together with a map.

Since you own land adjoining this property, I am required to mail you a copy of the petition. It is my understanding that the first meeting concerning this will be at the County Commissioners' meeting on July 19, 1976.

Very truly yours, Willard C. Shrode

Commissioner Schaad said he has looked the petition over and apparently there is a portion of the area where he is asking to go from Agricultural to R2, part of it from Agricultural to C-1B and another part of it from Agricultural to M2, and that since the County is an adjoining property owner, by law, he must notify everyone.

RE: LETTER CONCERNING LEASE OF INDIANA STATE POLICE POST

A letter dated July 7, 1976 was sent to Mr. Ed Mitchell, President of the Evansville Vanderburgh Airport Authority, by Sheriff DeGroote, a copy of which was submitted to the Commissioners and reads as follows:

Dear Sir:

May this letter serve as my formal request, on behalf of the Vanderburgh County Sheriff's Department, to lease and occupy the present Indiana State Police Post after they move to their new quarters.

This location would be a natural precinct station in that it would get us a lot closer to our prime area of enforcement, thus cutting down drastically on the vital response time to an emergency call. It would also provide a needed public service in-as-much as our plans call for providing an "Information Center" for the motoring public, to supplement the service offered by ISP.

In appreciation of your consideration, and that of your Board, and awaiting your response, I remain,

With warm, personal regards,

Jim DeGroote, Sheriff
Vanderburgh Co. Police

Commissioner Schaad said he understands the building can be leased for \$1.00 per year, and that any property that is either owned or leased by the County, must be approved by the County Commissioners.

County Attorney Wendell said there is a statute that reads, the Commissioners shall provide an office for the Sheriff in the Court House or the County seat, but it doesn't say whether he is restricted from having a substation or not but he thought it would be acceptable for them to have it.

Commissioner Ossenberg said that apparently, this must be Airport property or the Sheriff wouldn't be writing to Mr. Mitchell of the Airport Authority.

Ms. Smith advised the Commissioners that the intentions are that the Airport Security will also be housed in part of this particular building.

Commissioner Ossenberg said he thought the Sheriff is embarking on the right thing and that he would like to see him set up a sub-station in the West side of Evansville and there is a possibility that he can utilize some part of the old Boehne Camp.

County Attorney Smith said that, by statute, all records and papers must be kept in the main office, however.

Commissioner Schaad said that apparently the airport does own the property and maybe the State Police lease it from them now and he asked County Attorney Wendell to check on this since it will come up at another time and they will then know what the status is.

RE: AUTHORIZED TO ADVERTISE FOR SALE

The following letter of request was received from Buddy Cole, the County Recorder:

Gentlemen:

We wish to dispose of our Itek No. 1418 Recorder, Photo Copy Machine, which is surplus equipment.

This machine has been replaced by Xerox Copiers and the old Itek is not being used anymore.

Any further information you require please advise.

Thank you for your consideration in this matter.

Sincerely yours,

Clyde, "Buddy" Cole Jr.

Recorder of Vanderburgh County

Mr. Hotz said that he looked at the machine and that it was put in there and then the room was built around it so it will have to be dismantled to get it out. He said in checking with Mr. Cole, he agreed that the machine could be sold where it is and then, let the buyer get it out, that he had Mr. Curran Miller to look at it and he can sell it on August 3, at 10:00 a.m. in the Records office. He requested that this copy machine be declared as surplus and that it be advertised for sale.

Commissioner Ossenberg moved that the machine be declared as surplus and that the County Auditor be authorized to advertise for the sale. Commissioner Willner seconded the motion. So ordered.

The ad will appear in both newspapers on July 22nd. & July 29th. 1976, with the sale to be held on August 3rd. 1976, at the County Recorder's office.

Mr. Hotz wondered what they would do if they didn't sell it.

Commissioner Schaad suggested they wait to see whether they get a bid on it first or not.

RE: REZONING PETITION.....VC37-76

Petitioner and Owner of Record.....Carolyn S Osborne

Premises affected are located on the North side of Allens Lane. The requested change is from R-1 to C-1 B and present existing land use is residential and the proposed use is for Used Car Sales and Residence.

The following letter was submitted to the Commissioners by Mr. Jeff Wilson of the Area Plan Commission:

IN RE: Rezoning Petition of Carolyn Osborne
Cause No. 76-63-PC---VC-37-76

Gentlemen:

Request is hereby made that the above captioned Rezoning Petition be withdrawn from any and all further consideration by the Board of Commissioners of the County of Vanderburgh.

Very truly yours, Carolyn S. Osborne

Commissioner Willner moved that this petition, VC-37-76, be withdrawn from consideration. Commissioner Ossenbergh seconded the motion. So ordered.

RE: REZONING PETITION.....VC-38-76 First Reading

Petitioner and Owner of Record.....Raymond Heseman

Premises affected are situated on the East side of Oak Hill Road, a distance of 200 feet Southwest of the corner formed by the intersection of Oak Hill Road and Heseman Avenue, commonly known as 7419 Oak Hill Road.

The requested change is from R-1 to R-0.

The present existing land use is residential-office and there is no authority for said existing land use.

The proposed land use is residential-office.

Mr. Bob Kinkle appeared for the petitioner and explained that Mr. Heseman has this property at 7419 Oak Hill Road which he is currently using as an office, that he runs a food brokerage business from there and there are salesmen that go in and out but that they don't sell out of there, also that no food is stored there, that it is strictly office and record keeping.

He said this property belonged in his family and was an old farm house and he has put approximately \$30,000 to \$40,000 in the property and this has gone on for about five years and he recently found out that the property would have to be rezoned for a residential office.

He said that all the property to the East of this property is zoned Agricultural and to the North and South is R-1 and across Oak Hill Road is zoned Agricultural.

There were no remonstrators present.

Commissioner Willner moved that this petition be referred to Area Plan on first reading and that it be received and filed.

Commissioner Ossenbergh seconded the motion. So ordered.

RE: REZONING PETITION.....VC-39-76 First Reading

Petitioner and Owner of Record.....Willard C. Shrode

Premises affected are situated on the North side of Petersburg Road West of U.S. Highway 41 North and is commonly known as 6900 Petersburg Road.

The requested change is from A to R-2, M-2 and C-1B.

The present existing land use is residential and agricultural and the authority for said existing land use is historical and the ordinance.

The proposed land use is Residential, Commercial and Industrial.

Commissioner Ossenbergh asked Mr. Wilson of Area Plan, if the petitioner has on file with him, as to the intentions he has on the three zoning classifications.

Mr. Wilson said they really don't have a developed plan and they plan on rezoning it and selling it to a developer.

Commissioner Ossenbergh asked if when they appear before the Plan Commission, if they state what they want.

Mr. Wilson said they wouldn't have to have a set development plan when they appear before the Plan Commission.

There were no remonstrators present.

Commissioner Ossenbergh moved that this petition be received and filed and referred to Area Plan on first reading. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Robert Moran, the Veteran Service Officer, for expenses incurred in attending the Convention in Indianapolis, Indiana, as approved by the County Commissioners, in the amount of \$63.49.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by George Ryan Co. Inc. for the installation of pipe in Spillway at Burdette Park and related work in the amount of \$5,000, the money to come out of Land Improvement at Burdette Park, #506-145-711.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of Combined Health Department at 21.5% for the month of June in the amount of \$7,293.07. It was noted that this claim did include the rent which was deducted from the amount by the County Auditor.

Commissioner Ossenbergh moved that this claim be approved in the amount of \$7,293.07. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the Combined Department of the Traffic Engineer at 14% in the amount of \$7,140.28 for the month of June.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the Combined Department of Building Inspection at 40% for June in the amount of \$15,079.16.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the Combined Department of Purchasing at 50% for the month of June in the amount of \$7,466.75.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of the Combined Department of Weights & Measures at 42% for the month of June, in the amount of \$760.61.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County's share of Civil Defense for 1976 in the amount of \$4,200.00.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad noted that the City used to bill the County for all combined departments quarterly but that they have now gone to billing us monthly.

A claim was submitted by Torian Agency Inc. for Insurance at Burdette Park on BND 193 12 20 Continental \$10,000, Faithful Performance Blanket Position Bond for Public Employees in the amount of \$131.00.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: REFUND ON DUPLICATE PERMIT

A refund of permit 7012 for James Calvert of Nisbet Road in the amount of \$35.00 is requested since this permit was duplicate of permit #6840 which was issued to same customer.

Commissioner Ossenberger moved that the refund of \$35.00 be approved. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE ON COUNTY COUNCIL MEETING

Commissioner Schaad announced that the County Council meets tomorrow at 1:00 p.m. for their July meeting, in the Council Chambers.

RE: REQUEST TO BURN BUILDING

Mr. Hotz said he would like the Commissioners permission to burn the old barn at the Pleasantview Rest Home, that the Fire Department will burn it around August 1st. for training purposes.

Commissioner Schaad said he went out and looked at it and said that someone had agreed to take this building down for the materials and in the agreement, he agreed to level it down and remove the debris and apparently he took what he wanted and abandoned it and he thought, in the future, that they should have some sort of performance bond, also that it was agreeable with him if the Fire Department burned the building.

Mr. Harness said that it is an eye sore, that it has been there for a year and a half so it should be destroyed and he has no objection to the Fire Department tearing it down, but that there are some hazards in tearing it down.

The Commissioners agreed that this is typical experience for the Fire Department and it is okay with them if they want to do it.

Commissioner Ossenberger moved that the Fire Department be permitted to burn this building down. Commissioner Willner seconded the motion. So ordered.

RE: MATERIALS DECLARED AS SURPLUS

Mr. Hotz submitted a list of items that he would like to auction off at Pleasantview Rest Home which include a wheel horse snow or grader blade, a manure spreader, a snow or grader blade, one-hundred plywood ballot boxes, two-hundred interior flush doors, one ice maker, two-bottom plow, twenty-five glazed field tile, three-hundred concrete field tile, twelve miscellaneous door sashes, one metal sash with obscured plate glass, twelve solid wood core doors of one size, ten another size and six of another size and one ball of binder twine, also other miscellaneous items. He said that he has an appointment with Mr. Curran Miller to go out there tomorrow morning at 10:00 a.m. and at that time, they will set a date for the sale.

Commissioner Ossenberger moved that these items be declared as surplus. He wondered if the items listed as too numerous to be mentioned shouldn't be itemized and wondered what they were.

Mr. Hotz said there were a number of chairs and rockers, also some items they aren't sure about selling at this moment, also that Shirley Cox has two or three machines she isn't using but she is on vacation at this time.

Commissioner Willner seconded the motion. So ordered. He said he thought all items should be listed whether legal or not but he thought if they wanted the people to come to the sale, all items should be listed.

Commissioner Schaad said the Commissioners will authorize to advertise these items next week and also set the date for the sale.

RE: OTHER ITEMS DECLARED AS SURPLUS

Mr. Hotz then submitted a list of items that he would like to take out to Mr. Curran Miller's Auction Barn to be sold. He explained that the sale is held every Thursday, starting about 5:00 p.m., if this is legal, since he could continue the sale in the following weeks until they are sold.

The list consists of an Emerson window air conditioner, paper towel cabinets, a desk swivel light, an electric percolator, drape holders and assorted drapery rods, 200 pairs of draperies from the Hillcrest-Washington Homes, an Oak office chair, Electric motors, a 5-gallon Flintkote Cement, an Oak office desk, an Electric range, chairs, dressers, television sets, a Victory adding machine, sump pumps, lawnmowers, chairs, lamps and numerous other items.

Commissioner Schaad wondered if some place like Darma House could use some of these items.

Commissioner Willner said they can't do that, since it must be declared as surplus, but they can bid on them.

Mr. Hotz said that Mr. Miller holds an auction at his barn every Thursday at 1:00 p.m. but he thought that he would agree to hold the county items until 5:00 p.m. to give the people that work a chance to come out there and that he will get with Mr. Miller tomorrow to see when he can conduct the sale and report back to the Commissioners next week.

Commissioner Willner moved that these items be declared as surplus and to wait until next week to decide about the sale. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said he is again going to ask if the specific items shouldn't be listed on the ad.

Mr. Hotz said he also recalled, on the sale they had at the Court House, that a clause was added that read, the Commissioners reserve the right to refuse any bids, but he didn't think it was necessary in this case, since they would be glad to dispose of all these items.

RE: COMMENT ON JUDGES BENCH

Commissioner Schaad said he has had a call in for Mr. Dick Brenner at the Baker Foundation regarding that Judges bench but he hasn't returned the call, so he said that he would again try to contact Mr. Brenner.

The Judges bench was previously discussed as being surplus.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report for the employees at the County Highway Garage for the past week.

Report received and filed.

RE: PLANS DISCUSSED FOR RESURFACING VARIOUS ROADS

Mr. Siebeking submitted a list of roads that were discussed last week for resurfacing, where the contractor will supply the paving machine and the men to run it, also the material and the County Garage will supply the trucks to haul the material and will do the ditch work.

He said that he also has in the specifications that the bidder will be liable for the material that might set up in the truck in case the trucks broke down.

He also reminded the Commissioners that August 2nd. would be the date the bids would be opened and they wouldn't have the money in that account on that date, so by law, he didn't think the contract could be let on this date, since he couldn't get before the Council until August so the bids would have to be held until they get the money, probably in September or October and they also have to get approval from the State Board of Accounts.

Commissioner Schaad explained that this is just an experiment and they won't know whether it is good or bad until it is actually tried and they agreed to do it.

Mr. Feigel said that since the Commissioners have had no experience in this at all, they should use state inspected material and they should pick out one road and try it first and he thought they would find that it wouldn't be a very good job.

Commissioner Willner said he didn't see any reason to change their plans but that they could try it on one road and if it isn't a good job, they can cut off the rest of them, since they are going by a tonage basis anyway and this could be put in the contract.

Commissioner Schaad said that since they aren't going to be able to go before Council to get the money and advertise anyway, as yet, he asked that Mr. Siebeking get with the County Attorney's and clear up the legal aspects of it.

Commissioner Ossenberg asked if there was enough money in the account to do one road.

Mr. Siebeking said that he would have to do some transferring and he would have to go before the Council to do this because it will have to come out of the bituminous and out of his rock account and transfer it over to contractual account and it will have to be advertised since it is the same as new money.

He said he has some money in his contractual account but that it is earmarked for other jobs.

Commissioner Schaad suggested that they do Kern Road and Laurel Road which is one project, with a total of 1584 feet.

Mr. Siebeking said he thought by transferring money from the two accounts, he would have enough to do this one project.

Commissioner Ossenbergsaid his feeling is that he would like to see a trial run but his main interest is how much it is coming in per ton and if it comes in at what he thinks it will, he doesn't know if they are going to save any money or not.

A gentleman asked if the County was dissatisfied with the quality of roads they were getting from the contractor.

Commissioner Schaad said "no" that the County Highway Garage does what they call road mix, they do the entire job, but they had a proposal on two different occasions and they thought they might come up with a better quality, smoother road at no more money, by using a paver so they decided to try it and if it wasn't any better, they would go back to the former way of doing it.

He said they were pleased with the way the roads were done but if they can get a road that looks like a contractors job at no greater cost, they would certainly want to consider it and this is the reason they decided to do it and they won't know until they have tried it.

Mr. Siebeking suggested that he take the specifications back and figure on one road and this will give him a chance to put all his figures together to be sure they will have the money to transfer.

Commissioner Schaad said another thought would be that they designate the shortest road to be done first and that it be so stated in the contract that this road be done and if they are pleased, they can go ahead with the rest of the contract, or not, they can stop them from continuing.

The Commissioners agreed with Commissioner Schaad's thinking.

Commissioner Ossenbergsaid if after the money was transferred and they were displeased with the roads, how would they get the money back into the other two accounts.

Commissioner Schaad said Mr. Siebeking could go before the Council and explain what had happened.

The plan would then be to ask for bids on the whole thing, but they are going to do Kern Road and Laurel Road first and if the Commissioners are satisfied, they will go ahead with the rest of the roads, but if not, at their option, they can cut it off.

Commissioner Ossenbergsaid this plan be approved. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

The Water Company requests permission to make shoulder cuts into Saratoga to Autumn Way on Spring Valley Road and into Old State Court off Old State Road to provide water service.

Commissioner Ossenbergsaid these cuts be approved. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE.....REPAIR OF SIX STRUCTURES

Mr. Ludwick submitted specifications and the Notice to Bidders on six bridges that are going to be let out on contract.

The six structures are as follows:

1. Volkman Road..... .1 mile East of Hwy. 41.
2. Buente Road..... .5 mile North of St. Wendel Road
3. Mohr Road..... .1 mile East of St. Joe Ave.
4. St. Joe Road..... Intersection of New Road
5. Neu Road..... .5 mile South of #3 School Road
6. Korressel Road... 1 mile North of Upper Mt. Vernon Road

Mr. Ludwick explained that they are going to lump these structures into one contract and each bridge is a little different as to the repairs needed, also the idea behind this is to widen the smaller structures in Vanderburgh County and make various repairs as to what is needed on each of them. He asked that the notice be advertised on July 29th and August 5th, with bids to be opened on August 9th.

Commissioner moved that specifications be approved and that the Auditor be authorized to advertise for bids on specified dates. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE.....GREEN RIVER ROAD PROJECT...PHASE II

Mr. Ludwick submitted the specifications and legal ad for bids on the Green River Road Project, Phase II, from Boonville-New Harmony to Highway 57, for the Commissioners approval and he asked that the advertisement appear in newspapers on July 29th and August 5th, with the bids to be opened on August 9th. He said the R & S money has been approved for the reconstruction and the money is available.

Commissioner Willner moved that the specifications be approved and that the Auditor be authorized to advertise for bids on specified dates. Commissioner Ossenberg seconded the motion. So ordered.

The meeting recessed at 11:15 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY COMMISSIONERS MEETING
JULY 26, 1976

The meeting to the County Commissioners was held on Monday, July 26, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

Mr. Walter Robertson of 1106 Washington Avenue appeared on behalf of Mr. Charles Russell Swope of 33 W. Maryland Street, Phone 423-2318, who offered bids on the following parcels of County owned Surplus Property;

Parcel #1...Tax Code 15-9-23...1236 John St...Appraised Value-\$50.00. Bid of \$10.00

Commissioner Ossenberg moved that the \$10.00 be accepted for parcel 15-9-23, from Mr. Swope. Commissioner Willner seconded the motion. So ordered.

Parcel #2...Tax Code 15-9-24...1234 John St...Appraised Value-\$50.00. Bid of \$10.00

Commissioner Ossenberg moved that the \$10.00 be accepted from Mr. Swope for parcel 15-9-24. Commissioner Willner seconded the motion. So ordered.

Parcel #4...Tax Code 21-67-16...791 Line St...Appraised Value-\$50.00. Bid of \$25.00

Commissioner Ossenberg moved that the \$25.00 be accepted from Mr. Swope for parcel 21-67-16. Commissioner Willner seconded the motion. So ordered.

Parcel #8...Tax Code 22-70-36...209 Sweetser Ave...Appraised Value-\$100. Bid of 25.00

Commissioner Ossenberg moved that the \$25.00 be accepted from Mr. Swope for parcel #22-70-36. Commissioner Willner seconded the motion. So ordered.

Parcel #15...Tax Code 22-70-39...Behind 229 Sweetser. Part of Lot 7 in Oakdale. Appraised Value-\$50.00. Bid of \$ 25.00

Commissioner Ossenberg moved that the \$25.00 be accepted from Mr. Swope for parcel # 22-70-39. Commissioner Willner seconded the motion. So ordered.

Parcel #24...Tax Code 22-83-27...Part N. E. 1/4 S.E. 1/4 of Sec. 32-6-10. Appraised Value-\$50.00. Bid of \$25.00.

Commissioner Ossenberg moved that the \$25.00 be accepted from Mr. Swope for parcel #22-83-27. Commissioner Willner seconded the motion. So ordered.

Parcel #30...Tax Code 21-67-34...261 E. Gum St. Appraised Value-\$50.00. Bid of \$25.00 .

Commissioner Ossenberg moved that the \$25.00 be accepted from Mr. Swope for parcel #21-67-34. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad explained that the Commissioners main interest in selling these parcels is to get them back on the tax roles. He said that Mr. Robertson had a blank check and he asked the County Auditor how he wanted to handle this matter.

Mr. John said that Mr. Robertson could just make out the check in the amount of \$145.00 for the parcels, to the order of the Commissioners and that after the deeds were recorded, Mr. Swope could pay the recording fee at the time he picks up the deeds.

Mr. Swope will be notified when the deeds have been recorded and are ready to be picked up.

RE: MEMORANDUM FROM THE PURCHASING DEPARTMENT

The following Memorandum was issued to the Department Heads and Attorneys representing said Departments of Evansville Waterworks, Board of Public Works, Public Recreation Commission and Vanderburgh County Commissioners, from P.M. Mitchell on the purchase of Chlorine from P.B. & S. Chemical Company, dated July 21, 1976:

It has come to the attention of this office through Mr. Huffman, City Purchasing Agent, that P.B. & S. was the successful bidder to furnish chlorine to the Knoxville, Tennessee Utilities Board at ten cents per pound, with the bid being under the same terms and conditions as our bid which was awarded to P.B. & S. for .0175 cents per pound. The Waterworks Department purchased 600,000 pounds while the other City agencies purchased a total of 724,000 pounds total.

The bid form used by P.B. & S. was Form 95 which contains the following provision:

....."that if this bidder shall offer to or receive from any person, firm, board, commission, trustee or corporation, during the continuance of the contract sought hereunder, a less price than that stated herein, expecting market changes, he consents that the difference shall be deducted from the sum due under said contract..."

The difference of .0175 cents per pound represents a total price reduction of \$23,370.00. This office is advising the Waterworks Department to continue to take delivery and paying the bid price with instructions to withhold from the last payment or payments, whichever the case may be, the .0175 differential. As to the Waterworks this amounts to \$10,500.00. Each of the other governmental agencies should compute their own differential. When the last payment is made with the reduction, proper notification from the City Attorneys office or the County Attorneys office, should accompany the final payment with the reasons for the reduction.

Commissioner Schaad said that the City of Evansville and Vanderburgh County has been purchasing chlorine from this company in Henderson and the Purchasing Department was aware that they had bid a lesser price to someone else and he understands, that under the law, they can recoup the difference. He said that the only place in Vanderburgh County that buys chlorine is for Burdette Park.

County Attorney Wendel said that Mr. Huffman should keep paying the invoices as they are presented, regardless of the price and then deduct the overcharged amount from the last invoice. He said the County will deduct this amount and then the City will sue the County for payment.

Mr. Hertzberger said they will catch it in their office, since he doesn't put a price on the requisition because, in the past, the price has fluctuated and so many changes had to be made, so now they leave it blank until he takes it to the Auditors office.

Mr. John said that they will notify him that the price has been established and from then on, he would hold the bills and work with Mr. Huffman in order to establish a price.

After further discussion, County Attorney Wendel recommended that the Commissioners take this matter under advisement for one week so that he can get with Mike Mitchell to discuss it.

Commissioner Willner asked if this wasn't a bid item and that the price that is being charged somewhere else is also a bid item and asked if there would be some difference as to when they were bid, as to the difference in price.

Mr. Huffman said that this is correct, that they were both bid items and that they were bid within seven days of each other.

The Commissioners agreed that it would be best for County Attorney Wendel to get with Mike Mitchell to decide how this matter should be resolved and for him to report back to the Commissioners.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

ITGEON TOWNSHIP ASSESSOR.....REASSESSMENT

Roland McCrory	1123 E. Iowa St.	Crew Chief	\$30.00 Day	Eff: 7/19/76
Norman J. Hooe	1100 W. Florida St.	Field Man	\$20.00 Day	Eff: 7/19/76
Marie Evans	714 Jefferson	Field Person	\$20.00 Day	Eff: 7/19/76
Claire H. Day	720-B E. Powell	Field Person	\$20.00 Day	Eff: 7/19/76

SCOTT TOWNSHIP REASSESSMENT

Daniel L. Hudson	3007-C Crowley Dr.	Deputy	\$20.00 Day	Eff: 7/21/76
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PIGEON TOWNSHIP ASSESSOR.....REASSESSMENT

Jeffery Lannert	1516 S. Frederick	Field Man	\$20.00 Day	Eff: 7/14/76
Virginia A. Coleman	622 John St.	Field Person	\$20.00 Day	Eff: 7/14/76
Andrew Brummel	604 College Hwy.	Field Person	\$20.00 Day	Eff: 7/14/76
Mary L. Shores	437 S. Grand Ave.	Field Person	\$20.00 Day	Eff: 7/14/76
Brenda L. Carney	5614 W. Haven Dr.	Field Person	\$20.00 Day	Eff: 7/19/76
Paymond R. Laughery	1101 S. Kentucky	Field Person	\$20.00 Day	Eff: 7/19/76
Mark MacGregor	641 Jefferson	Field Person	\$20.00 Day	Eff: 7/19/76
John H. Miller	301 N. Barker Ave.	Crew Chief	\$30.00 Day	Eff: 7/19/76
Russell Rohner	617 W. Maryland St.	Crew Chief	\$30.00 Day	Eff: 7/19/76
Paul E. Ahrens	1039 E. Columbia St.	Crew Chief	\$30.00 Day	Eff: 7/19/76
Ronald E. Bailey	309 Olive St.	Crew Chief	\$30.00 Day	Eff: 7/19/76

KNIGHT TOWNSHIP ASESSOR

A.W.E. Geraldine Beichner	7524 Middle Mt. Vernon Rd.	Deputy Clerk	\$2.30 Hr.	Eff: 7/26/76
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BURDETTE PARK

Larry Jones	1713 Delmar Ave.	Head Guard	\$2.75 Hr.	Eff: 7/21/76
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BURDETTE PARK

Kenneth Mitz	1204 S. Parker	Rink Manager	\$26.00 Day	Eff: 7/26/76
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RE: EMPLOYMENT CHANGES..... RELEASES

SCOTT TOWNSHIP REASSESSMENT

Rex Fialkowski		Deputy	\$20.00 Day	Eff: 7/16/76
Jeffrey A. Richardt	R.R. 8 Box 197	Deputy	\$20.00 Day	Eff: 7/16/76
Joseph F. Gossman	R.R. 7 Box 390	Deputy	\$20.00 Day	Eff: 7/16/76

PIGEON TOWNSHIP REASSESSMENT

Jeffrey J. Lannert	1516 S. Frederick	Crew Chief	\$30.00 Day	Eff: 7/19/76
Mark M. MacGregor	641 Jefferson	Crew Chief	\$30.00 Day	Eff: 7/19/76

VOTERS REGISTRATION OFFICE

Anita J. Sawyer	5404 Cunningham	Typist	\$16.10 Day	Eff: 7/23/76
Catherine Frick	3211 Mt. Vernon	Typist	\$16.10 Day	Eff: 7/23/76
Julie A. Orman	100 N. Roesner	Typist	\$16.10 Day	Eff: 7/23/76
Beverly Kempf	1208 N. 2nd. Ave.	Typist	\$16.10 Day	Eff: 7/23/76

CIRCUIT COURT

George C. Barnett	2511 E. Gum	Prob. Intern	\$117.21 Week	Eff: 7/17/76
Loren Gabe	R. #4 Box 293-A	Prob. Intern	\$117.21 Week	Eff: 7/17/76

JOINT DEPARTMENT OF LEGAL SERVICES

R. Stephen LaPlante	110 Water St. Newburgh	Exec. Director	\$10,000 Yr.	Eff: 7/30/76
Carol P. Wytovak	1209 Treetop Lane	Cler. Assistant	\$5,536 Yr.	Eff: 7/23/76

BURDETTE PARK

Donna Bowers	722 Mels Dr.	Extra Life Guard	\$2.30 Hr.	Eff: 7/19/76
Robert Gulick	2215 W. Illinois Ex.	Life Guard	\$2.30 Hr.	Eff: 7/19/76
Larry Jones	1713 Delmar	Reg. Rink Guard	\$2.30 Hr.	Eff: 7/20/76

BURDETTE PARK

Kenneth Mitz	1204 S. Parker	Rink Guard	\$2.30 Hr.	Eff: 7/26/76
Kenneth	1204 S. Parker	Security	\$2.30 Hr.	Eff: 7/26/76

PLEASANTVIEW REST HOME

Denise Nash	1122 W. Louisiana St.	Nurses Aide	\$2.30 Hr.	Eff: 7/25/76
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RE: MONTHLY REPORTS

The report of the Traffic Engineering Department was submitted for the month of May, 1976, by Bill Judd, the Traffic Director.
Report received and filed.

The report of the monthly statement of income and disbursements was submitted on the Evansville Association for Retarded Citizens for the month of June, 1976.
Report received and filed.

The monthly Case Report was submitted for the Legal Aid Society of Evansville, Ind. Joint Department of Legal Services for the month of June, 1976.
Report received and filed.

RE: CONTRACT AWARDED ON ST JOE OVER PENN CENTRAL TRACKS

The bids that were received on the St. Joe Bridge over Penn Central last week, had been taken under advisement until today.
The bids were as follows:

Priest Hazelwood & Sons.....	\$72,497.10	72,497.10
Deig Brothers Lumber & Construction Co.....	84,481.51	84,481.51
Midwest Construction Co.....	98,812.27	98,812.27
Karberstein Trucking Inc.....	97,806.75	97,806.75
Feigel Construction Co.....	85,353.25	85,353.25
Engineers Estimate.....	\$93,578.25	

Mr. Nussmeyer said that the low bid was submitted by Priest Hazelwood & Sons, but that they haven't received a performance bond from them as yet and he asked that this matter be held up for a few minutes.

Mr. Nussmeyer later suggested that the bid be awarded to Priest Hazelwood, subject to receiving the performance bond.

Commissioner Schaad said that the bond is on the way over and should arrive within forty-five minutes so they would just wait on it.

Later, when the Commissioners received the Performance Bond, Mr. Nussmeyer recommended that the contract be awarded to Priest Hazelwood for the St. Joe Project over the Penn Central tracks.

He said that the road will be closed for forty work days and that the work will begin on August 2nd, 1976, also that the detours will be on Orchard Road, East to Darmstadt Road or on Boonville-New Harmony Road, East to Darmstadt Road.

Commissioner Ossenberrg moved that the contract be awarded to Priest Hazelwood & Sons at the bid price of \$72,497.10. Commissioner Willner seconded the motion.
So ordered.

RE: REQUEST FOR ROADS TO BE NAMED....APPROVED

Mr. Jeff Wilson of the Area Plan Commission appeared and said that Busler has a race track on the East side and is building up out there and he is requesting that a road out there be named Ruffian Way.

Commissioner Ossenberrg moved that the road be named as suggested. Commissioner Willner seconded the motion. So ordered.

Mr. Wilson said that there is a subdivision that was approved in 1972 and they are just now starting to build on it and when they came in to get the numbers, they noticed that the streets need to be changed in name and that one of them will be changed from Berry Lane to Chastain Drive and the other one will be changed from Sherbrooke Drive to Daisy Lane.

Commissioner Ossenberrg moved that the new streets be named as stated. Commissioner Willner seconded the motion. So ordered.

Mr. Wilson also said they have an apartment Complex on the East Side which is Carriage Hills and they would like for the street that goes into it to be named Carriage Drive.

Commissioner Ossenberrg moved that the street name of Carriage Drive be approved. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE...COMFORT STATION

The plans and Notice to Bidders for a comfort station at Burdette Park were submitted to the Commissioners for their approval.

Commissioner Ossenberg explained that this was brought up twice before the Vanderburgh County Park Board and twice, several bids were picked up by contractors, but that unfortunately, the few that came in were far above the Engineers estimate and consequently, the Board felt if it was advertised through the Commissioners, they may get more bids.

Mr. Nussmeyer said he didn't see how the basic bid could be made at less cost, that the only thing he could see would be to change the deck to be made of wood, but that this would not be advisable with all the moisture present out there.

The plans were signed by the Commissioners at this time.

Commissioner Ossenberg moved that the Auditor be authorized to advertise for bids on July 29th. and August 5th. with the bids to be opened on August 9th. 1976. Commissioner Willner seconded the motion. So ordered.

RE: C.E.T.A. AGREEMENTS SIGNED

Agreements were submitted for the signature of the President of the Board of County Commissioners which are modification transmittals to extend the operations of the AWE Program from 7/1/75 to 9/30/76..

Commissioner Ossenberg moved that the agreements be signed and forwarded to Tom Akin of Manpower Planning. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by the American States Insurance Co. on insured, The Robert T. Hamilton Charitable Golf Foundation, Inc. on the Golf Course, Umbrella Liability in the amount of \$1,000,000.00. Certificate of Insurance received and filed.

Commissioner Willner asked if the County Attorney's couldn't read the lease over to see if there is anything in there about non-payment of taxes.

Mr. John said he thought they would probably find that it reads where they will pay all taxes that are legally due.

Commissioner Willner said that they haven't paid the taxes though.

Mr. John said the question is as to whether they are due or not.

Commissioner Willner said this is the reason he asked the County Attorney's to read the lease agreement over.

Mr. John said that this matter is before the State Board of Tax Commissioners now and they will have a hearing to determine whether they are a non-profit organization or not and that this should answer Commissioner Willner's question.

Commissioner Willner said not necessarily, that the County Board of Review has already said that it isn't legal, that anyone else, such as Whirlpool, would pay the taxes and if it is found to be legal, they would then be refunded the money.

Mr. John said there was a special law that has since been amended and he would say they were incorporated within a month before it was amended and it did state something where they could incorporate as a non-profit organization but whether they fit into this qualification or not is what is being questioned. He said they are asking for an exemption on the land and the greens themselves, and not on the clubhouse or the golf carts and this is what has been turned down by the Board of Review each year.

It was agreed by the Commissioners that the County Attorney's check the lease but Commissioner Ossenberg felt that they wouldn't find it in the lease.

RE: REQUEST TO TRAVEL

The following request was submitted by Robert J. Moran, the Veteran Service Officer:

Dear Sirs:

I request permission to travel to Veterans Administration Regional Office on Thursday July 22, 1976 in Indianapolis, Indiana.

The purpose of this trip will be to appear before the Review Board at the request of James Baker, a local veteran who will be appealing a claim for compensation.

There will be no funds requested for this trip.

Yours very truly, Robert J. Moran
Service Officer

Commissioner Schaad said that this trip will be at no cost to the County and that he gave Mr. Moran permission to make the trip and that he is back already. He had the Commissioners secretary to send a note of approval for the trip to Mr. Moran.

The trip was sanctioned by the agreement of the other Commissioners at this time.

RE: COMMENTS ON RECREATIONAL FACILITIES OF PRISONERS

A letter was received by the Commissioners from Sheriff McGonigle last week, in reference to a court order that issued by Federal Judge, Hugh Dillon, pertaining specifically to Marion County, to provide some outdoor recreational facilities for prisoners and thought it may have some affect in Vanderburgh County some day, so the Sheriff had asked the Commissioners to check into it.

Commissioner Schaad said the Sheriff had plans for outdoor recreation and asked the Commissioners to check into it so they talked to the Building Authority and they looked at the area that the Sheriff had in mind and said that it does have some possibilities which would be quite costly but would be an ideal place. He thought they should go on record that the Commissioners don't intend to do anything yet and that he didn't think the Sheriff would be pushing them either, that it is just in case it is brought upon them so they might as well be making plans as to what they are going to do about it, if and when the time comes.

RE: AUTHORIZED TO ADVERTISE.....SALE OF SURPLUS ITEMS

Mr. Hotz had submitted two lists of surplus County-owned items, last week, as listed in those minutes.

He had thought that one list of items would be taken to the Auction Barn for selling and the other items to be sold at the Pleasantview Rest Home but it was decided that all items in both lists would be sold at the Pleasantview Rest Home on August 11th. Both lists of items were declared as surplus last week and are now being submitted to the Commissioners for the approval of the sale.

Commissioner Ossenberg moved that the new list which includes all items be approved and that the Auditor be authorized to advertise for the sale on July 29th. and August 5th. 1976, in both newspapers. Commissioner Willner seconded the motion. So ordered.

RE: REPORT OF APPRAISERS

The Report of Appraisers, Walter Day, Dan Riddle and Emerson Reid, was submitted on a suit of the City of Evansville on behalf of its Department of Redevelopment VS. Edward M. Baylor, Jr. and Clementine Baylor, Cause No. 76-CIV-1241, where they found that Mr. & Mrs. Baylor should be awarded \$5,300 on each of two parcels, a total of \$6,600, for damages they sustained.

Commissioner Ossenberg moved that this report be referred to the County Attorney's. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Torian Agency Inc. for insurance on Burdette Park buildings in the amount of \$3,117.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Robert Hargrave, Merit Board Trustee for the Citizens National Bank, for the Vanderburgh County Sheriff's Department retirement contributions, 105-522, in the amount of \$40,500.00.

Commissioner Ossenbergh moved that this claim be approved for payment. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Southwestern Indiana and Kentucky Council of Governments for the second half of Vanderburgh County's 1976 appropriation for the operation of the Council of Governments in the amount of \$6,478.50.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Sheriff DeGroot for the meals served the prisoners from June 15th. thru July 14th. 1976, in the amount of \$6,514.30.

Commissioner Ossenbergh moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: REPORT BY MR. HARNESS

Mr. Harness reported that the Trinity United Methodist Church held a picnic yesterday at the Pleasantview Rest Home for the church members and the residents of the Home, that they had fried chicken with all the trimmings including homemade pies, that were prepared by the church congregation. He said the outing was enjoyed by the residents of the Pleasantview Rest Home as well as the people from the church and that the attendance numbered around 150 people.

Commissioner Willner asked Mr. Harness to see that the Trinity United Methodist Church is sent a thank you note.

RE: REQUEST TO TRAVEL

Mr. Harness requested permission for he and Mrs. Harness to motor to Elkhart Ind. on August 5th. and return on August 6th. in attending the Indiana State County Home Association meeting to be held on August 6th. 1976. He asked that he be allowed one nights lodging, three meals and expense per mileage, to be borne by the County.

Commissioner Willner moved that Mr. Harness' request be approved. Commissioner Ossenbergh seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report of the employees at the County Highway Garage for the past week. Report received and filed.

RE: MAN ON COMPENSATION AFTER BEING HURT

Mr. Siebeking reported that he has a man that was hurt on the job last week and that he will be operated on today, that he will be on compensation for at least six weeks. He asked the Commissioners if they wanted him to submit a leave of absence for this man or if they wanted him to just carry him as a compensation employee. He said he wouldn't fill this position but that the employee would be off the payroll for about seven weeks and that he could list him on the report each week as being on compensation rather than granting him a leave of absence.

It was agreed by the Commissioners that Mr. Siebeking just carry the man as a compensation employee.

RE: AUTHORIZED TO ADVERTISE.....RESURFACING OF KERN & LAUREL ROADS

Mr. Siebeking said that he was asked by the Commissioners, last week, to come back this week with different specifications on the bid item of resurfacing Kern & Laurel Roads, as to the amount of tonage they will need, which he submitted at this time, including the Notice to Bidders.

Commissioner Willner moved that the specifications be approved and that the Auditor be authorized to advertise for bids on July 29th. and August 5th. with the bids to be opened on August 9th. 1976. Commissioner Ossenbergh seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE.....EXCAVATOR

Plans and the Notice to Bidders were submitted to the Commissioners for one Hydraulic Multi-Purpose Excavator that is needed by the County Highway Department.

Commissioner Ossenberg moved that the Auditor be authorized to advertise for bids on July 29th. and August 5th., the bids to be opened on August 9th. 1976.

Commissioner Willner seconded the motion. So ordered.

The plans and specifications were approved at this time.

Commissioner Schaad said the money for the excavator was approved by the County Council at their last Council Call.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to do two push jobs, one on Little Schaefer Road and the other on Kleitz Road, to bury telephone service wire.

Commissioner Ossenberg moved that both push jobs be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

Mr. Ludwick submitted a claim from G. H. Allen for Estimate #1 on the Franklin Street Bridge Structure #4 over Pigeon Creek, Acct. # 203-3744, in the amount of \$31,407.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: EXTRA WORK AGREEMENT....FRANKLIN STREET PROJECT

Mr. Ludwick submitted an Extra Work Agreement on the Franklin Street Project due to the fact that certain areas of the deck are now exposed and must be painted. He said they originally wanted to paint the understructure, so while these areas are exposed they would like to paint them, since this is the only way they can get to them and that this work wasn't included in the contract.

The amount of the work agreement is \$5,300 and Mr. Ludwick said that a letter is attached with the proposed work to be done by G.H. Allen, which has been approved by Mr. Nussmeyer.

Commissioner Schaad asked Mr. Ludwick when they were supposed to be finished with Franklin Street, since they are having a little problem with the traffic being diverted down other streets, but he thought they would put up with it for a while longer since it can't be helped.

Mr. Ludwick said they would be working on this project for approximately twenty more days, also this Extra Work Agreement brings the new contract total to \$63,170.00.

Commissioner Ossenberg moved that the Extra Work Agreement in the amount of \$5,300 be approved. Commissioner Willner seconded the motion. So ordered.

RE: EXTRA WORK AGREEMENT.....GREEN RIVER ROAD

Mr. Ludwick submitted an Extra Work Agreement on the Reconstruction of Green River Road, Phase I, in the amount of \$6,180.00.

He said that due to some erosion problems in some areas, caused by excess run-off from farm fields, they propose to install paved side ditches at the locations where they have these problems, which will eliminate the erosion problems.

He said the original contract was for \$545,199.72 and they had one extra work order in the amount of \$16,000 so the two Extra Work Agreements amount to \$22,604.20, so the new contract total will be \$567,803.92, also that they will be about \$50,000 under the original contract price, so they will have the money for it.

Commissioner Ossenberg moved that the Extra Work Order in the amount of \$6,180.00 be approved. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF CLAIM AGAINST STATE OF INDIANA

Commissioner Ossenberg received the following letter from the law offices of James D. Lopp, Sr., James D. Lopp, Jr. and Glenn A. Grampp in reference to the claim of Samuel Neumann vs. the State of Indiana:

Dear Mr. Ossenberg:

Pursuant to Indiana Code 34-4-16.5-1 et seq., I am advising you of a claim of Samuel Neumann of 32 West Columbia Street, Evansville, Indiana against the State of Indiana.

The injury and claim herein occurred July 9, 1976, at 8:00 a.m. on Highway 460 approximately 2 1/2 miles west of Evansville, Indiana. Mr. Neumann was operating his motor bike and due to the condition of the road, was caused to be thrown therefrom, receiving serious and permanent injuries and suffered the loss of work and medical and hospital bills.

It is our position that the circumstances which brought about these losses were:

1. The State and/or County employees improperly marked the highway and the approaching stretch of highway to the scene of the accident and failed to indicate and warn approaching motorists that the road was defective and dangerous.
2. The State and/or County failed to properly light and mark the defective part of the road and warn against the danger thereon.
3. The State and/or County failed to maintain the road in a safe condition for vehicular traffic.
4. The State and/or County failed to notify approaching motorists of the existence of the dangerous condition of the road.
5. There are other circumstances which caused the accident and injuries not presently within the knowledge of Mr. Neumann, but are known to the State or County.

As a result of the injuries, Mr. Neumann suffered permanent injuries, physically and mentally, including mental pain and suffering and as a result thereof, was unable to work since the date of the accident.

As a result of the injuries and damages herein, Mr. Neumann is making a claim against the State of Indiana and Vanderburgh County in the amount of \$500,000.00 for losses incurred.

At all times pertinent hereto, Mr. Neumann was a resident of Indiana and resided in Evansville, and continues to reside at said address.

This letter is to notify you of the claim and attempt a settlement. Please advise as to any possibility of settlement of this claim.

Very truly yours,
James D. Lopp Jr.

County Attorney Wendel said he assumes they will also sue the County.

Commissioner Ossenberg moved that this letter be referred to the County's Insurance Company, also that it be noted that the letter wasn't sent by certified mail. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 10:47 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

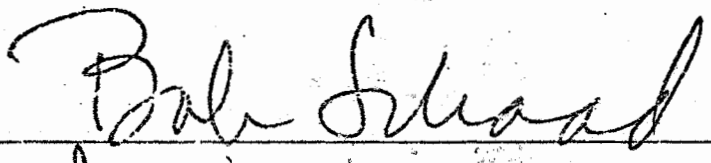
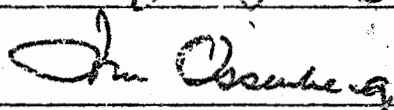

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks




BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
AUGUST 2, 1976

The meeting of the County Commissioners was held on Monday, August 2, 1976, at the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

COUNTY OWNED SURPLUS PROPERTY

Commissioner Schaad said there was a correction regarding County Owned Surplus Property that was sold on July 26, 1976:

Parcel #24....Tax Code 22-83-27....Part NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 52-6-10 was purchased by Mr. Charles Russell Swope for \$25.00 but after checking, we found this was an improvement only and has been added to another code.

It is necessary to correct the records as well as the minutes of last week's meeting.

Mr. Sprinkles of the Auditor's office will contact Mr. Swope, since the check he submitted will need to be corrected for the parcels he purchased, which will be \$25.00 less than the one for \$145.00 that he originally submitted.

Commissioner Ossenberg moved that the minutes of July 26th be amended and to have the letter incorporated into the minutes, seconded by Commissioner Willner, so ordered.

Commissioner Schaad said he had a written bid from Charles R. Swope on the following parcels:

Parcel #3....Tax Code 14-22-16....Next door to 2250 E. Gum St. (Pt. Lot 16 Adjoining Lot 17 in Blk. 5 in Miller Terrace except that portion acquired by State of Indiana as shown-DB 537 at P.416)Appraised Value \$50.00... Bid \$1.00

Parcel #5....Tax Code 21-69-30....Back lot off Code 21-69-2 in alley off 6th Street (Pt. Lots 20 & 21 in Garvin Add. to Eastern Enlargement as shown by Deed dated 4/13/53 & recorded in DB 346 at P300... Appraised Value \$50.00Bid \$2.00

Parcel #6....Tax Code 22-15-11....Between 22 & 24 Jefferson Ave. (East 5 ft. of L. 38 adjoining L 37 in Goodsell Enlargement.... Appraised Value \$50.00Bid \$1.00

Parcel #7....Tax Code 22-70-33....201 Sweetser Avenue....Appraised Value \$50.00bid \$2.00

Parcel #10....Tax Code 22-77-11....1926 S. Elliott Street....Appraised Value \$100.00....Bid \$25.00

Parcel #11....Tax Code 22-77-24....1913 S. Garvin Street...Appraised Value \$100.00....Bid \$25.00

Parcel #12....Tax Code 34-166-10....2709 Sixth Avenue....Appraised Value \$100.00bid \$25.00

Parcel #14....Tax Code 13-39-23....1000 Block of Gum Street (1.5 feet of Lot 24 in Kenmore Place)...Appraised Value \$50.00....Bid \$1.00

Parcel #16....Tax Code 16-67-20....2000 Blk of Polster, (Part L. 21 in Vernon Terrace 2nd Amended)....Appraised Value \$50.00....Bid \$3.00

Parcel #17....Tax Code 24-35-6....Next to 670 E. Cherry St. (5 ft. of L. 6 in Blk. 5 in Rietman & Schulte's Add.... Appraised Value \$50.00.... Bid \$1.00

Parcel #18....Tax Code 31-38-13....Behind 725 Reis (Pt. L. 14 & 15 in Blk. 2 in Dixie Bell Addition.... Appraised Value \$50.00.... Bid \$2.00

Parcel #19....Tax Code 33-12-17....1402 E. Tennessee Street....Appraised Value \$50.00....Bid \$1.00

Parcel #20....Tax Code 16-9-14....1709 N. Willow Road....Appraised Value \$50.00....Bid \$1.00

Parcel #21....Tax Code 16-6-15....1211 Harding Avenue....Appraised Value \$50.00....Bid \$1.00

Parcel #22....Tax Code 15-10-35....1218 Sycamore Street....Appraised Value \$50.00....Bid \$1.00

Parcel #23....Tax Code 14-5-7....1251 Maple Court....Appraised Value \$50.00....Bid \$3.00

Parcel #25....Tax Code 12-82-2....2400 S. Norman Avenue....Appraised Value \$50.00....Bid \$2.00

Parcel #26....Tax Code 15-10-31....1222 Sycamore Street....Appraised Value \$50.00....Bid \$1.00

Parcel #27....Tax Code 15-10-32....1220 Sycamore Street....Appraised Value \$50.00....Bid \$1.00

Commissioner Schaad read a note from Mr. Swope which said that he bid \$100.00 for the group of real estate parcels listed. By individual bids, he offered the prices listed above on them which totals a little less than \$100.00 (\$99.00 to be exact).

Commissioner Schaad said this would be all of the surplus tax real estate and as he explained before that we would like to get as much for the property as we can but it would be better to have the parcels back on the tax rolls and getting the taxes from it instead of just having it sitting out there growing up with weeds, etc.

Commissioner Schaad asked if there was any other bidders. Commissioner Ossen-berg then moved that the \$100.00 bid for all of the parcels be accepted, Commissioner Willner seconded the motion, so ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

AREA PLAN COMMISSION

Debra J. Mooney 401 S. Weinbach Planning Intern \$2.75 hr. Eff. 7/30/76

VANDERBURGH SUPERIOR COURT

Rebecca Roth Clerical Asst. \$6,020.00 Eff. 7/29/76

PROSECUTOR'S OFFICE

Gloria Faye Stinson 1033 Covert Investigator \$7,350.00 Eff. 8/2/76

VOTERS REGISTRATION OFFICE

Edna Henry 3904 Clement Typist 16.10 Eff. 8/2/76
Beverly Abell 3417 Austin Typist 16.10 Eff. 7/30/76

EMPLOYEE INSURANCE COMMITTEE REPORT

Harry Lukens reported for the committee and said that they have had 2 meetings with the members of that committee. He said the committee had examined the bids that were submitted and they have 2 recommendations to make. He said they believe that given the rates shown and the increased amount of money that is indicated even with the low bidder that we possibly could improve the benefit package over what is presently being offered. It is the opinion of the committee that the Commissioners consider drawing a new set of specifications and rebidding the account on the basis of an improved level of benefits. He said their thinking was that the present plan which Golden Rule has and which was advertised to be bid needs to be improved and at the present time there is a \$1,500 payment for a given hospitalization and 80% for everything above that with a limit of \$25,000. The committee believes that this could be improved upon based upon their experience in handling other cases with groups of this size. If the Commissioners would agree with that then the committee also feels that we should return to Golden Rule and ask them to keep their previous rates in force until such time as the Commissioners and County Council make a firm decision as to who should get the business. In other words, ask them to go back to the old rates and not impose the new rates which was effective on July 1, 1976. If the present carrier would not agree to do that then the committee would return to you at the next regular meeting and so report so you could make a decision on the basis of the present bids.

The other alternative that we have is if you decide not to readvertise then we would have a recommendation concerning the bids on the present basis.

Anyway you go, it is going to cost the County on the low bid, which incidentally is Blue Cross, \$43,929.48 on the basis of the present coverage. We feel when you are looking at that kind of money we honestly ought to try to improve the package and we think we can, but we won't know until we try.

Commissioner Ossenberg said that one of the things he wanted specified in the bid on any and new insurance was pre-existing condition. Did all the insurance companies bid on pre-existing condition?

Mr. Lukens then replied no. He further explained that Golden Rule did on the basis that if they continue the account they will handle the present pre-existing conditions. Blue Cross indicated in their bid that they would pick up pre-existing condition. Prudential indicated that they would but their rates were so far above what everybody bid that we did not go much further with them. Washington National had a \$2,000 limitation on picking up pre-existing conditions and the committee could not recommend that.

Mr. Stump of Blue Cross-Blue Shield said his bid did include all pre-existing conditions.

Commissioner Ossenberg asked Mr. Lukens if he has had any experience recently in dealing with other units or possibly governmental units that benefits were improved.

Mr. Lukens said they had worked with the Evansville Housing Authority and said they did improve the benefit package and this leads us to believe that we might be able to do the same for the County. He said he was basing his answer on past experience.

Mr. Lukens said if Golden Rule will not back away from their rate increase then of course, we would come right back in here and ask you to make your decision on the basis of what we have. He said if we wanted to readvertise he would ask for 45-60 days to draw the specs., submit them to the Commissioners for approval and advertise them in the proper manner.

There was some discussion regarding the time limit it would take to advertise for new bids, etc.

Commissioner Ossenberrg said that his feeling on the matter was that if Golden Rule would back down and we draw up a new set of specs., he would go that way, otherwise if they won't back down he is ready to award the contract.

Mr. Lukens said he thought that was the only thing that can be done.

Commissioner Schaad said that if Golden Rule wouldn't back down then it is going to be costing us \$6,000 a month more, and we would be paying around \$24,000 (for July, August, September, and maybe October) if we readvertise.

Mr. Lukens said that the committee could check with Golden Rule and probably have an answer back to the Commissioners today.

Commissioner Schaad said if we made a decision today we could probably save about \$15,000 if Golden Rule doesn't back down.

Mr. Lukens said that the difference between the Golden Rule and the Blue Cross bid is about \$27,482.00 annually.

Commissioner Ossenberrg asked how could we even award a contract when we haven't gotten the approval from the County Council.

Commissioner Schaad said we couldn't award the money until the money has been appropriated.

Mr. Lukens said that being the case they would talk to Golden Rule and ask them to back off on their rate increase, and then if their answer is yes, the committee will draw up a new set of specs and readvertise.

Commissioner Willner thought it was ridiculous to even ask Golden Rule to back off since they have already made the rate increase.

Commissioner Schaad then said that if Golden Rule wouldn't back off we would move that it be awarded to Blue Cross.

Mr. David Stump with Blue Cross-Blue Shield said that the total annual saving (on life and health) is \$48,000 a year and if you break that down into 12 months it is \$4,000 a month. If you are talking about increasing benefits then you are not taking a bid on what the present benefits were and this is what everybody did bid on, the present benefits.

Commissioner Willner said that our present insurance carrier was in the room and let's ask him about it, whether or not Golden Rule would back down.

Mr. Bob Barthel with Golden Rule then said that he could probably give the Commissioners an answer by this afternoon regarding Golden Rule backing down or not.

Mr. Stump with Blue Cross asked the Commissioners if the specifications are written to upgrade your benefits and they come in at a higher rate than quoted now and the Commissioners cannot afford another increase then where are these bids going to stand.

Commissioner Schaad said that they (bids) would be out. He said we couldn't readvertise unless we throw out all of the bids and we could not go back to them once they've been thrown out.

A question came up regarding the life insurance. Mr. Lukens said that it was advertised and bidded either life and health together or separately.

Mr. Bob Barthel said he didn't know whether or not it would be to the County's benefit to replace the life insurance. He stated that he did not have anything to do with the life insurance end of it.

Mr. Dan Klein with the Teamsters Union said that as far as the employees were concerned that they are very much aware of the pre-existing conditions included in any coverage because we have in fact an employee or two who are on extended sick leave type of thing where if new coverage was involved they might be excluded from benefits but whatever policy is adopted it should include the pre-existing conditions.

Commissioner Schaad said that he thought all three Commissioners were aware of that and that they don't want to cut off anybody.

Mrs. Norberry with the Superior Court then said she was curious about Blue Cross and Blue Shield and asked what about the people who were currently on Medicare or something like that, would Blue Cross pick them up?

Mr. Stump of Blue Cross then said that we would pick up over and above the Medicare so that all employees would have the same benefits.

Commissioner Willner said he would like to make a motion that we convene at 3:00 p.m. this afternoon and ask that Bob Barthel have an answer for us at that time since everything we do depends on whether his company backs off of their rate increase and if not I think we can offer the program.

Commissioner Schaad asked Commissioner Willner if he thought we ought to re-advertise. Commissioner Willner said he did not.

Commissioner Schaad stated that Commissioner Willner had made the motion that we reconvene at 3:00 this afternoon and if Golden Rule will go back to the rates prior to July 1st, then we will authorize the Committee to draw up new specs to be readvertised and if not we will make a decision this afternoon which carrier to go with, Commissioner Ossenberrg seconded the motion, so ordered.

RE: TEAMSTERS UNION LOCAL 215 - BURDETTE PARK

Mr. Dan Klein said as you know the Teamsters has received a number of cards wanting the Teamsters Local 215 to represent them at Burdette Park. We have, as agreed upon by the Commissioners, selected an impartial individual to prove our majority of the people at Burdette Park did want Teamsters Local 215 to represent them as their collective bargaining agent. And I have for you at this time a letter.

Commissioner Schaad read the following letter:

I, Paul F. Nourse, certify that I have examined the cards presented me by Teamsters Local #215, signed by Burdette Park employees, and find that they do indicate a majority of the employees have signed cards desiring to have Teamsters Local #215 represent them as their collective bargaining agent. The list of Burdette Park employees was furnished me by Mr. Robert Hertzberger.

Signed: Rev. Paul F. Nourse
Pastor, First Christian Church
121 Walnut Street
Evansville, Indiana

Commissioner Schaad said he knew that we were to have a neutral party and he didn't know who it was until this morning. Secondly, if there was a group of employees given by Bob Hertzberger was Rev. Nourse made aware of those which were part-time, their ages and anything about them.

Robert Hertzberger said that the list that was provided was a list of the majority of the people that work the majority of the hours, excluding the swimming pool people.

Robert Hertzberger said it was never made clear to him what was a part-time employee and it was his understanding that the only full time employees at Burdette Park were the salaried people which would be the Manager, Asst. Manager, Secretary and Head Custodian, everyone else is considered either full time or part time and I have never had an explanation yet.

Commissioner Willner asked Mr. Hertzberger if anyone else worked 40 hours a week. Mr. Hertzberger replied no.

Commissioner Schaad said that the question he had was that some of the employees even on your grounds crew are high school students, perhaps, who are just trying to pick up a few extra dollars in the summer time to help finance their education or for spending money and may not have any intention of coming back next summer and there is probably a constant turnover of people and I think that if we have permanent employees and there should have been, in my opinion, some sort of breakdown as to what is a part-time employee etc., before we make any decision of this kind.

Mr. Klein said that the union was not interested in the high school employee who works only part time but what they are interested in is the employee who works 40 hours a week and works a lot longer than what we consider part-time.

Commissioner Schaad said that he was not so sure that that was what that list was composed of. He said he did not see the list.

Commissioner Schaad asked if any member of the Burdette Park Board was there or any Commissioner present. Robert Hertzberger answered no.

Commissioner Willner said that before we take action let's ask Mr. Hertzberger to give the Commissioners a list of the employees at Burdette and the amount of hours worked for the last year.

Commissioner Ossenberrg said at the very beginning we were to find a neutral person, we found the neutral person.

There was further discussion regarding full and part time employees.

Mr. Hertzberger said that last year based on pay raises for full time employees, they received \$300. The County Council made the decision for us last year and said that we had 4 full time employees.

Mr. Curt John, Auditor, said that this may have some bearing on the matter but in most offices part time or summer time help are not eligible for employee benefits such as insurance, vacation, etc.

Commissioner Schaad asked Mr. Hertzberger if his part time employees eligible or do you put them in for benefits.

Mr. Hertzberger again replied that 4 people at Burdette Park are eligible for vacations, etc. There are only 4 salaried people.

Mr. Hertzberger said that he would like to present the Commissioners with a list of employees for the last year complete with the total hours they put in and with the employees that have been there since the beginning of this year. Hourly employees doesn't mean that they will work 40 hours a week, if we get the work done we let them go home. They are not guaranteed 40 hours a week. If we are caught up on the work we send them home, again to save some money on the budget.

Commissioner Willner made a motion that the Commissioners receive a list of the employees concerning full and part time employees before making a decision on the matter, Commissioner Ossenberrg seconded the motion, so ordered.

7.

SALE OF SURPLUS PROPERTY AUCTION

Commissioner Schaad said that he had before him 2 checks which was on the sale of surplus property that Curran Miller handled. The checks were in the amount of \$60.00 and \$800.00 which Curran Miller had endorsed to the County Commissioners. Commissioner Schaad asked Mr. John if this money would go into the County General Fund, which Mr. John replied positive. Commissioner Schaad said that Mr. Miller's fees or percentage when he submits it will come out of a special account for judgments and refunds, etc.

Commissioner Schaad asked for a motion to endorse these checks, Commissioner Willner made a motion, Commissioner Ossenberrg seconded the motion, so ordered.

TELEPHONE REQUESTS

Commissioner Schaad said we have 2 telephone requests. He read the following:

Dear County Commissioners
Civic Center Complex
Evansville, Indiana

Gentlemen:

We recently acquired additional office space and are now in dire need of a phone extension for the room (Extension 5312).

I do, hereby, formally request approval to have one phone installed.

Respectfully yours,

Sheriff James A. DeGroote

Room 104 - Bldg. Authority advises outlet already there.

Commissioner Willner made a motion to grant them the phone, seconded by Commissioner Schaad, so ordered.

Commissioner Schaad then read another request from Judge William D. Stephens:

Dear Commissioners:

I am requesting the installation of new phone service for Volunteer Services of the Vanderburgh Superior Court. Volunteer Services has been housed on the University of Evansville campus for the past year and has had access to their switchboard and phone service.

However, it has become necessary for Volunteer Services to vacate the office space at U.E. due to their need for additional classrooms and office space. Consequently, Volunteer Services will be moving to offices located at St. Paul's Episcopal Church, 311 S. E. First Street, due to the lack of sufficient space in the City-County Court Building. This will be temporary housing until October when a move will be made to permanent office space provided by the Catholic Diocese of Evansville.

I would like to emphasize that this request is not for a re-installation of a phone line previously installed and removed. Volunteer Services is an arm of the Juvenile Court System and the University has heretofore furnished us this service without charge to the county.

Very truly yours,

William D. Stephens, Judge
Vanderburgh Superior Court
Juvenile Division

1 phone \$28.00 installation plus 1 extension, Centrex System.

Commissioner Ossenbergh moved that this be approved, Commissioner Willner seconded the motion, so ordered.

GENERAL REVENUE SHARING ACTUAL USE REPORT

Commissioner Schaad had the Revenue Sharing Report and said that this was an actual report of how the Revenue Sharing money was spent for Vanderburgh County for one year from July 1, 1975 to June 30, 1976.

The actual expenditures were:

	<u>Capital</u>	<u>Operating/Maintenance</u>
Public Safety	1,128,879	
Environmental Protection		6,346
Public Transportation		18,540
Health	225,840	30,825
Recreation	30,432	3,372
Social Services for aged or poor		16,789
Financial Administration		17,125
Multipurpose and General Govt.	24,763	
Totals	1,409,914	152,797

The Balance as of 6-30-76	254,677
Revenue Sharing Funds recd. from 7-1-75 thru 6-30-76	1,308,686
Interest Received	20,898
Total of above	1,584,261
Total amount expended	1,562,711
Balance as of 6-30-76	21,550

Commissioner Willner made a motion that President Schaad sign the report, Commissioner Schaad seconded the motion, so ordered.

RE: CERTIFICATE OF INSURANCE

Commissioner Schaad said that we have a Certificate of Insurance from William R. Nix D/b/a/ Bill Nix Construcion Co. He is doing some business with us on some construction. Let the record show that it has been received and filed.

RE: NOTICE OF SPECIAL MEETING

I have a notice of special meeting of National Flood Insurance Program. He read the following:

The Department of Housing and Urban Development has funded Flood Insurance Studies for Vanderburgh County and the City of Evansville. The studies have been completed and a meeting has been schedule to discuss the specifics of the studies. Representatives of HUD, the Indiana Department of Natural Resources, and the consultants who conducted the studies will attend the meeting.

DATE: August 11, 1976

TIME: 7:30 p.m.

PLACE: Room 301 - Civic Center Complex

As you may be aware, lenders, insurance agents and realtors all have a special interest and responsibility in keeping abreast of the community's status in the program. For this reason we are making a particular effort to invite you to this important meeting.

Sincerely,

Ann R. Schmidt
Planner I

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RE: INSURANCE CANCELLATION NOTICE

Commissioner Schuad read the following notices:

Obligee: Vanderburgh County Commissioners
Court House
Evansville, Indiana 47711

Principal: Cornelius Barnes & Mose Barnes
2009 Sleepy Hollow Drive
Evansville, Indiana

FS 1757

The Surety hereunder terminates its obligation under the above bond as provided in the condition of the bond.

Termination of further liability to be effective as of 10/20/71, the Anniversary Date, or thirty (30) days from mailing this notice, whichever date is acceptable to the Obligee.

CAUSE: Failure to pay renewal premium upon anniversary date.

SURETY: Allied Fidelity Insurance Co.
By: John M. O'Toole, Underwriter

Principal: James Jackson
1901 S. Elliott St.
Evansville, Indiana

FS 3835

The Surety hereunder terminates its obligation under the above bond as provided in the condition of the bond.

Termination of further liability to be effective as of 10/5/73, the Anniversary Date, or thirty (30) days from mailing this notice, whichever date is acceptable to the Obligee.

CAUSE: Failure to pay renewal premium upon anniversary date.

SURETY: Allied Fidelity Insurance Co.
By: John M. O'Toole, Underwriter

Principal: Joseph H. Fuelner
112 N. 9th Avenue
Evansville, Indiana

FS 975

The Surety hereunder terminates its obligation under the above bond as provided in the condition of the bond.

Termination of further liability to be effective as of 2/10/72, the Anniversary Date, or thirty (30) days from mailing this notice, whichever date is acceptable to the Obligee.

CAUSE: Failure to pay renewal premium upon anniversary date.

SURETY: Allied Fidelity Insurance Co.
By: John M. O'Toole, Underwriter

PRINCIPAL: W. L. Hudson dba Hudson Construction Co.
2251 Jefferson
Evansville, Indiana

FS 2892

The Surety hereunder terminates its obligation under the above bond as provided in the condition of the bond.

Termination of further liability to be effective as of 5/21/73, the Anniversary Date, or thirty (30) days from mailing this notice, whichever date is acceptable to the Obligee.

CAUSE: Failure to pay renewal premium upon anniversary date.

SURETY: Allied Fidelity Insurance Co.
By: John M. O'Toole, Underwriter

Commissioner Schaad said to let the record show that these have been received.

RE: CLAIMS

A Claim was submitted by Brink's Incorporated for service for the month of August for the Circuit Court in the amount of \$94.80.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad also had a property damage claim from the office of Charles A. Spaetti, 601 N. W. Second St., Evansville, Indiana, for his client Stephanie Hewitt.

Commissioner Ossenbergh made a motion that it be referred to our insurance company, Commissioner Willner seconded the Motion, so ordered.

RE: RECONSTRUCTION OF ST. JOE AVENUE OVER PENN TRACKS

Commissioner Schaad explained that Priest-Hazelwood (who was the successful bidder on this project) will not begin work on this project until August 9th due to the Vanderburgh Fair. He explained that so many people use St. Joe to get to the fair and it would be bad timing to close it now.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report of the employees at the County Highway Garage for the past week. Report received and filed.

Mr. Siebeking said that 6 weeks ago he asked for a leave of absence for Mr. Orbie R. Davis, Head Mechanic, at the Vanderburgh County Highway Department, and stated that Mr. Davis has asked for an extension of 6 weeks due to ill health.

Commissioner Ossenbergh moved that we grant him the extension, Commissioner Willner seconded the motion, so ordered.

Commissioner Willner said that the corner of Boonville New Harmony - Highway 65 was bad. He said he had said something previously about 2 months ago regarding this matter. Since that time there has been about 3 more accidents and about 6 people hospitalized. He explained that going west on Boonville-New Harmony Road that you must get the front end of your vehicle out into the highway to see if there is any oncoming traffic. He said he feels that the only thing it needs is for the County to ask the property owners if they would cut the banks down on either side which he felt wouldn't cost much.

money and he thought it is a must that this be done. Commissioner Willner said he would like permission from the County Commissioners to have the County Garage to contact these people and see if there is a possibility of us cutting those banks for them. He stated that part of it would be on our right-of-way.

Commissioner Schaad said to protect ourselves that the County Attorney suggests that we get a temporary easement to permit Mr. Siebeking to do the work if the people so permit.

RE: CUT IN

Indiana Bell Telephone Co. requests permission to do a push job on Outer St. Joseph Avenue.

Commissioner Ossenbergh moved that the push job be approved. Commissioner Willner seconded the motion. So ordered.

RE: STORM SEWERS

Mike Ludwick presented the Commissioners with plans for a proposed storm sewer on Kingland Blvd.

There was some discussion and Mr. Nussmeyer said that it was the recommendation of the Surveyor's Office that the Commissioners approve it.

Discussion continued as to who would maintain them. Mr. Nussmeyer said that the County would. Commissioner Schaad that the former County Attorney, Tom Swain, always maintained that it was not on county road right-of-way and was on personal property and that the county shouldn't maintain them.

Mike Ludwick also submitted plans to Valley Downs #2.

The Commissioners took these under advisement.

RE: FRANKLIN STREET BRIDGE REPAIR

Mike Ludwick presented a Change Order Agreement #2 for Franklin Street Bridge Repair. Upon further investigations on the Franklin Street Bridge Structure, we have found large areas of the Bridge Deck to be badly deteriorated. Our recommendation is that they be repaired immediately. Mike said it is going to cost a lot of money, that it is a repair job and there is no way around it.

Contract Item

New Item #14 Concrete Deck		
Removal 1,194 Sq. Ft.	L. Sum	3,800.00
New Item #15 Class A Concrete		
45 Cubic Yds. @\$250.00	45 C. Yds.	11,250.00
Item #16 Scarifying		
Black Top	L. Sum	1,000.00
Total		16,050.00

Original Contract Price: \$ 57,870.00
C. O. A. #1: 21,350.00

Total: 79,220.00

Commissioner Ossenbergh moved that the Change Order be approved. Commissioner Willner seconded the motion, so ordered.

The meeting recessed at 11:50 a.m. until 3:00 p.m. this afternoon.

The meeting of the County Commissioners reconvened Monday, August 2, 1976, at 3:00 p.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

RE: INSURANCE

Commissioner Schaad explained that at the meeting this morning a motion was made that we go back to Golden Rule and ask them if they would reconsider and move their premiums back to what they were before July 1, 1976, and if they would, we would then readvertise for bids with new specs. because it was the opinion of our insurance committee that perhaps we could get increase benefits at no more premium than what were in the first bids. If Golden Rule wouldn't agree to move their premium back then we would make a decision on the bids that we already have.

Mr. Tob Barthel of Golden Rule then presented his report from Golden Rule. He said that he spoke with Golden Rule this morning, and again this afternoon. They feel their rate is justified and have decided to stay with it. However, they will agree to increase their basic benefits from \$1,500 to \$2,000 and Major Medical from \$25,000 to \$50,000. These increases will go into effect August 1, 1976 at no additional increase in premium. It is their feeling that in this day of inflation and increases in the health insurance rates across the country, a 20% rate increase isn't out of the ordinary. I believe that the Blue Cross - Blue Shield representatives would tend to agree with that.

Like all health insurance carriers, I am sure Blue Cross - Blue Shield have delivered their share of rate increases throughout the State of Indiana.

Example No. 1: An article in the Indianapolis Star dated March 31, 1976, indicated that Blue Cross asked for a 76% rate increase for Marion County Employees. Not only did they ask for a 76% rate increase, at the same time they asked for a substantial reduction in benefits.

Example No. 2: Another article in the Indianapolis Star indicated that they asked for a 48% increase from the 203,000 Hoosiers carrying individual Blue Cross plans.

Example No. 3: Blue Cross - Blue Shield also asked for a 40% rate hike from the State of Indiana.

These examples listed above are substantially greater rate increases than Golden Rule has asked from Vanderburgh County. I also would like to point out that in the three (3) years Golden Rule has handled the County group, there have been no increases in premium except in 1972 when there was a substantial increase in benefits.

The difference between the proposed Blue Cross premium and the adjusted Golden Rule premium amounts to \$4.81 per family. Gentlemen, in my judgment, it doesn't make sense to change carriers for \$4.81 per family. Particularly when the employees are pleased with the service that the carrier is giving them.

Commissioner Schaad said that he only had one thing to say, that Golden Rule agreeing to increase the basic benefits cannot be considered because we have bids to consider and the only way that could be is if we opened for new bids.

Dan Kollker, President of Vanderburgh County Council, stated that the County Council requested that the County Commissioners take new bids on insurance because they felt that the cost of the County's group insurance was too great in light of Golden Rule's rate increase. It was certainly not the intention of the Council to increase the benefit package and thus have to pay an even greater insurance cost. Increasing the employee benefits will necessarily increase the premium rate and the County's charges. Considering the present

financial problems facing the County, a higher insurance rate is not justified. The Commissioners have received a combined health and life bid which is \$43,000 or in that neighborhood, less than the current insurance charges. This is the kind of savings that Vanderburgh County needs.

Mr. Bob Barthel replied to Mr. Kollker's statement. He said as he recalled this morning what the committee requested was not that we increase the benefits and the premium, its suggestion was to see if we could get increased benefits for the same amount of premium which Blue Cross' bid is \$43,000 over and above what you're paying right now. He was saying if we are going to spend \$43,000 more money, let's see how much we can get for that \$43,000, he wasn't saying let's see how much insurance we can get and pay for it whatever it is.

Commissioner Schaad said that Mr. Barthel was right but what you are saying here is if we should readvertise, it is entirely possible that we could get increased benefits at the same price as our lowest bidder right now.

Jan Kollker said that it seems illogical to him that the insurance company is throwing everything that they can at the price right now. He said he doesn't see how they could increase benefits and not increase price. He said it just doesn't make any sense to him.

Mr. Gerald Dauble asked how much was bid on the life insurance.

Harry Lukens, of the insurance committee, replied that Blue Cross bid on life 42¢ per thousand per month.

Mr. David Stump of Blue Cross-Blue Shield then said that the actual bid was 34¢ and in their original bid they said that if claims and expenses do not exceed 112% that the 34¢ will stand. Say, if you had 300% claims and expenses over a premium then there will be a difference of 8¢ per thousand which would be the maximum of 42¢.

Mr. Gerald Dauble then said that the contract for the life insurance is in force until January 1, 1977, and is already paid for. Secondly, along with the group term we have a group ordinary and a number of County employees have bought the group ordinary and if you change carriers it is going to affect the cash values on their group ordinary insurance, and it will change it considerable. It will raise their rates about 20% for them to continue their insurance. Third, I would like to go back over our dividend if I may. We wrote this insurance on January 1, 1972 and in 1972 we collected a grand total premium of \$9,344.00, we paid out claims that year of \$9,000.00. This left \$344.00 over and above claims. We did not increase the rate. In 1973 we collected premiums of \$9,997.58, we had claims of \$5,000.00. This total premium keeps going up because we've raised the benefits. In 1972 we had a total of \$850,000.00 in force. In 1973 we had \$893,000 in force. In 1974 the premium was \$10,397.68, we paid out claims of \$2,584.76. There was a total insurance in force of \$939,000. We gave the County back \$2,535.48 dividend. In 1975 the total premium was \$11,050.50, which was on \$964,000 of insurance. We paid out claims of \$2,148.21. We gave the County back \$4,883.02 dividend. In 1976 we now have, because we went up to \$7,600 per employee, \$17,858.00 premium in force. Now we are talking about saving \$16,000 worth of premium and we only charge \$17,000. That is going to be pretty hard to do. In other words they are going to insure all of these employees for about \$1,000, I don't know where they are going to come up with those figures. That \$17,000 is paid. In other words we are paying out pretty close to 50¢ back on every \$1.00 over and above claims. Now in addition to that we have considerable reserves on this contract so that we can stabilize the premium in the future. I did not announce this to the Commissioners, I took it upon myself, we could have lowered this rate January 1st. I thought it was much better rather than lower the rate to leave it the same so we could stabilize the premium because we will give you money back at the end of the year anyway if we don't use. And if we would have gone over claims then we would have had to raise the rate back again next year. We can already guarantee our rate for next year. I don't know how they are basing their premium. But #1 we've got a group ordinary contract, #2 we've had a good dividend refund, and #3 I don't think that this is up for bid right now. It is paid until January.

Commissioner Schaad then said that he thought the committee had made a study on the health and accident insurance and He understands that in the bid of Blue Cross-Blue Shield that it isn't a combined bid inasmuch as they have separate health and accident and separate life, that if we could make a decision today to settle the health, accident & life and since our premium is paid on the life insurance until the end of the year that we give that back to the committee and ask them to study the life insurance and come back at another time with a decision on that.

Mr. David Stump stated that was correct. He said that the only thing that they ask is that adequate time be given so that by January 1st this experienced data because we would like to quote on the other end of it. But we will accept the health insurance only at our bids that we quoted.

Mr. Stump then said (regarding Blue Cross) that in these fees that they have quoted we have also included a refund agreement. If the claims are less than the premium there is a refund agreement that can either be taken in cash or whatever the Council decides. This is guaranteed for 12 months.

Commissioner Willner asked Blue Cross if their insurance would start as of the beginning of the next month. They replied affirmative.

Then Mr. Lukens asked Blue Cross if they would be willing to make it retro-active to July 1st. Mr. Stump replied that if we have not paid our July fees, yes they would. Mr. Curt John said that the July fees have already been paid but that August fees have not. There was some discussion and it was stated that we would have to go until September 1st before it could be effective.

Commissioner Schaad said that we were going to be out of money on this insurance thing. When we came before Council nothing was done. Life insurance does not enter into it today as far as I'm concerned.

Commissioner Willner moved that the insurance committee investigate the different types of life insurance, Commissioner Ossenberrg seconded the motion, so ordered.

It was asked by Mr. Lukens to Mr. Stump if at the end of any 30 day period could we terminate the contract. Mr. Stump replied that we could terminated any contract at the end of 30 days just don't pay the fees.

Commissioner Willner said at this time he would like to make a motion to award Blue Cross-Blue Shield the health and accident coverage September 1 in the coming year and that we ask the committee to also recommend the retention (negotiate the retention). Commissioner Ossenberrg seconded the motion, so ordered.

Curt John asked Mr. Stump that he wanted them to come in with a staff and sign everybody up and do the paperwork. Mr. Stump said yes they in fact will work with the Auditor's office on that and if there is people on vacation what they will do is take the people presently covered and make sure they are covered even if we do not have application so there will be no one left out.

Commissioner Schaad said to Harry Lukens and the committee to get us some dollar figures as to what we're going to have to go before Council and ask for money to carry us through the rest of the year, and if you will get that and give it to Anika Juras, she can then make copies and give it to each one of the Council members so that they will know where we stand so they can understand and digest the figures.

This meeting was recessed at 3:45 p.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Cur John

COUNTY ATTORNEYS

William H. Jr.
Paul Wendel

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 9, 1976

The meeting of the County Commissioners was held on Monday, August 9, 1976, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

Commissioner Schaad made the comment that Commissioner Ossenberg is on vacation and will be gone this week and next.

RE: EMPLOYMENT CHANGES

KNIGHT TOWNSHIP ASSESSOR

Portia L. Miller	391 S. Alvord Blvd.	Deputy	\$5,757.00	8-1-76	(A)
Audrey L. Gunther	437 Tyler	Deputy	5,757.00	8-1-76	(R)

PIGEON TOWNSHIP ASSESSOR - Reassessment

Spencer Evans	1369 Chandler	Field Man	20.00	8-3-76	(A)
Alvin Walther		Crew Chief	30.00	8-4-76	(A)

CENTER TOWNSHIP ASSESSOR - Reassessment

Ramona G. Rueger	1226-B S. Bedford	Field Deputy	20.00	8-2-76	(A)
George D. Manley	3101 Kratzville Rd.	Res. Rate Setter	25.00	7-29-76	(R)

SCOTT TOWNSHIP ASSESSOR - Reassessment

Loren Doebrman	R. R. 5	Res. Fieldman	20.00	7-21-76	(A)
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GERMAN TOWNSHIP ASSESSOR

Jim Smith	Kleititz Road	Res. Rate Setter	25.00	7-22-76	(A)
Jim Smith	Kleititz Rd.	Fieldman	20.00	7-21-76	(R)
Kenny Wagner	Harmony Rd.	Res. Rate Setter	25.00	7-21-76	(R)
Ed Allison	Harmony Rd.	Fieldman	20.00	7-22-76	(A)
Ed Allison	Harmony Rd.	Deputy	16.10	7-21-76	(R)

JOINT DEPARTMENT OF LEGAL SERVICES

Donald F. Connor	101 Court St.	Exec. Director	10,000.00	8-2-76	(A)
Brend Heck	3218 Conlin	Secretary	5,536.00	7-26-76	(A)

SHERIFF

Elrid K. Hocker	1301 S. Harlan	Policeman	10,502.00	7-31-76	(A)
Robert L. Miller	901 E. Mullberry	Policeman	10,502.00	7-31-76	(A)
Elrid K. Hocker	1301 S. Harlan	Probationary	9,352.00	7-31-76	(R)
Robert L. Miller	901 E. Mullberry	Probationary	9,352.00	7-31-76	(R)

BURDETTE PARK

Richard Fulton	1405 Cumberland	Rink Guard	2.30	7-27-76	(A)
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CIRCUIT COURT

Ruthetta Graves	2153 E. Bayard Ph	Court Rep.	365.38	7-31-76	(A)
Terri Golding	1210 Vann Avenue	Typist	2.30	8-1-76	(A)
Tom Dorsey	643 Jefferson	Summer Intern	117.21	7-31-76	(R)

CIRCUIT COURT - Continued

Loren Gabe	R. R. 4, Box 293A	Summer Intern	117.21	7-31-76 (R)
Thomas P. Norton	921 Canterbury Rd.	Summer Intern	117.21	7-31-76 (R)
Jean V. Corcoran	2412 E. Chandler	Summer Intern	117.21	7-31-76 (R)
George C. Barnett	2511 E. Gum	Summer Intern	117.21	7-31-76 (R)
Michael Campese	801 S. Meadow Rd.	Summer Intern	117.21	7-31-76 (R)
Terry White	Oakland City Box 60	Investigator	117.21	7-31-76 (R)
Nadine Brady	530 S. Spring	Court Reporter	365.38	7-31-76 (R)

BURDETTE PARK

Cindy Peters	9313 Petersburg Rd.	Reg. Guard	16.00	8-5-76 (A)
Jean Griffin	4518 Tremont Drive	Reg. Guard	16.00	8-9-76 (A)
Danny Waltz	6716 Hogue Rd.	Reg. Guard	16.00	8-9-76 (A)
Sally Tuholski	6213 Newburgh Rd.	Reg. Guard	16.00	8-9-76 (A)
Cindy Peters	9613 Petersburg Rd.	Ext. Guard	2.30	8-5-76 (R)
Jean Griffin	4518 Tremont Dr.	Ext. Guard	2.30	8-5-76 (R)
Danny Waltz	6710 Hogue Rd.	Ext. Guard	2.30	8-9-76 (R)
Sally Tuholski	6213 Newburgh Rd.	Ext. Guard	2.30	8-9-76 (R)
Constance Willman	1014 Blackford Ave.	Rink Cashier	2.30	8-5-76 (A)
Cheryl Gentry	1122 MacArthur Cir.	Rink Cashier	2.30	8-9-76 (A)
Terri Sue Babbs	303 S. Woods	Pool Cashier	2.30	8-8-76 (R)

VANDEBURGH COUNTY HIGHWAY DEPT.

David W. Bennett	1926 Chickasaw Dr.	Summer Help	2.30	8-2-76 (R)
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PLEASANTVIEW REST HOME

Janice Short	820 First Ave.	Aide	2.30	8-9-76 (A)
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OPENING OF BIDS ON SEVERAL MATTERS

Commissioner Willner moved that the bids be opened on Burdette Park Comfort Station, Road Resurfacing (Kern & Laurel Roads), Bridge Repair and Reconstruction of Green River Road. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FOR LEAVE OF ABSENCE FROM SHIRLEY J. COX

Commissioner Schaad read a letter from Clerk of Circuit Court, Shirley Jean Cox regarding a leave of absence for Beatrice Phillips, Superior Filing Clerk.

Dear Sirs:

I would like to submit for your consideration approval of request for a leave of absence for Beatrice Phillips, an employee of the Vanderburgh County Clerk, and the Circuit Court Office. She has a health problem which will necessitate several weeks treatment before full recovery. She has proven to be a good employee and I sincerely hope that the request for a leave of absence for a 60 day period will be granted beginning August 16, 1976. Thank you.

Most sincerely,
Shirley Jean Cox

Commissioner Willner moved that the request be granted, seconded by Commissioner Schaad, so ordered.

Commissioner Schaad then asked that regarding this was it determined that when someone was granted a leave of absence that they can keep their insurance up by paying the premium, personally.

Deputy Auditor, Alice McBride, said it was our policy and that they shouldn't be terminated.

Mrs. McBride also stated that with the old insurance (Golden Rule) after 90 days they took them off, but I talked with Blue Cross-Blue Shield and they said that as long as they paid the premium they wouldn't be taken off.

Commissioner Schaad thought a memorandum should be sent out to all departments regarding this matter of leave of absence and insurance so it will be information generally known.

Mr. Arden asked Commissioner how long can those leaves of absence run before the insurance will not cover?

Commissioner Schaad said as long as there is a justifiable cause to continue their leave then they can be covered.

Mr. Arden then took an example. He said for instance this employee had a leave of absence for 90 days and he was terminally ill with cancer and after 90 days he could not return to work ever, and can the man keep paying his insurance until he deceases or whatever. Mr. Jack Siebeking said he is probably referring to one of his people and the way it is now that after 90 days the insurance company takes him (employee) off the group policy and over onto an individual policy.

Mrs. McBride then said that the way she understands it, Blue Cross won't be like that. She said that you could be covered under the policy as long as you pay the premium.

RE: APPOINTMENTS

Commissioner Schaad said that since Bob Barthel of Golden Rule will no longer be representing us as of the first of next month, we need an agent of record for health and accident insurance and I would like to suggest that we appoint our committee on insurance to be our agent of record. The committee has agreed to take the responsibility anytime we have any question to refer to them. Commissioner Willner so moved. Commissioner Schaad seconded the motion. So ordered.

RE: ST. JOSEPH CHURCH

Mr. Brandstrator said it had been some time ago when they brought this before us but then they were instructed to investigate who actually owned the property. He said it was concerning the intersection of St. Wendel and St. Joe Rd. in German Township. He said it has been a wide intersection. What basically they want to do is to install some new sidewalks and parking lot. He said they had been directed by their insurance company to do so because of the hazards that they have there. He said they (church) do use that area for parking Sunday or any church service and it creates hazards. He said the church does own the property across the street on St. Joe Road. We were directed to investigate ownership of the property and we did. We found no concrete easement that was dedicated to the County and so we have drawn up through our attorney as easement which your County Attorney has.

Mr. Brandstrator said he has talked to the Traffic Engineer and that he has approved the drawing as shown.

Commissioner Schaad said there is no objection to the matter but some legalities have to be taken care of so if Mr. Brandstrator would have their attorneys contact our attorneys they will handle the matter.

Commissioner Willner moved that St. Joseph Church be allowed to install the parking lot at the corner of St. Joe and St. Wendel Roads, seconded by Commissioner Schaad, so ordered.

Commissioner Schaad had a deed that conveys an easement of 50 feet. Commissioner Willner moved that the deed be approved. Commissioner Schaad seconded the motion. So ordered.

RE: BIDS FOR BURDETTE PARK COMFORT STATION

The following bids were opened by the County Attorneys and read as follows:

PEPPER CONSTRUCTION INC.....\$32,050.00
 DEIG BROS..... 40,520.00
 KEY CONSTRUCTION..... 43,490.00

There was no engineers estimate on this.

Commissioner Willner moved that these bids be taken under advisement for 2 weeks which will give Commissioner Ossenberg which is on the Park Board a chance to look at these. Seconded by Commissioner Schaad. So ordered.

RE: BRIDGE REPAIR BIDS

The following bids were opened by the County Attorneys and read as follows:

DEIG BROS.....\$ 76,431.00
 BARNETT BROS..... 77,330.00
 G. H. ALLEN..... 73,328.00
 KEY CONSTRUCTION..... 61,825.00

ENGINEERS ESTIMATE was \$88,814.00.

Commissioner Willner moved that these bids be referred to the County Engineer for a period of 1 week. Commissioner Schaad seconded the motion. So ordered.

RE: TEAMSTERS UNION LOCAL 215 -AUDITORIUM

Commissioner Schaad read a letter from the Local Union #215 addressed to him as President, Vanderburgh County Commissioners which read as follows:

Dear Mr. Schaad:

This is to advise you that the Chauffeurs and Teamsters Local Union No. 215 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America has been duly designated as collective bargaining representative by a majority of the employees at the Vanderburgh County Auditorium in a collective bargaining unit composed as follows:

All full-time maintenance and custodial crews.

We hereby request to be recognized as collective bargaining agent for the employees in the above-named units, and we ask that you now designate time and place when we can meet to open negotiations on a collective bargaining agreement. At such meeting designated by you, we will be happy to prove our majority status by any means which may be mutually agreeable.

We look forward to an early meeting with you.

Very truly yours,
 C. K. Arden, President
 and Business Manager

There will be a meeting with the Teamsters in the Commissioners Office at 1:30 on August 16, 1976.

RE: CHECK FOR SURPLUS PROPERTY PURCHASES

Commissioner Schaad received a check from C. R. Swope for the July 26th and August 2nd purchases in the amount of \$220.00.

Commissioner Willner made a motion that the check be signed. Seconded by Commissioner Schaad. So ordered.

RE: CHECK FROM SCHOOL CORPORATION

Commissioner Schaad then said that he had a check from the General Activities Fund of the Evansville-Vanderburgh School Corporation in the amount of \$1.00 for rent of West Heights School from 9-3-76 to 9-2-77.

Commissioner Willner made a motion that the check be approved and signed. The motion was seconded by Commissioner Schaad, so ordered.

RE: MONTHLY REPORTS

Commissioner Schaad said he had received a monthly report from January thru July, 1976 (7 months) from the Bureau of Traffic Engineering.

He also received a monthly report from the Clerk of the Circuit Court for the month of July.

Let the record show they have both been received and filed.

Commissioner Schaad said he had a combined report by the superintendent of the Pleasantview Rest Home from 7-1-76 to 7-31-76 which takes the Commissioners signatures.

RE: INDUSTRIAL PARK SUBDIVISION

Commissioner Schaad said he had received a letter from Signal Engineering, Inc. addressed to the Board of County Commissioners which read as follows:

Re: Industrial Park Subdivision.
S W Quarter, Sec. 18, Township
6 South, Range 9 West
Boonville Highway

Honorable Commissioner Schaad:

We wish to construct an access from State Road 62 across the Southern Railroad right of way near the point of curvature of railway next east from Burkhardt Road.

Until this time, we have been unable to obtain approval for the construction because the decisions as to the cross section of the intervening ditch has not been determinable. The water flow and elevation in this legal drain seems to depend upon some decisions from you.

Can we have your approval for construction of a short span bridge in accord with the attached Indiana State Highway Standards, except employing a post-tensioned deck, where the flow line, space between abutments, and the back slope of the ditch at the wing walls are left open and subject to the approval of the County Surveyor?

Our purpose then would be to obtain a letter of approval from you, subject to these conditions, so that we can proceed with the administrative detail for obtaining a permit from the State of Indiana.

Respectfully,
SIGNAL ENGINEERING, INC.
Edward L. Roehm, PE
President

RE: REZONING NOTICE

TO THE NEIGHBORS IN THE VICINITY OF:

1710 Allens Road
Evansville, Indiana

This rezoning request is required to conform the zoning on the existing used car lot to the County zoning code. No new construction or use is contemplated.

If you have any questions concerning this rezoning, please feel free to contact me or call Mr. Paul Devine at 424-7080.

RE: BIDS ON COUNTY HWY. DEPT. HYDRAULIC EXCAVATOR

MALOTTE MACHINERY COMPANY.....(net).....\$54,190.00

KITCHEN MACHINERY COMPANY.....(net).....66,125.00
(alternate).....58,152.00

BRANDEIS MACHINERY & SUPPLY CORPORATION... (net) 45,000.00

Commissioner Willner made a motion that it be delayed for a period of 1 week and ask for a recommendation from the County Highway Dept. and the Purchasing Dept. The motion was seconded by Commissioner Schaad. So ordered.

RE: BIDS FOR THE RESURFACING OF GREEN RIVER ROAD

FEIGEL CONSTRUCTION.....\$ 111,975.89

MID-WEST CONSTRUCTION MATERIALS.....	113,441.85
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ENGINEERS ESTIMATE was \$112,674.00.

Commissioner Willner moved that they be referred to the Surveyor's office, seconded by Commissioner Schaad. So ordered.

RE: BIDS FOR RESURFACING KERN AND LAUREL ROADS

The following bids were opened by the County Attorneys and read as follows:

FEIGEL CONSTRUCTION.....\$3,951.49

Commissioner Willner moved that letting the contract be deferred for 1 week and be referred to the Highway Department. The motion was seconded by Commissioner Schaad. So ordered.

RE: PUBLIC SALE AT PLEASANTVIEW REST HOME

Commissioner Schaad said he would like to announce the sale of surplus property at Pleasantview Rest Home on August 11, 1976.

RE: CLAIMS

The following claim was submitted by Curran Miller for the services and advertising of the Vanderburgh County Auditorium sale in the amount of \$206.15.

Commissioner Willner moved that the claim be approved. Seconded by Commissioner Schaad. So ordered.

RE: ALCOHOLIC RECOVERY CENTER

Commissioner Schaad received a letter dated August 6, 1976, addressed to him as President of the County Commissioners. It read as follows:

Dear Bob,

Action taken by the Board of Directors of Alcoholic Help, Inc. on August 5, 1976, dictates the closing of the Alcoholic Recovery Center at the Boehne facility by September 1, 1976. The reasons for the decision can be found in the resolution to the board. A copy of the resolution is enclosed. This necessitates a dissolution of the lease. As agent of the Board, I wish to express full cooperation with the County toward a smooth transition. I also wish to extend gratitude to the County Commissioners for their concern and cooperation during the existence of the Center. Be assured the staff will be of service to you in whatever is deemed necessary for the closing of the Center.

Sincerely,
Gayle F. Uebelhor
Acting Administrator

Commissioner Schaad then read the attached resolution.

WHEREAS adequate funding cannot be secured for the year September 1, 1976, to August 31, 1977; and

WHEREAS quality staffing cannot be maintained without sufficient funding and offering of reasonable job security and benefits; and

WHEREAS alcoholism services can be maintained by the present facilities at St. Mary's Hospital, Southwestern Indiana Mental Health Center Halfway House, Salvation Army, Rescue Mission and promised revamping of the Evansville State Hospital program; and

WHEREAS sufficient contracts for alcoholism services cannot be obtained for utilization of Alcoholic Recovery Center facilities and

WHEREAS it is not deemed possible to further cut personnel and maintain a quality program:

BE IT RESOLVED THAT:

1. Alcoholic Recovery Center discontinue acceptance of referrals August 5, 1976.
2. Alcoholic Recovery Center discontinue operation as of September 1, 1976.
3. Alcoholic Recovery Center facilitate proper referrals for present program and halfway house residents.
4. Alcoholic Recovery Center staff be maintained until September 1, if staff members so wish.
5. Alcoholic Recovery Center Administrator assist in placement of staff in other employment wherever possible.
6. Alcoholic Recovery Center Board be responsible for the \$1,402.00 needed to validate the present L.E.A.A. Grant.
7. Alcoholic Recovery Center Clinical staff take necessary steps to maintain confidentiality of resident files.
8. Alcoholic Recovery Center administrative staff finalize the physical and fiscal close out of the Center.
9. Alcoholic Recovery Center Administrator notify the news media, all referral agencies, affiliated educational institutions, funding sources, certification agency, etc.

Commissioner Schaad said that their insurance was paid until August 16th and we're going to be without insurance. I think maybe that needs to be referred to our insurance carrier and have them cover it.

Commissioner Willner then asked if the caretaker was still there. Commissioner Schaad said he discussed this matter with Anika Juras but he thought maybe we could come up with some CETA funds. I understand that he is now paid with federal fund through Criminal Justice and his job will be terminated at the end of this month and in my mind he is too good of a man to lose. I think he gets paid \$7,440.00 per year with his home furnished. If we could come up with that fine, if not, I think maybe we ought to go before the Council and see if we couldn't get some funds to at least pay him until the end of the year and go from there.

County Attorney Paul Wendel said that we may not be able to get insurance if the houses, etc. were empty.

There was some further discussion what ought to be done regarding the houses but no decision was made.

Commissioner Willner moved that we ought to contact our insurance carrier regarding the matter of insuring it. Commissioner Schaad seconded the motion. So ordered.

Herman Hotz brought up the matter that the heat, light and water was running around \$1,000.00 a month.

Commissioner Schaad said (after some discussion) that we did not have an account for that. He said that the bill will probably go down considerably but if it goes into the winter, we will heat it just enough to keep from freezing the pipes.

Commissioner Schaad said we ought to get together with the Auditor's office and maybe transfer some fund from Herman's account somehow with advertising.

RE: REPORT FROM HERMAN HOTZ

Herman Hotz said regarding the 1418 photo copy machine there were no bidders, but Mr. David Kitch of 1859 E. Riverside Drive made an offer to move this machine for the machine.

There was some discussion as to whether or not our insurance would cover it if he should damage anything in the process of removing the machine.

Commissioner Schaad told Herman to have Mr. Kitch call one of the two County Attorneys.

Mr. Hotz then said regarding the hat-coat check room upstairs at the Auditorium again, they had no bidders. Mr. Reed out at Hillcrest Washington can use 10 single racks. He said he talked to Mr. Robert Hertzberger out at Burdette Park and he is to look at the items and see if he can use any of them, but as of now he has not contacted Mr. Hotz.

Commissioner Willner moved to let Mr. Reed have 10 racks and Mr. Hertzberger if he so desires and then to store the remainder in the Auditorium until they decide to further use them or not. The motion was seconded by Commissioner Schaad. So ordered.

RE: PLEASANTVIEW REST HOME RATE INCREASE

Mr. Jack Harness said at this time of the year we generally fix the rate for the oncoming year for the Rest Home and I have a copy of the proposed rate increase, from \$225.00 to \$250.00 a month. This includes room, board, in-patient doctor care, necessary clothing if resident has no funds available for such.

Commissioner Willner made a motion that the residential care be raised to \$250.00 per month and \$12.50 per day. Seconded by Commissioner Schaad. So ordered.

RE: ABSENTEE REPORT

Jack Siebeking submitted the absentee report of the employees at the County Highway Garage for the past week. Report received and filed.

RE: CORNER OF BOONVILLE-NEW HARMONY ROAD and 65

Commissioner Schaad said this matter was talked about in last week's meeting. There was a matter of cutting down the banks because it was hazardous. Jack Siebeking checked into this and told Commissioner Schaad that the right-of-way belongs to the people, in that area. Mr. Siebeking said he would contact the property owners and see if they would be willing to give us a temporary easement and permit us to cut the banks down. Commissioner Schaad said Mr. Siebeking would bring back that information to us next week.

RE: CUTS IN

Indiana Bell Telephone Co., Inc. requests permission to do a push job on Buente Road.

Indiana Bell Telephone Co., Inc. requests permission to do a push job on Cemetery Road South of Baseline East of Old State.

Indiana Bell Telephone Co., Inc. requests permission to do a push job on Outer St. Joseph Avenue.

Commissioner Willner moved that the push jobs be approved. Commissioner Schaad seconded the motion. So ordered.

RE: ESTIMATES

Mike Ludwick then said he had an Estimate #2 from Deig Bros. Lumber & Construction Co., Inc. on account of appropriation for Kentucky Avenue in the amount of \$31,990.06.

Commissioner Willner moved that it be approved. Seconded by Commissioner Schaad. So ordered.

Mike Ludwick said he had an Estimate #7 from Feigel Construction Corporation on account of appropriation for Green River Road (reconstruction) in the amount of \$27,756.26.

Commissioner Willner moved that it be approved. Seconded by Commissioner Schaad. So ordered.

RE: EASEMENTS

Mike Ludwick said he has an easement that he just received from Yellow Freight. He said it was one that we passed upon before and we sent this information to Yellow Freight for them to look at the easement and sign it and we just received it last week. It was an easement granted to the County on the corner of Mt. Pleasant Road and Baumgart Road, and it is in the amount of \$2,500.00.

Commissioner Willner moved that it be approved. Seconded by Commissioner Schaad. So ordered.

Mike said that they have 2 temporary easements. One for Eloise M. Whitehead and the other for Southwestern Trucking Co., Inc. The people are giving us the easements to finish the Green River Road job and we need these 2 easements for the second phase.

Commissioner Willner moved that they be approved. The motion was seconded by Commissioner Schaad. So ordered.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Robert L. Willner

COUNTY AUDITOR

Alice McBride
(Deputy)

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks
by Connie Skinner

Bob Schaad

Robert L. Willner

COUNTY COMMISSIONERS MEETING
AUGUST 16, 1976

The meeting of the County Commissioners was held on Monday, August 16, 1976, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: EMPLOYMENT CHANGES

VANDEBURGH CIRCUIT COURT BAIL BOND PROGRAM

(A) David Elmeier	1824 Cass	Bail Bond Interviewer	\$3.00 per hr.	8-13-76
(R) Michael Zwickel	P.O.Box 449			
	Clinton, Miss.	Bail Bond Interviewer	3.00 per hr.	8-9-76

BURDETTE PARK

(A) John Tinsley	1406 S.E. First	Mec.	3.25 per hr.	8-9-76	CETA
(A) Wm. Kuczynski	621 Oakley St.	Ground Crew	2.30 per hr.	8-9-76	AWE
(A) Patrick Martin	341 Sequoia	Ground Crew	2.30 per hr.	8-9-76	AWE
(A) Danny Geppner	6114 Up. Mt. Vernon	Ground Crew	2.30 per hr.	8-9-76	AWE
(A) Cathy Wilson	Box 150B	Ext. Guard	2.30 per hr.	8-9-76	
(R) Debra Bowers	722 Mels Dr.	Reg. L. Guard	17.00 per day	8-9-76	
(R) John T. Hall	R.8, Box 89A	Reg. L. Guard	17.00 per day	8-9-76	
(R) John Wells	911 Oakley St.	Reg. L. Guard	16.00 per day	8-9-76	
(A) Freddie Mackey	3208 Forest	Security	2.30 per hr.	8-11-76	

CLERK OF THE CIRCUIT COURT

(A) Jacqueline Baker	3305 Oak Hill Rd.	Dep. Clk	224.88 bi-wkly	8-16-76
(LOA) Beatrice Phillips	2619 N. Edgar	Dep. Clerk.	224.88 bi-wkly	8-16-76

PLEASANTVIEW REST HOME

(A) Faye Bundren	1004 First Avenue	Aide	2.30 per hr.	8-10-76
(A) Lois Van Way	1322 Parrett St.	Bookkeeper	213.00 per pay	8-16-76
(R) Janice Short	820 First Ave.	Aide	2.30 per hr.	8-10-76
(R) Lois Van Way	1322 Farrett St.	Aide	2.30 per hr.	8-16-76
(R) Bonnie Goodge	501 S.E. First St.	Bookkeeper	213.00 per pay	8-16-76

VANDEBURGH COUNTY HIGHWAY DEPT.

(R) Lyn E. Siebeking	Cyoress-Dale Rd.	Clerk-typist	225.00 per pay	8-13-76
(R) James Clayton	10 N. Alvord Blvd.	Summer Help	2.30 per hr.	8-13-76
(R) David C. Nix	7001 Happe Rd.	Summer Help	2.30 per hr.	8-13-76
(R) David Dauble	4401 Meadowridge	Summer Help	2.30 per hr.	8-13-76
(R) Steve A. Hendrix	311 Harrison Blvd.	Summer Help	2.30 per hr.	8-13-76
(R) Wm. C. Elliott	1820 Bayard Pk. Dr.	Summer Help	2.30 per hr.	8-13-76
(R) Jack D. Vindhurst	720 N. Boehne Camp	Summer Help	2.30 per hr.	8-13-76
(R) Donald Manchette	7501 New Harmony Rd.	Summer Help	2.30 per hr.	8-13-76

AREA PLAN COMMISSION

Roy A. Edwards (suspended without pay)	Draftsman	7,000.00 per yr.	8-13-76
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Commissioner Schaad then read a letter from Horace M. Lukens, III from the Area Plan Commission regarding the above named.

Dear Mr. Schaad:

This is to notify you of the action taken as regards to county employee Roy Allen Edwards, draftsman, for the Area Plan Commission. Effective immediately,

August 13, 1976, the aforementioned employee is suspended without pay until further notification. This action has been taken as a direct result of his arrest today of the Evansville Police Department on felony charges.

Sincerely,
Horace M. Lukens, III
President

Ann R. Schmidt
Planner I

RE: BID AWARDING

Regarding the road resurfacing of Kern and Laurel Roads, Commissioner Willner made a motion that it be awarded to the low bidder, Feigel Construction, in the amount of \$3,951.49. The motion was seconded by Commissioner Schaad. So ordered.

Regarding the reconstruction of Green River Road (Boonville-New Harmony Road to Highway 57), Mike Ludwick said it was their recommendation that we accept the bid of Feigel Construction Co. in the amount of \$111,975.89 and the bid documents are in order.

Commissioner Willner moved that the reconstruction of Green River Road be awarded to Feigel Construction Co. in the amount of \$111,975.89. The motion was seconded by Commissioner Schaad. So ordered.

Regarding the 6 Bridges, Mike Ludwick said regarding these the low bidder was Key Construction Co. in the amount of \$61,825.00 and we recommend that they be awarded the contract.

Commissioner Willner moved that the low bid of \$61,825.00 be awarded to Key Construction Co. for the 6 Bridges. The motion was seconded by Commissioner Schaad. So ordered.

Commissioner Willner asked Mike Ludwick if funds were totally available for those 6 bridges. Mike replied yes.

RE: REQUEST FOR MILEAGE ALLOWANCE - SHIRLEY JEAN COX

Commissioner Schaad read a letter from Shirley Jean Cox, Clerk of the Vanderburgh Circuit Court, as follows:

County Commissioners
Bob Schaad, President
Vanderburgh County
Civic Center Complex
Evansville, Indiana

Re: Request for mileage allowance for
attendance of Clerks meeting in
Bloomington, Indiana

Dear Sirs:

I respectfully request permission for attendance at a one (1) day meeting in Bloomington, Indiana, for Clerks in Southern Indiana District. The bulk of the meeting will be concerned with the new Child Support Federal Regulations to be instituted this fall. (announcement attached)

I do plan to attend along with three (3) of my deputies. We will be going in one car.

Thank you and sincerely hope the request is granted.

Shirley Jean Cox, Clerk

Commissioner Willner moved that the travel request be granted. The motion was seconded by Commissioner Schaad. So ordered.

RE: FURNITURE -- CONRAD BAKER FOUNDATION

Commissioner Schaad read a letter regarding a J. P. Desk from the Conrad Baker Foundation.

Board of County Commissioners of
Vanderburgh County
Civic Center
Evansville, Indiana 47708

Gentlemen:

We respectfully request your permission to have the old J. P. desk now being stored in the Civic Center basement transferred to the Conrad Baker Foundation in the Old Vanderburgh County Court House.

Richard H. Brennan,
Administrator,
The Conrad Baker Foundation

Commissioner Willner moved that it be approved. The motion was seconded by Commissioner Schaad. So ordered.

RE: AMENDED AWE GRANT

Anika Juras explained that 2 weeks ago a grant was signed for 12 AWE employees, this is up from 9 which we were allotted. The reason for the increase is some accumulated funds. There were some strictly bookkeeping problems with the first grant that you signed in matching the expended and the projected funds. Now those have been straightened out and it turns out that we need \$1,000.00 less to carry these 12 employees and that is the purpose of this amendment.

Commissioner Willner moved that it be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REMOVAL OF SURPLUS COPIER - DAVID KITCH

The County Attorney, Paul Wendel, said that he thought the insurance was adequate, and if the Commissioners approve it he will write a contract.

Commissioner Schaad said that he questioned that if he (Kitch) came in as an individual and dropped a typewriter or destroyed some property while taking out this copier, I just wanted to be sure that we would be adequately covered. There is a certificate of insurance here this morning that he supplied in the amount of \$25,000 per person and \$25,000 property damage. Commissioner Schaad said that seemed to be adequate but he thought that we had better protect ourselves. Now if it is agreeable, County Attorney, Paul Wendel said he would draw up a contract for him to remove that copier for \$1.00 and get it out of there.

Commissioner Willner so moved. The motion was seconded by Commissioner Schaad. So ordered.

County Attorney Wendel said that Mr. Kitch wanted to work on a Saturday, and asked if that was acceptable.

Commissioner Schaad said that they told him at the time that it was just a matter of talking to Gil Ruston and he said he would rather not do it while there are employees in the office. I think as far as the time is concerned if it can be worked out for the convenience of the Building Authority for someone to let him in and stay there with him while he is doing it, there would not be any objection on our part, but he has to work it out with the Building Authority.

RE: REZONING PETITION VC-28-76

Third Reading

Petitioner: Frederick J. Spencer

Docket No. 76-17-PC

Premises affected: More commonly known as R. R. #3 Heckle Road.

Nature of Case: Petitioner requests a change from an A to M-2 zone for a salvage yard which was denied by the Area Plan Commission on 4-7-76 but there was a 30 day extension by the Commissioners until 5-17-76. Then it was amended and referred back to Area Plan on 5-17-76 and then postponed until 8-4-76 meeting of the Area Plan. Now I understand that this will be heard in the September meeting of the Area Plan, they are advising Spencer of that by letter. This would be final date to be heard and then Commissioners have 60 days to act.

RE: REZONING PETITION VC-38-76

Third Reading

Petitioner: Raymond Heseman

Docket No. 76-64-PC

Premises affected: More commonly known as 7419 Oak Hill Road.

Nature of Case: Petitioner requests a change from R-1 to R-0 for a residential office. This petition was approved with ten affirmative votes subject to a covenant being submitted stating that there would be no structural changes or additions and if the property were to be sold then it would revert back to the R-1 zoning.

Mr. J. Robert Kinkle then explained that he had prepared a covenant which has been approved by Mr. Mitchell which is the attorney for the Area Plan and Mr. Kinkle then gave the covenant to Mr. Ed Smith, Jr. for his approval. The house at 7419 Oak Hill Road is now and has been since 1971 used for an office for Mr. Heseman's business which is Frozen Foods Sales Agency, Inc. This is strictly a clerical operation, there is no inventory kept on the property, in fact Mr. Heseman and his business does not handle any inventory. There is no sign on the property and from outside it looks just like a home. There is to be no changes in the property whatsoever. There are three employees in the building during working hours, Mr. Heseman and 2 secretaries. Mr. Heseman employs 9 salesman who are normally on the road except for Friday mornings. There has been no problem with traffic. Mr. Heseman has talked with the adjoining neighbors and all of them told him that they would approve and have no objections to the rezoning.

The house is approximately a 50-60 year old farmhouse, which has 2 stories. Mr. Heseman has put on a new roof, all aluminum sided, new kitchen added, and new plumbing has been put in and there is landscaping.

Commissioner Willner moved that it be approved as written and that he file the covenant. The motion was seconded by Commissioner Schaad. So ordered.

RE: REZONING PETITION VC-39-76

Third Reading

Petitioner: Willard C. Shrode

Docket No. 76-76-PC

Premises affected: More commonly known as 6900 Petersburg Road.

Nature of Case: Petitioner requests a change from an A zone to R-2, C-1B and a M-2 zone for residential, commercial and industrial uses. This petition was postponed until the September 1, 1976 meeting of the Area Plan Commission at the petitioner's request.

Commissioner Willner then made a motion that this be referred back to the Area Plan Commission. The motion was seconded by Commissioner Schaad. So ordered.

RE: REZONING PETITION VC-40-76

First Reading

Petitioner: Martin Dunn

Premises affected: More commonly known as 2926 Grove Street and 3010 Grove Street.

Nature of Case: Petitioner requests a change from A to M-2 zone, for the proposed land use of rebuilding of industrial pallets.

Mrs. James Petty then spoke in opposition. She lives at 2920 N. Grove St. which is next door to the above premises.

Commissioner Schaad then read a letter from Mrs. Petty and a group of residents in that area which he read.

Speaking as a representative for and of Grove Street residents, we would like to present our reasons for opposing the rezoning of the property at 3010 and/or 2926 North Grove Street.

Grove Street has been a residential district for several years. The hazards the junk yard would introduce to the area are unnecessary. Children of the area would be subject to all the rodents and pest that accompany a junk yard.

The introduction of a junk yard to the area would pose a safety hazard. The German Township Fire Department is the only fire prevention and fighting unit that serves the area. A truck fire at this site recently forced firemen to tell residents of Myrtle Avenue, a street 150 yards from and parallel to Grove, to evacuate their houses because they were in danger.

Eye sores in residential districts are not common. This would blight the area and has subsequently decreased the property value of surrounding lots. Three realtors have already told me, that if it wasn't for that place next door that they could get me a decent price for my property.

Sincerely,
Myrtle Petty
and residents of N. Grove

The letter was signed by 32 area residents and it also had a picture which accompanied the letter.

Mrs. Lillian Shelton which lives at 3059 N. Grove then wished to be heard by the Commissioners. She said it seemed to her that those people had just taken over out there with all that junk. So far they have gotten some of their box-car type trucks away from there but as soon as they get this rezoned all of that stuff will be coming back there again. And as Mrs. Petty said we do not have any fire protection other than the German Township Fire Dept.

Mrs. Roxie Rhodes who lives at 3050 Myrtle Avenue. She said she was one of residents who was told by the fire department to leave her home during the fire. She explained that several gas tanks exploded and fire was flying everywhere. She said he had junk from Grove St. all the way back to Myrtle Avenue.

Commissioner Willner made a motion that it be referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION VC-41-76

First Reading

Petitioner: Kingfish Corporation

Premises affected: East side of N. Green River Road a distance of 3/4 mile north of the corner formed by the intersection of Division Street and Green River Road.

The premises are more commonly known at 1031 North Green River Road.
Nature of Case: Petitioner requests a change from C-1 to C-1B.

Mr. F. Wendell Lensing then explained that Kingfish Corporation of Louisville, Kentucky wished to build a restaurant (like riverboat style). He explained that they need to change it to C-1B so that the corporation when they build a restaurant could have a bar and sell alcoholic drinks in the restaurant.

Commissioner Willner made a motion that it be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION VC-42-76 First Reading

Petitioner: Eugene R. Steckler

Premises affected: More commonly known as 13644 State Highway 57.
Nature of case: The petitioner requests a change from A to C-1B zoning.

Commissioner Willner made a motion that it be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION VC-43-76 First Reading
REZONING PETITION VC-44-76

Petitioner: William F. & Susan G. Harty

Premises affected: More commonly known as 4100 Cort Street and 4119 Cort Street.

Nature of case: The petitioner requests a change from R-1 to R-3 on both parcels, for the purpose of building apartments.

Mr. William F. Harty then said that he lived at 4112 Cort Street. He said recently they have had sewers constructed in the area. He said he has improved the land and as far as he knows there is no one to object to this rezoning.

County Attorney Paul Wendel then told Mr. Harty that his legal description was not adequate. He said Mr. Harty was referring to an unrecorded subdivision.

Commissioner Schaad told Mr. Harty that before it gets to Area Plan that he ought to get the correct legal description, for Mr. Harty's protection.

Commissioner Willner moved that VC-43-76 be approved on first reading and be referred to the Area Plan Commission. The motion was seconded by Commissioner Schaad. So ordered.

Commissioner Willner moved that VC-44-76 be approved on first reading and be referred to the Area Plan Commission. The motion was seconded by Commissioner Schaad. So ordered.

RE: REZONING PETITION VC-45-76 First Reading

Petitioner: Paul Devine

Premises affected: More commonly known as 3076 North Grove Street. (Also commonly known as 1700 Allens Lane).

Nature of Case: Petitioner requests a change from A to C-1B zoning.

Commissioner Willner moved that it be approved on first reading and be referred to the Area Plan Commission. The motion was seconded by Commissioner Schaad. So ordered.

RE: REZONING PETITION VC-46-76

First Reading

Petitioner: Victor J. & Helen Baumgart

Premises affected: More commonly known as 5000 Block of East Columbia Street.
Nature of Case: Petitioner requests a change from A to R-3 so he can construct an apartment complex.

Commissioner Willner moved that it be approved on first reading and be referred to the Area Plan Commission. The motion was seconded by Commissioner Schaad. So ordered.

RE: CLAIMS

A claim was submitted by Hunnicutt & Associates, Inc. on account of appropriation for Knight Township Assessor (Reassessment) as per contract in the amount of \$12,093.75.

Commissioner Willner moved that the claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by Powers Company on refund on permit #7148 for a contract cancellation in the amount of \$82.00.

Commissioner Willner moved that the claim be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by Alcoholic Help, Inc. for money allocated to Alcoholic Help, Inc. for the year of August 31, 1975 to August 31, 1976 in the amount of \$5,000.00.

Commissioner Willner moved that this be referred to the Auditor for one (1) week. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted by Vanderburgh County Council of Veterans Org. for Memorial Day expenses from County Commissioner Budget in the amount of \$1,274.00.

There is only \$1,200.00 in this budget so that is all we can pay.

Commissioner Willner moved that it be approved for the amount of \$1,200.00. The motion was seconded by Commissioner Schaad. So ordered.

RE: AUCTION AT PLEASANTVIEW REST HOME

Commissioner Schaad had a quietus from the County Auditor, Curt John, for the money that was received for the auction which was put into the county revenue fund in the amount of \$1,067.65. Along with this was an itemized list of all the items sold and amount gotten for them.

RE: HECKLE ROAD AND HEERDINK LANE

Mr. John F. Heerdink, R. R. 3 Heckle Road, Phone: 867-3796 came before the Commissioners and explained the situation. He said there are 8 residents that live on a little lane which is off Heckle Road and it is called Heerdink Lane. Three years ago we tried to get together and the County Garage agreed to furnish culverts and we were going to at that time fill this road above water level. Five of the residents donated 15 foot on each side of the road which will give the road a 50 foot width. My brother runs an excavating service and he will bring the road above water level and we will go ahead and pay for it but we still need the culverts which were agreed upon originally. It will probably have to be resurveyed.

Mr. Heerdink's neighbor was also along: Mr. Richard Duvall, R. R. 3 Heckle Road, Phone 867-2557.

Commissioner Willner then asked whether it had been accepted by the County.

Mike Ludwick stated that the residents appeared before the County Commissioners. Mike said they (County Surveyor's Office) drew up the right-of-way agreements and designed the project for them and we were to accept the road. We were to supply the tile under the road and the rock and they, the residents, along this lane were to supply the equipment to bring this road up to grade and from that point on the County was to accept it for maintenance.

It was stated that Heerdink Lane was 2,000-2,500 feet because it actually makes an L.

Commissioner Willner moved that this be referred to the County Surveyor and Jack Siebeking (County Garage) and that they come back next week with a plan of action. The motion was seconded by Commissioner Schaad. So ordered.

RE: REPORT OF HERMAN HOTZ

He said he had made arrangements to transfer some money into a utilities account for Alcoholic Help Center. He said he needed to know when he notifies the various companies (for water gas etc.) should the meters be put into the Commissioners names or should it be in his department.

Commissioner Schaad told him to put it into the Commissioners names as of September 1, 1976.

He said that the items that the County does have out there at the Alcoholic Center are old and it might be a good idea to keep in mind to declare them surplus and sell them.

A meeting was set up for next Monday for the Commissioners to go out there with Herman to see all the facilities there. The meeting was set up for 1:30 p.m.

RE: ABSENTEE REPORT

Jack Siebeking submitted the absentee report of the employees at the County Highway Garage for the past week. Report received and filed.

RE: INTERSECTION BOONVILLE-NEW HARMONY RD. & HWY 65

Mr. Jack Siebeking said he had contacted both property owners who are Mr. Clarence Rexing who is on the northeast side and Mr. Reising who is on the southeast side. He talked with both people and they think the banks should be cut back. They are willing to give the dirt that will be removed off the banks. Mr. Reising has nothing planted on his at the time but Mr. Rexing which is leased out to Mossberg Brothers, there is corn planted there and he has asked that we wait until the corn be removed.

Mr. Siebeking said he would like one of the County Attorneys to draw up some kind of an agreement so we can get the property owners to sign it and the Commissioners to sign it.

RE: TRAFFIC ACCIDENT - COUNTY AUTOMOBILE

Mr. Siebeking was involved in a traffic accident with the county automobile at the corner of St. Joseph and Pennsylvania Avenues. He said a woman ran a red light and hit the side of his car and did about \$1,400 to his automobile. He said the insurance companies have been notified. Mr. Siebeking said that witnesses came forth and gave their names and their account of the situation which was in our favor.

He said parts had been ordered for the car and that he is still driving the car and probably the bid will be given to Key Ford to fix the car.

RE: BID ON EXCAVATOR

Mr. Siebeking understood that it was to be awarded today but he and Al had a few unanswered questions and they would like to have one week extension on that if possible.

Commissioner Willner moved that they be given another week. The motion was seconded by Commissioner Schaad. So ordered.

RE: SHOULDER CUTS

Commissioner Willner said that the Waterworks and Sewer Dept. recently put in both to Oak Meadow Gold Course and they must have cut the road in 10 places. He said that last week, Thursday, the County Garage was out fixing the road cuts and I got three calls from residents complaining saying why does our tax money go to fix these places. The very next day on Fleener Road, the County was there to fix a cut in the road the Waterworks had made and the property owner went out and forbid them to make the necessary repairs. This is what is going on in the county and I think you ought to know about it.

Mr. Mills told me to notify him on everything that took place which I have been doing. We have been averaging at least 1 or 2 calls a week on those ones on Browning Road. Everytime I get a call I call him. I didn't tell those people to go out and patch those holes. Apparently it came in as a work order in patch tickets and they went ahead and patched them. I realize that maybe we shouldn't have done it but if it will keep our telephones from coming off the walls now that it has been done... said Jack Siebeking.

He said that he still cannot get anything out of the Water Dept. when he calls them and gives them a problem. I've got complaints that people have sent in not only to them but to the City and they finally get around to sending them to our office that are back dated 6 months.

Commissioner Schaad said that if this can all be documented instead of talking in generalities, specifics, dates and then we can go back to Denis Stallings and get cooperation. We did it before. But if we wait until it gets so bad we need to do something about it.

Another one that is giving us a lot of problems is the cut out on Hogue Road right there by Rodenberg.

RE: CUTS IN

Indiana Bell Telephone Co., Inc. requests permission to do a push job on Mt. Pleasant Road.

Commissioner Willner moved that it be approved. The motion was seconded by Commissioner Schaad. So ordered.

RE: LETTER FROM LAW LIBRARY

Commissioner Schaad read a letter from Doris at the Law Library dated August 12, 1976:

The Law Library budget balance of August 15, 1976, was \$108.20. Therefore, it is necessary for additional appropriations in the amount of \$2,000.00 be granted for the remainder of 1976. This should suffice for supplements and subscriptions by contract.

She told Commissioner Schaad that a lot of this information we used to get free but now they are billing us for it.

Commissioner Willner moved that it be put on the agenda for the County Council. The motion was seconded by Commissioner Schaad. So ordered.

The meeting recessed at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.
Paul Wendel

Secretary: Margie Meeks
by Connie Skinner

Bob Schaad

Robert L. Willner

VANDERBURGH COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 23, 1976

The meeting of the County Commissioners was held on Monday, August 23, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

Commissioner Schaad graciously welcomed yours truly, who is back on the job after having been on vacation.

RE: NOTICE OF PUBLIC HEARING

Commissioner Schaad announced that the State Transportation Advisory Commission will hold a public hearing on Wednesday, August 25, at 10:00 a.m. in the Council Chambers and the topic will be "Highway Financing Problems."

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Charles Newton R.R.2 Box 120 Maintenance \$2.75 Hr. Eff: 8/15/76

VOTERS REGISTRATION OFFICE

Virginia Robinson 909 Meyer Clerk \$16.10 Day Eff: 8/16/76

VANDEBURGH SUPERIOR COURT

Janet Tavcar Clerical Assistant \$6,134.00 Yr. Eff: 8/2/76

VANDEBURGH SUPERIOR COURT

Charles R. Kratz Probation Officer \$8,800.00 Yr. Eff: 8/16/76

SHERIFF'S DEPARTMENT

Stephen F. Moser R.R.8 Box 143 Patrolman \$10,502.00 Yr. Eff: 8/14/76

PLEASANTVIEW REST HOME

Lois E. Van Way 1322 Parrett St. Bookkeeper \$213.50 Pay Eff: 8/16/76
Mabel Clark 13 E. Columbia St. Aide \$2.30 Hr. Eff: 8/19/76
Deborah Nolder 402 W. Maryland Soc. Serv. Designee \$199.38 Pay Eff: 8/23/76

UNION TOWNSHIP ASSESSOR

Evelyn L. Bernard R.R.2 Box 152 Deputy Assessor \$16.10 Day Eff: 1/1/76

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

A.W.E.	Danny Gepper	6114 Upper Mt. Vernon	Ground Crew	\$2.30 Hr.	Eff: 8/14/76
A.W.E.	George Shuttle	1700 Dalehaven	Ground Crew	\$2.30 Hr.	Eff: 8/14/76
	William R. Wells	911 Oakley	Ground Crew	\$2.75 Hr.	Eff: 8/14/76
	Susan Buthod	730 S. Weinbach	Sr. Reg. Guard	\$17.00 Day	Eff: 8/16/76
	Charles Newton	R.R.2 Box 120	Ground Crew	\$2.30 Hr.	Eff: 8/15/76
	Bruce Wright	2610 Selzer Rd.	Rink Guard	\$2.30 Hr.	Eff: 8/16/76
	Kimberly Babbs	303 S. Woods Ave.	Rink Cash.	\$2.30 Hr.	Eff: 8/16/76

VOTERS REGISTRATION OFFICE

Rhonda Crawford 638 Jefferson Clerk \$16.10 Day Eff: 8/13/76

VANDEBURGH SUPERIOR COURT

Janet Tavcar	Clerical Assistant	\$6,020.00 Yr.	Eff: 8/2/76
Morton Leibourtz	Probation Officer	\$9,491.00 Yr.	Eff: 8/13/76
Charles R. Kratz	Summer Intern	\$200.00 Wk.	Eff: 8/13/76

EMPLOYMENT CHANGES.....RELEASES...CON'T.SHERIFF'S DEPARTMENT

Stephen F. Moser	R.R. 8 Box 143	Probationary Patrolman	\$9,352.00 Yr.	Eff: 8/14/76
Larry K. Blaize	1127 S. Gibson, Princeton, Ind.	Intern	\$75.00 Wk.	Eff: 8/20/76
Stephen Bequette	600 Marigold Ct.	Intern	\$75.00 Wk.	Eff: 8/20/76
Eric M. Herrmann	218 S. Spring St.	Intern	\$75.00 Wk.	Eff: 8/27/76

PLEASANTVIEW REST HOME

Bonnie Goodge	501 S.E. First St.	Bookkeeper	\$213.50 Pay	Eff: 8/16/76
Faye Bundren	1004 First Ave.	Aide	\$2.30 Hr.	Eff: 8/16/76
Brenda Limberger	2783 Broadway Ave.	Soc. Serv. Designee	\$199.38 Pay	Eff: 8/16/76

RE: CONTRACT AWARDED FOR COMFORT STATION

Commissioner Schaad explained that the three bids which were received two weeks ago, for the comfort station at Burdette Park, were deferred until Commissioner Ossenberg returned from his vacation so he could look them over. The bids that were received are as follows:

Pepper Construction Co. Inc.....	\$32,050.00
Deig Bros.....	\$40,520.00
Key Construction Co.....	\$43,490.00

Mr. Ludwick said that all bids were in order and the recommendation of his office is to award the contract to the low bidder.

Commissioner Ossenberg moved, on recommendation of the County Engineering Department, that the contract be awarded to Pepper Construction Co. Inc. for the Comfort Station at Burdette Park.

He explained that this bid was far below the lowest bid that the Burdette Park Board had received previously, also that the bid includes the showers, the rest rooms, a coin operated washing machine and a hair dryer and that there are three of each.

Commissioner Willner seconded the motion. So ordered.

RE: REQUEST BY TEAMSTERS UNION

Mr. Dan Klein appeared and said that the Teamsters Local 215 would like to be recognized as the collective bargaining agent for the Vanderburgh County Auditorium employees. He said there are three employees at the Auditorium which include the Maintenance and Custodial.

Commissioner Ossenberg moved that the Teamsters Local 215 be so recognized. Commissioner Willner seconded the motion. So ordered.

RE: LETTER OF REQUEST FROM AREA PLAN

The following letter was received by the Commissioners from Jeff Wilson of Area Plan:

August 20, 1976

Dear Mr. Schaad:

We are in need of another vehicle to operate our office efficiently. We recently hired an additional employee as a zoning inspector through the Department of Metropolitan Development. We now have a 1974 Ford Van, which is in good condition, and a 1965 Plymouth Station Wagon which is in poor condition.

Our intention is to replace the Plymouth with a newer vehicle. We have been in contact with Dave Cannon of the Levee Authority to see if he could locate a surplus government vehicle for us. Mr. Cannon has advised us that there is an auction of surplus vehicles at Hopkinsville, Kentucky on August 25, 1976 and I request that I be able to send a representative from this office to attend the auction with Mr. Cannon and possibly locate and purchase a vehicle for us.

Your consideration in this matter will be appreciated.

Respectfully yours,

Jeffrey L. Wilson, Zoning Administrator

Commissioner Schaad said that this has been done before when a vehicle was needed at the County Garage, but he wasn't sure about the legalities of it as far as not taking bids are concerned. He asked Mr. Siebeking how much they paid for the army vehicle they had previously purchased from army surplus.

Mr. Siebeking said the only thing the County had to pay for was the transportation to and from.

Mr. Huffman said he talked to Dave Cannon about it and that he has a list of the items they have for sale, also, he understands that the price of the vehicles range from \$100.00 to \$400.00 and the vehicle that is purchased must be paid for in cash at that time, so Jeff Wilson would have to pay for the vehicle and the County would have to reimburse him.

Commissioner Schaad said they will probably junk some of the items but Mr. Cannon would probably have some idea as to what the car is worth since what he is concerned about is that they don't buy something that is worse than they now have.

Commissioner Willner said that the County's past record hasn't been too good in this area but he isn't against trying.

Commissioner Willner then moved that the travel be approved and that the cost be taken from the Area Plan's account in Purchase of Supplies & Equipment. Commissioner Ossenberrg seconded the motion. So ordered.

RE: MONTHLY REPORT

The Report of the Evansville Association for Retarded Citizens, Inc. was submitted to the Commissioners for the month of July, 1976. Report received and filed.

RE: LETTER OF REQUEST FROM DAUGHTERS OF CHARITY

A letter was received by the Commissioners from James E. Allen of the Daughters of Charity of St. Vincent De Paul and it reads as follows:

Gentlemen:

The Do Not Pass and No Passing signs have been removed from New Harmony Road near the entrance to our property listed as 9400 New Harmony Road.

Before they are replaced, please consider our request to relocate them approximately 150-200 feet south of our entrance.

Since the provincial headquarters for the Daughters of Charity is located at this address, considerable traffic is generally encountered at the entrance to the property on New Harmony Road. A No Passing Zone at that point would provide a safer situation for everyone.

Thank you for your attention.

Sincerely,
James E. Allen

Mr. Judd said this work should have already been done but that he would check on it to be sure.

RE: LETTER RECEIVED ON R & S FUNDS 19R

A letter was received from Charles Miller in regard to R & S Funds for Project 19R on the widening of St. Joe Ave. from Diamond Avenue to Mill Road, which reads as follows:

To Whom It May Concern:

The Indiana Arterial Road and Street Board in their meeting of August 12, 1976, approved the above referenced application(s) for distribution from the Local Road and Street Account in the amount of \$8,320.00.

Be advised that the application(s) has been forwarded to the office of the Auditor of State for processing of payment, which should be completed in approximately two (2) or three (3) weeks.

If you have any questions regarding this letter, please feel free to contact this office.

Very truly yours,
Charles D. Miller, Chief, Division of State Aid

Commissioner Schaad said he believed this amount of money to be an additional amount to what they already had from R & S funds to match Federal funds.

Mr. Lochmueller said this is correct and to fulfill the contract, they would have to have that additional amount of money of local match.

Commissioner Schaad said since this is an official letter stating that it has been approved, he supposed they could go ahead with it even though they haven't received the check as yet.

He said they have the commitment for 70% of Federal money for the engineering and they did have some R & S funds before and since they have this additional amount, they will have the local money of 30% and they should be ready to roll so they can sign the contract with the Engineering Firm of Fink, Roberts & Petrie to go ahead with it.

Mr. Lochmueller said he talked with Mrs. Muhlenberg at the State Auditor's office and she said that the Commissioners should be getting a notice shortly and that the money will be sent down here.

Commissioner Schaad asked Mr. John if they could go ahead and award the contract based on the letter or if they would have to wait on the check.

Mr. John said the Commissioners could probably go ahead and award the contract, subject to the money coming, also that no claims will be paid until the money has been received.

Commissioner Schaad said that when this came back from the state, it wasn't quite clear in the contract with Fink, Roberts & Petrie, that the engineering for the signalization was included and there is a letter from Mr. Cantwell of the Engineering Firm, stating, that in response to Mr. Hallet's letter of July 13, "design of all necessary traffic control devices would be included in the contract" and that this was the only question the state had on it, also that information will be shown on their design detail sheets and it should be noted that traffic counts and turning movements are to be provided by the County and should be forwarded to them as soon as possible.

He said that Mr. Lochmueller would see that this is taken care of, also that any information pertaining to future anticipated improvements of crossroads is needed as soon as possible and such improvements will be provided for during design of this project and that local standards pertaining to geometric design, etc. to be incorporated in project are also needed.

Mr. Lochmueller said that it is federal money so they must use state standards.

Commissioner Ossenberrg moved that the contract be awarded, subject to the money being received. Commissioner Willner seconded the motion. So ordered.

RE: LYNCH ROAD....CONTRACT AWARDED FOR PREPARING PLANS

Mr. Leo Weiss submitted the Agreement between the County Commissioners and Engineer Associates to the Commissioners for approval, for the drawing of the plans, specs, and estimates for widening Lynch Road from U.S. 41 to Oak Hill Road.

Mr. Lochmueller reported on the status of Lynch Road by saying that he had made several calls on it and that Charles Miller of State Aid, verbally told him on the phone that they have approved R & S funds #23 in the amount of \$171,000.00. He said that originally, the R & S Board approved it back when St. Joe was approved but it was subject to the federal share being approved but the federal share had been approved over a year and a half ago, so they had a condition which was that Richard Benning and Charles Miller had to sign off which they have done. He said he does not have the document and he talked to Ms. Muhlenberg this morning and she hasn't as yet received a letter but Mr. Miller has said it has been approved, so if the Commissioners approve a contract, he suggested they approve it subject to the funding and letter being received, since they only have verbal approval.

Commissioner Ossenberrg moved that the contract for the plans in widening Lynch Road be awarded to Engineer Associates, Inc. subject to the letter of intent from Charles Miller and the State and the money being received. Commissioner Willner seconded the motion. So ordered.

The agreement was completed with the necessary signatures at this time.

RE: CERTIFICATE OF INSURANCE.....CANCELLATION NOTICE

The following cancellation notice was received from the Allied Fidelity Insurance co.:

OBLIGEE: Evansville-Vanderburgh Civic Center
 PRINCIPAL: John E. Strange
 1119 S. Evans Ave.
 Evansville, Ind. 47713

FS 6041

The Surety hereunder terminates its obligation under the above bond as provided in the condition of the bond.

Termination of further liability to be effective as of 10/4/75, the Anniversary Date, or thirty (30) days from mailing this notice, whichever date is acceptable to the Obligee.

CAUSE: Failure to pay renewal premium upon anniversary date.

SURETY: Allied Fidelity Insurance Co. By: John M. O'Toole
 Civil Bond Manager

Notice of Cancellation received and filed.

RE: CERTIFICATE OF INSURANCE

A Document of Insurance was received from the Indiana Industrial Board, showing certificate of coverage on Key Construction Company, Inc. by the Massachusetts Bay Insurance Co. in compliance with the employer's Indiana Workmen's Compensation and Occupational Disease Acts, in effect from 11/8/75 to 11/8/76. Certificate received and filed.

RE: PARCEL OF PROPERTY RETURNED TO THE COUNTY

Mr. John explained that James & Bonnie Hailman purchased a parcel of property on tax sale two years ago and decided to give it back to the county since they don't want it.

The property is tax code 28-21-23, Bement Add. 12.5 Ft. L. 24, 10 Ft. L. 23, Blk. 1.

Mr. John suggested that the parcel be held until the end of the year, at which time there will be a new list of County Owned Surplus Property and this parcel can be advertised along with them.

Commissioner Ossenberg moved that this parcel of property be accepted by the County. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by the City of Evansville for the County share of Combined Department of Weights & Measures at 42% for the month of July in the amount of \$1,145.37.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County share of Combined Department of Purchasing at 50% for the month of July in the amount of \$904.37.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County share of Combined Department of Building Inspection at 40% for the month of July in the amount of \$7,950.52.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County share of Combined Department of the Health Department at 21.5% for the month of July in the amount of \$8,166.78.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County share of Combined Department of the Traffic Engineer at 14% for the month of July in the amount of \$3,901.23.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Sheriff DeGroot for the meals of the prisoners from July 15th. thru August 14th. 1976, in the amount of \$6,927.70.

Commissioner Schaad explained that there is only \$6,442.60 in the account so the Commissioners approved spending the \$6,442.60, so he will have a balance of \$485.10 due him.

Mr. John said that the Sheriff is asking the Council for \$28,000 next month, so the balance will be taken care of at that time if the money is approved.

Commissioner Ossenberg moved that the payment be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Alcoholic Help, Inc. for Account #130-543.8 for money allocated to Alcoholic Help, Inc. for the year of August 31, 1975 to August 31, 1976, in the amount of \$5,000.00.

Mr. John said that this claim was submitted last week, that he has now checked on it and that to get a \$145,000 federal grant, they needed \$16,000 in local matching funds and that is what the \$5,000 is, which the Council approved in the Commissioners budget last year, to make up part of the \$16,000 and they have to get that in order to keep the match that they have already received.

Commissioner Schaad wondered if there should be a contract or an agreement with them or if they could just send them a check.

County Attorney Wendel said to just send them a check.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency for a \$10,000 Faithful Performance Public Employees Blanket Bond, Hartford 4122993, for Area Plan in the amount of \$171.00, which is in the Commissioners Account.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Auto Damage Appraisers in the amount of \$16.25.

Mr. Hotz said this was on his car but he didn't know what account it should be paid from.

Commissioner Schaad said the estimate of damage was \$368.75 but they are charging the County the \$16.25 for making the appraisal.

Commissioner Ossenberg wondered why the Insurance Co. wouldn't pay this appraisal charge.

County Attorney Wendel said he received a call from the Attorney that represents the fellow who hit the County car and they plan to pay it back but he didn't get the figure of the amount but that they could make the amount to include the cost of the appraisal.

Commissioner Ossenberg moved that this claim be referred to the County Attorney's so they can check with the Insurance Co. to see that the appraisal amount is included.

County Attorney Wendel asked if he could get an authorization on how much the Commissioners wanted to settle this claim for, so he could work it out with them.

Mr. Hotz submitted an estimate from Krause Body Works in the amount of \$339.50 for parts and labor and the total amount to be \$368.75 which amounts to more than the appraisal cost.

Commissioner Ossenberg moved that the County Attorney ask for the \$339.50 plus the appraisal cost of \$16.25 or a total of \$355.75.

Commissioner Willner seconded the motion. So ordered.

Mr. Hotz asked if he could have the car repaired and pay for it from his Equipment and Repair Account and put the money back when it is received from the Insurance Co.

After some discussion on this matter, Commissioner Schaad asked County Attorney Wendel to pursue this possibility and report back to the Commissioners so they can take some official action next week.

Mr. John said that he would also check with Cap Hudson.

A claim was submitted by Curran Miller Auction, Inc. for the sale of August 11, 1976, at Pleasantview Rest Home, of surplus property, in the amount of \$263.23.

Commissioner Schaad said the gross amount of the sale was \$1,067.65 so the County made a net amount of \$804.42.

Commissioner Ossenberrg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

County Attorney Wendel submitted the Specifications and the Notice to Bidders for the Closed Circuit T.V. System that is needed by the Sheriff's Department which is to be paid from federal funds.

Mr. John said he was sure that the Sheriff has his local match and it will need to be put into the account.

County Attorney Wendel said the money will need to be available before the contract is signed, also that since this involves a change in the jail, the ad will need to be in both newspapers, twice and bids can't be opened until four weeks after the first ad appears in the newspapers, so the opening date will be September 27, 1976 and the ads will appear in the Courier and the Press on Thursday, August 26th. and on September 2nd.

Commissioner Ossenberrg moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

The Report of the Building Commission was submitted for the month of July, 1976 on permits that have been issued.
Report received and filed.

RE: MR. CROOKS.....COMPLAINT

Mr. Crooks said that he has a complaint on a house that is located on Old Petersburg Road, North of the Hornets Nest and that it is in bad shape, both, physically and from the standpoint of junk.
He said his question for the County Commissioners is, what action should be taken.

Commissioner Willner said that as far as he is concerned, Mr. Crooks should contact the owner and see if he'll clean it up.

Commissioner Schaad said that the owner and the renter should both be contacted.

Commissioner Willner said that he was contacted about the condition of this house by a neighbor, who told him that no one is living there.

The Commissioners asked Mr. Crooks to attempt to contact, both the owner and the renter as to the status of the property and to report back to the Commissioners next week with a recommendation.

Mr. Crooks said that he would ask the Sheriff to help him on it.

RE: MR. HOTZ

Mr. Hotz said that they have arranged a meeting for today at 1:30 p.m. with all the Commissioners at Alcoholic Help, Inc.

Commissioner Schaad said that he was out there last Friday with Sheriff DeGroote and Jim Wallace so he would ask to be excused but he was sure that the other Commissioners would like to see it.

The other Commissioners said they would be there at 1:30 p.m. today.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the employees at the County Garage for the past week.
Report received and filed.

RE: ALLENS LANE CLOSED

Mr. Siebeking said that Allens Lane, between Kratzville Road and St. Joe Avenue was closed this morning by the Railroad since they are repairing that crossing, so he notified the Sheriff's Department and all interested parties.
He said the City is taking care of the barricades on the Kratzville Road end and the County is taking care of them on the St. Joe side.

RE: ST. JOE ROAD

Mr. Siebeking said they are having problems with the barricades that were put up on St. Joe Road, by Key Construction Co. where the bridge is out, so they went out Friday to take care of them and again on Saturday morning.
He said that Saturday night the barricades were completely torn apart and they had to go out yesterday morning to completely rebuild them.

RE: KERN & LAUREL ROADS

Mr. Siebeking said that he talked with Mr. Feigel and with weather permitting, they intend to do the work on Kern & Laurel Roads the first thing in the morning.

RE: CONTRACT AWARDED ON GRADE ALL, SUBJECT TO APPROVAL OF MONEY

Mr. Siebeking said that last week, he asked for an extension on awarding the contract on the grade-all and that now, he and Mr. Huffman are ready for a recommendation which is to accept the Bid of Kitchen Machinery Co. in amount of \$66,125. He said that he has mentioned to Mr. John and to the Commissioners, the fact that he hasn't received an official notification from the state or from Mr. John's office on the money.

Mr. John said they have had the local hearing but there hasn't been any final approval from the state and until they do, the money won't be available, but they may be able to approve it subject to the approval of funds.

The Commissioners agreed to hold this matter up until next Monday and hopefully, they will hear something by then from the state.

Mr. John said that if it isn't here by next Monday morning, he will call the state to see what the status of it is.

Commissioner Ossenberg said he didn't know why they couldn't award it subject to Mr. John calling the state, since he has received approval from Mr. Eades on several things last year.

Commissioner Ossenberg moved that the contract be awarded to Kitchen Machinery Co. at their net bid of \$66,125.00, subject to the letter of approval and the availability of the money.

Commissioner Willner seconded the motion. So ordered.

Mr. Huffman said that he and Mr. Siebeking had studied all the bids and they feel that the money will be best spent by purchasing this grade-all 440 from Kitchen Machinery Co. at the cost of \$66,125.00

He said there are some basic design differences in the pieces of equipment and the model 440 seems to be the answer to everything that they feel will do the best job for the Highway Department for many years.

RE: INTERSECTION OF BOONVILLE NEW HARMONY ROAD & HWY. 65

Last week, Mr. Siebeking said that he had talked with property owners, Mr. Rexing and Mr. Reising who think the banks should be cut back and they are willing to give the dirt that will be removed off the banks, but since Mr. Rexing has his ground leased and corn is planted, they will have to wait until the corn has been removed before anything can be done.

Mr. Siebeking said they have found that they might have some problems on the southeast side since there are two telephone stand boxes and two water line cut-off valves in that corner. He said he didn't think the water valves would create a problem but that the stand boxes might and he didn't know if the Telephone

Company would remove them or not.

Commissioner Willner said that it depends on whether they have an easement or not and he doubts if they have.

Mr. Siebeking said there may be such a thing as to work around them but he feels they should be moved to do the job right. He said that he was going to call the Telephone Co. and that maybe he could meet with one of their engineers to see what it would involve, since this is the first thing to do. This matter will be taken up at a later date.

RE: CLAIMS

Mr. Ludwick submitted a claim from G. H. Allen for Franklin St. Bridge Structure #4 over Pigeon Creek, Acct. 203-3744, Estimate #2, in the amount of \$40,667.60. He said, hopefully, they will be finished with this project, this week.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Barnett Bros. Inc. for Baumgart Road, Burch Drive to Mt. Pleasant Road, Acct. #203-3831, Estimate #3, in the amount of \$26,582.33.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Priest Hazelwood & Son, Inc. for St. Joe Ave. over Penn Central Railroad Tracks, Acct. #203-3835, Estimate #1 in the amount of \$18,012.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: BOEHNE HOSPITAL TO BE PATROLLED

Commissioner Schaad said that Sheriff DeGroot has agreed that Boehne Hospital will be placed on his list so it will be more heavily patrolled in order to better prevent vandalism.

RE: MR. HOTZ MONUMENTS POLISHED

Mr. Hotz said that some time ago, Mr. Bud Summers, the Scout Master, asked the Commissioners for permission to clean and polish the monuments in the old Court House yard, for four of their scouts to obtain their Eagle Scout rank. He said he has checked it from time to time and that they completed it last Saturday and that they did a beautiful job. He also said that a Ms. Kirby that worked at Schultz's, donated plastic flowers for the flower containers there which makes a beautiful display. He said the boys worked very hard.

Commissioner Schaad said that "Thank you" notes will be sent to them for a job well done.

RE: INQUIRY BY FUTURE FARMERS OF AMERICA

Commissioner Schaad said that he was approached by the Future Farmers of America of Reitz High School, at the Fair and they wanted to know if the County needed any more corn to feed the ducks at Boehne Hospital.

Mr. Hotz said that Oliver told him that they have plenty of corn but that he will check again to see if they have enough to last through the year.

RE: COMMENT ON INSURANCE IN MOVING MACHINE

County Attorney said that in regard to the contract that he was going to write for the removal of the copy machine from the Records office, he was contacted by Wes Bowers who is the attorney for the Building Authority, that the Certificate of Insurance that the County had was for \$25,000 and Mr. Bowers recommended personal injury of \$100,000 to \$300,000 and property damage at \$50,000, so he wondered if The Commissioners wanted him to stick to the \$25,000. He said the \$25,000 seems adequate to him and that is what the Commissioners decided on last week.

The Commissioners decided that County Attorney Wendel could contact Mr. Bowers and tell him that Mr. Ruston thinks \$25,000 would be adequate and to see if it can be resolved.

RE: CUTS IN

Commissioner Schaad said that the Water Company had submitted requests for two cuts last week that weren't approved and he understands that the problem is sewer rather than water problems.

He said that there was a stand-off between him and Commissioner Willner but he still feels that it is a problem with the Water Department and he doesn't feel that the citizens should be deprived from getting water and he didn't think this was any way to get back at the Water Department.

Commissioner Ossenberg said he didn't think so either but by the same token, the Water Department should be held responsible for what they do in damages to the County roads.

Commissioner Schaad said they were suppose to meet with the Water Department's Engineer and the President of the Board.

Commissioner Ossenberg said that from what he read in the paper, he understands that the County has been fixing those roads.

Commissioner Willner said this is correct.

Commissioner Ossenberg said that some agreement should then be worked out with the Water Department if we are to fix the roads and if they want to go this way, then we charge them back.

Mr. Siebeking said he thought the problem was that the Water Department didn't fix the roads back the way we thought they should be.

Commissioner Ossenberg said that he is saying that this is an avenue they can pursue, that if this is going to continue and if they don't want to go this way, then suggest to them that the County will fix the roads the way we want them and we will charge them back.

Commissioner Willner moved that the County start doing this immediately and that Mr. Siebeking figure up the material and time it took to patch Browning Road and bill the proper authority.

Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner said he wanted the Commissioners to be kept informed on what is happening.

Commissioner Ossenberg said he thought it would be more advisable if the County could fix the County roads and charge them back, since if they have a delay such as he read, the last time they had this controversy about who they are contracting this with, while we can go out and fix the roads immediately and put them back the way we want them, he doesn't know why they wouldn't enter into a contract with the County to see that those roads are fixed back and they wouldn't have to fool with them and the County would be better satisfied.

Commissioner Schaad said that this is a good idea and this afternoon when they talk to the Engineer, they can see if this would be possible, since there may be a problem with their contract.

He said that Mr. Rueger, the Road Inspector would be on top of that well enough to know exactly, on each one of them, when the County could move in and do whatever we have to do to get the road back quickly.

Mr. Siebeking said that the sewer cuts concern him more than the water cuts.

Commissioner Ossenberg said they could then go to the Public Board of Works, that he thought the same thing could be worked out there.

The two requests for cuts from the Water Department are on Echo Hill Drive and on English Way in Green River Estates to install water mains to provide water service.

Commissioner Willner moved that these cuts be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REPORT SUBMITTED

Mr. Lawrence Stahl presented the Commissioners with a County Government Statistical Report on the 92 counties in Indiana, which is a handbook for the Farm Bureau local committees and for Public Officials.

The Commissioners thanked Mr. Stahl for this report.

RE: COMPLAINT

Mrs. Hordynski appeared before the Commissioners and explained that there is a house on North Burkhardt Road that is in bad shape and needs to be torn down.

Commissioner Schaad said that he would have Mr. Crooks, the Building Commissioner, to contact her for more information so he can check it out.

The meeting recessed at 11:10 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Thomas Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Thomas L. Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
AUGUST 30, 1976

The meeting of the County Commissioners was held on Monday, August 23, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: NEXT MEETING DATE SET

Commissioner Schaad announced, that since Labor Day is next Monday, September 6th, the next Commissioners meeting will be held on Tuesday, September 7th. at 9:30 a.m. in the Commissioners Hearing Room.

RE: INTRODUCTION OF THE EXECUTIVE DIRECTOR FOR AREA PLAN

Mr. Harry Lukens, the President of the Area Plan Commission, appeared and introduced Mr. Charles G. Osterholt who has been appointed the new Executive Director of the Area Plan Commission.

He said that Mr. Osterholt is presently working with Mr. Lochmueller's shop and after winding up his duties with the Transportation Division, will join the Area Plan Commission.

He also said that Mr. Osterholt comes highly recommended, since he has the necessary academic background and the experience so he will do an outstanding job.

Mr. Osterholt was congratulated and welcomed by the Commissioners.

Commissioner Schaad told Mr. Osterholt that if there is any way the Commissioner's office can work with him, they will do so.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Mary J. Gossman	R.R.7 Box 390	Recept. Secretary	\$6,186.00 Yr.	Eff: 8/30/76
Charles G. Osterholt	1620 Marie Ave.	Exec. Director	\$16,000.00 Yr.	Eff: 8/20/76*
Brenda Goldbach	3908 E. Negley	Part Time	\$2.75 Hr.	Eff: 8/20/76

*Pay will not start until further notice.

BOARD OF COUNTY COMMISSIONERSNew Account of 130-119.2
Boehne

Oliver Lawson	Box 801 Boehne Camp Rd.	Groundskeeper	\$7,445.00 Yr.	Eff: 9/1/76
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BURDETTE PARK

A.W.E. Mark Nelson	R.R.5 Box 333	Ground Crew	\$2.30 Hr.	Eff: 8/17/76
C.E.T.A. John Belwood	501 S. New York	Gr. Crew	\$2.30 Hr.	Eff: 8/21/76
C.E.T.A. Ken Wilson	4000 N. 4th. Ave.	Gr. Crew	\$2.30 Hr.	Eff: 8/21/76
George Hollander	2510 W. Maryland	Ex. Life Grd.	\$2.30 Hr.	Eff: 8/20/76

CIRCUIT COURT

Cynthia Reising	856 S. Vann Ave.	Typist	\$2.50 Hr.	Eff: 7/31/76
Stephen M. Scott	R.4 Mt. Vernon In.	Bailiff	\$117.21 Wk.	Eff: 8/23/76

CLERK OF THE CIRCUIT COURT

Frances Gates	2512 S. Roosevelt	Dep. Clk.	\$224.88 Pay	Eff: 8/30/76
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(Has been on leave of absence)

COUNTY HIGHWAY DEPARTMENT

Delbert J. Deig	1903 E. Chandler Ave.	Janitor	\$3.947 Hr.	Eff: 8/30/76
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PERRY TOWNSHIP ASSESSOR RE-ASSESSMENT

Imel Franklin	2501 Koring Rd.	Deputy	\$20.00 Day	Eff: 8/9/76
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PIGEON TOWNSHIP ASSESSOR RE-ASSESSMENT

Jeffrey Evans	1369 E. Chandler	Field Man	\$20.00 Day	Eff: 8/19/76
Richard Martin	1606 S. Morton	Field Man	\$20.00 Day	Eff: 8/30/76

PIGEON TWP. ASSESSOR RE-ASSESSMENT APPOINTMENTS CON'T.

Lorraine Hollander	1117 Edgar St.	Field Man	\$20.00 Day	Eff: 8/30/76
Mary Jo Mooney	105 N. Oakland	Field Man	\$20.00 Day	Eff: 8/30/76
Theresa Woodward	3915 Vista Dr.	Field Man	\$20.00 Day	Eff: 8/30/76

PLEASANTVIEW REST HOME

Mary J. Huck	4412 Longfield Dr.	Director of Nurses	\$305.76 Pay	Eff: 8/30/76
		L.P.N.		

VANDEBURGH SUPERIOR COURT

Deborah Ransom	Probation Officer	\$8,800.00 Yr.	Eff: 8/30/76
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COUNTY SURVEYOR

Thomas Reisinger	2518 W. Illinois St.	Draftsman	\$6,300.00 Yr.	Eff: 8/30/76
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RE: EMPLOYMENT CHANGES.....RELEASESAREA PLAN COMMISSION

Frances M. Carrel	2717 Buchanan Rd.	Recept.-Sec.	\$6,186.00 Yr.	Eff: 8/20/76
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BURDETTE PARK

Gerrie Brusse	4506 Covert	Cashier	\$2.30 Hr.	Eff: 8/21/76
Jan Hudson	4240 Bellemeade	Cashier	\$2.30 Hr.	Eff: 8/21/76
Julie Hudson	4240 Bellemeade	Jr. Guard	\$16.00 Day	Eff: 8/21/76
A.W.E. Mark Nelson	R.5 Box 333	Ground Crew	\$2.30 Hr.	Eff: 8/21/76

CLERK OF THE CIRCUIT COURT

Barbara Thayer	408 S.E. First	Deputy Clerk	\$224.88 Pay	Eff: 8/30/76
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COUNTY HIGHWAY DEPARTMENT

Mark C. Stocker	R.R. 5 Box 167-C	Martin Rd. Summer Help	\$2.30 Hr.	Eff: 8/27/76
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PIGEON TOWNSHIP ASSESSOR RE-ASSESSMENT

Clara Day	720-B E. Powell	Field Man	\$20.00 Day	Eff: 8/25/76
Homer Miller	301 N. Barker	Field Man	\$20.00 Day	Eff: 8/27/76

PLEASANTVIEW REST HOME

Phyllis Butler	8 Tulip Ave.	Director-Nurse L.P.N.	\$305.76 Pay	Eff: 8/25/76
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VANDEBURGH SUPERIOR COURT

Larem Grissett	Summer Intern	\$200.00 Pay	Eff: 8/27/76
Deborah Ransom	Summer Intern	\$200.00 Pay	Eff: 8/27/76
Aaron Pippin	Summer Intern	\$200.00 Pay	Eff: 9/3/76
Susan Metz	Summer Intern	\$200.00 Pay	Eff: 8/27/76

COUNTY SURVEYOR

Dan M. Schmidt	21. S. Vann Ave.	Draftsman	\$7,500.00 Yr.	Eff: 8/6/76
Don Fink	2117 Southeast Blvd.	Draftsman	\$6,300.00 Yr.	Eff: 8/27/76

RE: MONTHLY REPORT

The County Treasurer's Report was submitted to the Commissioners for the month of July, 1976.
Report received and filed.

RE: SOIL CONSERVATION AGREEMENT SIGNED

Mr. Fred Alcott of the Soil Conservation Office, submitted the Soil Conservation Agreement to the Commissioners for their approval of renewal which is effective on October 1st. 1976.

Mr. Alcott explained that this is a standing agreement that the Commissioners have had with the Soil Conservation Service for a number of years, whereby the Commissioners pay part of the salaries of the Soil Conservationists and the agreement is signed every year.

He also said that John Meece is their present conservationist.

Commissioner Ossenberg moved that this agreement be approved and signed. Commissioner Willner seconded the motion. So ordered.

Mr. Alcott will send all copies to the State Office for signatures, after which copies will be returned to the Commissioners.

RE: CONTRACT TO BE SIGNED FOR COUNTY INSURANCE

Commissioner Schaad explained that the contract for County Insurance has been awarded to Blue Cross-Blue Shield for Health and Accident Insurance and that it is now being submitted for the Commissioners signatures.

Mr. Harry Lukens explained that the Committee has examined the contract and found it to be in order and said that it complies with the specifications, also that the Committee has examined the Retention Agreement that was submitted and they recommend that the Commissioners sign that also, as presently worded. He said that at a later time, there are two selections to be made, that one alternate is for the refunds to come back as a refund or to be used as a stabilization pool and they recommend, at the proper time, that the Commissioners accept a refund rather than use it as a rate stabilization pool, that the refund can be used to offset fees in the future. He said he would have a written report to submit to the Commissioners later today, of the opinion of the Committee on the contracts and that they find the contracts to be in order, so they recommend that the Commissioners sign the contracts as of September 1, 1976.

Commissioner Ossenberg again asked if all pre-existing conditions are covered in this contract.

Mr. Lukens said they are and that has been confirmed as late as last Saturday afternoon with David Stumpf, that they did have a little problem with reference to pick-up of obstetrical benefits from Golden Rule and that Blue Cross has agreed that they will pick up all existing obstetric cases as well as all pre-existing conditions as of September 1, and that will be a part of their contract, that this was the unanimous agreement of the Committee.

There was one small error found in the contracts, in that it read, "The employer is the Vanderburgh County Employees", and it should have read, "The Board of Commissioners, County of Vanderburgh", so this needed to be amended and was corrected.

Commissioner Ossenberg then moved that the contract be signed, subject to the amendment made in correcting the wording.

Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg also moved that the refunds come back to the County in the form of a check.

Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad publicly thanked the Committee for taking their time, without pay, to give the Commissioners their guidance and help on the Insurance matter.

He also stated that Mr. Lukens has been named as the County's Agent of Record on their Health and Accident Insurance.

RE: QUESTION ON LIFE AND HOSPITALIZATION INSURANCE

Mr. Robert Dorsey, Pigeon Township Assessor, appeared and asked the Commissioners if the part-time employees that are working on Re-assessment, are eligible for the Insurance and Hospitalization.

Mr. John said he thought the reason this question is being brought up is because some time ago, Mr. Stucki was going to move some of his regular help from his regular budget into his re-assessment budget, but he didn't want to do this unless the employees could have Retirement and Insurance, plus a few of the ones that were doing their own re-assessment and they wanted to hire

some people to pick up their retirement that had previously worked for the County, some time ago.

Commissioner Schaad said he could see a real cause for concern and he thought this to be a question that should be answered and unfortunately, they tried to get a Vanderburgh County Employees Policy adopted for some time which could cover all these things and he was sure, if they did have this sort of policy, all these things would be spelled out for them.

Mr. Lukens said they need to get something in writing from Mr. Stumpf. He said that normally, the feeling of the Insurance Companies is that if a person works more than twenty hours per week, they could be considered a full-time employee and since it is a monthly report type plan, they could be put on the report one month and when they finish their work, they could be dropped the next reporting period. He said that he would contact Mr. Stumpf to get it pinned down.

Mr. Dorsey said the reason this really concerns him is, that this past week, one of his employees died and wasn't insured so he is concerned about the Life Insurance and the Hospitalization Insurance.

Mr. Lukens said he would also check with Mr. Dauble on the Life Insurance and will report his findings on the Health, Accident and Life Insurance to the Commissioners next week, so this matter will again be taken up at that time.

Mr. Harness said, in so far as immediate coverage, once the employee is enrolled, as he understands it, coverage is in effect, and he asked if this is true.

Mr. Lukens said this is correct.

Commissioner Schaad also explained, that if an employee is under Golden Rule now and has a pre-existing condition, that Blue Cross will pick it up.

RE: ORDER OF GARNISHMENT

An Order of Garnishment was submitted, after having been filed in the Small Claims Division of the Vanderburgh County Superior Court, on behalf of Deaconess Hospital vs. Robert Coleman who is an employee of the Vanderburgh County Sheriff's Department.

The Claim number is 76-CL-408 and the total judgment balance due is \$129.31. This matter was referred to the County Auditor for proper action.

RE: LETTER CONCERNING FEDERAL-AID FUNDS TO LOCAL AGENCIES

The following letter, dated August 18, 1976, was received from the Indiana State Highway Commission:

it is the desire of the Indiana State Highway Commission to distribute Federal-aid funds to all local agencies of government on a fair and equitable basis, and in accordance with federal-aid regulations. Federal-aid regulations are ever changing and therefore our distribution to local agencies must be considered subject to change.

The attached distribution figures for FY 1977 are based on the available information from the Federal-aid Highway Act of 1976, and from subsequent FHWA notices of apportionment.

Although "Safer Off-Systems" funds and "Rail-Highway Crossings, Off-Systems" funds are included in the distribution, they are not available for obligation at this time. They will become available only to the extent provided in enacted appropriation acts.

The Indiana State Highway Commission will be considering a policy on the waiver of funds on Rural Secondary and Safer Off-Systems. Information on this policy will be distributed early in September.

A balance of available funds for each local agency will be maintained by the State-Aid Division of the Indiana State Highway Commission. Questions concerning funds should be referred to:

Indiana State Highway Commission, Division of State-Aid
State Office Building, Room 1203, 100 N. Senate Ave.
Indianapolis, Indiana 46204 Phone: 317-633-6565

Signed, G.K. Hallock, Chief Highway Engineer

This memorandum was referred to Mr. Keith Lochmueller.

RE: NOTICE OF INSURANCE CLAIM AGAINST VANDERBURGH COUNTY

A notice of an Insurance Claim was submitted to the Commissioners by Stephen Pieroni, Claim Attorney for the Hartford Evansville Office of the American Family Insurance Group and it reads as follows:

Re: Our Insured - Martin Reich; Our Claim - 1-84647-S; Date of Accident - October 14, 1975; Claimant - Roger Land

We are looking To Vanderburgh County for loss payments in the amount of \$920.04 made payable as a result of an accident at the intersection of Old U.S. 460 and Koressel Roads.

This accident occurred at or about 4:00 p.m. on October 14, 1975. Our insured, Martin Reich, was traveling westbound on Old US 460 at approximately 40 miles per hour. Catherine Land was traveling southbound on Koressel Road about 50 miles per hour and entered the intersection directly in front of our insured's vehicle. A stop sign governing the claimant's direction had been torn down and our investigation indicates that the county garage had been notified prior to this accident that the stop sign should be replaced. We believe the County was negligent in not taking proper precautions to warn the public by a temporary sign or some other method regarding the danger of this intersection. We are taking the liberty of enclosing a copy of the police report which supports our position. We also have photographs of this accident scene and we note that a stop sign was replaced at this intersection some time subsequent to the date of loss.

By copy of this letter to the claimant's insurance carrier, we are notifying it that we believe that their insured was partially negligent with regard to lookout. We believe that a reasonable person would have slowed down at this intersection as Old US 460 is the more predominant road and appears to be more traveled than Koressel Road.

We would like your prompt response to this letter, stating your intention of honoring our claim.

We thank you for your anticipated cooperation.

Signed Stephen Pieroni, Claim Attorney

County Attorney Wendel said that his recommendation would be that the Commissioners deny this claim, for the reason that any negligence action against the County, the person trying to make the claim must give notice of it within 180 days of the occurrence of the act of negligence and this was back in October of 1975, so the 180 days is overruled and he doesn't see that they have any liability. He said that with the permission of the Commissioners, he will send a letter to this effect, to the Claim Attorney.

Commissioner Willner moved that this Insurance Claim be denied and that it be turned over to County Attorney Wendel for proper disposition. Commissioner Ossenbergh seconded the motion. So ordered.

RE: NOTICE OF DAMAGES AGAINST CO. CLERK AND VAND. CO.

The following letter was received by the Commissioners from Thomas Barefoot of the Law Offices of Turpin and Barefoot:

Gentlemen:

This is to notify you in accordance with IC 34-4-16.5-7 that Frances L. Russell of 932 Stewart Ave., Evansville, Indiana is claiming damages against the Clerk of Vanderburgh County and Vanderburgh County, Indiana for injuries and mental anguish resulting from negligence on the part of the Clerk of Vanderburgh County on April 26, 1976, when Mrs. Russel was falsely arrested and detained.

Mrs. Russel was summoned to appear at Vanderburgh County Superior Court, Misdemeanor Division on the 20th day of April, 1976. Mrs. Russel retained an attorney to represent her on this matter. The attorney appeared in Court on April 20, 1976 and entered his appearance and requested a continuance until April 29, 1976 at 9:00 a.m. The Court granted the continuance and reflected such on the Court's official records. As the result of the negligence of the Clerks office, in maintaining proper records, Mrs. Russel was falsely arrested and detained by the Evansville Police Department on the morning of April 26, 1976.

Mrs. Russel suffered loss of time, mental anguish, humiliation and extreme debasement as the result of the negligence mentioned above, and demands and is demanding Ten Thousand (\$10,000.00) Dollars for her damages.

The exact and final amount of the injuries and mental anguish are not now ascertainable.

Sincerely yours,

Thomas H. Barefoot, Attorney-At-Law

I have served this letter personally upon the Clerk of Vanderburgh County, the County Commissioners and the County Attorney, this 27th day of August, 1976.

This matter was referred to the Hahn & Becker Insurance Co.

RE: REQUEST FOR ACCEPTANCE OF ROADS

A letter of request was received by the Commissioners, from L.G. Whipple, for the acceptance of Arla Jane Drive, Sweet Gum Court Drive and Jay Drive which are located in Laubscher Heights Subdivision.

He requested that the County accept these roads for future maintenance.

Commissioner Ossenberg moved that this matter be referred to Mr. Ludwick. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR APPROVAL OF PLANS...VALLEY DOWNS SUB. II

Mr. Biggerstaff appeared and stated that in July, he had brought the plans for the construction of the streets and storm sewers in Guthrie May's Valley Downs Subdivision II and he would like to get the Commissioners approval, at this time, for this work. He said that the street and storm sewer plans that are set up in the plans are in accordance with the Subdivision Ordinance, also that the water runs into a ditch just East of the property and right into Pigeon Creek.

Mr. Nussmeyer recommended that these plans be approved.

In discussing the matter of the maintenance of the storm sewers, Mr. Biggerstaff said that his personal opinion is that they are part of the street system and that Vanderburgh County gets approximately \$600.00 per mile for each street they have to maintain and he thinks that part of it is the storm sewer system, since the water from the streets run into these drains and into a ditch and then, into the creek.

He said that the City of Evansville maintains their storm sewers and in this situation, the cost of maintenance with the storm sewer system would be only 25% of the cost of maintenance of roadside ditches, that there is no grass to be cut and no dredging to be done and all these sewers are in the public right of way, except for the final sewer which goes 120 feet through an easement to the ditch.

Commissioner Willner questioned the maintenance of the sewers, in that, if it is accepted for maintenance, what are they going to do about the private homeowner who says, "If you do this for the City, the Township, or the County, then I want my house drained and I'll give you an easement to do the same thing."

Mr. Biggerstaff said they were talking about two different things, that he isn't asking for acceptance, that he is just asking for the approval of the plans, also that if he had a home sitting in the County and his roof drains to the road, he can't ask that his roof drainage be maintained and no one is asking that it be done in this instance either, that all he is asking is approval of construction of the storm sewers that carries the water that flows upon the streets and he said that if his house flows into the street, this is his problem.

Commissioner Willner said that once the water gets there though, it is the County Commissioners problem.

Mr. Biggerstaff said this is correct but that it will get there anywhere they go, that it is bound to.

Commissioner Schaad said, for clarification, there is a ditch on private property, behind those homes on North 12th Avenue and they are constantly getting calls from people who want the County to clean out the ditch and maintain it and they have always been told that the ditch is on private property, that it is a private matter, that it isn't on the County Road right of way and the County can't maintain it.

Mr. Biggerstaff said that he is acquainted with this ditch, that it doesn't drain the County highway, that it drains the rear of those lots and that situation isn't parallel to this one because the rear of these lots are drained. He said these plans are given to the Building Commissioner and they submit to him, a drainage plan for the whole subdivision and they show where the water is going to go and the houses are built in that manner.

Commissioner Willner said that he would like to hear from the Soil Conservation Service in regard to this subject.

Mr. Alcott said that he remembers writing an inventory and evaluation on it and of all of them he looked at that were in or near a flood plain, he thought this one to be in the higher reaches of a flood plain and had less hazards than some of the others and he thought that the plans for their storm sewer system was reasonably adequate.

He said that the only hazard that he mentioned in his report on this plan was the fact that Pigeon Creek does back up but it is usually on the 100 year storms which is very rare and he thought they did agree to raise the lots and as far as the storm sewer that was planned here, he thought it to be adequate for what they have planned.

Commissioner Schaad said that he didn't think anyone thought that the plans weren't adequate, that at this point, it is in contention as to whether the County should maintain the sewers or not.

Mr. Biggerstaff reminded the Commissioners that they aren't asking for the maintenance of them at this time, that they are asking for the approval of the construction plans.

Commissioner Schaad wondered then, if there was any objection to approving the plans, since this is what they are asking for. He said the maintenance of them has been brought up and it should be answered as to what they are going to do about it, since they will have to come up with a policy of some kind.

Mr. Biggerstaff said that when this subdivision is completed, they are going to ask for maintenance of the streets.

Commissioner Ossenbergh moved that the construction plans be approved. He said that he would, however, be a little leery about the maintenance. Commissioner Willner seconded the motion. So ordered.

RE: PLANS FOR IMPROVEMENT OF KEENELAND BLVD.

Mr. Biggerstaff submitted plans for the improvement of Keeneland Blvd. which is a short street, approximately 300 feet long and runs between Saratoga Drive and Hyleah Drive and lies south of the Valley Downs Subdivision. He said that all they are going to do here is to pave that 300 feet of street and put a storm drain in which requires a hole being made in the present storm sewer and putting an inlet in it, also that this 300 feet connects with two existing concrete pavements.

Commissioner Ossenbergh moved that the plans for this construction be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was submitted by the Evansville Black Expo. '76, Inc. for rent as per contract as approved by the County Council in the amount of \$705.00.

Commissioner Schaad said that this is the amount the Auditorium charged for the rent and before the Commissioners could pay the claim, there had to be a contractual agreement between the Black Expo and the County Commissioners. The agreement was submitted at this time for the signatures of the Commissioners.

Commissioner Willner moved that this claim be approved. Commissioner Ossenbergh seconded the motion. So ordered.

A Mileage Claim was submitted by Shirley Jean Cox, the County Clerk, for traveling to and from Bloomington to attend the Southwest Clerks Meeting on Support Title IVD Program that was approved by the Commissioners, in the amount of \$36.14.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. CROOKS PROBLEM ON OLD PETERSBURG ROAD

Mr. Crooks was asked, last week, to try to contact the owner and the renter as to what the status of property on Old Petersburg Road is, since the house is in bad shape and the place is littered with junk.

Mr. Crooks said that he has checked into this matter and that it is a sale-contract proposition and the people that are buying it on contract said that they couldn't do anything about the house because it doesn't belong to them. He said that the deed is still in the original owner's name. He said that he has contacted the owner and that these people have agreed that they will clean up the mess, also he asked them if they couldn't get together to see what they could do about the house but he didn't know if they had this worked out yet or not but the owners of record did agree to do something about it.

RE: PROBLEM OF PROPERTY ON N. BURKHARDT ROAD

Mr. Crooks was asked to check a house that is located on North Burkhardt Road, that is in bad shape and needs for something to be done.

Mr. Crooks said that the owner of this property is Ms. John Bunch and that she no longer lives in the neighborhood, so he wrote her a letter, telling her of the condition that the property is in and asking her to contact the Building Commissioners office but she hasn't had time to do this yet.

RE: COMPLAINTS OF DRAINAGE ON GREEN RIVER ROAD

Commissioner Willner said that he has had numerous complaints on drainage on Green River Road and he wondered if the Building Commissioner would assign his office personnel to check the drainage on Green River Road and to come up with some recommendations. He said this problem is on the new section of Green River Road, that he and Commissioner Schaad were out there last week and they learned that the water has been three or four inches several times, over the new construction and after having more complaints, he thinks that the total new project needs to be looked at and recommendations need to be made.

He asked Mr. Crooks if he would have his crew to go out there to take a look at it and come up with recommendations.

He said the area in question is between Heckel Road and Boonville-New Harmony Road.

Mr. Crooks said that he would check on it and report back to the Commissioners, but he thought that anything they would do there, in the way of a recommendation, should be done in connection with the Surveyors office.

The Commissioners agreed.

RE: MR. HOTZ

Mr. Hotz said that some time after tomorrow they will have all the surplus items at Boehne tagged and separated that belongs to the County and he asked that Mr. Harness, Mr. Reed, etc. go out there to see if there is anything they can use before they have the sale.

Commissioner Schaad said that he noticed that there is still some of that sewer pipe still out there with the steel strapping on it at the Boehne Property and he told Mr. Siebeking if he needed it, to go out there and get it.

Mr. Siebeking said that he hauled quite a bit of it over to the garage but that he would get the rest of it if the Commissioners wanted him to.

Commissioner Schaad said he thought Mr. Siebeking should get the rest of it and put it on the property at the County Garage, since there is no one at Boehne and it is hard telling what might happen to it.

RE: BILL JUDD TRAFFIC PROBLEM ON OLD STATE RD.

Mr. Judd said that yesterday, he had a delegation of neighbors from Old State Road, complaining about cars racing out there and they have asked him if it would be possible to drop the speed limit from Campground Road to Mt. Pleasant Road, that the speed limit is now 40 mph and he wondered if it could be dropped to 30 mph.

He said the reason being that there are several people who have to back out on Old State Road and it is a very curvy road so he would like to have time to look it over.

Commissioner Schaad asked if the other Commissioners would agree for Mr. Judd to check it out and come back with a recommendation next week.

Commissioner Ossenbergsaid this would be alright with him.

9.

Commissioner Willner said he feels that 40 mph is sufficient since there are some 40 mph speed limits in the City and they could just keep lowering the speed limit for that matter.

He said he thought there was another avenue, that they could get the Sheriff to patrol the problem sections, rather than lower the speed limit.

Mr. Judd said that he would check it out and come back with a recommendation next week.

RE: SIGN NEEDS TO BE POSTED

Commissioner Schaad said that at Nurrenbern Road and Red Bank Road at the cemetery, going into Burdette Park, there isn't any warning sign of any kind, of the 90 degree turn ahead at the end of Red Bank Road.

He said there was a sign there previously but that none is there now.

Mr. Judd said it has been torn down and he will replace it.

RE: LETTERS OF APPROVAL NEEDED

Mr. Biggerstaff said he would like a letter of approval on both sets of plans that were approved by the Commissioners, this morning, for Valley Downs Sub-division II and Keeneland Blvd. since some agencies require a letter of acceptance.

Mr. Ludwick said that he would see that Mr. Biggerstaff gets the necessary letters of approval.

RE: MATTER OF INSURANCE IN MOVING MACHINE

Commissioner Schaad said there was a matter of Insurance on moving the Copier from the Records office that was discussed last week and Attorney Bowers wanted \$100,000 to \$300,000 Insurance coverage and the Commissioners and Mr. Ruston thought \$25,000 to be adequate, so County Attorney Wendel was to contact Mr. Bowers to tell him what they thought and to see if the matter could be resolved.

County Attorney Wendel said he still don't have the Insurance matter resolved but he did find that some of the other terms that Mr. Ruston, the Building Commissioner, had asked him to put in the contract, aren't acceptable to the person that is going to take the machine out, so it looks as though they won't make any progress on this matter until Mr. Ruston gets back from his vacation next week.

This matter will again be taken up next week.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report of the employees at the Highway Garage for the past week.
Report received and filed.

RE: MR. SIEBEKING.....LAUREL AND KERN ROADS

Commissioner Willner complimented Mr. Siebeking for the beautiful job on Laurel and Kern Roads.

He said he appreciates it and he believed the solution of the County doing this work is proving to work out pretty good and he asked for other comments on it.

Mr. Siebeking said they had some problems the way their trucks were dumping but he thinks this has been taken care of and that they have a lot to learn but it proves they can do it, also that there are probably a lot of things they haven't looked into that they will have to look into but he is proud of these roads, even though it may not be a professional job and he said they also completed those driveways out there.

Commissioner Willner said the total cost for this work on Laurel and Kern Roads amounts to \$4,099.72.

RE: DITCH NEEDS CLEANED

Commissioner Willner said the cost of work on Old State Road was \$10,230, also that on the left side of the road, they need about 100 feet of roadside ditch cleaned out there.

RE: PROBLEM ON NURRENBERN ROAD PROJECT

Mr. Siebeking said that Mr. Nussmeyer wanted him to mention that he has been trying to get the right of way straightened out on Nurrenbern Road and that it is a problem to reach the people so he suggested that it be turned over to a right of way person who knows what they are doing, in talking with these people.

Mr. Nussmeyer submitted plans and profile for Nurrenbern Road by the cemetery at Burdette Park and explained what they wanted to do but said that there is an estate involved here.

Mr. Siebeking said that some of the people also seemed to think there might be some babies buried on the curve that they would like to straighten.

Commissioner Schaad said he can see that they need more right of way and that there is no point in doing it half way. He said they could take it in abeyance for awhile and see what happens.

There was further discussion and suggestions on how to solve the matter and then Commissioner Ossenberg said that if Mr. Nussmeyer wants a land buyer, he would suggest they hire Dan Riddle and see what he can do because he thinks it needs improved out there from the curve all the way down.

Commissioner Willner said he agrees with this but he doesn't want to spend one penny unless they take the curve out.

Commissioner Ossenberg said he didn't think they could take it out all the way but he thought 50% improvement could be accomplished.

Mr. Nussmeyer said the best plan was to go North of the cemetery which was their original plan but they can't get the right of way so the best thing to plan on doing would be to go to the East and South.

Mr. Siebeking said they would like something on paper and then they could get a right of way buyer to negotiate.

Mr. Nussmeyer said he would work on some plans then and see what he can come up with.

RE: PROGRESS REPORT ON HEERDINK

Commissioner Schaad asked Mr. Siebeking how they were progressing on Heerdink.

Mr. Siebeking said they have a couple of property owners that have changed hands and they are in the process of getting it straightened out and he has the pipe in stock they will need.

Mr. Ludwick said they are in the process of getting their signing now and that the street has been surveyed.

RE: COMMENTS ON KERN & LAUREL ROAD

Mr. John Feigel appeared and said that he couldn't let the cost on this project go unchallenged, since the County had six or eight trucks out there and this can be documented. He said he had a time keeper out there to observe, also photographs were taken of the work, that the County has \$45.00 in there for the use of the trucks for one day which is ridiculous.

Commissioner Schaad asked Mr. Feigel if he would like to come up with his estimated cost.

Mr. Feigel said he would be glad to, that he didn't want bad information to get out and he didn't want people mislead and that it was only fair to the public.

Commissioner Schaad said that Mr. Feigel has the right as a citizen, to come up with his figures and the Commissioners will be happy to consider his figures along with the other figures.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to cut into County Road 1185E to bury telephone wire. This is a push job.

Commissioner Ossenberg moved that the cut be approved. Commissioner Willner seconded the motion. So ordered.

RE: PERFORMANCE BONDS SUBMITTED BY FEIGEL CONSTRUCTION CO.

Mr. Ludwick submitted Performance Bonds for the Reconstruction of Green River Road and for the Resurfacing of Kern and Laurel Roads which are to be filed in the Auditor's office. This work will be done by Feigel Construction Co. Performance Bonds received and filed.

RE: DEED SUBMITTED FOR PROPERTY SOLD

County Attorney Wendel submitted a deed that he has prepared on County owned Surplus Property, code 29-106-5...Lot 5 in Blk. 7, Richardson Subdivision that was sold to Morris A. Gibson for \$25.00

Commissioner Ossenberg moved that the Commissioners sign the deed so that it can be recorded before the owner picks it up and pays for it. Commissioner Willner seconded the motion. So ordered.

RE: APPROVAL FOR CAR REPAIR

Last week, Mr. Hotz asked the Commissioners if he could have his car repaired that was involved in a wreck and pay for it from his Equipment and Repair Account and then put the money back when it is received from the Insurance Co.

After checking with Cap Hudson of the State Board of Accounts, Mr. John said that Mr. Hotz can pay for the repairs from one of his accounts and reimburse this account when the Insurance check comes in.

Mr. Hotz said he would take the money out of Account #131-252 and it will be in the amount of \$339.50 for the repairs.

RE: MATTER OF INSURANCE ON ACCIDENT

County Attorney Wendel said that he has some additional information on the accident where Mr. Hotz's car was hit and that Tony Long in Boonville is the attorney for the other driver and his client is going to go ahead and pay the full amount on this but that the car he was driving belonged to someone else and the car owners Insurance Co. has now entered the picture so it will probably slow things down for a few more weeks but he anticipates the County will receive the full amount at that time.

A motion had been made and seconded last week that the County Attorney ask for the \$339.50 for the car repair cost plus the \$16.25 appraisal cost, or a total of \$355.75.

Commissioner Ossenberg then moved that Mr. Hotz go ahead and get his car repaired and pay for repairs from his Equipment Account and then when the Insurance check comes in, the account will be reimbursed. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked County Attorney Wendel if he had been assured that the other party was at fault.

County Attorney Wendel said that the other driver has admitted he was at fault and that Mr. Long told him that if the Insurance Co. doesn't pay any of it or doesn't pay the full amount, that the client will pay the balance.

Commissioner Ossenberg wondered if the driver has Insurance on his own car, since this would be another avenue and his Insurance would pick it up since he was behind the wheel.

County Attorney Wendel said he didn't know if the driver of the other car has Insurance or not.

RE: COMMENTS Whetstone Rd. & Hwy. 57

Mr. Stahl said that since Kansas Road has been widened and is a speedway now and with a tree out there, he didn't know how the bus drivers would be able to see North on Green River Road because the limbs are hanging over the right of way.

He also said that there isn't any sign from Whetstone Road down to Hwy. 57 that directs the traffic and if they are traveling at a fast rate of speed, he didn't know what would keep them from jumping off the old Whetstone Road onto Hwy. 57.

Commissioner Schaad said that these problems would be brought to Mr. Judd's attention so he can check them out.

He also said that the tree can't be cut down if it on private property but if the limbs are hanging over our right of way, they could possibly be trimmed.

McCutchanville

Commissioner Willner said that the Garden Club of McCutchanville was going to beautify that area and recommended to the Commissioners several times as to what to do with that corner out there and they were going to come up with some ideas and come back to the Commissioners but he hasn't heard from them yet.

Old Henderson Road

Commissioner Schaad said he was out over the weekend and he noticed that there were some cracks in the Old Henderson Road but the road seemed to be in pretty good condition yet but if water keeps on getting down in there and it freezes and thaws, it won't take long for that road to go to pot, so there seems to be some preventive maintenance needed out there.

He said that he would ask Mr. Siebeking to look at it to see what needs to be done.

Mr. Siebeking said that what he thought they could do here was to use an emulsion to seal the cracks after they are cleaned and blown out, that he would go out and look at it to see just what was needed to be done.

Question on additional space needed

Commissioner Willner said that he was contacted by the County Agent and there was some discussion as to if the City was going to ask for additional space and nothing has come before the Commissioners on it and he asked if it wasn't proper for the City to appear before the Commissioners when something like this is discussed.

Commissioner Schaad said there was a letter from the Mayor's office, requesting some of the Area Extension office, for it to be used by personnel but no information was given as to the amount of feet needed so he called Mr. Ruston and found that this was necessary, so the matter is stalemated at this point, also that he has signed nothing but that he has heard nothing further about it.

Commissioner Ossenberg said that he understands it, they originally wanted 8 feet and it was mutually agreed on, as he understands it, then it went to 9 feet and 10 feet and consequently they can't live with that, so he said they will have to work it out.

Commissioner Willner asked that when this matter comes up, that it be brought before the Commissioners so he can be informed as to what is going on., since he thought they should come before the Board to request the extra space.

RE: NAME WITHDRAWN FROM MASSAGE PARLOR PERMIT

An affidavit signed by Debbie Lawson was submitted to the Commissioners, whereby she has withdrawn her name from the permit for a massage parlor and disavows any association with Kay's Health Club.

Affidavit received and filed.

The meeting recessed at 11:20 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

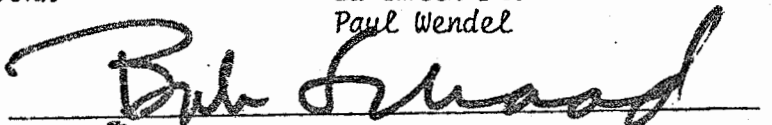
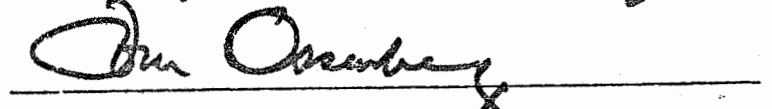

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks




BOARD OF COUNTY COMMISSIONERS

4-14

COUNTY COMMISSIONERS MEETING
SEPTEMBER 7, 1976

The meeting of the County Commissioners was held on Tuesday, September 7, 1976, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

Sheriff DeGroote opened the meeting, this being the first meeting of the month.

RE: INTRODUCTION

Commissioner Schaad introduced Marilou Wertzler who is a candidate for re-election for Reporter of the Supreme and Appellate Court of Indiana. He said the Commissioners were glad to have Ms. Wertzler visit here.

Ms. Wertzler said that it was a pleasure to be here in order to meet all the people.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

Commissioner Schaad noted that County Attorney Wendel is unable to be here today since he is sitting in on the budget hearings that are being reviewed by the County Council.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITOR'S OFFICE

Peggy Powless	821 N. Alvord Bkhp. Super. & Claims Clk.	\$7,850.00 Yr.	Eff: 9/1/76
Dolores Gugin	7800 New Harmony Payroll & Ins. Clk.	\$6,650.00 Yr.	Eff: 9/1/76

BURDETTE PARK

Dean Hart	726 Plaza Dr.	Ext. Guard	\$2.30 Hr.	Eff: 8/26/76
Wilma J. Almon	1500 Cumberland	Rink Cashier	\$2.30 Hr.	Eff: 8/26/76
Bob Drake	3137 Arlington	Rink Guard	\$2.30 Hr.	Eff: 8/27/76
Mike Head	641 S. Red Bank	Gr. Crew	\$2.30 Hr.	Eff: 9/7/76
Scott Maley	6314 Hogue Rd.	Gr. Crew	\$2.30 Hr.	Eff: 9/7/76
David Waltz	6710 Hogue Rd.	Gr. Crew	\$2.30 Hr.	Eff: 9/7/76

CIRCUIT COURT

David L. Jones	715 N. Boehne Camp	Summer Intern	\$117.21 Wk.	Eff: 8/23/76
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CO-OPERATIVE EXTENSION SERVICE

Terry Fray	1420 S. Red Bank	Office Help	\$2.30 Hr.	Eff: 9/3/76
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LAW LIBRARY

Marilyn Merchant	3113 Cherry	Vacation Clerk	\$150.00 2 wks.	Eff: 9/20/76
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SHERIFF'S DEPARTMENT

Michael Craddock	Acting Lieutenant	\$12,126.00 Yr.	Eff: 7/1/76
James Moers	Acting Lieutenant	\$12,126.00 Yr.	Eff: 7/1/76
Betsy Butterfield	3410 Elm Ridge Intern	\$75.00 Wk.	Eff: 7/16/76

UNION TOWNSHIP ASSESSOR.....REASSESSMENT

Evelyn L. Bernard	R.2 Box 152	Clerical	\$20.00 Day	Eff: 8/16/76
Clara H. Bernard	1901 Madison Ave	Supervisor	\$35.00 Day	Eff: 8/16/76
David L. Cummings	R.2 Box 149	Field Person	\$20.00 Day	Eff: 8/18/76
Louis A. Winiger	R.2 Box 50	Field Person	\$20.00 Day	Eff: 8/18/76

VANDEBURGH COUNTY CORONER

A. J. Venables M.D.	420 Runnymede	Dep. Coroner	\$7,500 Yr.	Eff: 7/1/76
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RE: EMPLOYMENT CHANGES.....RELEASESAUDITOR'S OFFICE

BURDETTE-- PARK	Dona Reherman	1412 S. Roosevelt	Bkhp. Supervisor	\$7,850.00 Yr.	E66: 9/1/76
	Peggy Powless	821 N. Alvord	Claims Clerk	\$6,650.00 Yr.	E66: 9/1/76
	Dolores Gugin	7800 New Harmony	Clerk	\$5,850.00 Yr.	E66: 9/1/76
	Esther Shrote	2005 Cullen	Clerk	\$16.10 Day	E66: 8/29/76
	Cathy Wilson	R.R. 2 Box 150B	Ext. Guard	\$2.30 Hr.	E66: 8/26/76
	Robin Winstead	4801 Hogue Rd.	Sr. Guard	\$17.00 Day	E66: 8/26/76
	Dirk Hartman	2124 Blackford	Gr. Crew	\$2.30 Hr.	E66: 8/29/76
	Mike Head	541 S. Red Bank	Sr. Reg. Guard	\$17.00 Day	E66: 9/6/76
	Scott Maley	6314 Hogue Rd.	Asst. Hd. Guard	\$19.00 Day	E66: 9/6/76
	David Waltz	6710 Hogue Rd.	Head Guard	\$ 2.30 Hr.	E66: 9/6/76
	David Garrett	5017 Rockford Dr.	Gr. Crew	\$2.30 Hr.	E66: 9/7/76
	Anthony Guntel	Barton's Lane	Gr. Crew	\$2.30 Hr.	E66: 9/7/76
	Rober Rice	1414 Jeanette	Gr. Crew	\$2.30 Hr.	E66: 9/7/76
	Jay Glass	1317 Forest Ave.	Gr. Crew	\$2.30 Hr.	E66: 9/7/76
	John Walker	9000 M. Mt. Vern.	Gr. Crew	\$2.30 Hr.	E66: 9/7/76
	Jeffrey Harper	2921 New Harmony	Gr. Crew	\$2.30 Hr.	E66: 9/7/76
	Ann Davies	3115 Chandler	Pool Manager	\$26.00 Day	E66: 9/7/76
	Cheryl Cox	1304 S. Red Bank	Pool Head Grd.	\$21.00 Day	E66: 9/7/76
	Sherra Gourley	5314 Stonehedge	Asst. Hd. Grd.	\$19.99 Day	E66: 9/7/76
	John Lawson	6710 Hogue Rd.	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
	John Voothrees	2166 Adams	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
	Daniel Waltz	6710 Hogue Rd.	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
	David Schuler	100 S. Ruston	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
	Keith Milling	1900 E. Michigan	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
	Anne Ensner	5338 Nottingham	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
	Debbie Erwin	601 Conlin Ave.	Sr. Reg. Grd.	\$17.00 Day	E66: 9/7/76
	Barbara Koressel	1710 Conlin Ave.	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
	Judith Oberhausen	4818 Tremont	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
	Jennifer Oberhausen	4818 Tremont	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
	Jeannie Griffin	4518 Tremont	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
	Cindy Peter	9613 Petersburg	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76
Sally Tuholski	6313 Newburgh Rd.	Jr. Reg. Grd.	\$16.00 Day	E66: 9/7/76	
Scott Gartner	R.R. 2	Extra	\$2.30 Hr.	E66: 9/7/76	
John Gildersleeve	1010 E. Chandler	Extra	\$2.30 Hr.	E66: 9/7/76	
George Hollander	2510 W. Maryland	Extra	\$2.30 Hr.	E66: 9/7/76	
Andrew Gulick	2215 W. Illinois	Extra	\$2.30 Hr.	E66: 9/7/76	
Dean Hart	726 Plaza Dr.	Extra	\$2.30 Hr.	E66: 9/7/76	
Jennifer Bitz	704 S. Alvord	Extra	\$2.30 Hr.	E66: 9/7/76	
Ann L. Myers	1628 Wimbledon Ct	Extra	\$2.30 Hr.	E66: 9/7/76	
Janna Gartner	1931 Carol Dr.	Extra	\$2.30 Hr.	E66: 9/7/76	
Kim Knapp	3407 Sweetser	Extra	\$2.30 Hr.	E66: 9/7/76	
Stacy Lette	1030 N. Roosevelt	Extra	\$2.30 Hr.	E66: 9/7/76	
Melissa Maxwell	1400 S. Grand	Extra	\$2.30 Hr.	E66: 9/7/76	
Janet Wittenbraker	2413 E. Walnut	Extra	\$2.30 Hr.	E66: 9/7/76	
Kim Lilly	2601 Magnolia	Extra	\$2.30 Hr.	E66: 9/7/76	
Keadra McDonald	711 S. Weinbach	Extra	\$2.30 Hr.	E66: 9/7/76	
Gerrie Brusee	4506 E. Covert	Pool Cashier	\$2.30 Hr.	E66: 9/7/76	
Julie Brinker	9801 Petersburg	Pool Cashier	\$2.30 Hr.	E66: 9/7/76	

CO OPERATIVE EXTENSION SERVICE

Elizabeth Rapp	R.4 Box 409	Secretary	\$5,074.00 Yr.	E66: 9/3/76
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SHERIFF'S DEPARTMENT

Michael Craddock	Detective	\$11,536.00 Yr.	E66: 7/1/76
James Moers	Detective	\$11,536.00 Yr.	E66: 7/1/76
Betsy Butterfield	3410 Elm Ridge Intern	\$ 75.00 Wk.	E66: 8/27/76

UNION TOWNSHIP ASSESSOR.....REASSESSMENT

Evelyn L. Bernard	R.2 Box 152	Pt. Time Chief Dep.	\$1,440.00 Yr.	E66: 7/30/76
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RE: RESOLUTION APPROVED.....UNITED WAY

Commissioner Schaad said he was talking to Tom Akin of Manpower Planning the other day, who said he wanted someone from the County to head up and be responsible for the United Fund Drive for the Vanderburgh County employees, so he asked Mr. Bob Moran, the County Veteran's Service Officer, to serve in this capacity.

He said he understands that Ms. Nancy Worden, the City Clerk, is doing this for the City, also that they have come up with a Resolution that he would like for the Commissioners to sign and they would also ask that the County Council adopt this Resolution, which reads as follows:

Recognizing the importance of the services offered to the residents of Vanderburgh County by the twenty-eight United Way agencies;

Recognizing the efforts of the United Way agencies to enrich the lives of the handicapped, emotionally and physically, of Vanderburgh County;

Recognizing the importance of the United Way character building agencies to the youth of Vanderburgh County;

Recognizing the importance of every citizen's concern for his fellow man;

The Vanderburgh County Commissioners hereby resolve that the period of September 14, 1976, through November 22, 1976, be proclaimed as the official campaign for Vanderburgh County Employees.

We urge one hundred per cent participation by all county employees.

Dated this 7th day of September, 1976.

Commissioner Ossenberg moved that the Commissioners sign and adopt this Resolution. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said that any way the Vanderburgh County employees can cooperate with Mr. Moran will be greatly appreciated.

RE: MONTHLY REPORT

The Report of Pleasantview Rest Home was submitted for the month of August, 1976. Report received and filed.

RE: NOTICE OF CLAIM

A Notice of Claim was received by the Commissioners from Berger and Berger Law Firm, on notification that on or about the sixth day of June, 1976, Wilford Carlton suffered injuries by reason of a collision between a motorcycle and an automobile which occurred on State Road 62 and Pennsylvania Avenue in Vanderburgh County, and stated that the injuries and damages were proximately caused by the negligence and carelessness of Vanderburgh County and its agents in the maintenance and design of its roads and bridges, by their failure to properly provide adequate side shoulders on said road and bridge and in allowing a nuisance to exist at said location and that as a result of this carelessness, Mr. Carlton has sustained permanent injuries.

Commissioner Willner said that this isn't in the County so it isn't the County's responsibility.

Commissioner Schaad said that the bridges there are all state.

Commissioner Willner moved that this matter be referred to the Insurance Co. with a notation to the effect that this is on Pennsylvania Avenue and the Commissioners don't think the County is involved at all. Commissioner Ossenberg seconded the motion. So ordered.

RE: BOEHNE HOSPITAL PROPERTIES INSURANCE

Commissioner Schaad said that he talked to the Insurance Carrier the other day on the matter of Insurance on the Boehne Hospital buildings and the carrier told him that they would put it under a Binder for them rather than cover it, since it is uncertain as to when something will be done with it, so he thought this would be the best way to do it and that it would be cheaper, so they will check with the Commissioners each month to see if it should still be covered and paid for by the County or by someone else.

Insurance Binder on Boehne buildings is noted as being received and filed.

RE: REQUEST TO TRAVELVETERAN SERVICE OFFICER

A Letter of Request was received by the Commissioners, from Bob Moran, the Veteran Service Officer and it reads as follows:

Sirs:

I request permission to attend the quarterly meeting of the Indiana Service Officers meeting, sponsored by the Indiana Department of Veterans Affairs.

The meeting will be held in Indianapolis on Friday, October 15, 1976.

Principal speakers will be James D. Crowe, Director of the Veterans Administration Regional Office, Indianapolis, and Richard L. Roudebush, Veterans Administration Administrator.

There are sufficient funds in our account to finance this expenditure.

Yours very truly, Robert J. Moran
Vand. Co. Service Officer

Commissioner Ossenberg moved that Mr. Moran be permitted to travel to Indianapolis. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....COUNTY CLERK

A Letter of Request was received by the Commissioners from Ms. Shirley Cox, the County Clerk, and it reads as follows:

Dear Sirs:

I respectfully request permission for attendance at a one (1) day meeting in Indianapolis, Indiana for Clerks, Judges and Court Administrators sponsored by the Indiana Judicial Center. The topic is "Streamlined Record Keeping, and entitled Order Book Clinic.

I do plan to attend along with three (3) of my deputies responsible for keeping the Order Books of the Circuit and Superior Courts.

There is no per diem involved and mileage for one (1) car is requested.

Thank you, Shirley Jean Cox, Clerk

Commissioner Ossenberg moved that the request of Ms. Cox be approved. Commissioner Willner seconded the motion. So ordered.

RE: INSPECTION REPORT ON VANDERBURGH COUNTY JAIL

A copy of a letter from the Department of Correction of the State of Indiana, addressed to Judge Miller, was submitted to the Commissioners, on the annual inspection of the Vanderburgh County Jail that was conducted on August 12, 1976, by Jail Inspector W. B. Smith.

The report stated in part, that the Sheriff of Vanderburgh County is Jim DeGroote, who resides in Evansville and receives an annual salary of \$16,750.00, that the County Commissioners visit and inspect the jail three times a year, that the Sheriff is present at the jail daily and that the jail is managed by the Sheriff, also that on the day of inspection, there were 117 prisoners incarcerated.

A report was made on the Administration, Records and Booking, Custodial Control and Discipline, Building, Clothing and Bedding, Food and Feeding Procedures, Sanitation and Safety, Medical Service, Canteen, Counseling, Rehabilitation, Persons Interviewed During this Inspection and on Recommendations.

The Recommendations are as follows:

1. Six additional jailers are needed.
2. Three deputies are needed.
3. Close circuit TV is needed.
4. Mattresses need to be covered.
5. A law library is needed.

The report also stated that the jail is not overcrowded any percent of the time and that the bookkeeping procedures appear to be handled in accordance with governing statutes for this facility.

It was signed by Robert P. Heyne, Commissioner of the Dept. of Correction.

Commissioner Schaad said this was a good report and that the Closed Circuit TV bid requests are now being advertised and the bids will be opened on Sept. 27, 1976.

RE: CLAIMS

A claim was submitted by Torian Agency Inc. for the General Fund, Continental policy #L 3 41 90 62, Comprehensive General Liability policy in the amount of \$29,677.00

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

CREDIT

A claim was submitted by Torian Agency Inc. for credit to the Highway Department on the Annual Audit - Continental Comprehensive General Liability policy #L3 32 58 36, a credit of \$599.00, which goes into the Highway General Fund.

Commissioner Ossenberg moved that this credit be accepted. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Torian Agency Inc. for the Highway Department, Continental policy #L 3 41 90 62 - Comprehensive General Liability policy in the amount of \$42,462.00.

Commissioner Ossenberg moved that this claim be approved for payment. Commissioner Willner seconded the motion. So ordered.

CREDIT

A claim was submitted by Torian Agency Inc. for credit to the County General Fund on the Annual Audit - Continental Comprehensive General Liability policy #L3 32 58 36, in the amount of \$859.00.

Commissioner Ossenberg moved that this credit be accepted. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Brink's Inc. for services rendered to the Clerk of the Vanderburgh Circuit Court, #422255210, in the amount of \$94.80, which is by contract.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON LIFE AND HOSPITALIZATION INSURANCE

Commissioner Schaad said that last week, Mr. Robert Dorsey, the Pigeon Township Assessor, appeared before the Commissioners and asked them if the part-time employees that are working on Re-assessment, are eligible for the Insurance and Hospitalization and that Mr. Lukens said he would contact Mr. Stumpf and Mr. Dauble on this matter and report back to the Commissioners. He stated that he has talked to Mr. Lukens this morning, who said that he has been in contact with the Carriers from Blue Cross-Blue Shield and also Mr. Dauble on the Life Insurance and that he was told that it is more or less up to the Commissioners, that if an employee's name is placed on the list, he is covered and he said that Mr. Lukens thought it best to get this in writing, so he is waiting for letters, confirming his conversation with them both. He said the only thing is that if each officeholder is going to decide who they are going to put on the list, conceivably, a person could work one day and be put on the list and he didn't think this was quite right, but he thought that the thing that brought this matter up was the Re-assessment and that maybe in this case where a person will work for awhile, he could be put on and then maybe continue to carry it on his own after his job is done, but he thought a policy should be set.

He said that after Mr. Lukens receives the letters from the carriers, the matter will again be brought up and talked about.

RE: TRAFFIC PROBLEM ON OLD STATE ROAD

Commissioner Schaad said that last week, the traffic problem on Old State Road was discussed and the Commissioners agreed that Mr. Judd check it out and come back with a recommendation this week, after Mr. Judd said that a delegation of neighbors complained about cars racing out there and he asked that the speed limit be dropped from 40 mph to 30 mph from Campground Road to Mt. Pleawant Road.

Mr. Judd said that he hasn't had time to check this out but that he will do so and report back to the Commissioners next week.

RE: SIGN POSTED

Last week, Commissioner Schaad said that at Nurrenbern Road and Red Bank Road, at the cemetery, going into Burdette Park, there wasn't any warning sign, designating the 90 degree turn ahead at the end of Red Bank Road. He asked Mr. Judd if he had checked on this matter.

Mr. Judd said that the sign, designating the dangerous curve, has been installed.

Commissioner Schaad thanked Mr. Judd and said the sign was badly needed.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the County Garage employees for the past week.
Report received and filed.

RE: GRADALL DELIVERED

Mr. Siebeking said the new Gradall was delivered last Friday evening and that the men from Kitchen Machinery Co. are here this morning to check it out, since it was delivered straight from the factory.
He said they would probably try it out tomorrow or Thursday.

RE: GREEN RIVER ROAD AND OAK HILL ROAD

Mr. Siebeking said that the Sheriff's office called him this morning and that apparently something is going to have to be straightened out on Green River Road and Oak Hill Road, where they come off Hwy. 57, on the truck traffic, weight limits, etc. since the signs that were up, have all been taken down due to construction and he told them that he would try to find them some kind of answer.

Commissioner Schaad stated that Mr. Lochmueller told him that there is now a Traffic Engineer in his office, who is very capable and could lend some expertise in these problems.

He said that rather than to refer these matters to Mr. Judd's office, he would like permission to refer them to the Traffic Engineer, since this has been a constant problem and even though Commissioner Willner thought there was an Ordinance on load limits in the County, he didn't think there was such an Ordinance and as Commissioner Ossenberrg had said, he thought the only thing the Commissioners could do would be to put a load limit on the bridges.

Commissioner Willner said he thought the matter should be referred to the County Attorney because the Commissioners have been doing it rather haphazardly and they must remember that there is a grain dealer on Green River Road who has 5 or 6 tractor-trailers and it is impossible for the Commissioners to tell him that he can't get to his business, but if they say it is good enough for him to travel on, then why shouldn't they let John Doe use it.
He said this is strictly a legal problem and needs to be looked into.

Commissioner Schaad said there are also other problems involved out there, such as the speed limits, so he wondered if the matter could be referred to the Traffic Engineer in Mr. Lochmueller's office for recommendation.

Commissioner Ossenberrg said that the question came up in the Southwestern Indiana Council of Governments on the coal trucks in Warrick County and what they were talking about doing was to cut the roads and put culverts in there and constituting them as bridges, to keep the roads from being torn up, but he didn't think there was any law that says they can do this unless it would be the Home Rule Bill, however he didn't see how a person could be deprived of his business and neither did he see how they could allow one person to use the roads and then deprive others from using them.

Commissioner Ossenberrg moved that the Traffic Engineer check it out and make a recommendation and that the Legal Department check out the legal problem, as to if the County Commissioners can set a weight limit. Commissioner Willner seconded the motion. So ordered.

RE: REPORT OF WORK ON GREEN RIVER ROAD

Mr. Siebeking said that on the three or four areas where Commissioner Schaad and Commissioner Willner went out to look at, on the culverts on Green River Road for Mr. Zimmerman, that this has been done and they changed the one driveway pipe to the other side for him, but he didn't want the stretch of ditch by his house to be cleaned, also that the ditches across the street by his daughters house, has been straightened up and the culvert has been changed in the one driveway and that culvert was put across the road as a field entrance tile and they cleaned out at the end of the spillway by hand, so Mr. Zimmerman is well satisfied with it.

RE: WATER AND SEWER DEPARTMENTS TO BE BILLED

Commissioner Willner said that the Commissioners recently voted to bill the Sewer and Water Department and he asked Mr. Siebeking if this has been done yet, since the County had repaired cuts that were made by them.

Mr. Siebeking said he didn't know that they voted on it, that he knew they talked about it and said there was a possibility of doing this.

Commissioner Willner said that he made a motion that the Commissioners bill them for the work that has been done already, Specifically Browning Road, and they were supposed to be billed for it after Mr. Siebeking figured the time and material used.

Commissioner Ossenbergs read the minutes of a previous meeting where this motion was made and he said that he seconded the motion.

Commissioner Schaad said that Mr. Siebeking should get these figures together and the Water & Sewer Departments will be billed.

RE: FELSTEAD ROAD

Commissioner Schaad said there is a big chuckhole on Felstead Road, that it is getting worse and will continue to be a drainage problem unless they can somehow drain it.

He asked Mr. Siebeking if he would check it out.

RE: COMPLAINTS OF DRAINAGE ON GREEN RIVER ROAD

It was discussed last week, that there had been numerous complaints on the drainage on Green River Road and he wondered if the Building Commissioner would assign his office personnel to check the drainage out there and to come up with some recommendations.

Mr. Crooks said that he and Mr. Alcott went out and took a look at the problem and about the only thing they can recommend, since that one field entrance is of minimum size but it should be longer or they need to riprap it since that bank is too steep the way it is, but the rest of the road doesn't seem to be too bad.

He said that the culvert that he is referring to is on the West side of the road just south of the creek.

He also said there was some question about the culvert on the East side of the road, North of the creek, since water runs across a man's lane, but that it should and it did before and should now because that lane is lower than the ditch itself and if they try to cut at the corner beside his lane, the water would be rerouted, but the water should go across his lane and then go to the ditch South of it.

RE: PROBLEM ON OLD PETERSBURG ROAD

There has been discussion for the last couple of weeks on some property on Old Petersburg Road that is in bad shape and is littered with junk, so Mr. Crooks has checked into the matter and found that the house is being bought on contract, so he contacted the owner and they had agreed to clean up the mess and that they would get together to see what they could do about the house.

Mr. Crooks had said he didn't know if they had this worked out yet or not.

Today, Mr. Crooks said that the mess hasn't been cleaned up as yet but the people have agreed that they will clean it up.

RE: PRELIMINARY PLANS FOR NURRENBERN ROAD

Mr. Nussmeyer submitted preliminary plans which would elevate and widen the curve on Nurrenbern Road and he suggested that they improve the whole thing. He said they have six or eight property owners to deal with out there and he thought they should have a right of way buyer.

Commissioner Ossenbergs said if they wanted to get it started, they could get one section and put it all under contract but that Mr. Nussmeyer doubted very seriously, that they would get it done this year.

The Commissioners agreed to move forward with the Engineering plans and to buy the right of way that is needed to improve Nurrenbern Road, East of Burdette Park.

Commissioner Ossenberg moved that Mr. Dan Riddle be named the right of way buyer and to put this all into one project.
Commissioner Schaad seconded the motion. So ordered.

RE: PERFORMANCE BOND

Mr. Ludwick submitted a Performance Bond from Pepper Construction Inc., in the amount of \$32,050.00, on the Comfort Station at Burdette Park, to remain in effect for twelve months after the project is completed.
Performance Bond received and filed.

RE: CLAIM

A claim was submitted by Feigel Construction Corp., Estimate #1, for the Reconstruction of Baumgart Road, Acct. #203-2831, less 5% Retention, the amount of the claim being \$73,389.96.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: LAUBSCHER HEIGHTS SUBDIVISION

A letter had been received last week from L. G. Whipple, for the acceptance of Arla Jane Drive, Sweet Gum Court Drive and Jan Drive in Laubscher Heights Subdivision and this matter was referred to Mr. Ludwick.

Commissioner Schaad asked Mr. Ludwick if he had checked on this matter.

Mr. Ludwick said they field checked it last week and found that the streets have been patched and are okay but they want to take a look at making a recommendation to Mr. Frank and to Lloyd Whipple about the drainage, since they should straighten it out before the County should accept the streets.
He said he supposed they would have to come up with a recommendation as to how they should take care of the problem and that they will take care of this later on. This matter will again be taken up next week.

RE: MATTER OF INSURANCE IN MOVING MACHINE

The matter of Insurance on moving the Copier from the Records office was again discussed last week, since Attorney Bowers wanted \$100,000 to \$300,000 Insurance coverage and the Commissioners and Mr. Ruston thought \$25,000 to be adequate, so County Attorney Wendel was to contact Mr. Bowers,
County Attorney Wendel had also said that the Insurance matter wasn't resolved, but that he did find that some of the other terms in the contract, aren't acceptable to the person that is going to take the machine out, so he figured that nothing could be done on the problem until Mr. Ruston gets back from vacation.

Commissioner Schaad said that he would like to get this matter resolved and that Mr. Ruston comes back today.
He asked County Attorney Smith to make a note of this matter and to see what can be done about it.

The meeting recessed at 10:40 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Robert Ossenberg
Robert L. Willner

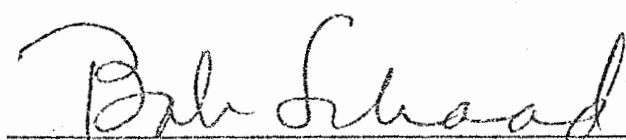
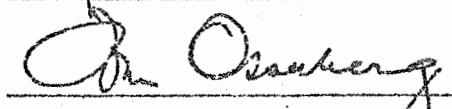

COUNTY AUDITOR

(Curt John absent
due to Council
budget hearings)

COUNTY ATTORNEYS

Ed Smith Jr.
(Paul Wendel at
budget hearings)

Secretary: Margie Meeks




BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
SEPTEMBER 13, 1976

The meeting of the County Commissioners was held on Monday, September 13, 1976, at 9:35 a.m., in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them dispensed with.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

VANDEBURGH COUNTY CORONER

Linda A. Westfall	309 W. Maryland	Vacation Clerk	150.00	Eff. 9/13/76
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VANDEBURGH COUNTY ELECTION OFFICE

Sharon Yunker	5313 Sherbrooke Rd.	Dep. Clk	2.30 Hr.	Eff. 9/13/76
Delores M. Blackford	R. R. 4 Orchard Rd.	Dep. Clk	2.30 Hr.	Eff. 9/13/76
Susan K. Kirk	8302 Spry Rd.	Supervisor	2.70 Hr.	Eff. 9/7/76
Edward L. Knight	1113 E. Riverside	Supr. Ballot Assem.	2.70 Hr.	Eff. 9/7/76
Perry A. Neale	2849 Edgewood	Supr. Ballot Assem.	2.70 Hr.	Eff. 9/7/76

PIGEON TOWNSHIP ASSESSOR - REASSESSMENT

Carl W. Zapp	708½ Covert St.	Fieldman	20.00 Day	Eff. 9/7/76
Brenda Carney	5614 W. Haven	Fieldman	20.00 Day	Eff. 9/7/76

RE: EMPLOYMENT CHANGES....RELEASED

PIGEON TOWNSHIP ASSESSOR - REASSESSMENT

Andy Brummel	604 College	Fieldman	20.00 Day	Eff. 9/7/76
Paul Ahrens	1032 E. Columbia	Rate Setter	30.00 Day	Eff. 9/7/76

COUNTY SURVEYOR

Michael Cocran	2816 S. Court Dr.	Summer Help	2.30 Hr.	Eff. 9/10/76
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RE: MONTHLY REPORTS

Monthly report from the Bureau of Traffic Engineering for the month of July, 1976. Let the record show it has been received and filed.

Case report for the month of July, 1976 for the Legal Aid Society of Evansville, Inc., Joint Department of Legal Services. Let the record show it has been received and filed.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance from Deig Brothers Lumber & Construction Co., Inc. covering the work they are doing on the Kentucky Avenue Bridge Structure #117A, BC4-76.

RE: TELEPHONE REQUEST - CIRCUIT COURT

Commissioner Schaad read a request from Bill Miller, Judge of the Vanderburgh Circuit Court dated September 9, 1976:

We are requesting the installation of three (3) phones in the Vanderburgh County Jail Work Release Cells, Number 31, 32 and 33 on the Second Floor. It has been found that telephones installed on the third floor quieted disturbances there and has alleviated the burden of the jailers. It also facilitates the inmates gaining chances of employment by contacting employers themselves. Payment for the installation of monthly bills from these phones will be paid out of money placed in the County General Fund by the Work Release Program - Jail Care Payments.

Commissioner Schaad said that these phones will be set up so only local calls can be made.

Commissioner Ossenberg moved that the installation be approved. Commissioner Willner seconded the motion. So ordered.

RE: ROAD MAINTENANCE REQUEST

Commissioner Schaad said we have a letter from Mullen Realty signed by Bill Mullen dated September 7, 1976 and reads as follows:

It has come to my attention I must request acceptance of streets for maintenance as they are not automatically inspected and approved at the time of installation. Therefore, I submit the following:

The streets involved in this request are located in Evergreen Heights No. 2.

- A. Approximately 900 feet of Meadowview commencing southerly from the intersection of Greenbriar.
- B. Approximately 800 feet of Greenbriar commencing easterly from the intersection of Meadowview.
- C. Approximately 450 feet of Greenbriar Court commencing northerly from Greenbriar.
- D. The intersection of Greenbriar and Meadowview is excluded from this request.

Excavating is required for connection of storm drains scheduled in the next street extension.

Street and drainage plans were submitted to the County Commissioners by Ohio Valley Engineers, approval is of record.

Section 1A was installed by Southern Asphalt Company in 1973 and 1974. A phoned request for inspection of asphalt and rock thickness was made in 1974 and inspection holes were made in the street. No further correspondence was made.

Section 1B was installed by Rudolph Asphalt Co. in 1975.

Section 1-C was installed by Rudolph Asphalt Co. in 1976.

These streets have base material in excess of required thickness as I supplied the base and was on site at the time of sub base grading. The tons used is in excess of computed requirements. If records or other documentation is required, please advise.

Sincerely,
William A. Mullen
Mullen Realty Inc.
Construction Div.

Commissioner Ossenberg moved that it be referred to the Surveyor's office. The motion was seconded by Commissioner Willner. So ordered.

RE: GAS TAX - STATE POLICE

Commissioner Schaad then said that he had been concerned sometime about the gasoline tax that was diverted to the State Police. We were told that the money was going to come back to us and it was supposed to come back on a quarterly basis that was supposed to start in July.

Alice McBride said she had just checked today and we don't have it.

Commissioner Schaad said that he talked to Cheryl Evans, Executive Director of the Indiana Association of County Commissioners, and checked with Mary Millberg and she tells me that we have gotten it. I think what happened, they tell me that in the last half of 1976 there was \$482,000.00 that came down and in that was this money that was a pay-back from the State Police. They said that a bulletin came to the Auditor's office in June explaining it. They didn't know how much of the \$482,000 was the pay-back. They are going to pursue it further and let us know.

Alice McBride said she would dig and try to find out something in her office.

RE: BOB MORAN - UNITED WAY

Mr. Bob Moran is coordinating the United Fund Drive for all county employees. He said simply what the request is they want to know if it would be possible for payroll deductions for county employees.

Alice McBride said that we were not sure but we do have another space on our machine but we can have it put the machine so we would be able to do it.

Commissioner Ossenberg moved that this be authorized to be done. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

From Hunnicutt & Associates, Inc. from Knight Township Assessor's office in the amount of \$12,093.75 for contract of reassessment.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

From A. J. Venables, M.D. in the total amount of \$7,064.00 for owed bills (approved by Council).

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg moved that each of the claims be stamped with their signatures. Commissioner Willner seconded the motion. So ordered.

From the City of Evansville, the County share of combined departments - Health 21.5% for the month of August in the amount of \$9,620.82.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

From the City of Evansville, the County share of combined dept. - Traffic Engineer 14% for the month of August in the amount of \$2,724.32.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

From the City of Evansville, the County share of combined dept. - Weights & Measures - 42% for the month of August in the amount of \$1,214.80.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

From the City of Evansville, the County share of combined dept. - Building Inspection - 40% for the month of August in the amount of \$4,696.76.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

From the City of Evansville, the County share of combined dept. - Purchasing - 50% for the month of August in the amount of \$1,743.92.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

From Feigel Construction for the resurfacing of Kern & Laurel Roads by contract in the amount of \$3,666.56.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

RE: AUDITORIUM - UNION AGREEMENT

We've been talking with Dan Kline the Union Representative because we did okay their local would be the bargaining agent for the Auditorium. They came up with an agreement to be a part of the same agreement that we have with the Vanderburgh County Garage since it is with the same local. They are asking for a classification and lead man at the Auditorium to be \$4.21 an hr. and the labor be \$3.94 an hr. and that agrees with what the County Garage employees are being paid. We discussed it and when would be the effective date of it and this didn't state so they did change it. It states the following hourly rates will be in effect for the remainder of the calendar year 1976 because the contract we have with them goes back to the first of the year.

He said furthermore we were concerned about was time and a half, etc. for holidays and Sundays which of course, would be a real handicap so they did say that the employer may at his discretion allow compensatory time off in lieu of Section 2, 3, and 4, Article 4 of the agreement.

Commissioner Ossenberg moved that we sign the agreement after the Council has appropriated the money for this. Commissioner Willner seconded the motion. So ordered.

RE: HERMAN HOTZ REPORT

He said he had a list of the items at Boehne and the suggested sale date. He said there were 2 items in question. He said there were 2 Coca Cola drink machines and they don't know who owns them. They have been there since before 1970. The Commissioners suggested that Herman call Mr. Bill Fisher at Coca Cola to establish ownership of the 2 coke machines.

There was some further discussion as to the articles on the list and whether or not they could be used in the complex or wanted by some of the officeholders.

Commissioner Ossenberg moved that the list be circulated to the officeholders and department heads before any advertising is done. The motion was seconded by Commissioner Willner. So ordered.

RE: BILL JUDD REPORT

Mr. Judd said he was going to do some more planning and research before the speed limit is dropped on Old State Road.

RE: ABSENTEE REPORT

The absentee report for last week received and filed.

Mr. Jack Siebeking said he had 2 requests for leave of absence. He said Mr. Michael O'Brien, a laborer, has requested a leave of absence from September 7, through October 1, he is unable to work because of a broken arm.

Commissioner Ossenberg moved that the leave of absence be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Siebeking said the second leave of absence was for Orbie Davis. He asked that the Commissioners approve an extension of 6 more weeks, which would extend his leave to October 26, 1976. Mr. Siebeking said Mr. Davis was in very bad health right now.

Commissioner Schaad said that Mr. Al Canary was in to see him and wanted to know how long does the County continue to pay the insurance in cases of leaves, etc.

Mr. Canary said concerning leaves of absence, you can have a leave of absence up to a year. But what I'd like to know is how long a person can be off and the County still take care of the insurance.

5.

Mr. Curt John said it was his understanding from the insurance company that if an employee was off over 90 days they won't consider them a member of the group policy anymore.

Mr. Canary said that Golden Rule made them go on the individual plan but Blue Cross doesn't. He can still stay in the group, he hasn't quit the job or been layed-off he is still an employee. I just want to know how long he can be covered in the group.

Commissioner Schaad said that he didn't think Blue Cross-Blue Shield cares where the money comes from as long as it is paid in but the point here is how long should the County continue to pay.

Commissioner Willner said the prior commissioners said it should be 90 days. After which then the employee has to pick up his own insurance. If he wants to stay in the group he can pay at the Auditor's office or individually, it is his choice.

Mr. Siebeking said this will be Mr. Davis' third 6 weeks. He has been on leave since June 23, 1976.

Commissioner Ossenbergh moved that Mr. Davis' leave be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenbergh moved since there is no policy established, to cover Mr. Davis up to the end of this third 6 weeks leave which would be October 26, 1976. Commissioner Willner seconded the motion. So ordered.

RE: BILLINGS TO SEWER AND WATER DEPARTMENTS

Mr. Jack Siebeking showed the Commissioners billings to the Sewer and Water Depts. for the repairs the County Garage had done on Browning Road.

The bill to the Waterworks Department was for \$3.22. The bill to the Sewer Dept. was for \$9.73.

Commissioner Ossenbergh moved that the bills be sent. The motion was seconded by Commissioner Willner. So ordered.

RE: PUSH JOBS - CUT INS

Indiana Bell Telephone Co., Inc. hereby requests permission to cut into right of way on North Green River Road.

Commissioner Ossenbergh moved that it be approved. Commissioner Willner seconded the motion. So ordered.

The Waterworks hereby request permission to cut into right of way on Watershore Drive.

Commissioner Ossenbergh moved that it be approved. Commissioner Willner seconded the motion. So ordered.

The Waterworks hereby request permission to cut into right of way on Ridgeknoll Drive.

Commissioner Ossenbergh moved that it be approved. Commissioner Willner seconded the motion. So ordered.

RE: TRANSFER

Transfer \$1,000 from County Surveyor's Acct. #106-723 to County Hwy, Dept. Acct. #201-4724 as per letter recorded in the County Commissioners Minutes dated July 7, 1975 on pages 5 and 6, in which the request was granted by Kenneth R. Beesley, State Examiner, pursuant to IC 18-5-2-1 through IC 18-5-2-2.5. This was for the purchase of 1972 Chevrolet.

RE: CLAIMS & ESTIMATES

Estimate #3 for Kentucky Ave. Str. #116A, Acct. #203-3826 to Deig Bros. Lumber & Construction Co., Inc. in the amount of \$62,551.56.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

Final estimate on Franklin Street Bridge #4 over Pigeon Creek, Acct. #203-3774 to G. H. Allen, Inc. in the amount of \$26,761.58.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

RE: LAUBSCHER HEIGHTS SUBDIVISION

Mike Ludwick said that last week or the week before the Commissioners asked the Surveyor's office a letter asking them to take a look at Laubscher Heights Subdivision, which they did. He said they were making a recommendation that the County accept Arla Jane Drive, Sweet Gum Court Drive and Jay Drive as platted. He said that the reason they were doing this was because the County has maintained the road for 4 or 5 years anyway so we may as well go ahead and get it on the official roads.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

This was a resolution of the Board of Commissioners of the County of Vanderburgh incorporating a certain public roadway within the County road system.

RE: PAVING OF COUNTY OWNED RIGHT OF WAY

Mike Ludwick said that Mr. Bill Wedeking who is the owner of Browning Road Estates Subdivision located off of Boonville-New Harmony Road in the northeastern part of the County, has contacted him. He said the easement was granted to the County back in 1968, and Mr. Wedeking is asking the County to pave that portion of that road from Boonville-New Harmony Road into his subdivision which is within the county right of way.

Mike said Mr. Wedeking has hired Rudolph Construction Company to pave his entire subdivision within the next month and he said Rudolph would do the entire job. The amount it will cost to do the county's portion would be \$400.00 and that is including rock, grading, etc.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

RE: LOAD LIMITS

Ed Smith, Jr. said he checked and he found a specific statute that grants the authority to the County Surveyor to establish load limits.

Commissioner Willner said our problem is not the load limit but that we have a couple businesses on Green River Road who must travel that road so the question is how can we put a weight limit on and let them use it.

Ed Smith then read the statute: The Surveyor shall have police power in the control of the highways in the county, and may fix the limit of the loads for any highway, bridge, or culvert.

RE: INSURANCE ON PART TIME EMPLOYEES

Curt John asked if the Commissioners had made any decision on part time employees which Bob Dorsey brought up at last week's meeting.

Curt John said that the part time employees will be employed 1 year on reassessment.

Commissioner Schaad asked what constitutes a part time employee?

Commissioner Schaad said he guessed we could state that reassessment employees be covered but then other part time employees who aren't reassessment would ask why don't you include us.

There was some discussion what the hour rule was. Whether it was hours worked to be 1,040.

Curt John said personally he felt that the people on reassessment were more or less full time for a year, even though they are paid per diem.

Commissioner Ossenbergh made a motion that employees are covered with all the fringe benefits that work 1,040 hours.

Then there was discussion what if a person works 2 weeks and quits whether or not we would charge back for the insurance and whether or not the 1,040 hours would work.

Curt John said that on any of the part time help that he has hired he never had any of them on insurance and probably never will because he did not think that was the intent of it. But he did feel that reassessment in his opinion was different than part time.

Commissioner Schaad said do you want to leave it to the discretion of the officeholder using good judgment?

Commissioner Willner said he would like to do some research on the matter and asked if he could have a week.

Commissioner Schaad said it would be deferred for one (1) week.

RE: CLAIM

From Norman E. Messel for cleaning of ditch located west from Clover Drive which drains into the Sonntag-Stevens Ditch, as per agreement with the County Commissioners as recorded in the Minutes dated April 5, 1976, in the amount of \$117.00.

Commissioner Willner moved that the claim be approved. Commissioner Schaad seconded the motion. So ordered.

The meeting recessed at 10:53 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenbergh
Robert L. Willner

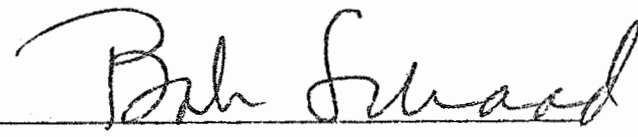
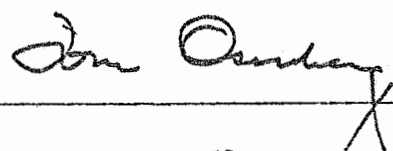

COUNTY AUDITOR

Curt John
Alice McBride, Dept.

COUNTY ATTORNEYS

Ed Smith, Jr.
Paul Wendel

Secretary: M. Meeks
by Connie Skinner

Board of County Commissioners

4-29

COUNTY COMMISSIONERS MEETING
SEPTEMBER 20, 1976

The meeting of the County Commissioners was held on Monday, September 20, 1976, at 9:34 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them dispensed with.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

BURDETTE PARK

Cheryl L. Gentry	1122 MacArthur Ct.	Secretary	5,000.00 yr.	Eff. 9/15/76
John Crow	4310 Marion	Rink Gd.	2.30 hr.	Eff. 9/15/76
Bruce Shelton	622 Ries Ave.	Gr. Crew	2.30 Hr.	Eff. 9/8/76
Robert Majors	828 Blackford	Gr. Crew	2.30 hr.	Eff. 9/8/76

CIRCUIT COURT

Melanie Heltsley	136 S. Boeje Rd.	Prob. Couns.	2.85 hr.	Eff. 9/7/76
David Jones	715 N. Boehne Camp	Investigator	150.00 wk.	Eff. 9/11/76
Kenneth D. Hood	2619 Vogel Rd.	Spec. Prob. Of.	10,799.86 an.	Eff. 7/1/76
David Hatfield	632 S. Willow	Bailiff	3.00 Hr.	Eff. 9/11/76
Steven Scott	R. 4, Mt. Vernon, IN	Bailiff	3.00 hr.	Eff. 9/11/76

COOPERATIVE EXTENSION SERVICE

Vickie L. Sellers	707 Village Lane Newburgh, IN	Pt. Time Sec.	2.30 hr.	Eff. 9/13/76
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PIGEON TOWNSHIP ASSESSOR

Marie C. Evans	714 Jefferson	Fieldman	30.00 dy.	Eff. 9/3/76
Claude Cleveland Young	762 E. Virginia	Fieldman	20.00 dy.	Eff. 9/17/76
Jeff Lannert	1516 S. Frederick		30.00 dy.	Eff. 9/17/76

RE: EMPLOYMENT CHANGES...RELEASED

BURDETTE PARK

Cheryl L. Gentry	1122 MacArthur	Rk. Cashier	2.30 hr.	Eff. 9/14/76
Shirley Hape	2824 Dennison	Secretary	5,000.00 an.	Eff. 9/14/76
Kathy Dreier	510 Williams Rd.	Gr. Crew	2.30 hr.	Eff. 9/12/76
Linda Dreier	510 Williams Rd.	Gr. Crew	2.30 hr.	Eff. 9/12/76

CENTER TOWNSHIP ASSESSOR (REGULAR BUDGET)

Barbara Ann Stephens	915 Canterbury	Office Dep.	16.10 dy.	Eff. 8/28/76
Elaine A. Croft	5204 Elmhurst Dr.	Office Dep.	16.10 dy	Eff. 8/28/76

PIGEON TOWNSHIP ASSESSOR

Jeff Lannert	1516 S. Fredreick	Fieldman	20.00 dy	Eff. 9/16/76
Marie Evans		Fieldman	20.00 dy.	Eff. 9/3/76

RE: MONTHLY REPORTS

Monthly report from the Department of Mental Health, received and filed.

Monthly report from Clerk of Circuit Court, received and filed.

Monthly report from the County Treasurer, received and filed.

RE: AREA PLAN REQUEST FOR VEHICLE

Commissioner Schaad read a letter from Ann R. Schmidt of the Area Plan Commission, dated September 14, 1976.

Dear Mr. Schaad:

The Area Plan Commission has requested a redistribution of funds to facilitate the purchase of a new vehicle. In anticipation of our funding request, we are asking your permission to work with the Purchasing Department in writing specifications and purchasing a new vehicle.

If you should have any further questions please contact me.

Respectfully yours,
Ann R. Schmidt
Planner

Commissioner Ossenberrg moved that the request be approved. Commissioner Willner seconded the motion. So ordered.

RE: REPAIR OF RAILROAD CROSSINGS

Commissioner Schaad read the paper article regarding the west side county roads to be closed for repair, which was in the Press September 17.

Three county roads on the West Side will be closed parts of next week and the following week for repair of L & N Railroad crossings that interrupt those roads.

Red Bank Road between Hogue and Upper Mt. Vernon roads will be closed from Monday morning until Tuesday evening for repair of a crossing there.

Boehne Camp Road between Hogue and Upper Mt. Vernon roads will be closed from Wednesday morning until Thursday evening for repair of a crossing.

Peerless Road between Hogue and Upper Mt. Vernon will be closed from Friday morning until the evening of September 27, 1976, for repair of a rail crossing there.

RE: INCORRECT ROAD SIGN

Commissioner Schaad read a letter from Mrs. John Holzappel.

The Honorable County Commissioners
City County Building, Room 305
Evansville, Indiana 47708

Dear Sirs:

I am writing you concerning a road between Schaefer Road and Fisher Road in German Township which is Kissel Road and has been this for over 100 years and is on the Vanderburgh County map as such.

I request that you put this on your road signs as this is very confusing. There are two families living on this road and a new home is being built. One family are school teachers, the other is employed at Whirlpool. Many times when there is a new electric meter reader on the job or telephone man is needed or a piece of furniture is to be delivered they cannot find this location because they are looking for Kissel Road which is on the map and they cannot find it.

Please have the two road signs at each end of the road changed to Kissel Road like the map shows and it will be greatly appreciated by all residents on this road. This is really the correct name, someone changed it to School Road #5 which is incorrect.

Thank you for your cooperation.

P.S. In case of a fire or emergency this could be a matter of life or death.

Sincerely,

Mrs. Joim (Talitha) E. Holzappel

This matter was referred to the Traffic Department.

RE: CLAIM FROM WHIRLPOOL

Mr. Curt John said in 1969 the State Tax Board put an assessment on Whirlpool which was contested and it has gone through Circuit Court, Appeals Court and finally the Supreme Court and it has been ruled in Whirlpool's favor. So this refund is for the amount that they paid in 1970 plus their statutory interest which will be applied toward their fall taxes and the amount above that will be given to them in a refund on a cash basis. It has been signed by the State Tax Board and it also needs your signatures.

Wendell Lensing asked if the County going to pay this refund money. Whirlpool tax is about \$795,000 the total bill is about \$1,100,000. So there is \$300,000 difference. Are you paying this \$300,000 out of County General Fund?

Curt John replied no this was out of the collection so far. What happens is each year we levy about \$38,000,000 and approximately half of it comes in the first six months and half of it the second six months so instead of distributing \$19,000,000 in December we will only have collected approximately \$18,000,000 so it is coming out of collections up to date.

Wendell Lensing said that the School Corporation will suffer a shortage of about \$500,000 and the City will suffer a shortage of about \$230,000.

Curt John replied that anyone that was on the tax rate in 1969 will pay their proportionate share.

Wendell Lensing said that before you act on this I think you should check and make sure that the School Corporation has the \$500,000 and the City has the \$230,000. You are going to be taking it from taxes collected for them from other sources other than Whirlpool.

Curt John said it is not up to them whether they pay it or not. The Supreme Court has already ruled that we are to return this money to them.

Curt John said they have been working on this for several months and it is not coming from the County General Fund.

Whirlpool attorney, Harry Dees, said he had made this statement before but I just wanted to point out that Whirlpool is willing to try to take this over a period of time of credit against several different assessments. But we checked the law very carefully and there is just not any way we could do it, in other words the law says that we take it against the next installment which would be November and in that year in which the refund is granted. If it had said in the next successive installments and hadn't said in that year it would have been alright. But statutorily the only way we could take it is this way. As far as delaying it the decision was handed down last December so it has been over 9 months and incidentally the interest has run at the rate of \$142.00 a day and we've agreed to stop the interest as of September 1, 1976, so I think everybody would be better off to get this behind them.

Mr. Dees said we've even offered to pay the spring installment in advance if that will help.

Mr. Lensing said it might help the cash condition of the School Corporation and the City and also the County.

Commissioner Ossenberrg said to Mr. Lensing that was a point well taken and that he was going to suggest that.

Wendell Lensing said we had \$165,000 in our General Fund as of the last County Council meeting.

Commissioner Ossenberg said that in the spirit of cooperation of Whirlpool Corporation if they are willing to make an advance on their spring taxes, the cash flow would be much better for Vanderburgh County, the City and the School Corporation.

Mr. Willard Bennett from Whirlpool then said that we made that offer that we would make the spring installment if it would do any good.

Curt John said he would have to check with the State Board of Accounts and the State Board of Tax Commissioners. As you know we usually don't even get our rates for next year until middle or late January and sometimes as late as March.

Wendell Lensing said they paid \$795,000 this spring on their taxes so they would probably pay at least \$795,000 on their taxes and if they took a \$300,000 credit they certainly wouldn't be overpaying us back.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

From Shirley Jean Cox, Clerk of Circuit Court for round trip mileage for attendance at Order Book Clinic in Indianapolis 9/10/76 324 @ 13 for a total amount of \$42.12.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: REZONINGS

VC-28-76

Third reading

Petitioner: Frederick J. Spencer

Premises: More commonly known as R.R.#3 Heckle Road.

Nature of Case: Petitioner requests a change from an A zone to a M-2 zone for a salvage yard. This petition was amended from M-2 to M-1 with thirteen affirmative votes. This petition was approved, as amended with thirteen affirmative votes.

Attorney Ron Freson appeared for the petitioner. He said this petition was before the Commissioners about 4 months ago. The general location of this 10 acre tract: County Line Road lies to the east; Green River Road is to the west; Millersburg Road is to the north and Heckle Road is to the South.

We asked that the M-2 zoning be reduced to an M-1 to be used for a body shop instead of a salvage yard. The petitioners in this matter had operated a salvage type operation on this 10 acre tract since 1959. They have removed approximately 150 automobiles from the property.

He said the professional staff requested a screening on the south boundary line and the petitioner has agreed to put a vegetation type screening.

Commissioner Ossenberg said as he recalled this came back to us 4 months ago and was rejected by Area Plan Commission and at that particular time Mr. Henning was here. At that time we agreed to refer it back to Area Plan for M-1 zoning with the understanding that you and Mr. Henning would work out details.

Ron Freson replied that was right. He said we did in fact meet with Mr. Henning on that particular day and we worked out details on that date were acceptable to him (screening and usage of property). About a week later he called me and said that he continued to object. We had approval on that particular date but he did have a change of mind. He was not present at the Plan Commission meeting and is not present here today.

Commissioner Ossenberg asked Mr. Freson if Mr. Henning was notified that this was going to be heard at the last Area Plan Commission meeting?

Mr. Freson replied that Mrs. Henning called him in excess of a month ago before the August meeting and he informed her then.

Commissioner Ossenberg asked Jeff Wilson if all of the people involved were contacted by Area Plan.

He replied if they have their names and addresses they contact them.

Mr. Jeff Wilson from the Area Plan Commission submitted some pictures for the Commissioners to look at. Jeff Wilson said the Plan Commission recommendation was that screening be provided totally around all four sides of the property not just on the south side. The petitioners agreed.

Commissioner Ossenberg moved that VC-28-76 be approved. Commissioner Willner seconded. So ordered.

Commissioner Schaad took a roll call and received 3 affirmative votes.

RE: CLAIM

Bill Bryant, permit issued on 8/20/76 in the amount of \$7.00. (\$72.00 was paid and it should have been \$65.00 so it is a refund of \$7.00).

Commissioner Ossenberg moved that the claim be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING

VC-39-76

Third reading

Petitioner: Willard C. Shrode

Premises: More commonly known as 6900 Petersburg Road.

Nature of Case: Petitioner requests a change from an A zone to a R-2, C-1B and M-2 zone for residential, commercial and industrial uses. This petition was amended from M-2 to M-1 with thirteen affirmative votes. This petition was denied with ten negative votes and three affirmative votes.

Mr. Shrode spoke on behalf of himself. He said this was a large plat of ground that involves 213 acres. He said he worked for over a year with the staff and obtained their approval to this method. At the hearing before the Area Plan Commission the principal objection was from Mr. Burch (who is about $\frac{1}{2}$ mile north and across U. S. Hwy 41) on the drainage. He was not concerned about the rezoning but just principally about the drainage into Little Pigeon Creek. He said in order to save time he would like to have this referred back to the Area Plan Commission for three principal reasons.

1. I'd like to show specific plans with preference to at least part of this property so a decent judgment could be made.
2. We would like to get professional help to see what can be worked out on this drainage problem.
3. Fair consideration. I've worked over a year on this with the staff and they did approve this. I'd hate to see it killed without a fair consideration.

Mr. Charles Berger, attorney representing Mr. & Mrs. Charles Hill who live on Old Petersburg Road. He said we were remonstrators at the last Area Plan Commission and we object to the referral back to the Plan Commission and we ask that the Commissioners at this time deny it. Referring it back seems to me like a kid gets into a football game and at halftime and he sees the other team is bigger so he wants to go out and recruit some more players. What we have here is a clear problem. Maybe they did work with the Area Plan and their staff but the

Area Plan Commission requested that there be a study of the traffic problem. No study has ever been completed. At the time it showed that there is very heavy traffic on Old Petersburg Road and this development would cause the traffic to be even worse. We're strongly opposed to this rezoning in all phases and would ask the Commissioners to turn it down.

Attorney Jeff Bosse representing Burch Industrial Center said they appeared at the Area Plan Commission and opposed this particular rezoning at this time. We are not opposed of zoning of industrial in this area but we were very much concerned about certain drainage problems.

Mr. Bosse showed the Commissioners a map that he had drawn of the area. He went on to explain that Little Pigeon Creek is the major ditch that takes care of the entire flow of nearly 2,000 acres. After some further discussion he then presented some pictures to the Commissioners (after a rain April 28, 1970). He said that the problem was Little Pigeon Creek. He said there were trees that had fallen down in it dams built up in it. He said that the proper thing to do is to get Little Pigeon Creek cleaned out first and then rezone this property.

Mr. Bosse said he talked to Fred Alcott and quoted him as saying "the drainage outlet for this property is Little Pigeon Creek which joins Pigeon Creek to the south. Presently the channel of Little Pigeon Creek is restricted with fallen trees, debris, sediment and other living trees. Any increased surface water runoff into the Little Pigeon Creek channel would further increase the existing flooding problems in and near the flood plains on other properties." Not only is it going to cause the possibility of this particular property to flood but it is going to cause other property farther north to flood as well.

Alvin Burch of Burch Industries said that drainage is a substantial problem and that they were not opposed to Mr. Shrodes request for industrial rezoning.

Mr. Walter Hillenbrand of Anchor Industries said basically his main worry was the drainage situation. Did some further discussion regarding the flooding situation.

Mr. Ralph Effinger who owns a farm in that area came forth and talked about Little Pigeon Creek, and said if any more land was put under black top it would only make the situation worse.

Mr. Jess Bosse then said that they think complete drainage plans and complete designing plans should be submitted before any approval should be given to this.

Commissioner Ossenbergsaid he had received several phone calls regarding this rezoning from several residents in the area. Secondly he realizes there is a drainage problem and he thinks it will take at least one year to solve that drainage problem.

Mr. Shrode said he would just like a chance. He said all he is asking is for the rezoning to be returned to the Area Plan Commission.

Mr. Charles Berger then said that Mr. Shrode in all of his presentations has not considered the serious traffic problems of Old Petersburg Road. He said he did not think it was fair to the people. If Mr. Shrode after working with the staff for over a year has not come up with the study on drainage or traffic, I don't think that much more is going to be done in the next 60 - 90 days or even 6 months.

Attorney Steven Krohn representing some persons who are interested in purchasing the R-2 property. He said that before the Area Plan Commission next meets, his people intend to have some plans for the development of this R-2 area, and I think it might be a mistake to turn this down now and make my people wait an entire year.

Commissioner Ossenbergsaid he would not change his mind regarding the matter of drainage, etc. and moved that this be denied. Commissioner Willner seconded the motion.

Mr. Andrew Easley, property owner in Little Pigeon Creek water shed. He said he thought what Mr. Shrode is asking is reasonable. I think the Commissioners should encourage private development. He went on to discuss the drainage situation.

Commissioner said he had a motion to deny and a second. He took a roll call and received 3 affirmative votes to deny the petition. So ordered.

VC-40-76

Petitioner: Martin and Betty Dunn

Premises: More commonly known as 2926 and 3010 Grove Street

Nature of Case: Petitioner requests a change from an A zone to a M-2 zone for the rebuilding of industrial pallets. This petition was postponed until the October meeting of the Area Plan Commission.

VC-41-76

Petitioner: Kingfish Corporation

Premises: More commonly known as 1031 N. Green River Road.

Nature of Case: Petitioner requests a change from a C-1 zone to a C-1B zone for a Kingfish restaurant. This petition was approved with twelve affirmative votes.

Wendell Lensing representing the petitioner. He said during the Area Plan Commission meeting the vote was 12 to 0. He said at the meeting Virgil Miller suggested that there ought to be some trees along Green River Road and I wrote to my principals. They wrote me back and said that they did plan to leave some of the larger trees there and plant some more.

Commissioner Ossenbergsaid he moved that the petition be approved. Commissioner Willner seconded the motion.

Commissioner Schaad took a roll call and received 3 affirmative votes. So ordered.

VC-42-76

Petitioner: Eugene R. Steckler

Premises: More commonly known as 13644 State Highway 57.

Nature of case: Petitioner requests a change from an A zone to a C-1B zone for a welding shop and a beauty shop in the basement. This petition was approved with twelve affirmative votes.

Commissioner Willner moved that this petition be approved. Commissioner Ossenbergsaid he seconded the motion.

Commissioner Schaad took a roll call and received three affirmative votes. So ordered.

VC-43-76

Petitioner: William and Susan Harty

Premises: More commonly known as 4119 Cort Street

Nature of Case: Petitioner requests a change from a R-1 zone to a R-3 zone for apartments. This petition was continued until the October meeting of the Area Plan Commission with twelve affirmative votes.

VC-44-76

Petitioner: William and Susan Harty

Premises: More commonly known as 4100 Cort Street

Nature of Case: Petitioner requests a change from a R-1 zone to a R-3 zone for apartments. This petition was continued until the October meeting of the Area Plan Commission with twelve affirmative votes.

VC-45-76

Petitioner: Paul Devine

Premises: More commonly known as 3076 North Grove Street.

Nature of Case: Petitioner requests a change from an A zone to a C-1B zone for a used car lot. This petition was approved with seven affirmative votes, three negative and two abstentions.

Attorney Ed Johnson representing the petitioner said the premises are presently used for an outdoor used car lot. He said the petitioner had been operating there since 1962. He said we are only asking you to examine this rezoning on the merits. We think it is in conformity with the neighborhood, it was recommended passage in the Area Plan Commission, there were no remonstrators there, and if it is passed by the Commissioners, Mr. Devine plans to upgrade the area. This is Mr. Devine's sole source of income.

Jeff Wilson from the Area Plan Commission said they would recommend denial of this. They thought that residential should remain south of Allens Lane. He also said if it was approved they would like to definitely see some screening between this and the residential houses.

Commissioner Ossenberg asked Mr. Devine if he would be willing to have the curb cuts and screening put in. Mr. Devine replied he would be willing to pay for all of that.

Commissioner Ossenberg moved that the petition for rezoning be approved. The motion was seconded by Commissioner Schaad.

Commissioner Schaad took roll call and received 2 affirmative votes with Commissioner Willner having a negative vote. So ordered.

RE: MONTHLY REPORT FOR AUGUST

Commissioner Schaad said let the record show that the report from the Building Commission has been received and filed.

RE: REZONING

VC-46-76

Petitioner: Victor J. Baumgart and Helen Baumgart

Premises: More commonly known as the 5000 block of East Columbia Street

Nature of Case: Petitioner requests a change from an A zone to a R-3 zone for an apartment complex. This petition was approved with eleven affirmative votes and one negative vote.

Mr. Ed Johnson, attorney, representing the petitioners then gave the location of the property in question. He said it lies directly north of the existing Tri-State Racquet Club. He the access to this land will be off of Tennis Avenue, not Virginia or Columbia Street. He then went on to explain the complex that would be put in.

Mr. Johnson said the complex would have dry ponding. He said they would need a variance from the Drainage Board to build within the 75 foot control area of Harper Ditch.

Commissioner Ossenberg asked Dick Nussmeyer of the Surveyor's Office if dry ponding would be better than wet ponding. Mr. Nussmeyer replied that it would be much better.

Commissioner Willner said he had talked to the principals involved and contrary to belief there are going to be some problems. He said the only thing that he can see wrong is the drainage.

Mr. Den Heugel said they have engaged Mr. Jim Morley to do the studies of engineering in order to lay out the site plan and in the dry ponding area, he tells me that we would only have a depression of 6 inches to carry the 100 year storm at this property. Furthermore we are at the headwaters of Harper Ditch which means that the ponding that we can put in on this property will help alleviate a lot of the water problems further down the ditch.

Commissioner Ossenberg moved that this petition be approved. Commissioner Schaad seconded the motion.

Commissioner Schaad took a roll call and received 2 affirmative votes and 1 negative vote from Commissioner Willner.

VC-47-76

First Reading

Petitioner: Elsie R. Hahn
Earl B. Woodall
Ralph A. Easley, Jr.

Premises: The addressed for this real estate has not yet been established. The premises affected are situated at the intersection of Hobart and St. Joseph Avenue.

Mr. Andy Easley representing the petitioners said the property is located $\frac{1}{4}$ mi. north of Allens Lane on the east side of St. Joseph Avenue.

Nature of Case: They would like it changed from R-2 zone to C-1B zone.

Mr. Easley said the petitioners previously had a planned unit of development approved for 176 units of apartments but after further analysis of the area they have decided that the area is going to light industrial, lack of schools, and shopping facilities, it is really not the place to build apartments. We consulted with the Plan Commission staff and they said in view of what I've said that they thought C-1B would fit our plans for a business park. We would like to have a place where people can have an office in the same building that they can distribute or sell items and have a small warehouse as part of the building.

Commissioner Ossenberg moved that this petition for rezoning be referred to the Area Plan Commission. Commissioner Willner seconded the motion. So ordered.

RE: ANNOUNCEMENT

Commissioner Ossenberg said he had a resolution that he wanted to present and make a motion on and forward to the Tax Adjustment Board.

The statement read: "In their recent budget deliberations, the Democratic controlled Vanderburgh County Council applied a sharp knife to the operating budgets requested by many offices of County government especially those of Republican officeholders. Bob Schaad and I have turned down 2 salary increases proposed for us by the County Council during our first term of office. We are now requesting that the Council rescind the raise they have proposed for us in next years budget, another raise we did not seek. We want this money retained in the County General Fund. We think the present level remuneration for the office of County Commissioner is adequate. We ran for this office 4 years ago knowing the salary of the office and we are running for re-election knowing that this salary hasn't changed."

Commissioner Ossenberg moved that a copy of this statement be sent to the Tax Adjustment Board. Commissioner Schaad seconded the motion. So ordered.

RE: REPORT FROM HERMAN HOTZ

Mr. Hotz had a list of the items at Boehne Camp Center and he said most of the offices have looked at the list and have taken what they could use if anything.

Commissioner Ossenberrg said since this list came out he was at Burdette Park Board meeting the other night and I told them that you had surplus and they were interested in some items. You might get in touch with Bob Hertzberger.

Commissioner Ossenberrg moved that the sale of these items be prolonged a little longer until everyone has had a chance to check the list of items. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner moved that they lease the house to the Administrator of Boehne Camp Hospital in compensation for taking care of the place. The motion was seconded by Commissioner Ossenberrg. So ordered.

RE: TRAFFIC DIRECTOR REPORT

Bill Judd submitted the following reports:

To: Board of County Commissioners
Subject: Parking Restriction on St. Joe Road

It is my recommendation to place a No Parking Zone on St. Joe Road on both sides of the street from St. Wendel Road up to the graveyard at St. Joe Church.

The Board of County Commissioners approval is requested.

William T. Judd - Traffic Director

Commissioner Willner moved that the recommendation be approved. Commissioner Ossenberrg seconded the motion. So ordered.

To: Board of County Commissioners
Subject: Speed Limit on School Road #3

It is my recommendation to place a 35 m.p.h. speed limit on School Road #3 from St. Wendel Road to Hillview Drive.

The Board of County Commissioners approval is requested.

William T. Judd - Traffic Director

Commissioner Willner moved that the recommendation be approved. Commissioner Ossenberrg seconded the motion. So ordered.

Mr. Judd was going to check into and research the speed limit signs on Old State Road and he had it taken care of and the residents seem to be happy with his decision.

RE: ABSENTEE REPORT

Let the record show that the Absentee Report for the Vanderburgh County Highway Department has been received and filed.

RE: HEERDINK LANE

Mike Ludwick said concerning Heerdink Lane, there were 3 parcels of right-of-way that had been sold and different owners that had bought these properties since this first came up in 1973, so we rewrote the right-of-way descriptions with the proper names and returned it to Mr. John Heerdink to have the persons involved

sign the new right-of-way over to the County so that they could go ahead and do that project. It has been staked and a right-of-way has been staked. Jack has the proper pipe so he can go ahead and deliver needed pipe.

RE: EXTRA WORK AGREEMENT

Mike Ludwick said he had an extra work agreement for Burdette Park Comfort Station. The following change is recommended: bond beam required to carry weight of pre-stressed roof (around entire structure) and the amount is \$975.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

From Priest Hazelwood & Son for St. Joe Avenue over Penn Central tracks (Estimate #2) in the total amount of \$20,268.25.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

Final Estimate from Jebco, Inc. for Stella Hirsch Crowell property in the amount of \$521.33.

Commissioner Ossenberg moved that this be approved. Commissioner Willner seconded the motion. So ordered.

RE: L & N REQUEST

Mike Ludwick said Mr. Bob Towns came to his office Friday. Mr. Towns is an Engineer with the L & N Railroad. He had a request concerning some property that they own on Lynch Road. He was asking me if the railroad could have permission to use some County right-of-way for the purpose of parking some vehicles and using as a loading area. I told him that the County had under plans right now to improve Lynch Road from Highway 41 to Oak Hill Road. I suggested that he go back and talk with his boss and find out whether they wanted to go ahead and use this area if the Commissioners would agree and waste that money by using that area now or what. He talked to his superiors and they still want to use this area no matter whether it is 6 months or 2 years from now.

Mike presented a map showing the location of the area. He said there is a drive and they have proposed to place 295 l. ft. of pipe in this area at their (railroad) expense. He said they wouldn't be creating a drainage problem.

There was some discussion regarding insurance on the property.

Commissioner Willner moved that it be approved with a stipulation we have proper insurance coverage on it. Commissioner Ossenberg seconded the motion. So ordered.

RE: EVERGREEN ACRES

Mike Ludwick submitted a set of plans for Evergreen Acres Section M.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

RE: BRIDGE -- CLAREMONT AVENUE -- STRUCTURE 56A

Dick Nussmeyer explained the situation. Said it would take about 6 weeks construction time.

Commissioner Ossenberg made a motion to declare it an emergency and do it. Commissioner Willner seconded the motion. So ordered.

RE: LOGJAM

Mike Ludwick said at this point it really isn't our problem but it is going to be and that is the logjam behind K-Mart. The last 3 years in a row we've cleaned that place underneath Stringtown Road. If a flood happens and it goes into K-Mart or into other homes the County is going to get it socked to them. The last 3 years we've cleaned out underneath Stringtown Bridge and it is going to happen again so what is wrong with getting it before it happens, and go ahead and let a contract to a contractor with a dragline for \$50 an hour which is \$400 a day, \$2,000 a week, let them get in there and work a week because once you start it is going to break and go on down through the creek anyhow. We're talking about a couple of weeks work and not more than \$10,000 and it could save us alot later on. We could take it out of the Bridge Fund and get the problem over with.

The County Attorneys were asked to contact the Corp of Engineers and come back in one week with an answer.

RE: ROAD MAINTENANCE REQUEST

Mike Ludwick said regarding the road maintenance request from Mullen Realty, he would like another week on the matter. It was deferred for another week.

RE: INSURANCE FOR PART TIME EMPLOYEES

Commissioner Schaad read from last weeks minutes regarding the insurance discussion between the Commissioners.

Commissioner Willner asked Commissioner Ossenberg if his motion included life insurance. He said his motion included all fringe benefits.

Commissioner Willner said he definitely thought we ought to have hospitalization on them (part-time employees) but not life insurance.

Commissioner Willner said the officeholder must determine that the job will take over 1,040 hours and that the employee will be working there for that length of time.

Commissioner Ossenberg's motion stand that the part time employee that will work over 1,040 hours will be eligible for health and accident insurance and PERF (Public Employees Retirement Fund) but not life insurance. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 12:05 p.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

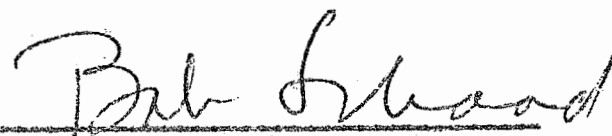


Secretary: M. Meeks by
Connie Skinner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.
Paul Wendel




VANDERBURGH COUNTY BOARD OF COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
SEPTEMBER 27, 1976

The meeting of the County Commissioners was held on Monday, September 27, 1976, at 9:33 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them dispensed with.

RE: OPENING OF BIDS

Commissioner Ossenberg moved that the County Attorneys be permitted to open the bids regarding the Claremont Bridge and the Closed Circuit TV System for the Jail. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES -- APPOINTMENTS

VOTERS REGISTRATION OFFICE

Beverly Abell	3417 Austin	Typist	16.10 day	Eff. 9/23/76
Susan Hite	3207 Bellemeade	Typist	16.10 "	Eff. 9/23/76

PLEASANTVIEW REST HOME

Sue Orsburn	608 W. Berkeley	Dir. of Nursing	7,950	Eff. 9/27/76
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VANDEBURGH COUNTY ELECTION OFFICE

Charlene M. Appman	2709 N. Edger	Cl. Dep.	2.30 hr	Eff. 9/27/76
Donna Lawrence	R. 2, Box 52	Cl. Dep.	2.30 "	Eff. 9/27/76
Audrey L. Gunther	437 Tyler Ave.	Cl. Dep.	2.30 "	Eff. 9/27/76
Lucille Becking	706 Court St.	Cl. Dep.	2.30 "	Eff. 9/27/76

PIGEON TOWNSHIP ASSESSOR

Wm. P. Dieckman	638 E. Florida	Fieldman	20.00 day	Eff. 9/20/76
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VANDEBURGH AUDITORIUM

Earl Schoenbachler	217 S. Kerth	Maintenance	4.21 hr.	Eff. 9/1/76
Jessie Byers	617 John	Maintenance	3.94 "	Eff. 9/1/76
Dwight Taylor	1214 S. Governor	Maintenance	3.94 "	Eff. 9/1/76

BOARD OF COUNTY COMMISSIONERS

Anika Jean Juras	1119 Parret St.	Exec Asst. to Co. Council	10,000.00	Eff. 10/0/76
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Commissioner Schaad explained that Ms. Juras had been on CETA funds until now and effective October 1, she will be on the County payroll.

RE: EMPLOYMENT CHANGES -- RELEASES

BURDETTE PARK

Richard Fulton	1405 Cumberland Ave.	Rink Grd.	2.30 hr.	Eff. 9/18/76
Mary Ward	2101 Koring Rd.	Rink Cashier	2.30 "	Eff. 9/20/76

COUNTY BOARD OF REVIEW

Nancy Kuykendall	3300 Hogue Rd.	Clerk	16.10 day	Eff. 8/27/76
Becky Martin	1313 Stinson	Clerk	16.10 "	Eff. 9/17/76

PLEASANTVIEW REST HOME

Mary J. Huck 4412 Longfield Drive L.P.N. 7,950.00 Eff. 9/10/76

VANDEBURGH AUDITORIUM

Earl Schoenbachler	217 S. Kerth	Maint.	3.33 hr.	Eff. 8/31/76
Jessie Byers	617 John	Maint.	2.86 "	Eff. 8/31/76
Dwight Taylor	1214 S. Governor	Maint.	2.60 "	Eff. 8/31/76

RE: TEAMSTERS UNION AND AUDITORIUM

Commissioner Schaad said we did agree to have the Local Teamsters #215 be the bargaining agent for the Vanderburgh County Auditorium employees and last week it was agreed by the Commissioners that we wouldn't sign the contract until the Council appropriated the money. This was approved by the Council. The salary ordinances was changed to make the lead man to be paid \$4.21 per hour and the laborers to be paid \$3.94 per hour. The Council action was to make it effective September 1st.

Commissioner Ossenberrg moved that the Commissioner sign the agreement now. The motion was seconded by Commissioner Willner. So ordered.

RE: CONTRACT WITH FINK, ROBERTS & PETRIE - ST JOE AVENUE

Commissioner Schaad said we had a contract to be signed with Fink, Roberts & Petrie, which is an engineering firm that the County Commissioners have employed to do the preliminary engineering on St. Joe Avenue from Diamond Avenue north to approximately around Mill Road, which will be 4 laning. And I believe included in this is also acquisition to any right-of-way. This is going to be 70% federally funded and 30% with R&S (County R & S) funds.

Commissioner Ossenberrg moved that the contract be signed. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT WITH ENGINEERING ASSOCIATES - LYNCH ROAD

Commissioner Schaad said the other contract is on Lynch Road between Highway 41 North and Oak Hill Road. This was a contract with Engineering Associates. It seems sometime ago we had approved this but at that time, due to a technicality, we just determined from the State Board of Accounts that apparently that the Council does have to approve the expenditures of these monies before we can enter into a contract, that was just determined this week. We do have that approval now.

Commissioner Ossenberrg moved that the contract be signed. The motion was seconded by Commissioner Willner. So ordered.

RE: TRUCK TRAFFIC ON OAK HILL RD. & GREEN RIVER ROAD

Commissioner Schaad said he had Keith Lockmueller of Area Transportation to be here because of the truck traffic problem we have been having on Oak Hill Road and Green River Road. And just recently it seems the trucks are going east on Lynch Road and using Oak Hill Road instead of going down 41. We have sure been getting a lot of complaints. I've asked Keith to be here to see if his office could make a study of the traffic flow and what should be done, etc.

Commissioner Ossenberrg said his only concern was that he couldn't see how if one truck uses the road because he has a business there and you don't permit another truck to use it, then I say you are discriminating and I don't see how you are going to get around it.

Commissioner Schaad said but he thought if Keith made the study, maybe the truck traffic could be routed another way or whatever. He said we need some help from somebody to help solve the problem and I thought Keith's office was the logical one to give us that help.

Commissioner Ossenberg said he did agree and that he had no objection to Keith doing the study.

Mr. Lochmueller said he couldn't get started on it until October 14th but he would at that time. He said he would study traffic speed signs too.

RE: MONTHLY REPORT

Commissioner Schaad said let the record show the monthly report has been received and filed for Legal Aid Society of Evansville - Joint Department of Legal Service.

RE: CERTIFICATE OF INSURANCE - BOEHNE CAMP

Commissioner Schaad said he had asked the Torian Agency to cover the Boehne Camp property so they put it on a 30 day binder and now we want to extend it for another 30 days so we will be covered in case anything should happen.

RE: APPROVAL FOR SPECS FOR VEHICLE - AREA PLAN

Commissioner Schaad asked Jeff Wilson if the money was approved the other day by the County Council. He replied yes.

Mr. Al Knarian gave the prices he had received for the various vehicles.

Ford	\$3,596.15
GMC	3,540.72
Chevy	3,448.23
Dodge	3,461.00

Mr. Knarian said he recommended the Ford.

Commissioner Willner said he moved that Mr. Knarian's recommendation be approved for the Ford vehicle. Commissioner Ossenberg seconded the motion. So ordered.

RE: READING OF BIDS FOR THE CLAREMONT AVENUE BRIDGE 56A

County Attorney Paul Wendel read the following bids:

Deig Brothers.....	\$ 90,195.00
G. H. Allen.....	74,475.72
Industrial Contractors.....	91,000.00
Barnett Brothers.....	78,327.20
Engineer's Estimate.....	75,464.10

Mr. Dick Nussmeyer was given permission to take the bids and go over them so a bid could be awarded today.

RE: READING OF BIDS FOR THE CLOSED CIRCUIT TV SYSTEM FOR JAIL

County Attorney Paul Wendel read the following bids:

Pyle Electric.....	\$ 20,182.00
Motorola.....	21,465.00
ADT Security Systems.....	12,824.31
Tellstar Communications.....	16,597.00
Ohio Valley Communications.....	14,599.00

Mr. Pete Swain was at the meeting on behalf of Mr. James DeGroote, Sheriff, who was ill.

Commissioner Ossenbergh moved that the bids be taken under advisement and they could be brought back at a later meeting with their decision. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUESTS

Commissioner Schaad read a letter from Shirley Jean Cox, Clerk, for permission to attend a meeting.

County Commissioners

RE: Attendance at State Board of Accounts called meeting for Indiana Clerks

Dear Sirs:

I respectfully request permission for attendance at the State Board of Accounts called meeting for all Clerks in the State of Indiana (See Announcement attached) to be held on Monday and Tuesday, September 27 and 28, 1976.

I do plan to attend and would appreciate your approval.

Thank you and sincerely hope the request is granted.

Shirley Jean Cox
Clerk, Vanderburgh Circuit Court

Commissioner Ossenbergh moved that the request be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad then read a request from the Area Plan Commission.

Dear Mr. Schaad:

This is to request permission for Chuck Osterholt to attend the State A.I.P. Convention, September 29, through October 1.

Reviewing our traveling account, there are sufficient funds to pay for this.

Sincerely,
Charles Osterholt
Executive Director

Commissioner Ossenbergh moved that the request be approved. Commissioner Willner seconded the motion. So ordered.

RE: TEAMSTERS UNION -- BURDETTE PARK

Commissioner Schaad said you remember sometime ago the Teamsters Local #215 asked to be recognized as bargaining agent for the employees of Burdette Park. Since Burdette Park is controlled by the Vanderburgh County Park Board, I have a letter dated September 15, 1976, signed by Emily Fowler President of the Vanderburgh County Park Board which reads as follows:

Dear Mr. Schaad:

The Vanderburgh County Park Board met on Tuesday, September 14, 1976, with four members present. The Board at that time passed a motion made to recognize Teamsters Union No. 215 as bargaining agent for these employees eligible at Burdette Park. I am so advising Mr. Daniel Klein, and indicating that any further communication on the matter be directed to Mr. Ed Smith, County Attorney.

Sincerely,
Emily Fowler
Vanderburgh County Park Board

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RE: BLUE CROSS - BLUE SHIELD EMPLOYEE SUPPLEMENTAL POLICY

Commissioner Schaad said he asked Blue Cross - Blue Shield to check into the possibility of coming up with a supplemental plan for county employees. Sometimes people do have an insurance that they are paying on themselves and they are eligible for the county employees plan, but this plan may not give them all the benefits that they would like to have, so that is why I asked them to check into it. He read the following:

Board of County Commissioners
Room 305 Civic Center
Evansville, Indiana 47708

Attn: Mr. Bob Schaad, President

Dear Mr. Schaad:

During the enrollment of the Blue Cross - Blue Shield Group Program for the Vanderburgh County Employees, a large number of employees indicated they would be willing to pay an additional amount monthly by payroll deduction to have a broader benefit program.

If 80% of the presently enrolled employees are willing to sign up for a supplemental benefit program, we are in the position to offer it, effective on the 1st of the month after we have the 80%.

	<u>Single</u>	<u>Family</u>
Present Deduction (per month)	1.00	1.00
Supplemental program (per month)	<u>4.91</u>	<u>14.10</u>
Total employee monthly deduction	5.91	15.10

	<u>Present Program</u>	<u>With Supplemental Benefit</u>
Room Allowance	\$75.00	100% of Semi-Private
Intensive Care	\$150.00 for 10 days	100% for up to 70 days
Coronary Unit	Same as above	100% for up to 70 days
Ancillary & Professional services	First \$1,500.00 in full. Then 80%, Employee pays 20%.	100% for up to 70 days
Hospital-Emergency accident	Within 48 hours 100%	Within 72 hours - 100%
Surgical Schedule	\$800.00	\$1,200.00
In Hospital Medical Visits	\$7.00 per visit	\$8.00 per visit x 70 days
Out Patient Diagnostic (x Ray & Lab.)	\$200.00	\$200.00 per each member of family
Hospital Maximum on Maternity:		
Miscarriage	\$300.00 Max.	No Limit. 100% up to 70 days.
Normal	\$600.00 Max.	No Limit. 100% up to 70 days. (on mother & baby)
Cesarean Section	\$900.00 Max.	Same as above.
Major Medical	\$25,000.00 Max.	\$250,000.00 Max.

6.

Deductible	\$50.00 (which did not include the 20% the employee had to pay of Hospital Expenses after first \$1,500.00	\$100.00 in 15 month period.
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The recommended Supplemental Program would increase the Hospital Benefits to a Full-Service Program for 70 Days.

If this Supplemental Program receives the approval of the Board of County Commissioners, I will proceed with the actual presentation and enrollment of the employees.

The new benefits will not cost the County any additional monies, but will give the employees and dependents that peace of mind knowing that they have adequate benefits to meet today's health care costs.

Sincerely,
David J. Stumpf
Senior Sales Representative

Commissioner Ossenberg moved that this supplemental policy be referred to our Insurance Committee. Commissioner Willner seconded the motion. So ordered.

RE: NEW ORDINANCE DISCUSSION

Commissioner Schaad said we have a matter of a few ordinances, the new Home Rule Law that was passed, we do have our Massage Parlor Ordinance that was passed under that new Home Rule Bill and of course I don't think it has ever been finalized, but we also talked about that all trash haulers and dump trucks be covered with tarps to guard against leakage of trash and garbage.

Commissioner Willner moved that they authorize the County Attorneys to draft an ordinance for trash, etc. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said he and Commissioner Ossenberg attended a meeting at the Indiana State University - Evansville the other evening and there was a large group of people that called themselves the West Side Improvement Association. This group was made up of several other groups. Some dumping has been happening along county roads and we've talked to our attorneys and they are of the opinion that we could draft an ordinance to control this sort of thing, the same as we do have in the city. As far as condemned houses or anything that is unsightly could be torn down.

Commissioner Willner moved that they authorize the County Attorneys to draft an ordinance for this. Commissioner Ossenberg seconded the motion. So ordered.

RE: TEAMSTERS UNION CONTRACT - AUDITORIUM - RESCIND ACTION

Commissioner Ossenberg said we signed this agreement earlier this morning with the Teamsters on the Vanderburgh County Auditorium and I think we are going to have to rescind this action at this particular time because this agreement apparently is tied in with the County Garage and it was supposed to be a separate agreement. When we called over there for them to sign their part they informed us that they were going a separate one.

Commissioner Ossenberg moved that we rescind this action on this contract and wait for a separate agreement between Local #215 and Auditorium. Commissioner Willner seconded the motion. So ordered.

RE: BILL JUDD TO CHECK OUT REQUEST FOR SLOW SIGN

Commissioner Willner asked Bill Judd to check out a request from the resident of Red Bank Road and West Haven. He said the residents have asked a SLOW sign on either side of West Haven Drive on Red Bank Road, which would be on the south and the north side. He said it was a blind corner and you have to stick the nose of your vehicle out to see.

RE: INCORRECT ROAD SIGNS

Commissioner Schaad said that a letter from Mrs. Holzappel informing that the signs at end of Kissel Road were incorrect was referred to the Traffic Department. He said Mr. Judd probably did not have a study made yet of the matter but that it would be brought up at next meeting.

RE: ABSENTEE REPORT

The absentee report for the Vanderburgh County Garage for last week received and filed.

RE: CHECK IN SETTLEMENT FOR JACK SIEBEKING'S CAR

Mr. Siebeking said he had a check from the insurance company for full settlement for his county car that was involved in the accident. The check was in the amount of \$1,184.30 and was made out to Vanderburgh County and Jack Siebeking.

Curt John said the check would be put into the repair account for county garage.

Commissioner Ossenbergh moved that the check be signed and given to Curt John for deposit. Commissioner Willner seconded the motion. So ordered.

RE: GRIEVANCE REPORT

Mr. Siebeking said he terminated one the CETA employees 2 weeks ago. He said he has filed a grievance against us. He presented a copy of the grievance. Mr. Siebeking said his decision still stands. Mr. Siebeking said he was informed that there would have to be a meeting set up between the 3 Commissioners, himself and the union representative which would be Danny Klein. The man filing the grievance is Mr. James Allen of 1610 Cumberland.

RE: BAUMGART & HEINLEIN ROAD

Mr. Siebeking said the work has all been finished on Baumgart and at the intersection of Heinlein. He said there is quite a large water shed that comes down Heinlein Road and empties into the big ditch at Baumgart Rd. now. He said they were down to the field tile where it emptied into the original ditch. He said it was draining. He said that they have had several complaints from people that live there, people that drive through there, etc. He said it does get a lot of traffic. He said that a solution to the problem would be maybe to tile it with pipe and fill it in which would be quite expensive. He said he thought we needed the drainage there because there is a big water shed that comes out of those hills and comes down Heinlein Road. He said we could put guard rails up along the deepest part of the ditch which is on the north side of the road right off of Baumgart.

He said that the ditch was 5 - 6 foot wide across the top, it is a big ditch. It has to be that way to get rid of the water.

The Commissioners asked Mr. Siebeking how much guard rail he was talking about.

8.

Mr. Siebeking replied that we are talking about 300-400 yards at the most of guard rail.

He said the guard rail would really hurt the situation because it would be so close.

Commissioner Willner moved that Mr. Siebeking talked to the Surveyor's Office and also Soil Conservation Department to see if they can come up with a solution or a recommendation to the problem. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAREMONT BRIDGE

Mr. Siebeking said they baricaded it Friday and put pots out. He asked if they do let the bid, would it be within the contractor's responsibility to take care of the pots and baricades. The Commissioners replied yes.

RE: RAILROADS

Commissioner Schaad said he went over the railroad over Peerless Road and there was no approach whatsoever. He said it was really bad and could be dangerous.

After some discussion regarding the matter Commissioner Willner moved that the County Garage prepare an approach to the railroad tracks. Commissioner Ossenberg seconded the motion. So ordered.

RE: NURRENBERN ROAD

Mr. Siebeking for the past few weeks Bob Staub has been hauling a lot of fill dirt over to the new fill they are putting in off of Dixie Flower Drive (or whatever). He said he has literally torn up Nurrenberg Road. He said they (County Garage) had gone out 3 times. He said the first time they went out and patched the holes and they didn't stay in the rest of the day. He said they then went out and torn them out and shot some oil and rock in them and tried to patched them out with rock which that stayed in about 1 week. He said this morning we are back out there with a grader trying to smooth them out some. He said the last time Nurrenbern Road was resurfaced was longer than 6 years ago.

Mr. Siebeking said he could put some small baricades off on the shoulder with a light on it. At night it would show them that there was a warning of some kind.

Jack Siebeking said he could call Bob Staub and tell him to not use any other road, but to stay on Nurrenbern.

Commissioner Schaad said he thought that was a good idea.

RE: AWARDING OF BIDS ON CLAREMONT BRIDGE

Mr. Dick Nussmeyer said after studying the bids, etc. his recommendation was to award it to G. H. Allen Co.

Commissioner Ossenberg moved that we award the contract of Claremont Avenue Bridge to G. H. Allen for \$74,475.72. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT WITH FINK, ROBERTS & PETRIE

Mr. Dick Nussmeyer, Surveyor, brought up the question regarding the contract with Fink, Roberts & Petrie. What he was questioning was "If Federal-aid participation is to be desired in the progress payments, the project agreement will need to be modified after authorization of work."

Commissioner Schaad said we've had these before because when the environmental was done for this contract out there, there were federal monies involved. When we had a claim from the firm in Indianapolis, there were 30% local money and 70% federal money. He asked Curt John if he paid the entire amount. Curt said we paid the entire amount and then we bill them.

Mr. Keith Lochmueller was asked if it was right that the County puts up the money then they get reimbursed by the federal government. He replied yes.

Mr. Nussmeyer said that the letter did not say that.

There was further discussion and it was said that an account could not go into the red. Mr. Curt John said on an account like this where it was going to be reimbursed it could go into the red.

RE: EVERGREEN HEIGHTS NO. 2 - ACCEPTANCE OF STREETS

Mike Ludwick said we recommend the streets in Evergreen Heights No. 2 as per letter from Mr. Mullen dated September 7, 1976, be accepted by the County for maintenance with the exception of the storm sewer system which is full of mud and not properly functioning. The developer should have the responsibility of maintaining the storm sewer system until all the lots are developed.

Mike said they did the same thing with Guthrie May and others. He said if development was still going on in those areas, they are to maintain them on their own until all lots are developed.

Commissioner Ossenberg said he thought if we accept the roads we should accept the storm sewers too.

Commissioner Ossenberg read over the recommendation again and said he would go along with the streets but he would not go along with the recommendation about the storm sewers. Commissioner Willner said he felt the same way.

Commissioner Schaad said that our county attorney has deleted some of this amendment. He read the following amendment as was initialed by the Commissioners. The County Engineering Department recommendation for the streets located in Evergreen Heights #2 as per letter from Mr. Mullen dated Sept. 7, 1976 be accepted by the County for maintenance with the exception of the storm sewer system.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 11:00 a.m.

The meeting reconvened at 11:05 a.m.

Regarding the matter of Fink, Roberts and Petrie and contract. Mr. Lochmueller said it is just a matter of getting back to them and have them amend their PR2 that was submitted.

RE: ANOTHER BIDDER ON CCTV FOR JAIL

Mr. John Stumpf, Vice President of Evansville Theatre Supply, Inc. said they received a copy of the specifications for closed circuit video equipment for Sheriff's Department. The only thing that is acrossed the top of the specs. is the date September 27, 1976, there was no time. He had a copy of the bid and wanted to know if it could be accepted since there was no time limit on his copy of the specs. He said he only found out this morning that the bids were being accepted at the Commissioners Meeting.

County Attorney, Paul Wendel, said it was his opinion that as a bidder it was Mr. Stumpf's (his company) responsibility to find out the legalities. He also made reference to the legal ad.

Mr. Stumpf said that his company bids for a 3 state area and they don't read the paper to find out bid times, etc.

Commissioner Ossenberg said he hated to go against the County Attorney but he thought that since he was not sent the proper forms and the Dept. of Public Purchase forgot to put a time on the specs and I think he is entitled to have a bid.

Commissioner Willner said he really wanted to open the bid but he thought if we do it for one bidder we would have to do it for all.

Commissioner Ossenberg moved to accept the bid. There was no second on the motion.

Commissioner Ossenberg moved that in the future that the Department of Public Purchase be instructed to put on the specs, an opening date and time shall be specified and put in the form of a memorandum. The motion was seconded by Commissioner Willner. So ordered.

The meeting recessed at 11:20 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

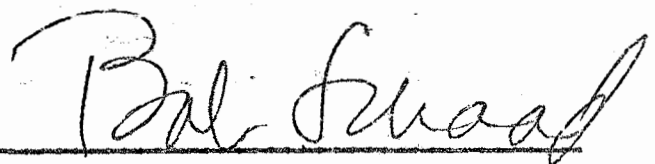

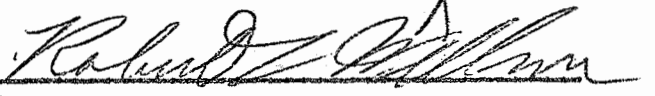
Secretary: Margie Meeks
by Connie Skinner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.
Paul Wendel

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 4, 1976

The meeting of the County Commissioners was held on Monday, October 4, 1976, at 9:37 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them dispensed with.

RE: ANNOUNCEMENT

Commissioner Schaad said we will not have a meeting next Monday, October 11, which is Columbus Day but the meeting will be held on Tuesday, October 12, at 9:30 a.m., usual place and time. The meeting will be on Tuesday instead of Monday.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

GERMAN TOWNSHIP ASSESSOR

Mary Lou Allison R.13, Harmony Rd. Urban Land Computor 20.00 day Eff. 9/21/76

PIGEON TOWNSHIP ASSESSOR

Jeffery Lannert 1516 S. Frederick Res. Supervision 30.00 day 9/17/76

PROSECUTORS OFFICE

Sue Vance 1212 Western Hills Secretary 8,000.00 9/27/76

BURDETTE PARK

David A. Tuley 3714 Broadway Gr. Crew 2.30 hr. 9/24/76

CENTER TOWNSHIP ASSESSOR - REASSESSMENT 249-113

Marie V. Coursey R. 7, Box 105 St. Joe. Fd. Deputy 20.00 day 9/17/76
Judy L. Stucki 6650 Stucki Drive Fd. Deputy 10.00 day 9/17/76

RE: EMPLOYMENT CHANGES....RELEASES

GERMAN TOWNSHIP ASSESSOR

Randy Helfrich Koring Road Urban Land Computor 20.00 day 9/16/76
Ed. Allison R.13, Harmony Rd. Fieldman 20.00 day 9/16/76

PIGEON TOWNSHIP ASSESSOR

Jeffery Lannert 1516 S. Frederick Fieldman 20.00 day 9/17/76

HIGHWAY DEPARTMENT 201

Philip Adcock 641 Jackson Ave. Truck driver 4.02 hr 10/1/76
Orbie Davis 309 E. Florida Head mechanic 4.97 hr. 9/30/76

PROSECUTOR

Christy Reiter Highway 57 Secretary 8,500.00 9/24/76

RE: REZONING MATTER - ED JOHNSON, JR.

Mr. Ed. Johnson, Jr. came before the Commissioners to ask them to sign an Amended Ordinance to Rezone Certain Property to correct an error in the legal description in the Ordinance that was signed September 20, 1976. He said as you will recall on that date I appeared before you to rezone a particular piece of property from A to R-3. The legal description we had been given was 50 feet off from what we ended up doing.

For the record the rezoning was VC-46-76 and the petitioner was Baumgart.

Commissioner Ossenberg moved that the Amended Ordinance to Rezone Certain Property be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: MESSAGE PARLOR ORDINANCE

Commissioner Schaad read a joint statement by him and Commissioner Tom Ossenberg.

We were greatly concerned following Judge Robert Lensing's dismissal on Sept. 28, of two charges of violating the Vanderburgh County ordinance regulating massage parlors.

We feel his ruling was in error and that it opens the door for a proliferation of unwanted and undesirable massage parlors throughout the county.

Since that ruling, we have met on numerous occasions with our County Attorneys and the Sheriff regarding this problem and to determine a proper and effective course of action. We contend that the ordinance in question, which already has been ruled constitutional under federal law, also complies with Indiana State statutes.

On advice of our attorneys, Ed Smith and Paul Wendel, we are adopting a course of action which we feel offers us the best and quickest means of an appeal.

We are instructing our attorneys to file a motion this morning, on behalf of this body, to set aside Judge Lensing's ruling.

Further statement of explanation were attached which read as follows:

Statement by Robert Schaad:

We have asked our County Attorneys, Ed Smith and Paul Wendel, to file a motion to set aside the judgment by Judge Robert Lensing in which he granted two defendants' motion for dismissal on charges of violating the county's recently enacted ordinance regulating massage parlors.

If feel his ruling is in error and that we must take prompt action to determine the validity of the ordinance. Our ordinance is patterned after one in Falls Church, Va., which was ruled constitutional by the United States Supreme Court.

The 7th Circuit Court of Appeals, in Chicago with the Honorable Tom C. Clark presiding, dismissed the appeal filed by the local defendants for want of substantial federal question. Judge Lensing's initial response to this was that it was a ruling against our ordinance, however, this is not the case.

Aparently after giving the ruling further study, Lensing has shifted emphasis from federal to state court since it is obvious that our ordinance is constitutional under federal rulings. We feel certain that our ordinance will be found valid under state statute as well.

It is unfortunate for the people of Vanderburgh County that the judge apparently places more emphasis on a ruling by a misdemeanor referee than he does on one by the U. S. Supreme Court.

Since Judge Lensing apparently based his dismissal on the question of constitutionality, we are informed that he was in error by not notifying the Attorney

General and County Commissioners -- as required by law. He failed to make us a part of the action which in effect ruled on the validity of our ordinance.

If we are unable to get his decision set aside, then there are other avenues of relief open to us.

Statement by Tom Ossenberg:

Almost from the day we took office nearly four years ago, we have fought against the spread of massage parlors and sought an effective means of regulation or control.

I have put a great deal of effort into legislation which would ban or restrict massage parlors in the county, and have traveled to Indianapolis on several occasions to lobby on behalf of such legislation.

The Home Rule Statute enacted by the 1975 General Assembly gave us the right to enact our own ordinance to this effect in Vanderburgh County. We did so, patterning it after one in Falls Church, Va., which had been upheld by the U. S. Supreme Court. I feel this ordinance we adopted is a good one and valid under state law.

Bob Schaad and I have worked to control or eliminate massage parlors in the county. We think most decent citizens agree they are a blight. It is too bad that these efforts have encountered so much opposition.

The action we are asking our attorneys to take this morning is, in their legal opinion, the proper first step. But, it is not the only recourse we have. We can ask the State Attorney General, Theodore Sendak, to file an appeal in this case.

Ed Smith has been in touch with his office and this will be our next step, if necessary. Another possibility, I understand, would be to ask our attorneys to file for a declaratory judgment against all of the massage parlors in the county, on behalf of Sheriff DeGroot. It probably would be filed in circuit court.

I think there is little doubt that any decision by the lower courts will be appealed all the way to the Indiana Supreme Court. But we are determined to continue our efforts to rid Vanderburgh County of massage parlors.

Statement by Ed Smith:

We will file a motion to set aside the judgment on September 28, 1976, by Judge Robert Lensing dismissing two charges of violating the Vanderburgh County ordinance regulating massage parlors. It will be filed on behalf of the County Commissioners.

It will be filed pursuant to Trial Rule 60 and in part will state that it is our understanding (since the judge did not indicate) that the dismissal was based on the question of constitutionality of our county ordinance and that he was in error. Indiana Code 34-4-10-11 mandates that if a judge filed on the constitutionality of an ordinance that he must notify the Attorney General and the County Commissioners.

He did not do this. He failed to make the County Commissioners part of the proceedings which in effect ruled on the constitutionality of their ordinance. This deprived them of their right to present evidence on behalf of the ordinance.

This being the case, we feel Judge Lensing is in error, and that his order of dismissal should be set aside.

We are attempting to affirm in state courts that the ordinance is constitutional and valid -- a fact which already has been sustained at the federal level by the United States Supreme Court and United States 7th Circuit Court of Appeals.

Commissioner Ossenberg moved that our attorneys be ordered to do this. The motion was seconded by Commissioner Schaad.

Commissioner Willner said we needed some discussion. He asked County Attorney Ed Smith that he thought this was out of the ordinary for County Commissioners to overrule a Judges opinion, and asked him to fill him in on some of the background. Commissioner Willner said he could see asking a higher court to review it but...

County Attorney, Ed Smith, said we are not overruling the Judges decision but the Commissioners are asking the Court to reconsider and set aside a judgment.

Commissioner Tom Ossenberg said we did take this ordinance out of the Falls Church, Va. ordinance which was upheld by the United States Supreme Court. Now what I'm trying to find out is the Judge, in his ruling, saying that the State of Indiana does not comply with the federal court ruling.

Commissioner Willner asked isn't there such a thing as asking for a declaratory judgment.

County Attorney Ed Smith said we could file a State Declaratory Judgment Action. He said they felt that this way (set aside the Judges ruling) might be more expedient.

Commissioner Schaad said a motion was made and seconded, so ordered.

RE: CERTIFICATE OF INSURANCE

Commissioner Schaad said we have a certificate of insurance from The Press Club for Gridiron Dinner - Vanderburgh County Auditorium - October 1, 1976.

Commissioner Schaad said we have a certificate of insurance from Feigel Construction Corp..

The certificates were received and filed.

RE: AMENDMENT TO CETA AGREEMENT TO BE SIGNED

Commissioner Schaad read the purpose of modification of amendment to the CETA Agreement:

The purpose of this modification is to extend the operations of the AWE Program from 7/1/75 to 12/31/76. The Prime Sponsor shall not be obligated to reimburse the subgrantee for any costs incurred in excess of the amount available and funded herein. The funding level of this program is increased by \$6,065 from \$44,101 to \$50,166. By reason of the foregoing, the total amount of Title I funds available for this grant is \$50,166.

Commissioner Ossenberg moved that the amendment be signed. Commissioner Willner seconded the motion. So ordered.

RE: TELEPHONE REQUEST

Commissioner Schaad read a request from the Sheriff of Vanderburgh County dated September 28, 1976:

Vanderburgh County Commissioners

Dear Sirs:

We respectfully request a telephone extension be installed in the Officers Lounge on the second floor of the jail. This telephone will be used by Sgt.

Lancaster, as he is making the Lounge into an office for the Reserve Program. The Officer's Lounge is Cell #10-B and is next to the second floor office.

We request #5312 be used on this telephone.

Sincerely,
Lt. James Moers
Jail Commander

Approved - James DeGroot, Sheriff

Commissioner Schaad said Ms. Smith has already researched and found what our cost will be. It will be \$20.00 installation charge and \$9.65 monthly for phone.

Commissioner Ossenberg moved that the phone request be approved. The motion was seconded by Commissioner Willner. So ordered.

RE: PETITION FOR ACCEPTANCE OF CLIFTWOOD DRIVE

Commissioner Schaad read the following petition:

County Commissioners
Vanderburgh County
Evansville, Indiana

Evansville, Indiana
September 21, 1976

Gentlemen:

This Indenture Witnesseth, that property owners in Cliftwood Subdivision of Evansville, Vanderburgh County, Indiana, hereby petitions the County Commissioners of Vanderburgh County to accept perpetual maintenance of Cliftwood Drive, located in Evansville, Vanderburgh County, Indiana, described to-wit:

Part of the Southeast quarter of Section 29, Township 6 South, Range 11 West, Vanderburgh County, Indiana, described as follows:

Beginning at a point on the Southwest corner of said Southeast quarter 485' North to the center line of Cliftwood Drive, thence East 930' to the Eastern point of Cliftwood Drive and including the 40' radius from the Eastern point.

As platted and recorded in the Office of the Recorder of Vanderburgh County, Indiana, and as per attached Exhibit A marked in red.

In Witness Whereof, the property owners of Cliftwood Subdivision has caused this instrument to be executed by its residents this 26 day of September 1976.

(The petition was signed by all property owners on Cliftwood Drive)

Mr. Gary Staley of 6708 Cliftwood Drive (one of the petitioners) appeared before the Commissioners and said this was signed by all of the property owners in Cliftwood Subdivision. The 3 original owners of the corporation that developed this subdivision have been maintaining this rock road for approximately 15 years. It is completely built up and at this point in time we would like to have your consideration for maintaining the road. It is approximately 16' wide and about 900' long.

Commissioner Ossenberg told Mr. Staley that it is proper procedure that we automatically refer it to the County Engineer and then he comes back with the recommendation so when they come out there you might meet with them.

Commissioner Ossenberg moved that the petition be referred to the County Engineers office. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked Mr. Staley if the property owners would entertain an idea to blacktop the road and then turn it over to the county?

Mr. Staley said previous to filing the petition the property owners did ask for and receive a quotation from Rudolph. We felt the cost of blacktop was prohibitive to us at this particular point in time.

RE: LETTER FROM GOVERNOR OTIS BOWEN

Commissioner Schaad read the following letter from Gov. Otis R. Bowen dated September 20, 1976:

Dear Mr. Schaad:

A Public Service Fellowship Program will be launched September 25 to provide improved educational opportunities for state and local government employees. The program will be financed in part by the U. S. Civil Service Commission under provisions of the Intergovernmental Personnel Act.

Accompanying this letter is an announcement describing this new program. Awards will be made on the advice of a committee of distinguished representatives of state and local government. The program will be administered by Indiana University's School of Public and Environmental Affairs. Applications and further information may be obtained by writing to:

Indiana Public Service Fellowship Program
Harrison Building, Suite 502
143 West Market Street
Indianapolis, Indiana 46204
Telephone: (317) 264-4607

To facilitate the review of applications, please send the name of all designees authorized to approve applicants from your jurisdiction to the same address.

This new venture is a significant effort to enhance the possibilities for further educational development of career personnel in the State of Indiana and its local government entities. It has my full endorsement, and I encourage you to consider ways of assisting in its announcement and promotion in your jurisdiction.

Kindest Personal regards,
Otis R. Bowen, M.D.
Governor

RE: LETTER FROM NANCY WORDEN, CITY CLERK - BACK PARKING LOT

Commissioner Schaad read the following letter from Nancy E. Worden dated September 28, 1976:

Dear Mr. Schaad:

At the Board of Directors' meeting held on Wednesday, August 25, 1976, the Evansville Vanderburgh County Building Authority approved a request from the Parking Meter Department to install a second row of meters in the rear parking lot parallel to Ninth Street. An engineering sketch of the proposed meter space was submitted at that time and is on file in the City Clerk's office.

Completion of this project is contingent upon formal, written approval of the three lessees of the back parking lot (City, County, and School) as well as the City's Safety Board. Therefore, such approval is hereby requested.

Enclosed is a letter from the Parking Advisory Committee outlining the general benefits this additional metered space should provide. Please read their recommendation and contact me if you have any disagreement with this proposal or would like to see the engineering sketch. Otherwise, I shall look forward to your written approval at your earliest convenience.

Yours truly,
Nancy E. Worden

Commissioner Schaad then read the letter from Fosse & Hafer Architects which was addressed to Mrs. Nancy Worden dated September 23, 1976.

Dear Mrs. Worden:

The Parking Advisory Committee has, for many months, advocated the need for additional public parking spaces for "users" of the city-county complex. The additional spaces would be desirable immediately adjacent to the civic center complex and be "off limits" to all-day parkers.

Several methods of solving this parking problem have been considered. At a meeting of the Parking Advisory Committee on September 14, 1976, a plan (drawing) for an additional 24 metered parking spaces in that portion of the Civic Center parking lot nearest the civic center was exhibited.

In the opinion of the Parking Advisory Committee, this plan met the desired objectives of proximity and availability for short term parkers (being metered). The plan was unanimously approved by the Parking Advisory Committee and has been approved by the City-County Building Authority.

Before implementing this plan, permission to do so must be obtained from the lessees of the Civic Center. By this letter, the Parking Advisory Committee strongly urges the lessees to grant their permission for installation of 24 additional metered spaces in the existing Civic Center Parking Lot. This would help alleviate the current shortage of Civic Center "user" parking spaces.

Truly yours,
William H. Fosse

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

RE: OUTER LINCOLN AVENUE

Commissioner Schaad said at the Vanderburgh - Warrick County line, Warrick County improved the road (Lincoln Avenue). There was some discussion between the City and the County at that time about going half and half and fix the road. The City didn't do anything and we didn't either. I understand that Warrick County reduced their speed limit to 30 mph and put a load limit on it as far as trucks are concerned, then when it comes to the Vanderburgh County line it becomes 40 mph speed limit.

Commissioner Ossenberg said their (Warrick County) road is no wider than our (Vanderburgh County) road.

Commissioner Schaad asked Mr. Judd to check the speed limit there.

RE: COPY MACHINE IN RECORDERS OFFICE

Commissioner Schaad said we had someone willing to take it out for the machine but he would put up a bond (insurance) in the amount of \$25,000. The Building Authority attorney said that \$25,000 was not enough insurance.

The County Attorney, Paul Wendel, said that the attorney for the Building Authority (Wes Bowers) said we can proceed with this if the Commissioners will agree to reimburse the Building Authority for any damage over \$25,000.

Mr. Hotz said that the Building Authority has indicated that they might be interested in some of the parts, but I haven't confirmed that yet.

Commissioner Willner said what about the other man who said he would take the machine?

Commissioner Schaad said that the other man would not increase his insurance certificate from \$25,000.

County Attorney, Paul Wendel, gave the specifics of what the Building Authority was wanting in the way of insurance. He said they wanted \$100,000 per person, \$300,000 per occurrence, \$50,000 property damage.

Commissioner Willner said he thought that was a little ridiculous.

Commissioner Schaad said he understood that was regular procedure for the Building Authority.

Commissioner Ossenbergs said he thought we ought to give this man the opportunity to see if he wants to meet the insurance one more time.

Commissioner Schaad said we could be thinking about it over the week and asked Herman Hotz to contact the Building Authority to see if they are interested in it and then contact the gentleman that was interested and tell him what we are doing and see if maybe he would comply with the insurance.

RE: ORDINANCES

Commissioner Schaad said we do have 2 proposed ordinances. One we asked our attorneys what ordinance we might come up with after our meeting with the West Side people regarding "Eye Pollution".

Commissioner Schaad said lets take them under advisement.

County Attorney Ed Smith said if you recall at the meeting with the west side a couple weeks ago, we called it to your attention about the enabling states statute which enables local units to enact legislation to remove and control vehicles. What I propose here is a county ordinance tailored pretty much after the city ordinance incorporating major provisions of the state enabling statute on procedure to remove and control old abandoned vehicles.

Commissioner Willner said his interpretation was that we were going to not only have an ordinance for refrigerators and automobiles but for general eyesores.

County Attorney Ed Smith said he thought this would take care of most of the possible eyesores.

There was further discussion regarding ordinances, eyesores, etc.

County Attorney Ed Smith said this ordinance would pretty well control a person going out and dumping a junk car on somebody's property or that property owner himself leaving a junk care on the property.

Commissioner Schaad said he thought we ought to have copies of this ordinance made so we could study them further. The other commissioners agreed.

Commissioner Schaad said we have another ordinance regulating the hauling of refuse.

Commissioner Schaad asked Ms. Smith to make copies of this ordinance too so the commissioners could study it.

RE: BOEHNE HOSPITAL PROPERTY

Commissioner Schaad said we do have Gayle Ubelhore living in the Administrator's home and he said he thought it was Commissioner Willner's suggestion that we have someone reside in the other piece of property. I have talked with the Sheriff and after a month deliberation he came up with the name of Ron Newman (which is a law enforcement officer). Mr. Newman has a wife and son and they would be glad to do it but with the understanding that they would be asked to move at any time. This was the Sheriff's recommendation.

Commissioner Willner moved that Ron Newman and family have permission to live in the Nurses Quarters rent free, on a temporary basis. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

For J. Robert Bernard for attending meeting on August 16 for reassessment instructional and training mtg. with State Board of Tax Commissioners in the total amount of \$22.80.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

For Robert T. Dorsey for attending State Board of Tax Commissioners on Aug. 16 instructional sessions in the total amount of \$22.80.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

For Roman F. Gehlhausen for attending State Board of Tax Commissioner on Aug. 16 in the total amount of \$22.38.

Commissioner Willner moved that the claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

For Emily Sue Stewart for attending State Board of Tax Commissioners on Aug. 16 instructional sessions in the total amount of \$20.00.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

For Brink's, Incorporated for service for month of October in the total amount of \$94.80.

Commissioner Ossenberg moved that the claim be approved. Commissioner Schaad seconded the motion. So ordered.

For Hunnicutt & Associates, Inc. for work completed 9/1/76 thru 9/30/76 in the amount of \$12,093.75.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

For Shirley Jean Cox, Clerk of the Circuit Court for attendance at State Board of Accounts called meeting at McCormick State Park in the amount of \$69.40.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM E. R. CHANDLER CONSTRUCTION

Commissioner Schaad said he had a letter from E. R. Chandler Construction dated September 30, 1976.

Gentlemen:

We refer to our letter of September 24, 1975 to the County Commissioners in regard to the following:

1. This letter of September 24, 1975, Paragraph 2, respectfully requests the cleaning of the ditch 698 ft. North, 485 ft. West to Burkhardt Road from the 60 in. pipe which was installed by the City of Evansville in the Plaza Terra Sub-Division.

2. This letter also requested that the ditch running east and west, north boundary of Lots 55 through 61; 787.35 ft. in Plaza Terra be cleaned.

3. We are sure that the County Commissioners are familiar with the above mentioned ditch, and in order to eliminate all of the problems encountered in the winter, we earnestly request that this be given your earliest attention.

4. We have been advised by the County Surveyor's Office Mr. Kenneth M. Ludwick; also, Mr. Fred Alcott, that steps are being taken to correct the problem.

Thanking you for your kind consideration, we are

Yours very truly,

E. R. Chandler Construction Company
E. R. Chandler

There was some discussion regarding the matter of cleaning the ditches to the legal drains and keeping them clean.

A meeting was set up between the Commissioners and Jesse Crooks and Dick Nussmeyer to go out and see the site in question.

RE: INSURANCE COMMITTEE LETTER

Commissioner Schaad received a letter from our insurance committee regarding the supplemental plan of Blue Cross-Blue Shield.

Dear Bob:

I have reviewed the letter dated September 15, 1976, received from David Stumpf Senior Sales Representative of Blue Cross regarding the supplemental health benefit program.

I have contacted Dave by phone to ask if the supplemental coverage could apply to hospital room and board only and his reply was in the negative. He stated that Blue Cross only offers the supplemental plan as shown in his letter of September 15, 1976.

I asked if it were absolutely necessary that 80% of the presently enrolled employees sign up for the supplemental plan before it would be effective. Dave said that the company is only going to require that 80% of already enrolled persons of any department enroll in order to make the plan effective for that particular department. As an example, if only 50% of the highway employees signed up for this program, then the program would not be offered to the highway department. Whereas if 80% of the employees in the sheriff's department were to sign up for the program, then it would be installed in the sheriff's department. In other words, the enrollment is going to be on a department by department basis and personally conducted by Dave Stumpf.

My personal opinion is that if Blue Cross wishes to make a solicitation for the supplemental plan at the rates indicated and can secure the necessary percentage of enrollment in each department, then it is obvious that we should allow the plan to be instituted.

By copy of this letter to Jerry Finney and Jerry Miller, I am assuming their concurrence in my opinion of this plan as outlined above.

Yours truly,
Lukens & Sons Insurance, Inc.
Horace M. Lukens III
Vice-President

Curt John said that Golden Rule still has some supplemental plans with the employees. He said they don't have the group policy but they still have some supplemental plans.

Commissioner Schaad said that Dave Stumpf and our insurance committee would be here next week regarding this matter.

RE: JUDGE MILLER - 2 VEHICLES FOR WORK RELEASE PROGRAM

Judge Bill Miller appeared before the Commissioners and said that they have the money and they would like to buy the cars through the county. He said they have used them for a year (have leased them for a year with Criminal Justice funds) and we can buy them at a terrific discount for \$1,500 each. We transport the prisoners back and forth with. He said they would pay the additional premium (insurance) on these, and repairs etc.

Mr. Curt John said the County Commissioners own all the county vehicles. The title has to be in the names of the County Commissioners.

Commissioner Schaad said since it was under \$4,000 we don't have to advertise.

Judge Miller said Circuit Court would transfer into the Commissioners account what is needed to buy these cars.

Curt John told Judge Miller that he could buy them out of their (Circuit Court) account but just to buy them in the County Commissioners name.

Curt John said he would work with the Judge and work out the details.

RE: BILL JUDD REPORT

Mr. Judd said he took care of the incorrect road signs at the end of Kissel Road.

He said he also took care of the SLOW sign at Westhaven and Red Bank Roads.

RE: ABSENTEE REPORT

The absentee report for last week for the County Highway Garage received and filed.

RE: VIENNA ROAD - CUT

Mr. Jack Siebeking said that out on Vienna Road about 6 months ago an oil company got with Clarence Reeger and made a cut across the road to lay an oil line. They have repaired it 2 or 3 times and it sunk down but our people went out and fixed it and they reimbursed us for doing the work. The check is for Royalco in the amount of \$43.74.

Commissioner Ossenbergh moved that we accept this check and it be put back into Jack's account. Commissioner Schaad seconded the motion. So ordered.

RE: BARRICADES ON CLAREMONT

Mr. Siebeking said the contractor has put up their permanent barricades on Claremont and the Waterworks was out there this morning to relocate all the water lines, etc. but it is all taken care of.

RE: NURRENBERN ROAD

Mr. Siebeking said he talked to Bobby Staub regarding Nurrenbern Road and he said they would not use any other road for their loaded trucks. He said he had a lot of dirt to move and if he is lucky it would be the middle of winter before they are done but he will not use any other road and he also said he would help us or even take care of the bad places himself by keeping them smooth. Jack said they had put up their rough pavement signs.

RE: RAILROADS

Mr. Siebeking said he checked the railroad crossings and they will fix all of them except he didn't think the one on Peerless Road will need to be fixed.

RE: OHIO STREET BRIDGE

Mr. Siebeking said the bridge was getting real bad. The mesh webbing iron work in the floor of the bridge was worn out. He said some of webbings have broke. He said they covered the 2 bad places with metal plates and bolted them down temporarily.

Dick Nussmeyer said there is not doubt that the bridge was getting bad.

Jack Siebeking said they would take care of it if that was the desire of the Commissioners.

It was agreed that Jack's crew would go out there and fix the bridge. He was told to get with Dick Nussmeyer and work out details.

RE: GRIEVANCE REPORT - JAMES ALLEN

A meeting was held in the County Commissioners' office Monday, October 4, 1976, at 9:15 a.m.

Present were: Dan Klein, Teamsters Union Agent
Al Knarian, Union Steward
Wally Swope, Alternate Steward
Gene Follis, County Highway Employee
Jack Siebeking, County Highway Superintendent
William Korff, County Highway Foreman
Edwin R. Smith, Jr., County Attorney
Robert L. Willner, County Commissioner
Thomas L. Ossenberg, County Commissioner
Bob Schaad, County Commissioner

The meeting was called to order by Bob Schaad, President of the County Commissioners, at which time he asked that the grievance be read for James Allen of 1610 Cumberland. Dan Klein read the grievance.

Mr. Schaad asked for testimony of the aggrieved. He was not present. President Schaad asked Mr. Klein if the aggrieved knew the time and place of the hearing. Mr. Klein answered in the affirmative. He also stated he held a preliminary hearing on Friday, October 1, 1976, and was told details. Mr. Klein tried to telephone Mr. Allen twice by phone this morning.

Under the circumstances, Mr. Ossenberg moved that the Highway Superintendent's decision to dismiss the aggrieved be upheld. Mr. Willner seconded the motion. Motion carried.

Meeting recessed.

It was signed by the three Commissioners, Bob Schaad, Tom Ossenberg and Robert L. Willner.

Commissioner Ossenberg moved that this was correct and that it be directed to the aggrieved and all on the list. Commissioner Willner seconded the motion. So ordered.

RE: HEINLEIN ROAD

Commissioner Schaad said he was out there and it was awfully bad.

Jack Siebeking said his only solution would be to tile it.

Commissioner Schaad said since we are going out this afternoon why couldn't we swing around past there and take a look at this.

Commissioner Schaad said we are going to have to do something and we are going to have to do something pretty soon.

RE: VERNONWOOD PLACE - VERNONWOOD COURT

Mike Ludwick presented a plat before the Commissioners and said November 18, 1974, (the week prior to this) the resident in that area presented a letter to the commissioners asking that that road be accepted. And our normal process you referred it to the County Surveyor's office and we went out and checked it and gave our report back. Mike said there was some problem at that time concerning the right-of-way.

Commissioner Ossenberg said he would like to go out to Vernonwood Court and take a look at this 40 - 50 ft right-of-way that was in question at the time.

RE: WORKS BOARD CUT

Mike Ludwick said the Works Board would like your permission to cut Ward Road in the morning for a sewer which would be 1500 ft. north of St. George Road. It will be a street cut 4 foot wide.

Mike said it is going to happen tomorrow and they have hired a contractor to lay the sewer.

Mike said they would fill it back with rock.

Mike said he would have them put it on one of our forms and he would bring that back next week.

RE: CUTS

The Waterworks Dept. utility hereby request permission to cut into right of way of 10200 S. E. Browning Road.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

The Waterworks utility hereby request permission to cut into right of way of Evergreen Acres.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

Indiana Bell Telephone Co. hereby request permission to cut into right of way of Spring Valley Road.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

Final Estimate to Feigel Construction Corporation for Baumgart Road with a total amount due of \$20,888.29.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

RE: BURDETTE PARK-CAMPING SITE AREA

Mr. Mike Ludwick said Bob Hertzberger asked them to take a look at the camping site area for him so we could get it under contract this year for camper pads.

Mike said they have the legal ad and the specs prepared. He said Mr. Hertzberger would like those under contract and finished within a 30 day period.

Commissioner Ossenberg moved that we advertise for bids on Thursday, October 7th and 14th, and open bids on Monday, October 18th. Commissioner Willner seconded the motion. So ordered.

RE: EVERGREEN ACRES

Mike Ludwick said Mr. Bud Busling submitted a set of plans last week for Evergreen Acres. We have been having a discussion about the storm sewer lines, etc. He read what the Commissioners stated concerning that storm sewer system so he is revising his plans. He is going to have open ditches from now on.

There was some discussion regarding the matter. Dick Nussmeyer said he saw no reason not to approve them.

Commissioner Ossenberg moved that it be approved. Commissioner Willner seconded the motion. So ordered.

RE: OUTER ST. JOE AVENUE

Mike Ludwick said that Outer St. Joe Avenue was being paved today but they still have a little bit of work to do so it may be a week. He said we will unofficially open it.

RE: CLAREMONT STREET BRIDGE

Commissioner Willner asked Mike Ludwick if the bridge was going to be any wider. Mike replied that they were adding 10 ft on to the bridge to make it wider. Commissioner Willner said he thought that would be fine because it was 20 ft. wide and some mirrors on the cars (as 2 passed through the bridge together) were getting clipped.

RE: BIDS FOR CCTV - SHERIFF'S DEPT.

Commissioner Schaad said Ms. Smith check with the Sheriff's Dept. and they would like another week to review the bids for the Closed Circuit TV System for the jail.

Commissioner Schaad acknowledged that Connie Skinner (Drainage Board Secretary) would be leaving the Auditor's office to work in the Prosecutor's office. He complemented her on the fine job she had done. They wish her lots of luck.

The meeting adjourned at 11:37 a.m.

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15.

PRESENT:

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.
Paul Wendel

Secretary: Margie Meeks
by Connie Skinner

Bob Schaad

Tom Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS OF
VANDERBURGH COUNTY

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COUNTY COMMISSIONERS MEETING
OCTOBER 12, 1976

The meeting of the County Commissioners was held on Tuesday, October 12, 1976, at 9:35 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITORIUM

David Moorehead 1602 Stinson Maintenance \$2.30 Hr. Eff: 10/12/76

BURDETTE PARK

A.W.E. Rebecca O'Bryan 4537 Meadowridge Ground Crew \$2.30 Hr. Eff: 10/5/76
Joyce London 301 Tekopple Head Cashier \$2.75 Hr. Eff: 10/11/76

CLERK OF THE CIRCUIT COURT

Beatrice Phillips 2619 N. Edgar St. Deputy Clerk \$224.88 Pay Eff: 10/9/76
(Returning from Leave of Absence.)

HIGHWAY DEPARTMENT -201-

Harry W. Woods 7217 Redwood Ave. Truck Driver \$4.02 Hr. Eff: 10/13/76
Kirk Humphrey 3209 N. Red Bank Laborer \$3.947 Hr. Eff: 10/12/76
Walter Swope 1515 Cumberland Asst. Mechanic \$4.263 Hr. Eff: 10/13/76
Andrew S. Wade 3318 Bayard Pk. Dr. Laborer \$3.947 Hr. Eff: 10/6/76
Mark A. Montgomery 1913 New Hampshire Laborer \$3.947 Hr. Eff: 10/6/76
Eugene Follis 1106 S.E. First St. Tk. Driver \$4.02 Hr. Eff: 10/6/76
George Cummings Jr. R.#2 Box 138 Lead Man \$4.21 Hr. Eff: 10/13/76

PIGEON TOWNSHIP ASSESSOR RE-ASSESSMENT

Beatrice Freeman 841 E. Olmstead Field Worker \$20.00 Day Eff: 10/5/76
Claude C. Young 762 E. Virginia Field Man \$20.00 Day Eff: 9/17/76

PROSECUTORS OFFICE

Sue Vance 1212 Western Hills Secretary \$8,500.00 Yr. Eff: 9/27/76
Doratheia MacGregor 641 Jefferson Support Inv. \$12,500.00 Yr. Eff: 10/1/76
Mark Owen 2310 Sharon Pl. Asst. Director \$11,500.00 Yr. Eff: 4/1/76

VANDEBURGH COUNTY ELECTION OFFICE

Jacqueline Baker 3305 Oak Hill Rd. Clk. Deputy \$2.30 Hr. Eff: 10/12/76

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITOR'S OFFICE

Connie Skinner 602 Drexel Dr. Clerk \$225.00 Pay Eff: 10/9/76

BURDETTE PARK

Bob Drake 3137 Arlington Rink Guard \$2.30 Hr. Eff: 10/4/76
Tom Wallis 2201 E. Iowa St. Security \$2.30 Hr. Eff: 10/4/76
Fred Mackey 320 Forest Ave. Security \$2.30 Hr. Eff: 10/4/76
Debra Hape 2824 Dennison Ground Crew \$2.30 Hr. Eff: 10/4/76
C.E.T.A. John Tensley 1406 S.E. First Mech. \$3.25 Hr. Eff: 10/4/76
Scott Maley 6314 Hogue Rd. Ground Crew \$2.30 Hr. Eff: 10/4/76
David Waltz 6710 Hogue Rd. Ground Crew \$2.30 Hr. Eff: 10/4/76
John Crow 4310 Marion Rd. Rink Guard \$2.30 Hr. Eff: 10/4/76
Laura Hape 2824 Dennison Ground Crew \$2.30 Hr. Eff: 10/4/76

EMPLOYMENT RELEASES.....CON'T.CLERK OF THE CIRCUIT COURT

Jacqueline Baker 3305 Oak Hill Rd. Dep. Clerk \$224.88 Pay E66: 10/9/76

HIGHWAY DEPARTMENT

George Cummings Jr.	R.#2 Box 138	Equip. Operator	\$4.368 Hr.	E66: 10/13/76
Walter Swope	1515 Cumberland	Tk. Driver	\$4.02 Hr.	E66: 10/13/76
Harry Woods	7217 Redwood Ave.	Laborer	\$3.947 Hr.	E66: 10/13/76

PROSECUTORS OFFICE

Sue Vance	1212 Western Hills	Secretary	\$8,000.00 Yr.	E66: 9/27/76
Doratheia MacGregor	641 Jefferson	Support Inv.	\$8,400.00 Yr.	E66: 10/1/76
Mark Owen	2310 Sharon Place	Asst. Director	\$11,000.00 Yr.	E66: 3/31/76

Commissioner Schaad welcomed the representative of the Southern Indiana Gas & Electric Company back to the meetings since their strike was settled and he said that the Commissioners missed having someone here all these weeks and they were glad that the strike was settled.

He also welcomed yours truly back, after having been away while taking minutes for the Tax Adjustment Board.

RE: MONTHLY REPORTS

The Report of the Clerk of the Circuit Court for September was submitted to the Commissioners.

Report received and filed.

The Report of the Pleasantview Rest Home was submitted for the month of September. Report received and filed.

The Building Commissioners Report was submitted for the month of September. Report received and filed.

RE: MATTER OF INSURANCE

Commissioner Schaad said that the matter of Insurance was discussed last week and that a proposal was received from Blue Cross-Blue Shield for anyone who wanted the supplemental plan.

He said that if he remembered correctly, Mr. Stumpf said that he would go around to each department and if any department had at least 80% of their employees to sign up, the supplemental plan could be taken care of on the payroll deduction basis.

He said this matter was referred to the Insurance Committee and they came back with some alternative suggestions but he understands from Blue Cross, that they only have the one supplemental Policy to offer, so he talked to Mr. Lukens today, who said that in-as-much as this is the only Supplemental Plan they have, the Commissioners can notify Mr. Stumpf of Blue Cross, that he can contact each department if he cares to and if he can get at least 80% of a department to sign up for the Supplemental Plan, that it can be done by payroll deduction. He said that Mr. Stumpf will be notified.

RE: AUTHORIZED TO RE-ADVERTISE FOR CLOSED CIRCUIT T.V.

Mr. Huffman of the Purchasing Department appeared and said that the feeling on the bids for the Closed Circuit T.V. for the Sheriff's Department is to reject all bids and re-advertise, since all but one bid were over and above the available amount of money for the project and the fourth bid was within the money limit but it didn't meet specifications.

Commissioner Schaad said he talked with Sheriff DeGroote informally, and he indicated that he had been in touch with Mr. Huffman, so it is the recommendation of the Sheriff to throw out all the bids and to re-advertise.

Mr. Huffman agreed with the recommendation.

Commissioner Ossenbergh moved that the bids be rejected and that new bids be advertised for.

The dates of the ads will be on October 15th & 22nd in both newspapers and the date for the bids to be opened will be on Monday, October 25th. 1976.

Commissioner Willner seconded the motion. So ordered.

County Attorney Wendel said that there is a statute that states if any alteration is made to the jail, they must advertise for four weeks, but he thought they could get by with two weeks, that he just wanted to call it to the attention of the Commissioners.

Commissioner Ossenberg said this isn't an alteration, that this is an addition.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by the Industrial Board of Indiana, showing that Feigel Construction Co. is covered by the Indiana Workmen's Compensation and Occupational Disease Acts.

Certificate received and filed.

RE: RECONSTRUCTION PLANS APPROVED

Construction Plans were submitted for the approval of construction of North Spring Street and O'Hara Drive, North of Burgdolt Road, Section 3-6-10, in the Evansville Industrial Foundation.

Mr. Nussmeyer said they are installing sanitary sewers in the area which has been approved by the Board of Works.

Commissioner Ossenberg moved that the Reconstruction plans for streets and storm sewers on North Spring Street and O'Hara Drive be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR APPROVAL OF GRANTING VARIANCES

Mr. Sigmund Labhart appeared and said he represents Richard & Joan Gossman and Gertha's Nursing Center Inc., that they have filed with the Board of Zoning Appeal, five requests for variances on five different parcels of property that they own in the block bounded by Virginia Street, Oakley Street, W. Delaware Street and Edgar Street and is located near Deaconess Hospital.

He said they have two nursing home buildings facing on Oakley Street and they would like to make some additions to these buildings plus a parking lot and in order to do so, they have had to file the variances in compliance with the various City ordinances.

He said his purpose in coming here today is that he was informed, since they were requesting so many variances, it might be a good idea to come to the property owners and ask if they would mind signing the petition, stating that they have no objection to the granting of these variances.

He said they found that Vanderburgh County owns a parcel of property on Virginia Street, Oakley Street and Edgar Street which houses the Evansville Association for Retarded Citizens, so he asked if the Commissioners would sign a petition that has been prepared, stating that they have no objections to the granting of these variances.

He said that most of the residents have signed the petition except for a few that weren't at home, also, the Communication Officer must sign for Mead Johnson but wasn't available and one lady who is moving from her apartment but said if her signature was the one keeping them from having it okayed, she would gladly sign but that she would rather not sign since she is moving.

Commissioner Ossenberg said he sees no objection to this but he wondered if anyone at the Evansville Association for Retarded Citizens had been contacted in regard to this.

Mr. Labhart said no one has contacted them as yet, since he and his clients were mainly concerned with the homeowners first.

Commissioner Ossenberg moved that the Commissioners approve the petition, subject to the approval of the Evansville Association for Retarded Citizens. Commissioner Willner seconded the motion. So ordered.

Mr. Labhart said they would contact Tom Jones for the approval of the E.A.R.C. and he asked if the Commissioners would sign the petition after he has contacted Mr. Jones.

Commissioner Schaad said that Mr. Labhart should have Mr. Jones contact the Commissioners office and they would see that it is taken care of.

RE: REQUEST FOR PHONE INSTALLATIONS FOR ELECTION OFFICE

The following letter was received by the Commissioners from Shirley Jean Cox, the Secretary of the Vanderburgh County Election Board:

Gentlemen:

We hereby request that your Board make arrangement to install four (4) phones in the Election Office, Room 214, City County Administration Building for use on General Election Day only....November 2, 1976.

We request that the phones be set up on a rotary basis which will connect to our one permanent number 426-5122 her3 in the Election Office.

We would appreciate having installation completed by October 22, 1976.

Thank you, Most Sincerely,
Shirley Jean Cox, Secretary
Vanderburgh County Election Board

Commissioner Ossenberg moved that this request for phone installation be approved. Commissioner Willner seconded the motion. So ordered.

RE: PAYMENT SET FOR PRECINCT ELECTION BOARDS

The following letter was received by the Commissioners from Shirley Jean Cox:

Gentlemen:

We hereby request that your Board make proper record and ruling regarding the payment of Election Precinct Boards in the one-hundred and sixty-seven (167) precincts for the General Election to be held November 2, 1976 as follows:

Inspectors.....	\$55.00	Clerks.....	\$25.00
Republican Judge.....	\$30.00	Sheriffs.....	\$25.00
Democrat Judge.....	\$25.00	Assistant Clerks.....	\$25.00

Thank you, Most Sincerely,
Shirley Jean Cox, Secretary
Vanderburgh County Election Board

Commissioner Ossenberg moved that the payment for the Precinct Election Boards be approved as stated above. Commissioner Willner seconded the motion. So ordered.

RE: USE OF AUDITORIUM FOR INSTRUCTIONS

The following letter was received by the Commissioners from Shirley Jean Cox:

Gentlemen:

We would like to reserve the Gold Room and the Auditorium in the Vanderburgh County Auditorium and Convention Center for bi-partisan instruction of precinct officials for the following dates and times:

October 27, 1976.....9:30 a.m. to 12:00 Noon...Gold Room
6:30 p.m. to 9:00 p.m.....Gold Room

October 31, 1976.....2:00 p.m. to 4:00 p.m.....Auditorium

These dates are open on the Convention Center calender.

Thank you for your consideration,

Sincerely yours,
Shirley Jean Cox, Secretary
Vanderburgh County Election Board

Commissioner Ossenberg moved that permission be granted to reserve the Gold Room and the Auditorium on dates and times as requested. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR USE OF COUNCIL CHAMBERS AND COMMISSIONERS CAUCUS ROOM

The following letter was received by the Commissioners from Shirley Jean Cox:

Gentlemen:

We respectfully request the use of the Council Chambers, Room 301 City-County

Administration Building and the Commissioners Caucus Room 303, on Tuesday, November 2, 1976 beginning at 4:00 p.m. and until such time as the Counting Center Teams complete their work.

We are planning to use the first and third floor foyers to receive in supplies on election night and will work with the City County Building authority on set-up arrangements.

Thank you for your consideration.

Sincerely,
Shirley Jean Cox, Secretary
Vanderburgh County Election Board

Commissioner Ossenberg moved that permission be granted for use of the Council Chambers and the Commissioners Caucus Room on date and time as stated. Commissioner Willner seconded the motion. So ordered.

RE: REMINDER TO FIX VOTING PLACES

The following letter was received by the Commissioners from Shirley Jean Cox:

Gentlemen:

This is to serve as a reminder that Friday, October 22, 1976 is the last day before the general election for the Board of County Commissioners to fix voting places in each precinct for the General election to be held on November 2, 1976 and give ten (10) days notice thereof by one (1) publication in two (2) newspapers of general circulation of opposite politics, printed and published in such county, if there be such; if not, said notice may be published in any two (2) newspapers of general circulation printed and published in such county of if there be only one (1) newspaper published in such county, then publication in such one (1) newspaper shall be sufficient notice.

If a change is made in a polling place after the giving of notice, a like notice must be given of such change. No changes in voting places can be made within two (2) days of the said general election. (3-1-8-5; 3-1-8-6).

Most Sincerely,
Shirley Jean Cox, Secretary
Vanderburgh County Election Board

Letter received and filed.

RE: BUILDING AUTHORITY NOT INTERESTED IN MACHINE

The following letter was received by the Commissioners from Mr. Ruston of the Building Authority:

Dear Mr. Schaad:

This is to inform you that the Building Authority is not interested in the duplicating machine in the Records office.

However, if you deem it advisable to have your own people removed this equipment, we would be willing to assist, if we have personnel available.

If this course of action is followed, the County Commissioners should insure the Building Authority against any liability or damages incurred during the removal.

Sincerely, C. G. Ruston,
General Manager

County Attorney Wendel said he contacted the man that had been interested in the duplicating machine and found that he had increased his Insurance on personal, but can only get his property damage up to \$25,000.00 and the Building Authority had requested \$50,000.00.

Commissioner Schaad asked if Mr. Wendel would contact Mr. Ruston again, with this information, so they could try to get this thing resolved since the machine is just taking up space and they need to get rid of it.

RE: LETTER ON FEDERAL FUNDING

Commissioner Schaad said there was something called to the Commissioners attention some time ago regarding the possibility of getting some federal funding so he gave this information to Anika Juras, the Executive Assistant to the County Council, to investigate and he received a letter from her which reads as follows:

Re: Local Public Works Capital Development and Investment Act of 1976

Dear Sirs:

The Local Public Works Act provides 100% federal capital improvement funds to local and state governments which have an excessive unemployment rate or which have an excessive unemployment rate in particular neighborhoods within their jurisdiction.

The Council of Governments and I have both investigated local unemployment data (County-wide and by neighborhood) to determine whether or not Vanderburgh County would be eligible for the funds available under this Act. The overall unemployment rate for Vanderburgh County is 2.1%; the area within the County with the greatest unemployment is Union Township which has an unemployment rate of 3.7%.

Because there is no excessive unemployment in Vanderburgh County, there will be no capital improvement funds available to the County under this Act. While this situation may be viewed as unfortunate, the low unemployment may very well indicate the health of the County's economy.

Sincerely, Anika Juras
Executive Assist. to County Council

Letter received and filed

RE: VANDERBURGH COUNTY QUALIFIES AS REDEVELOPMENT AREA

Commissioner Schaad said another letter was received in regard to funding, from the Director of the Economic Development Administration of the United States Department of Commerce, which reads as follows:

Dear Mr. Schaad:

On the basis of unemployment data provided by the U.S. Department of Labor, we have determined that Vanderburgh County statistically qualifies for designation as a redevelopment area under the Public Works and Economic Development Act of 1965, as amended. The county will be so designated if, within a reasonable time, it formally requests in writing that it be designated and takes appropriate action to have economic planning for the County incorporated in an Overall Economic Development Program (OEDP) which is acceptable to the EDA Regional Offices serving your State.

Our Economic Development Representative for your area, Mr. William E. Wilson, will be in touch with you soon to assist you in any way possible. His address is Room 336, Federal Courts Building, 46 East Ohio Street, Indianapolis, Indiana 46204. Also, our Midwestern Regional Office, headed by Mr. George Muller, Acting Director, will be glad to answer any questions you may have regarding EDA programs. The office is located in the Civic Tower Building, 32 West Randolph Street, Chicago, Illinois 60601.

Sincerely, Thomas S. Francis
Director, Office of Development
Organizations

Commissioner Schaad said he has already been in touch with Tom Akin and also with Bob Bowman and they were to meet later today to discuss this matter and see if perhaps there may be a possibility of obtaining any federal funds under this act. Letter received and filed.

RE: CONTRACT APPROVED ON INVENTORY OF SIGNS

Commissioner Schaad said that some time ago at the Road School, one of the attorney's was cautioning the Counties in Indiana that there was a time when you couldn't sue the king but now you can, meaning that anyone can sue the local government and cities, so he cautioned the Commissioners that they need to take every precaution they can in having the County roads, bridges, etc. in as safe a condition as possible with proper signing and he urged that they do this so the Commissioners pursued this matter and they do have an approval, that they asked Engineer Associates to investigate this, so Engineer Associates received a letter of approval dated October 4, 1976, which is an inventory of all signs in Vanderburgh County and there are two signed copies of the contract between the Vanderburgh County Commissioners and Engineer Associates, with corrections, as in Article 1-A, that they provide the owner with not more than six copies, one to be sent to the Indiana Department of Traffic Safety of Engineering and in Article 3, to change the dollar amount to \$16,933.00. He said these changes have been made.

Mr. Veach of Engineer Associates said there were two of these granted under the money available, in the State of Indiana, and one of them went to Vanderburgh

County, also that the state will pay 70% of the cost and the sponsors will pay the other 30%.

Commissioner Schaad said that after the study is made, the Commissioners must take steps if there are any inadequacies or anything that needs to be done and they must have a plan to correct them and this is very important today because the County can possibly be sued for a substantial amount of money because maybe they didn't take advantage of the things that are available to us. He said the \$16,933.00 will be 70% state and 30% local and he wondered what account this 30% or \$5,079.90 could be taken from. He said this inventory program will lead to state funds being available in the future to upgrade and improve existing highway signs.

Mr. John said the money could be taken from the Highway Contractual Services.

Commissioner Willner moved that the contract be signed and approved. Commissioner Schaad seconded the motion. So ordered.

RE: PECK ROAD

Commissioner Schaad said he had a call on Peck Road between Old State Road and Baseline Road, East of Highway 41, that a lady named Eva Broshears called him and said she thinks some speed limit signs should be put up and he told her that these matters are referred to Mr. Lochmueller and he makes a study of them first, after which he reports his findings to the Commissioners. This matter was then referred to Mr. Lochmueller.

RE: CLAIMS

A claim was submitted by Leona M. Hudson for expenses in attending a meeting that was called by the State Board of Tax Commissioners that was held at Indiana State University. Ms. Hudson is a Scott Township Deputy Assessor. Her expenses include one day per diem plus mileage which amounts to \$24.48 as stated on the claim.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Good Samaritan Hospital in Vincennes, Indiana which is a Tuberculosis Hospital, for expenses on a James B. Hamilton. It was noted that the Insurance paid all of \$2,339.98 except for \$471.40 which Vanderburgh County is obligated to pay.

Commissioner Ossenbergh moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Engineer Associates Inc. for the planning and field survey and storm sewer on the Lynch Road Project, in the amount of \$28,901.69.

Commissioner Schaad said that the contract for this project was signed some time ago on the widening of four lanes from Highway 41 to Oak Hill Road.

Commissioner Ossenbergh moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: TRUCK TRAFFIC BEING STUDIED

Commissioner Schaad explained that some time ago, they had a considerable number of complaints on Old State Road and Green River Road, as far as truck traffic was concerned, in speeding, being overweight, etc. and the Commissioners had asked Mr. Lochmueller to make a study of the entire plan.

Mr. Lochmueller said that the Evansville Urban Transportation System is studying city and county roads and that he would make a recommendation later this year on designating truck traffic routes in the city and the county.

RE: MR. HOTZ....

Mr. Hotz said they have been receiving numerous calls in regard to the Auction and they have disposed of a lot of the surplus items they have had and that in talking to Mr. Curran Miller, he found that there is an open date for a sale on Wednesday,

November 17, 1976, that he will hold open for an auction on the surplus County items if the Commissioners confirm this date. He said he would have a complete list of the surplus items next Monday so it can be declared as surplus and be advertised. This was agreeable with the Commissioners.

RE: MR. JUDD

Mr. Judd said he looked at Outer Lincoln Avenue at the County line and found that Warrick County has a 30 mile per hour speed limit on their portion of the road and Vanderburgh has a 40 mile per hour on their portion and that it is the same width.

Commissioner Ossenberrg said they should request that the Warrick County Commissioners change their speed limit at this point to 40 miles per hour to match ours, since this is vacant farm land.

Commissioner Schaad said he will contact Mr. Gerhardt, who is President of the Warrick County Commissioners, on this matter and it will then be placed on our agenda at a later date.

RE: ST. JOE AVENUE NEEDS STRIPING

Commissioner Willner said that he would like to request that the Traffic Department perma-stripe the new construction on St. Joe Avenue, where the old bridge was filled in, since they are getting ready to open it up, so he would like for it to be done as soon as possible.

Mr. Judd said it can't be done if it is under 50 degrees.

Commissioner Willner said they could do it while the temperature is at 70 degrees.

Mr. Judd said it goes down in the 40's at night and it takes two to three hours for it to heat up before they can apply the paint but that he will get it done if at all possible.

RE: TWO VEHICLES PURCHASED FOR WORK RELEASE PROGRAM

Judge Miller had appeared before the Commissioners last week and said that they would like to purchase two cars they have been leasing, since they could get them at terrific discount for only \$1,500 each.

Mr. John had said that Judge Miller could purchase these vehicles from the Circuit Court Account but that they would have to be titled in the name of the Vanderburgh County Commissioners and that he would help to get it taken care of.

Mr. John reported today that this matter has all been cleared up.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the employees at the County Garage for the past week. Report received and filed.

RE: MR. SIEBEKING.....TRUCKS TEARING UP ROADS

Mr. Siebeking said that Mr. Staub has torn up Nurrenbern Road completely, that he caught him yesterday; using the lower route now on Graff Road and Bayou Creek Road and he told Mr. Staub that if he was on there this morning, he would get a warrant or injunction or whatever it took to stop him, so he stopped by the Sheriff's office this morning to see what can be done and he found that nothing can be done legally, until the Commissioners put a load limit on the roads. He said there are a lot of unhappy people in Union Township because of the damage being done by heavy trucks and that the situation is so bad on several West Side County roads, that it is not safe for motorists to drive on the roads. He said that heavy trucks from two firms, one hauling dirt and the other one hauling coal, are tearing up the roads and that the trucks travel at high speeds and they will blow you off the road, that besides Floyd Staub Excavating Company tearing up these roads in hauling dirt to a construction project, that Old Henderson Road and Dixie Flyer are being used by another operation hauling coal brought in by barge.

He said that the agreement with the dirt hauling operation was for the truck to use Nurrenbern Road, alone, and once the hauling is over this winter, the County would have the road repaired, but these trucks are also using Bayou Creek Road which will be torn up in a few days if the truck traffic isn't stopped. He said he talked to Bob Staub and there seemed to be a problem as to where they were getting their dirt, that some's cows had broken the fence and they couldn't get through that way so he wanted the Commissioners to know what was taking place.

County Attorney Smith suggested the County could place a load limit on the roads but Commissioner Schaad said such a limit may put the firms out there out of business and they can't do that and he didn't want to hurt anybody, also that resolving the heavy truck traffic problems in the County is a tough nut to crack.

The Commissioners suggested the firms hauling dirt be contacted and asked to resume using Nurrenbern Road.

Mr. Siebeking also suggested that in the future, the Commissioners should seek an agreement with firms to have the companies repair roads damaged by company trucks.

Commissioner Willner said since there were culverts on these roads, that the County Surveyor could go out and look at them and perhaps they could put a load limit on these roads.

Commissioner Ossenberg said he thought they should do something pretty fast because he traveled Nurrenbern Road and that it is just terrible.

Mr. Siebeking said that Mulzer wants the coal business down in Dogtown now and they are hauling 18 wheelers on Henderson Road constantly now, going and coming, hauling coal, also on Dixie Flyer Drive.

Commissioner Schaad asked that Mr. Siebeking contact Mr. Lochmueller and have him include these roads in his study but in the meantime, the Commissioners all agree that the dirt and coal must be moved.

Mr. Siebeking said that when Bob Staub came up with the bit about the cows breaking down the fence, he said that the man is being paid for his dirt so he could hire someone to get his fence back up to get his cows in and Mr. Staub said they could go talk to him but Mr. Siebeking said he didn't want to talk to him because every time he talked to him, he wanted something.

Commissioner Ossenberg asked Mr. Nussmeyer how long it would take him to check on the culverts and Mr. Nussmeyer said it wouldn't take long.

Commissioner Schaad said they should perhaps check with Mulzer too and some of the other things since they may be solving a problem in one place and creating one in another place.

Mr. Nussmeyer said this is a ticklish problem.

Commissioner Ossenberg said it is a ticklish problem but not so ticklish when \$100,000.00 of taxpayers money is going for fixing roads and he agreed that the dirt and coal must be hauled but thought if they are going to destroy roads, to let them stay on one road, especially when the man agreed that he would stay on one road.

County Attorney Smith said he thought they should put load limits on the roads since the County Surveyor has police powers, so let them enforce it.

Commissioner Schaad said this is a possibility but that Mulzer also hauls down there and he may stop him too.

Mr. Siebeking said he didn't think a load limit on Bayou Creek Road would hurt Mulzer too bad because he has other routes he can take.

Commissioner Schaad suggested that Mr. Siebeking call Mr. Mulzer to see if it would inconvenience him and he asked if there was anyone else it would inconvenience.

Mr. Siebeking said it would inconvenience the farmers.

Mr. Nussmeyer said it would be his suggestion to call in Mr. Staub to see if they couldn't get him to use only one road and have him maintain it.

Mr. Siebeking said he remembered about a year ago when a Mr. Day was thinking about putting up a Concrete Mixing Batch Plant out on West Franklin Road and he had an agreement drawn up & that if this had gone through, he was going to have to use Cypress Dale Road for his haul road and the agreement read that he was going to take over maintenance of the road if his trucks tore up the road and he wondered if when some of these outfits know what they are going to do, if there couldn't be some agreement made whereby they would help maintain the road.

County Attorney Wendel agreed to contact Mr. Mulzer and Mr. Staub and get with Mr. Siebeking and see if the problem can't somehow be worked out.

RE: OHIO STREET BRIDGE

Mr. Siebeking said that when the problem arose on the Ohio Street Bridge a few weeks ago, they went over and put some temporary plates down to take care of it and one of the plates came loose and when they went to check it this morning, it was completely gone, so he talked with Mr. Nussmeyer and Mr. Ludwick and they can have a man out there in the morning, so work will be started on it first thing tomorrow.

RE: APPLICATION FOR CUT-IN PERMIT

Mr. Ludwick said they turned in a cut-in permit last week from the Board of Works on Ward Road, off St. George Road and the Commissioners gave approval at that time and he now submits the formal application for the record. Application received and filed.

RE: EMERGENCY CUTS IN

Mr. Ludwick submitted requests for two emergency cuts from Indiana Bell Telephone Co. that will be done tomorrow or Wednesday and they are pavement cuts on Boehne Camp Road and on Hogue Road.

Commissioner Ossenberg moved that these emergency pavement cuts be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Key Construction Co. Estimate #1, Acct. #203-2260, for the repair of six bridge Structures 46A, 177A, 22, 36, 33 and 44A, in the amount of \$15,614.00.

Commissioner Ossenberg moved on the recommendation of Mr. Nussmeyer that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Feigel Construction Co. Estimate #1, for Green River Road - RC-4-76, for Boonville- New Harmony, North through Daylight in the amount of \$43,492.57.

Commissioner Ossenberg moved that this claim be approved upon the recommendation of Mr. Nussmeyer. Commissioner Willner seconded the motion. So ordered.

RE: VERNONWOOD COURT ACCEPTED FOR MAINTENANCE

Mr. Ludwick submitted two streets to be accepted by the County for maintenance today, the first being Vernonwood Court and the County Engineering Department recommends that this street be accepted for maintenance. He said a letter was submitted in 1974 and it was approved at that time but the paper work was lost in the shuffle, so it is being done over again.

Commissioner Schaad said this street is in excellent condition and that the drainage has all been taken care of.

Commissioner Ossenberg moved that Vernonwood Court be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: CLIFTWOOD DRIVE ACCEPTED FOR MAINTENANCE

Mr. Ludwick said that a petition was submitted to the Commissioners for Cliftwood Drive, signed by the nine people who live on this street and the County Engineering Department recommends that this road be accepted by the County for maintenance. Commissioner Ossenberg moved that Cliftwood Drive be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS ON BC-8-76

Mr. Ludwick submitted specifications and Notice to Bridge Maintenance Contractors for Contract #BC-8-76, for the repairs to structures on Baseline Rd. -#44A, Kansas Road, Old Boonville Hwy. #94, Baseline Road #49A, Schutte Road and Boonville-New Harmony Road.

He said there are three bridges in this contract and three pipes, also that the bids are to be advertised on October 15 & 22 with the bids to be opened on October 25, 1976.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise on specified dates. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS ON RC-5-76

Mr. Ludwick submitted the specifications and Notice to Road & Maintenance Contractors for Contract #RC-5-76, for the paving of County Roads, Larch Lane, Pine Place and Heather Court.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise for bids on October 15 & 22, with the bids to be opened on October 25, 1976.

Commissioner Willner asked if the County was going to do this or if these projects were going to be on contract.

Commissioner Schaad said they were going to be on contract. He then seconded the motion. So ordered.

RE: LETTER RECEIVED CONCERNING ST. JOE AVENUE

Commissioner Schaad said he first had a call from Mr. Michael Morgan who was concerned about the bank in front of his home and then the following letter was received from him:

Dear Mr. Schaad:

I have a problem which concerns both myself and the county government. I would like to bring this problem to your attention.

My address is R.R.7, Box 122, Outer St. Joe Ave. A new dirt fill bridge has been constructed just north of my property. In order to obtain the dirt for the fill, a deep cut was made along the 300 foot frontage of my property. As a result of this cut, a bank 12 to 14 feet high with a slope resembling a cliff has developed directly in front of my residence.

My main concern is with the part of the bank just off my front yard, which runs a distance of about 80 feet.

It is obvious to me and everyone I have talked to that it is just a matter of time before this bank erodes and slips due to rain and freezing.

When this bank begins to erode, part of my front yard will go with it.

I have discussed this problem with the County Surveyor, a Mr. Nussmeyer, and asked him why the rip-rapping of this bank was not provided for.

I was told that it was too expensive to rip-rap, that they were going to try seeding it first. In my opinion this will not work at all.

During my discussion with you on October 5, 1976, you told me that the County would be responsible for any erosion or loss of my front yard. I feel that it would be cheaper for the County to rip-rap this now, than to haul dirt out to replace my yard later, and end up rip-rapping this anyway.

I would like a reply on just what you intend to do about this problem.

Perhaps if burlap could be layed over the seed, it may have a chance of taking hold, but without it the seed won't have a chance.

I'm sure we can reach some solution agreeable to all concerned.

Thank you for your time.

Sincerely,
Michael C. Morgan

Mr. Ludwick said he has talked to Mr. Morgan several times about this situation and he has told him that they normally seed all projects to begin with and some of them are as steep as those in front of his home, also that if seed didn't work, the County would then come by and rip-rap it if it had to be done but he is talking about \$10,000.00 or more to rip-rap his front yard, that it is the County's Right of Way to begin with and it was because of him that they had to move the project to the West side of the road and buy the additional Right of Way to begin with.

He said the seed is going to be placed today or tomorrow, that they plan to use Crown Vetch seed which is what the State Highway uses in cases such as this.

and it takes six months for it to germinate and it is put in with regular seed but once that comes through, it will hold a bank such as this and he told Mr. Morgan that they have to try this first and then if something happens, they will do what is necessary, but it isn't that bad at this time and they don't feel that he will lose his front yard, so his recommendation is that they follow the normal process they do on every job and that is to seed it.

Commissioner Schaad said he told Mr. Morgan, more or less, the same thing and that if it ever did get his front yard, then the County would be liable and Mr. Morgan said he wanted it in writing, in case it did. He said it was obvious that if it did erode into Mr. Morgan's yard because of something the County did, he would have a case but he didn't think this needed to be put into writing, also that he told Mr. Morgan there was no way the County could rip-rap it.

Mr. Nussmeyer and Mr. Ludwick both felt that seeding it would take care of it and Mr. Ludwick said they will know in about a month, once the seed comes up, whether it will hold or not and he is sure that it will.

Commissioner Schaad said a copy of these minutes could be sent to Mr. Morgan since they show his concern and that the problem has been discussed and they relate everyone's feelings on the matter.

RE: SURPLUS PARCEL OF PROPERTY TO BE SOLD

Commissioner Schaad said the problem of Mr. Lawrence Frielinghausen of 6119 New Harmony Road has come up before and he explained that when Old 460 was abandoned and given back to the County, there is a pie-shaped piece of ground right in front of Mr. Frielinghausen's property that really has no value to anyone and he has been planting shrubbery on it and keeping the grass cut when the County should be doing it and he is willing to buy it or whatever and he wondered what they could do about it.

Mr. Ludwick wondered why the Commissioners couldn't just give the ground to Mr. Frielinghausen.

County Attorney Wendel said it would have to be declared as surplus and advertised for sale.

Commissioner Ossenberrg moved that this parcel of ground be declared as surplus and advertised for sale. Commissioner Willner seconded the motion. So ordered.

County Attorney Wendel said that he will draw up the legal on it.

RE: PLANS TO BE DRAWN UP FOR HEINLEIN ROAD AND HILLSIDE DRIVE

Commissioner Schaad said they drove out and looked at Heinlein Road and he asked if anyone has decided what to do since it is only a one-lane road and in real bad condition and this winter, if someone steps off in that deep ditch, we are going to be in serious trouble.

Commissioner Ossenberrg said if they go on the North side from Baumgart Road, East, to the concrete abutment, that will solve the problem.

Commissioner Willner said he thought the ditches should be moved back all along that road, all the way up to Old Petersburg Road and that this is something the County could do.

He said he understood they have a 30 foot right of way.

Mr. Nussmeyer said they couldn't work anywhere along there with less than 60 feet of right of way and he also thought it should be done all the way through.

Commissioner Schaad wondered if they couldn't take it in two phases and get the most urgent thing done first and he asked Commissioner Willner if he would go along with this.

He said the plans could be drawn up on the entire project and could go from there as far as the right of way acquisition and do that as the next step.

Commissioner Willner moved that Mr. Nussmeyer draw up the plans on the entire project for Heinlein Road. Commissioner Ossenberrg seconded the motion. So ordered.

Commissioner Ossenberrg then moved to amend the motion to include the repaving of Hillside Drive, along with the project on Heinlein Road. Commissioner Willner seconded the motion. So ordered.

RE: OUTER LINCOLN AVENUE

Commissioner Schaad said another thing that was talked about last week was Outer Lincoln Avenue as far as the speed limits were concerned, but the road does narrow down and perhaps they need more right of way, that Mr. Siebeking said the lady did give the County some right of way to do what was done but he thought the widening should be consistent from the Warrick County line.

Mr. Ludwick said the area West of Fuquay Road is what they are referring to, that the rest of the road is fine.

He said that Mrs. Edmonds has given the County the use of the right of way but he will have to talk to her and see if it could be on a permanent basis so they could widen the road on the North side, because the road would then be wide enough with the two utility poles moved.

He said it may be a problem to put pavement on top and not have enough cover on the metal storm sewer system they put in but they will have to check this out.

Commissioner Willner moved that Mr. Nussmeyer's office draw up plans for Outer Lincoln Avenue for Fuquay Road, West. Commissioner Ossenberg seconded the motion. So ordered.

The meeting recessed at 11:20 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Tom Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 18, 1976

The meeting of the County Commissioners was held on Monday, October 18, 1976, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: AUTHORIZED TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of the bids that were received today for the Camping Pads at Burdette Park.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY TREASURER

Peggy Atherton	Aspen Drive	Extra Clerk	\$16.10 Day	Eff: 10/21/76
June Sawyer	5404 Cunningham	Extra Clerk	\$16.10 Day	Eff: 10/21/76
Nadine Triggs	1313 Stinson Ave.	Extra Clerk	\$16.10 Day	Eff: 10/21/76
Margaret Baylor	R.R. 7 Box 220-C	Extra Clerk	\$16.10 Day	Eff: 10/21/76
Becky Martin	366 S. Craig	Extra Clerk	\$16.10 Day	Eff: 10/21/76

CENTER TOWNSHIP ASSESSOR...REASSESSMENT

Gregory W. Denton	3223 Elmridge Dr.	Field Deputy	\$10.00 Day	Eff: 10/5/76
Mark Bradley	7721 Bartels Dr.	Rate Setter	\$25.00 Day	Eff: 10/1/76

CENTER TOWNSHIP ASSESSOR

Ramona G. Rueger	1226 S. Bedford	2nd. Deputy	\$229.61 Pay	Eff: 10/1/76
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PLEASANTVIEW REST HOME

Sharon Stone	5400-A Weaver Rd.	Aide	\$2.30 Hr.	Eff: 10/14/76
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PROSECUTOR'S OFFICE

Connie Skinner	602 Drexel Dr.	Secretary	\$6,800.00 Yr.	Eff: 10/11/76
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RE: EMPLOYMENT CHANGES.....RELEASES

CENTER TOWNSHIP ASSESSOR...REASSESSMENT

Ramona G. Rueger	1226 S. Bedford	Office Deputy	\$20.00 Day	Eff: 9/30/76
Mark Bradley	7721 Bartels Dr.	Field Deputy	\$20.00 Day	Eff: 9/30/76

CENTER TOWNSHIP ASSESSOR

Edna Mae Thomas (On sick leave)	2517 Vista View Dr.	2nd. Deputy	\$229.61 Pay	Eff: 9/30/76
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RE: MONTHLY REPORTS

The Report from the Department of Mental Health was received for the Evansville Association for Retarded Citizens for the month of September.
Report received and filed.

The Treasurers Report was submitted for the month of September, 1976.
Report received and filed.

RE: STATEMENT OF ASSURANCES SIGNED

Mr. John explained that the Statement of Assurances is a form that must be filled out for Revenue Sharing, stating that the County is complying with all the regulations that have been set forth.

Commissioner Ossenberg moved that President Schaad sign this Statement of Assurance. Commissioner Willner seconded the motion. So ordered.

RE: AGREEMENT SIGNED

Commissioner Schaad said the Commissioners have this agreement between them and the Vanderburgh County Auditorium employees, that sometime ago, the Commissioners did recognize the Teamsters as the Bargaining Agent for the Vanderburgh County Auditorium employees and they have been working on the agreement since then and the money had been appropriated for the additional salaries, to bring them up to union scale.

He said this was effective as of September 1, 1976, that at first, they thought it might be done as an addendum to the contract they have at the County Garage, but then thought they should have a separate agreement and he understands that the changes have been made in this agreement, that the employees will have compensatory time off instead of being paid overtime.

County Attorney Smith submitted the agreement and said that the changes have been incorporated in the agreement and that he has approved the contract.

Commissioner Ossenberg moved that the agreement between the Commissioners and the Vanderburgh County Auditorium be signed. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad told Mr. DeWeese, the Manager of the Auditorium, that he would have to adjust the pink slips on the employees as of September 1, 1976.

RE: POLLING PLACES SET FOR GENERAL ELECTION

The list of polling places for the General Election of November 2nd. 1976, was submitted so that it can be advertised.

Commissioner Ossenberg moved that the list of polling places be approved, subject to any late changes and that it be advertised in both newspapers on Saturday October 23rd. 1976. Commissioner Schaad seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by the American States Insurance Company, on the insured, Larry Aiken Management, for the lease of premises at the Auditorium for the Theatrical Performance of the "Nutcracker Ballet" which will be held on November 26 & November 27, 1976. Certificate received and filed.

RE: LETTER OF REQUEST CONCERNING PHONE FEATURE

The following letter was submitted to the Commissioners from Mr. DeWeese:

Mr. Schaad:

During a normal day it is often necessary for Mrs. Appuhn and myself to be absent from the auditorium office and away from the telephone for a period of time from five to twenty minutes. We "busy" both lines in these instances to assure that the caller will continue to dial until they get a response. This irritates some callers and the problem is magnified when either of us is on vacation or absent from the office for one reason or another.

A "Call Forwarding Feature" can be added to our present lines for a cost of \$2.20 per month. We could then forward calls to another county office when it is necessary to be away for a while. The feature would keep our line of communication open and callers would be happier.

Your consideration of this request will be appreciated.

Fred DeWeese, Manager

Commissioner Schaad explained that this is often done in the complex by the different offices but that they are all on the same switchboard, however the Auditorium does have another line and it isn't in with the switchboard of the Civic Center Complex, so it can't be easily accomplished and as busy as they are over there, with no more help than they have, he could see where it would be necessary for them to both be away from their office at times and he thought this to be a reasonable request.

Commissioner Ossenberg moved that the request of Mr. DeWeese be approved. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS

The following bids were received for the Camping Pads at Burdette Park:

Deig Brothers	\$23,160.00	
Pepper Construction Co....	\$14,472.00	Engineer's Estimate.....\$18,000.00

Commissioner Ossenberg moved that these bids be referred back to the County Engineer's office for study and recommendation. He said the contract will be awarded next week. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED

A check was received in the sum of \$108.00 for restitution of a window that was kicked out of a patrol car by a prisoner. Cause #76-11469.

Commissioner Ossenberg moved that this check be endorsed by Commissioner Schaad so the window can be replaced. Commissioner Willner seconded the motion. So ordered.

RE: CHECKS ON BONDS TO BE RETURNED

There were three checks enclosed in bids that were opened on Sept. 27, for the Closed Circuit T.V. System for the Sheriff's Department, one from Tele-Star Communications in the amount of \$830.00, one from Wilbur Reke in the amount of \$100.00 and one from Motorola, Inc. in the amount of \$1,000.00. For the record, these checks will be returned to the bidders, since all bids were rejected and the Closed Circuit T.V. System for the Sheriff's Department has been re-advertised for new bids.

RE: REZONING PETITION.....FIRST READING.....VC-48-76

Petitioners and Owners of Record..... Charles J. & Jeanette K. Hagman of 4916 Earl Avenue.

The premises affected are situated on the north side of Earl Avenue, a distance of 450 feet East of the corner formed by the intersection of Earl Avenue and Green River Road.

The requested change is from AA to C-1B

The present existing land use is residential and automobile repair shop and the authority for said existing land use is pre-existing, non-conforming land use and the proposed land use is for an automobile repair shop.

An attorney appeared for the Petitioner and said that at the present time, this land is zoned as Agriculture, that Mr. Hagman has operated an automobile repair shop on the rear 90 feet of his property since 1947 and he believed the zoning code passed on this area was in 1945 and Mr. Hagman, not being aware of the code, built his garage and he now wishes to re-zone the 90 feet of his property to C-1B in order to bring it in conformity with the law. He said the surrounding area is primarily vacant and the area to the Northwest is zoned C-1B, that the property to the East is multi-family residences. He submitted a consent form that was signed by the majority of the property owners in the area and it will be made a part of the record at this time.

He said there will be no additional buildings on this property, that the garage he has now will serve the purpose, since it has for 30 years, that it has just been non-conforming for a long time.

There being no remonstrators, Commissioner Ossenberg moved that Petition VC-48-76 be referred to the Area Plan Commission. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-49-76

Petitioner.....Leo W. Vogt, Owner of Record.....Virginia Lee Vogt, both of 6605 East Chestnut Street.

Premises affected are situated on the West side of Weinbach Avenue, a distance of 1200 feet South of the corner formed by the intersection of VanBibber Avenue and Weinbach Avenue.

The requested change is from A to C-1B

The present existing land use is Agriculture and the authority for said existing land use is conforming. The proposed land use is for an Auction Mart and Auto Repair.

There were no remonstrators present.

Commissioner Ossenberg moved that petition VC-49-76 be referred to Area Plan on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-50-76

Petitioner.....National City Bank, Trustee, Land Trust No. 14-0005, of 227 Main St. Owner of Record.....Olivia & Joseph F. Hirsch of 1201 N. New Green River Road.

Premises affected are situated on the East side of North New Green River Road, a distance of fifty feet South of the corner formed by the intersection of Green River Road and Vogel Road.

The requested change is from A to C-1 as to parcel No. 1 and from A to R-3 for parcel No. 2.

Mr. Barry Standley, Attorney for the petitioner, appeared and explained that this land is just North of the construction site for the Kingfish Restaurant and that his client would like to rezone the front parcel as C-1, that they don't have any particular plans for it at this moment, since they understand there will be a shopping center constructed across Green River Road on the City side and they would like to put something commercial on this tract of land that would compliment and not duplicate what will be across the road.

He said they would like to see the back parcel developed, in the future, by themselves or by someone they might sell the land to, for apartments, and they propose a corridor on the Kingfish side of the front parcel, running back to the second parcel that would allow ingress and egress and he hasn't had recommendations yet from the Traffic Department, as to what they would like to see.

He said he has also asked the Federal Soil Agency to provide him with a recommendation on drainage and that when he receives it, he will put it in the form of a covenant. He said that both of these tracts are a total of approximately 30 acres and owned by the Hirsch family and his clients have an option to purchase it and whether they exercise the option or not depends on the rezoning.

There were no remonstrators

Commissioner Ossenberg moved that petition VC-50-76 be referred to Area Plan. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....THIRD READING.....76-80-PC...VC-40-76

Petitioner and Owner of Record.....Martin and Betty Dunn .
The address commonly known as 2926 and 3010 Grove Street.

Premises affected are situated on the West side of Grove Street, a distance of 200 feet Southwest of the corner formed by the intersection of Allens Lane and Grove Street.

The requested is from A to M-2

The present existing land use is non conforming and the proposed land use is for the rebuilding of industrial pallets.

This petition was denied by Area Plan with ten negative votes and one affirmative vote.

Mr. Cole Banks, Attorney for the petitioner, appeared on behalf of the petitioners. He said the Dunn's have lived on this property for some time and his business is the rebuilding of industrial pallets, steel drums, cardboard boxes, that industrial pallets are those wooden substances that are frequently placed under refrigerators, stoves, etc. in factories. He said that Mr. Dunn has another property in the city that is zoned M-2 on which he conducts his principle business and it is occasionally necessary for Mr. Dunn to locate his trucks on his property on Allens Lane and on Grove Street, that these are two adjoining properties back to back and some of the back part of the property, at times, is under flood water.

He said they are requesting a change in the zoning to M-2 so they may be in compliance, that they have undertaken to improve the property and to clean it up, that he didn't think there was any question on their part, that, at times, parts of this property as well as the entire neighborhood, have been unsightly and they plan to do further cleaning of this property as well as fence the property so it will not be unsightly to the neighborhood.

He said that although this petition was turned down by the Area Plan Commission, although there was a recommendation against it from the staff of the Area Plan Commission, the area is free for all to observe and they will find some houses which may be residential of some substance but when they go completely down the street, they will find a salvage yard and a cycle shop being located there, also a used car lot and across Allen's Lane they have some industrial heavy uses. He said that they didn't feel that the operation by the Dunn's and the storage of their trucks there would, in any way, interfere with the neighborhood, that their continued improvement to the property would be an asset and it is necessary for this man's livelihood, that he be able to use this property in this way and this is the reason for the request in the zoning change to M-2.

There were nine remonstrators present.

Mr. Rod Grove, Attorney for the remonstrators, appeared and said that first of all, there were a couple of comments made by Mr. Banks that weren't entirely accurate, that Mr. Banks stated that the character of the neighborhood is somewhat unsightly and he submitted pictures to show the overall character of the area.

He said that his clients have previously filed a petition where they asserted, prior to his representation of them, certain grounds on which they felt the rezoning was not appropriate and they stated that the way the ground has been kept and is being kept, is terribly unsightly, also they are concerned about fire, since it is a fire hazard.

He said that one of his clients, Ms. Petty, has lived on the property immediately next door to the Dunn property for approximately 30 years and during that time period, she has advised him that six homes have burned down out there and because of the volunteer fire department's inability to control the fires, the homes have been lost.

He also submitted pictures that show the nature of the use by the Dunn's as it existed ever since they have had the property and said that it demonstrates the accumulation of trucks, an accumulation of wood and that the property is usually unkempt, that the request here is to go from the lightest zoning of Agricultural to the very heaviest and they think it is entirely inappropriate under the circumstances and they feel that the zoning should be denied, that the people have lived out there for a good many years, several of them are widows and these are their homes and they certainly object to an increase for the land use proposed for this particular property, so they request that this petition be denied.

He closed by saying that the second group of pictures clearly demonstrates the potential hazard to the homes in the surrounding area and based on them, that the property has not been taken care of, that it is unsightly, and the condition has existed for a considerable period of time over their objection and for this reason, the remonstrators request that the Commissioners deny this petition.

Mr. Banks again appeared and said that they have basically, eight widow ladies here and he would be the first to say that they certainly have rights in this community too and they should be respected but he pointed out, on the record, that there are two petitions here, one filed by the petitioner in which they have approximately 30 people who were in favor of this rezoning and they had a number of people at the Area Plan Commission who spoke on behalf of this rezoning who live out there, also that Mr. Groves contention that the neighborhood is a nice little neighborhood that this would not be consistent with, simply is not true, and a drive down Grove Street would reflect this to anyone who would care to take this into consideration.

He also said, in regard to the pictures that have been submitted, that Mr. Groves said that he didn't know if the trucks were driveable or not, that they are all driveable but some of them are not on that property at that time and in regard to the fire hazard, he didn't believe this, in any way, would increase the fire conditions for the neighborhood.

He said the main point he wanted to make is that these people are making an effort to improve this property, that new fences have been put up, also that other parts of the neighborhood are non complying and are presently in the process of either being rezoned or movements are being made in that direction.

He said that many of the business men are unable to be here today since they are working, that this is a lower income neighborhood, that the people have children and can't come down here today such as the widows can and he thought this rezoning should be granted.

Ms. Helen Brooks of 3075 N. Grove Street appeared and said that she owns the property across from the Dunn property, that the Dunn's moved in approximately six years ago and she has owned her property since 1937, that she moved away and her daughter moved into her house, that she sold 120 acre farm and she could have bought a house anywhere in town but she liked the neighborhood and the people so she moved back.

She said that the people at the other end are poor people but that is their business, but she moved back when she could have lived anywhere she wanted to, that the Dunn's moved in there after she moved away, that they have never had this trouble in this neighborhood before.

She said there is a parking lot out there and she wasn't against it, that they keep the grass mowed and this is okay but when these people say they want to put a junk yard out there and they are going to build a fence clear out to the road and then they will fill it up so that when the lady next door tries to get out of her drive, she will have to get out of the car to see if anything is coming because she can't see down the road because of the fence, that she didn't think this was right, that she thinks this is a nice neighborhood and wants to keep it that way.

Ms. Dorothy Harp of 2921 N. Grove Street, said that she has tried to get something done about this mess for about three years and so far, nothing has been done. She said that she doesn't even open her front door anymore because when she does, this mess is all she sees across the street and she didn't think it was fair to any of the neighbors.

Commissioner Ossenberg moved that petition VC-40-76 be denied. Commissioner Willner seconded the motion.

The vote being unanimously in the affirmative, the petition was denied.

RE: REZONING PETITION.....THIRD READING.....76-83-PC.....VC-43-76

Petitioner and Owner of Record.....William F. & Susan G. Harty of 4112 Cort Street

Premises affected are situated on the North side of Cort Street, a distance of 320 feet Northwest of the corner formed by the intersection of Cort Street and Vanness, in Southview Park.

The requested change is from R-1 to R-3.

The present existing land use is vacant and the proposed land use is for apartments.

This petition was postponed until the November 3rd meeting of the Area Plan Commission.

RE: REZONING PETITION.....THIRD READING.....76-90-PC.....VC-44-76

Petitioner and Owner of Record.....William F. & Susan G. Harty.

The commonly known address is 4100 Cort Street.

Premises affected are situated on the South side of Cort Street, a distance of 80 feet Southwest of the corner formed by the intersection of Cort Street and Vanness, in Southview Park.

The requested change is from R-1 to R-3.

The present existing land use is vacant and the proposed land use is for apartments.

This petition was postponed until the November 3rd meeting of the Area Plan Commission.

RE: REZONING PETITION.....THIRD READING.....76-100-PC.....VC-47-76

Petitioners and Owners of Record.....Elsie R. Hahn of 3601 N. St. Joe Ave., Earl B. Woodall of Elberfeld, Indiana and Ralph A. Easley, Jr. of 9000 Petersburg Rd.

The commonly known address for the real estate in question has not yet been established.

Premises affected are situated at the intersection of Hobart and St. Joe Ave.

The requested change is from R-2 to C-1B.

The real estate is at present unimproved and the proposed land use is for the construction of an office building and complex.

This petition was approved by Area Plan with eleven affirmative votes.

Mr. Easley appeared for the petition, since he is one of the petitioners. He explained that the area in question is across from the Mobile Home Park and that there will be a combination warehouse and office building and complex.

There were no remonstrators.

Commissioner Ossenbergh moved that petition VC-47-76 be approved. Commissioner Willner seconded the motion.

The vote being unanimous in the affirmative, the petition was approved.

Mr. Easley said that since this petition has been approved, they are going to file a subdivision and he would like for this to be considered. He said that the Surveyor's office have checked and they are sure that there are no streets that line up East and West in the vicinity.

Commissioner Ossenbergh told Mr. Easley that this would have to go through the same procedure and would have to go to the Area Plan Commission.

Commissioner Willner asked Mr. Easley if he had anyone lined up to rent this property or to buy it.

Mr. Easley said that he has a couple of prospects, one of which is an Electrical Contractor who has a new business in Evansville and they would like to have a combination warehouse-office space there.

He said this is what they had in mind and that Mr. Wilson of Area Plan said that this zoning would be the most compatible with the residential area to the South.

Commissioner Willner asked Mr. Easley if this Electrical Company does come in, would they require a labor force of any magnitude.

Mr. Easley said they are already in town and they do have a labor force, that they have been here for about three months and have about 12 people working for them at the present time.

RE: PUBLIC AUCTION TO BE HELD

Mr. Hotz submitted a list of County Surplus Items that will be for sale at an Auction to be held by Mr. Curran Miller on Wednesday, November 17, 1976 at the Boehne Hospital, starting at 10:00 a.m. and he asked for permission to advertise them.

Commissioner Schaad said that all the Governmental offices have been contacted and these are items that they have no further need for and they were previously declared as surplus.

Commissioner Ossenbergh moved that these items be advertised in the newspapers on October 21st and 28th, 1976, with the Auction to be held on November 17, 1976. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the employees at the County Highway Garage for the past week.
Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking reported that the repairs on the Ohio Street Bridge has been completed but he didn't know if Mr. Ludwick has had a chance to get anyone out to check it yet or not and Mr. Ludwick said he hasn't had anyone out there to check it yet.

RE: COMMENTS BY COMMISSIONER SCHAAD

Commissioner Schaad said that Mr. Cantwell from the firm of Fink, Roberts & Petrie, will be here this afternoon, that they were the Engineering Firm on the I-164 and they want to go out and look at it.

He said that while Mr. Cantwell is here, they would like to go out and look at St. Joe Avenue from Diamond Avenue to Mill Road, so the Commissioners were asked to go along if they care to.

RE: CLAIMS

Mr. Ludwick submitted a claim from Deig Brothers for Kentucky Avenue, Structure #116A, Estimate #4, in the amount of \$72,054.65 and it has been approved by the County Surveyor.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Ludwick said they have poured the floor and weather permitting, Mr. Feigel said they will get the stone on this week, hopefully.

A claim was submitted by Priest Hazelwood & Son for St. Joe over Penn Central tracks, Acct. #203-3835, Estimate #3, in the amount of \$24,428.27 and it was approved by Mr. Nussmeyer.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

Claims were submitted for four parcels that were purchased or donated for Nurrenbern Road.

Mr. Ludwick said they had two more parcels to go yet and he wondered if they should be considered today or if they should be held until the other two go through.

Commissioner Schaad said that since the deal has been made with these people, maybe they should be approved today so the people can get their money. He asked the County Attorney's to look the claims over, which they did.

The first claim was from Ervin W. Burgdorf for road work on Nurrenbern Road in the amount of \$1,500.00 for 5684 square feet. This was approved by Mr. Nussmeyer.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

The second claim was from Mr. Paul Outlaw Sr. for road work on Nurrenbern Road for 8071.8 square feet in the amount of \$565.03.

This includes a new drain tile or drain culverts to be installed at current low areas. To be installed at the lowest existing grade. This claim was approved by Mr. Nussmeyer.

Commissioner Ossenberg moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

The third claim was from Mr. Donald Kolb for road work on Nurrenbern Road, for 10,395.0 square feet at \$.07 per sq. ft. in the amount of \$727.65. This was approved by Mr. Nussmeyer.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

The fourth parcel was donated by Mr. James E. Talifero for Nurrenbern Road. The easement for this and the other parcels were signed at this time.

Commissioner Ossenberg moved that this parcel be accepted from Mr. Talifero. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Mr. Daniel Riddle, the Right of Way Buyer, who purchased the easements for Nurrenbern Road. For four parcels at \$200.00 per parcel. The amount of the claim is \$800.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: EVERGREEN HEIGHTS ... PLANS APPROVED

Mr. Ludwick submitted street plans for Evergreen Heights from Ohio Valley Engineering Co. Inc. He said they will use blacktop and that the plans call for three inches of blacktop, also that Mr. Nussmeyer has approved the plans.

Commissioner Ossenberg moved that the street plans for Evergreen Heights be approved. Commissioner Willner seconded the motion. So ordered.

RE: HEINLEIN ROAD

Mr. Ludwick said they are working on Heinlein Road but that it will take some time to get the plans drawn up.

RE: LINCOLN AVENUE

Mr. Ludwick said they haven't started on Outer Lincoln Avenue yet, in drawing up plans from Fuquay Road, West, to widen the road, but he will do it soon.

RE: POOR RELIEF

Bao Oui Nguyen....304 Washington Ave....Pigeon Twp.....Ms. Vitatoe, Investigator

Mr. Nguyen had requested rent from the Trustee and was denied so he was to appeal his case today but he failed to appear, so no further action can be taken at this time by the Commissioners.

Commissioner Schaad thanked Ms. Vitatoe for coming in today.

The meeting recessed at 10:40 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Tom Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 25, 1976

The meeting of the County Commissioners was held on Monday, October 25, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: MR. COLE WELCOMED BACK

Commissioner Schaad welcomed Mr. Cole back. Mr. Cole is with the Southern Indiana Gas & Electric Co. and they have been on strike.

RE: AUTHORIZED TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of the bids that were received today for the Closed Circuit T.V. for the Sheriff's Department, the Resurfacing of various Roads and the Repair of various Bridges.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDEBURGH COUNTY ELECTION OFFICE

Fred C. Roeder	R.R. 4 Box 263	Asst. Mechanic	\$2.30 Hr.	Eff: 10/18/76
Jack Marshall	3374 W. Michigan	Asst. Mechanic	\$2.30 Hr.	Eff: 10/18/76
J. Walter Overton	118 S. Lincoln Ph.	Asst. Mechanic	\$2.30 Hr.	Eff: 10/18/76
John H. Miller	301 N. Barker Ave.	Asst. Mechanic	\$2.30 Hr.	Eff: 10/20/76

RE: EMPLOYMENT CHANGES.....RELEASE

BURDETTE PARK

William Stanley 712 Georgette Custodian \$5,860.00 Yr. Eff: 10/26/76

RE: CONTRACT AWARDED FOR CAMPING PADS

Last week, bids were received from Deig Brothers in the amount of \$23,160.00 and from Pepper Construction Co. in the amount of \$14,472.00 for the Camping Pads needed at Burdette Park.

At that time, they were referred to the Engineer's Office for study and recommendation.

Mr. Ludwick appeared and said that it was the recommendation of the Engineer's office, that the Contract for the Camping Pads be awarded to the lowest bidder, Pepper Construction Co.

He said he just submitted their Bid Bond to the Legal Department and that it is to go along with their agreement that is to be signed by the Commissioners.

Commissioner Ossenberrg moved that Pepper Construction Co. be awarded the bid in the amount of \$14,472.00 for the Camping Pads at Burdette Park. Commissioner Willner seconded the motion. So ordered.

RE: CHARLES M. FRENCH, JR. - DELINQUENT TAX MATTER

Mr. French appeared and said he would like an extension of the final date on the Tax Notice he received.

He said he called the tax office about two weeks ago, that he didn't remember ever getting a tax notice on his property, Code #22-8-1 and he was told that he had until December 1 to pay off the balance of \$1,151.33 and that he didn't get the notice from the Auditor's office until October 14th, that this is the first notice he received on the property being sold for taxes owed.

He said he knew it had been put up for tax sale and he would like to request an extension of two months so he would have until February 1st of next year, that he could pay \$750.00 on it by the 1st of December.

He said the property was first put up for tax sale in 1974 and then again, in 1975, also that he owes \$1,151.33 plus the taxes for this year, so he actually owes \$1,400.00. The address of this property is 420 Adams Avenue.

After checking, it was found that Mr. French owes \$1,413.96 and that that the Certificate must be voided and then, Mr. French can make arrangements with the Treasurer's office to pay what he owes.

Commissioner Ossenbergh moved that the Commissioners grant Mr. French an extension until February 1st. providing he pays a portion now and that he makes the necessary arrangements this month with the Treasurer's office to finish paying what he owes. Commissioner Willner seconded the motion. So ordered.

The Certificate will be voided and Mr. French will pay \$250.00 now, \$500.00 by December 1st. and the balance by February 1st. 1977.

Commissioner Schaad told Mr. French to contact the Treasurer's office right away, and said that the arrangements are all official now since they are in the minutes, also that the Commissioners Secretary will call the Treasurer's office so that Mr. French won't have any trouble when he goes down there.

RE: REQUEST TO ATTEND SEMINAR

The following letter was received by the Commissioners from Mr. Wilson of the Area Plan Commission:

Dear Mr. Schaad:

I am requesting permission to attend a seminar at the University of Vincennes on "Land Use Planning." The Seminar is October 27 and there is a \$6.00 fee due at the time of enrollment. This will be most beneficial to me in my job as Zoning Administrator.

I will be traveling by automobile because it will be a short trip.

Sincerely, Jeffrey L. Wilson
Zoning Administrator

Commissioner Ossenbergh moved that Mr. Wilson be permitted to travel to this seminar. Commissioner Willner seconded the motion. So ordered.

RE: STEWARD APPOINTED -- TEAMSTERS UNION

A copy of a letter that was received by Mr. Dewes of the Auditorium from Mr. Klein of the Teamsters Union was submitted to the Commissioners. The letter reads as follows:

Dear Mr. Dewes:

This is to inform you that Earl Schoenbachler has been duly appointed to serve as steward for the laborer and lead man employees of the Vanderburgh Auditorium and Convention Center.

The responsibilities of a steward are to ascertain, with reference to the Union, those who are members and those who are due to become members. It is the further responsibility of a steward to discuss any grievances that may arise between the company and the employees.

A steward does not have authority to call a work stoppage, slow-down or any other cessation of work in violation of the existing contract.

Earl Schoenbachler, as steward, does not hold super-seniority.

Very truly yours, Daniel Klein
Business Representative

Letter received and filed.

RE: VANDERBURGH COUNTY TITLE II SLOT EXTENSIONS

The following letter was received by Commissioner Schaad, from Mr. Tom Akin of Manpower Planning:

REFERENCE: Correspondence of September 20, 1976.

Dear Mr. Schaad:

From the above referenced letter and additional documents of fiscal planning figures supplied by Ms. Anika Juras, there does not appear to be any problems with allowing the changes you have requested. I would like to emphasize the need for more aggressive planning in the future sufficient to avoid possible over-enrollments or terminations of participants and/or slots due to changes and fluctuations in expenditure levels from one pay period to the next.

Please accept this letter as authorization to make the following extensions in your Title II PSE program.

- ...One Bailbond Interviewer in Circuit Court
- ...Three Field Deputies in the Center Township Assessor's Office
- ...One Mechanic at Burdette Park
- ...One Laborer at Burdette Park

The positions listed above are authorized to be extended through January 31, 1977, with present salaries and benefits remaining unchanged.

Sincerely, C. Thomas Akin
Executive Director

Letter received and filed.

RE: LETTER ON ECONOMIC DEVELOPMENT ACT OF 1965

Commissioner Schaad said that he received a letter from the United States Department of Commerce, Economic Development Administration, on October 5th. He read the letter, as follows:

Dear Mr. Schaad:

On the basis of unemployment data provided by the U. S. Department of Labor, we have determined that Vanderburgh County statistically qualifies for designation as a redevelopment area under the Public Works and Economic Development Act of 1965, as amended. The county will be so designated if, within a reasonable time, it formally requests in writing that it be designated and takes appropriate action to have economic planning for the county incorporated in an Overall Economic Development Program (OEDP) which is acceptable to the EDA Regional Office serving your State.

Our Economic Development Representative for your area, Mr. William E. Wilson, will be in touch with you soon to assist you in any way possible. His address is Room 336, Federal Courts Building, 46 East Ohio Street, Indianapolis, Indiana 46204. Also, our Midwestern Regional Office, headed by Mr. George Muller, Acting Director, will be glad to answer any questions you may have regarding EDA programs. The office is located in the Civic Tower Building, 32 West Randolph Street, Chicago, Illinois 60601.

Sincerely, Thomas S. Francis
Director, Office of
Development Organizations

Commissioner Schaad said he has discussed this matter with Tom Akin of Manpower Planning and with Bob Bowman of the Council of Governments and he also talked with Tom Wilson who is an intern in the Council of Governments Office, for some input as to just what it might mean to Vanderburgh County and he received a letter from a Mary Reno Brown, who is Assistant to Bob Bowman, which reads as follows:

Dear Commissioner:

The following is a brief overview of the advantages to becoming a redevelopment area under the Public Works and Economic Development Act of 1965, as amended.

The County must notify the Economic Development Administration of intent to participate within six (6) months of notification of eligibility.

An Economic Development Committee is then formed. The committee shall be representative of the County, with 1/3 of the committee make-up being elected officials.

This committee will concern itself with the economic development needs of Vanderburgh County as a whole. An example of projects might include parking garage, industrial parks, the extension of water and sewer lines to an existing industrial parks, or to aid in the expansion of an existing industry.

From the efforts of the committee, with aid from technical staff, an Overall Economic Development Program will be prepared. This O.E.D.P. must be submitted to the Economic Development Administration within six (6) months of becoming designated a redevelopment area.

I hope this brief overview will be of some help to you in your deliberations.

Sincerely, Mary Reno Brown
for Robert V. Bowman
Executive Director

Commissioner Schaad said that he understands that Mr. Randy Shephard of the City is also working on this and he thought that this might be a joint effort before it is over.

He said that he has a letter drafted, that is to go to Mr. Bill Wilson, that they haven't heard from him yet, but he thought that nothing would be lost by letting him know that the Commissioners are interested.
The letter he has drafted reads as follows:

Dear Mr. Wilson:

Vanderburgh County is in receipt of a letter from the United States Department of Commerce, Economic Development Administration, determining that the County, statistically qualifies the Redevelopment Area, under the Public Works and Economic Development Act of 1965, as amended.

This letter is to act as a formal request that Vanderburgh County be so designated for it's part. Vanderburgh County will proceed with the necessary steps to prepare an overall economic development program immediately on said designation.

Commissioner Schaad said they will have to see what comes out of this and how it can be used, also as to what monies are available and what federal funds are available, that they don't know at the present time, but as he understands it, the Commissioners must go on record, saying that they are interested in this thing and they can work it out later.

Commissioner Ossenberrg moved that the letter be forwarded to Mr. Wilson.
Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Sheriff DeGroote for the meals of the prisoners, served from August 15th. to September 14th, plus \$485.10 which was the balance from July. The total amount of this claim is \$7,471.30.

Commissioner Ossenberrg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Sheriff DeGroote for the meals of the prisoners, served from September 15th. to October 14th. in the amount of \$7,346.95.

Commissioner Ossenberrg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Mr. William C Hepler, Armstrong Township Assessor, for per diem of \$20.00 and mileage, which was allowed for his travel to and from meeting called by the State Board of Tax Commissioners on August 16, 1976, in the amount of \$25.20.

Commissioner Ossenberrg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Bob Moran, the Veteran Service Officer, for mileage and meals in attending the quarterly Veterans Service Officers meeting of October 15, 1976 at Indianapolis, Indiana, in the amount of \$56.06. Mileage allowed is 13¢ per mile.

Commissioner Ossenberrg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS FOR BRIDGE REPAIR - BC-8-76

There were four bids received for the repair of six Bridges, located on Baseline Rd., Str. #44A, Kansas Road, Old Boonville Hwy, Str. # 94, Baseline Road Str. #49A, Schutte Road & Boonville-New Harmony Road. The bids are as follows:

Deig Bros Lumber & Construction Co.....	\$73,865.00
G. H. Allen Inc.....	\$64,664.00
Key Construction Co.....	\$93,325.00
Barnett Bros.....	\$65,610.00

Engineer's Estimate -
\$63,250.00

Commissioner Ossenber moved that these bids be referred to the County Surveyor's office for one week, for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR ROAD RESURFACING - RC-5-76

There were two bids received for the Resurfacing of certain roads which include, Larch Lane, from the intersection of Evergreen Road to and including the intersection at Pine Place; Pine Place, East approximately 450'; Heather Court, from Pine Place South. The bids are as follows:

Midwest Construction Co. Inc.....	\$21,685.28	Engineer's Est.
Feigel Construction Corp.....	\$21,419.00	\$21,800.00

Commissioner Schaad asked Mr. Nussmeyer if he could check these bids out and come back with a recommendation today, so the contract could be awarded.

Mr. Nussmeyer checked out the bids and came back later in the meeting with a recommendation that the Commissioners accept the low bid of Feigel Construction Co.

Commissioner Ossenber moved that Feigel Construction Corp. be awarded the contract in the amount of \$21,419.00 for the repair of these intersections. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS FOR THE CLOSED CIRCUIT T.V.

There were six bids received on the Closed Circuit T.V. for the Sheriff's Department, which are as follows:

Tele-Star Communications.....	\$13,408.00
Risley & Julian Electronics Inc.....	\$15,872.50
Audio Visual Specialists.....	\$13,909.00
A.D.T. Security Systems.....	\$12,824.31
Ohio Valley Communications.....	\$13,900.00
Ohio Valley Sound Inc.....	\$18,121.80

Commissioner Ossenber moved that the bids be referred to Mr. Huffman of the Purchasing Department, so he can get with the Sheriff in order to study these bids and bring back a recommendation to the Commissioners next week. Commissioner Willner seconded the motion. So ordered.

RE: MR. CROOKS

Mr. Crooks said that some time last spring they talked about a house out on Hwy. 41 North, just South of Stacer Road which belongs to a Mr. Barrett at Fort Branch and at that particular time, Mr. Barrett did contact them and said that this summer or early fall he would remove the damaged part of his house, where a vehicle hit it, and in rechecking recently, there has been no action taken, so on October 21st. he wrote a letter asking Mr. Barrett to let the Commissioners know what he intended to do and asked that he be able to present his story at the Commissioners meeting, but he has heard nothing from Mr. Barrett and he isn't here today. He said he wrote in the letter that Mr. Barrett is to let him know by October 29th. of his plans, since the matter will be brought to the County Commissioners meeting of November 1st. so it should be up for action next week.

Commissioner Willner said he will check into this matter and try to contact Mr. Barrett.

RE: PROGRESS OF HOUSE ON OLD PETERSBURG ROAD

Commissioner Willner asked Mr. Crooks what progress was being made on the house on Old Petersburg Road.

Mr. Crooks said they have started to tear this house down.

RE: COMMENT ON COUNTY OWNED SURPLUS EQUIPMENT & OTHER ITEMS

Mr. Hotz is ill so he was unable to be with us today.

Commissioner Willner said that he has had some requests from people, wanting to look at the merchandise for auction at the Old Boehne Hospital and he asked them to call Mr. Lawson out there, to give him permission to let anyone in that might want to see the sale items.

Commissioner Ossenberg told Commissioner Willner to have the people call Ms. Smith, the Commissioners secretary, and she will call Mr. Lawson and give him the people's name so they can go out there and look at the merchandise for sale.

RE: COMMENTS ON STRIPING

Mr. Judd is in the hospital so he was unable to be at the meeting today.

Commissioner Willner said that the Commissioners had asked Mr. Judd to stripe the new bridge three weeks ago and it still hasn't been done.

Commissioner Ossenberg said that if Commissioner Willner would talk to Mr. Al Graul, he would get the job done, since he is acting as Director of the Traffic Department.

Commissioner Willner said they have been using yellow paint to stripe the County Roads and on a rainy night, they are impossible to be seen and he thought the Commissioners should ask them to use white paint, that he has had several requests on it and he understands that white paint is slightly higher but he felt it would then be seen.

Commissioner Schaad said he felt this would be up to the professionals to decide which would be the right paint to use, that he doesn't disagree with Commissioner Willner but he would like to eliminate the decision of whether it needs to be changed or not.

Commissioner Willner said if the striping can't be seen on a rainy evening, something has to be done.

Commissioner Ossenberg said they have also striped some roads with white paint.

Commissioner Schaad said he would mention it to Mr. Graul.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the County Highway Department employees for the past week.
Report received and filed.

RE: REQUEST FOR LEAVE OF ABSENCE

Mr. Siebeking said he has a truck driver at the Highway Garage, William Hilliard, who has had a lot of medical problems and has no time coming, so Mr. Hilliard has asked for a Leave of Absence, starting on October 20th. through November 10th. due to ill health.

Commissioner Ossenberg moved that Mr. Hilliard's Leave of Absence be approved. Commissioner Willner seconded the motion. So ordered.

RE: COMPLAINTS OF DUMPING ON LEN-BECKER ROAD

Mr. Siebeking said he received calls from Commissioner Ossenberg and from a Mr. McCoy, since they are dumping out on Len Becker Road again. He said they cleaned it up this past week and he asked Commissioner Ossenberg if he had contacted Mr. Judd to see if they could get some "no dumping" signs out there.

Commissioner Ossenberg said he tried to contact Mr. Judd, that he didn't know Bill was in the hospital at the time.

Mr. Siebeking said that Al Graul calls him every morning so he'll make a note of it and ask him to get some "no dumping" signs out there.

Commissioner Ossenberg said he would also suggest that Mr. Siebeking contact Sheriff DeGroote so he can patrol Len-Becker Road, because it is becoming a fast dumping ground, that they are dumping into a ditch that drains in to the Kolb Ditch and backs up into the farmers fields.

Mr. Siebeking said he would call Mr. Graul about the signs and that he would also contact Sheriff DeGroote about patrolling the road.

RE: REPORT ON BRIDGES

Mr. Siebeking said he is working with Mr. Ludwick and that they have started on the shoulder work and edges on the bridges on Korressel Road and Mohr Road, that they have the bridges finished on Neu Road and on St. Joe Road and he thought the one on Mohr Road is about finished.

RE: COMMENTS ON CULVERTS

Commissioner Willner said that all the sewers have been stopped up on New Baumgart Road in Burch Park, that he thought all the strong mulch they put on it to hold the banks, has all washed down there and the culverts are completely stopped up. He said they better get them cleaned out before we have any more rain.

Commissioner Willner also asked about the culvert on the corner of Hwy. 65 and Boonville-New Harmony Road and if the crops were out yet or not.

Mr. Siebeking said he didn't know if the corn was out yet or not and that he would check on it and if it is, he will get together with everyone on it.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to make a shoulder cut in Petersburg and S.E. Browning Road to bury a telephone cable. F-1390-76

Commissioner Ossenberg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

Indiana Bell Telephone Co. requests permission to cut into Outer St. Joe Ave. This is a push job, to bury a telephone wire. F-2338-76

Commissioner Ossenberg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

Indiana Bell Telephone Co. requests permission to make a shoulder cut into Korressel Road to bury a telephone wire. F-2239-76

Commissioner Ossenberg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

Indiana Bell Telephone Co. requests permission to cut into Frontage Road 41 at I-64, to bury a telephone cable. This is a push job. F-1456-76

Commissioner Ossenberg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by G. H. Allen Inc. for Claremont Avenue Structure #56A, Acct. #203-2250, Estimate #1 in the amount of \$18,234.30.

Mr. Ludwick said they will be setting the beams on this bridge today so the bridge, itself, will be finished, but there will be some road work involved so there will be about another week's work on this particular bridge.

Commissioner Ossenberg moved, on the recommendation of the County Surveyor, that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Feigel Construction Co. for Green River Road-Boonville-New Harmony to Hwy. 57, Acct. #216-3774, Estimate #2, in the amount of \$36,181.91.

Commissioner Ossenberg moved, on the recommendation of the County Surveyor, that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: NORTH KENTUCKY AVENUE BRIDGE

Commissioner Ossenberg asked Mr. Ludwick about the North Kentucky Avenue Bridge.

Mr. Ludwick said it is a mess because of the rain we've had, that they did get the rock on the North end of the job and Feigel was going in there over the week-end and get started on their end of it, since they are sub-contracting it with Deig

Bros Construction Co. but due to the weather, they had problems. He said the schedule was, that it was to have been paved, starting tomorrow and because of the fill on the South side, they didn't get all the rock down and it is a mess this morning, also that it takes time for it to dry out and he doesn't see how it can be paved at this time.

Commissioner Schaad asked if the guard rails are up yet.

Mr. Ludwick said they aren't up yet, that it is seeded and since the weather has turned bad, he thought they would be doing a worse job if he would get in there now and try to do something instead of waiting a week or so, when he would get better results, but they will just have to wait and see what happens.

RE: PLANS ON HEINLEIN ROAD DISCUSSED

Mr. Ludwick submitted the plans for Heinlein Road, and said they are trying to repair the ditches, etc. on that little road out there.

Commissioner Schaad asked Mr. Ludwick how much right-of-way he would need.

Mr. Ludwick said they need at least 60 feet of right-of-way, from Baumgart Road, North, to Petersburg Road. He said there are three deeds where people have given 25 feet of right-of-way but it is on the opposite side from where they need it, so there is no sense in building a road if they have 25 feet of right of way on one side, shifting the road to the North or South, that they should use the existing road and go either way from there, so they will need to buy right-of-way. He said there were some people out there who would probably donate right-of-way and they could do the road, totally, but he said he didn't know if they could squeeze it in before bad weather sets in or not.

Commissioner Schaad asked if Mr. Ludwick thought all the right-of-way should be to the North for the widening and nothing to the South.

Mr. Ludwick said there would also have to be some on the South, that there was no getting around it, that Mr. Burch and Chayes Virginia owns most of the ground on the South side, in the first 1300 feet and Mr. Burch said that he would donate the ground for whatever is needed to do that particular road, if it does have to be done in that manner. He said that Ms. Heinlein, if approached right, would give the necessary right-of-way, also that Mr. Effinger, a farmer, is another property owner out there and that he would possibly donate the ground that is needed, but that is beyond the 1300 feet.

Mr. Nussmeyer said that their big problem on Heinlein Road is the lack of right-of-way and he explained what they plan to do, also said that they could negotiate through Ms. Heinlein's attorney, Jeff Bosse, since she is the only one that is involved in the needed right-of-way at the present time. He said they should have a minimum of another 15 feet, but could get by with 10 feet if they have to, also that he thought the Commissioners should get a Right-of-Way buyer for the area back to Petersburg Road.

Commissioner Schaad said he thought this should be the first phase, that they should get to work on it and not let the rest of it hold this up, that they could get the rest of it later. He said it will be 15 feet off Ms. Heinlein's property, from Baumgart Road to the end of her property, that this portion is real critical and that not even two cars can pass, that there is a deep ditch there and in bad weather, one car could easily slip off into the ditch.

Mr. Siebeking said that if he thought they could get enough feet out there, he would get both gradalls out there and set one on each end and start bringing that ditch in by bringing that dirt right over and relocate the one they have, that they could get this job done in two day's time.

Commissioner Willner said this part is okay but he wants to take the entire road and not do just a section of it.

Commissioner Ossenberger said that it should be made a part of the minutes that they take the entire road.

Commissioner Schaad said this is so crucial and critical, as they all know, and they will go ahead with the whole project, but this will be the first phase and Mr. Siebeking will do it.

Commissioner Ossenbergh moved that they start on this project immediately, that County Attorney Smith contact Mr. Bosse in regard to the right-of-way donation from Ms. Heinlein, that Mr. Siebeking do the first phase and that Mr. Nussmeyer continue it on to Petersburg Road.

He also said that if the right-of-way that is needed isn't donated, they will appoint a right-of-way buyer.

Commissioner Willner seconded the motion. So ordered.

RE: OLD BUSINESS

Mr. Ludwick reported that they are still working on Outer Lincoln Avenue.

The status of the parcel of pie-shaped property that Mr. Frielinghausen is interested in which is code #3-66-13 and located on Old 460, will be advertised for sale as soon as the County Attorney prepares the legal description on it.

RE: COMMENT ON AGREEMENT WITH TEAMSTERS LOCAL 215

Commissioner Schaad said the Commissioners did sign the agreement between the Teamsters Local 215 and the Vanderburgh County Board of Commissioners, on the employees at the Vanderburgh County Auditorium and Convention Center, that two copies were signed and for some reason, they want eight copies signed. This was agreeable with the Commissioners, so they will see that eight copies are signed.

The meeting recessed at 10:35 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenbergh
Robert L. Willner

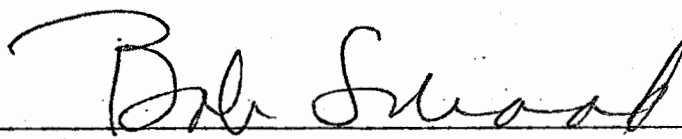
COUNTY AUDITOR

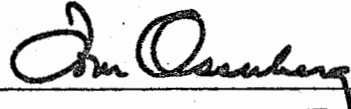
Curt John


COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks







BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 1, 1976

The meeting of the County Commissioners was held on Monday, November 1, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

Deputy Sheriff Terry Hayes opened the meeting, this being the first meeting of the month.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITOR'S OFFICE

Cindy Decker	355 Drier Blvd.	Clerk	\$5,850.00	Eff: 10/1/76
Theresa Woodward	3915 Vista Drive	Clerk	\$5,850.00	Eff: 10/1/76

CIRCUIT COURT

Richard Reed	917 W. Idlewild Dr.	Night Intern	\$2.75 Hr.	Eff: 10/25/76
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LAW CLERK...505.37.1

Dave Jones	715 N. Boehne Camp Rd.	Law Clerk	\$11,000 Yr.	Eff: 11/1/76
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PROSECUTING ATTORNEY'S DEFERRED PROSECUTION DIVISION

Carl A. Miller Jr.	732 Fairway Co-ordinator Clin. Serv.	\$14,048.06 Yr.	Eff: 10/1/76
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PROSECUTORS OFFICE

Scott Bowers	1809 E. Powell	Dep. Pros.	\$18,000 Yr.	Eff: 10/18/76
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VANDERBURGH COUNTY ELECTION OFFICE

Juanita Jones	102 S. Denby Ave.	Clk. Dep.	\$2.30 Hr.	Eff: 10/25/76
Debra M. Schmitt	417 Read St.	Clk. Dep.	\$2.30 Hr.	Eff: 10/25/76
Martha Green	1319 Henning	Clk. Dep.	\$2.30 Hr.	Eff: 10/25/76
Edna Henry	3904 Clement	Clk. Dep.	\$2.30 Hr.	Eff: 10/27/76

VOTERS REGISTRATION OFFICE....ELECTION DAY ONLY

Gloria Evans	1369 E. Chandler Ave.	Clerk	\$32.20 Day	Eff: 11/2/76
Lucille Musgrave	4304 Pennington	Clerk	\$32.20 Day	Eff: 11/2/76
Joyce Truitt	918 N. Helfrich	Clerk	\$48.30 Day	Eff: 11/2/76
Virginia Robinson	909 Meyer Ave.	Clerk	\$16.10 Day	Eff: 11/2/76
Eric Evans	1369 E. Chandler	Clerk	\$16.10 Day	Eff: 11/2/76
Marie Lurker	2100 Schutte Rd.	Clerk	\$32.20 Day	Eff: 11/2/76
Anita J. Sawyer	5404 Cunningham	Clerk	\$32.20 Day	Eff: 11/2/76
Mary T. Hoffman	501 Olmstead	Clerk	\$16.10 Day	Eff: 11/2/76
Beverly Abell	3417 Austin	Clerk	\$16.10 Day	Eff: 11/2/76
Gary Kuebler	8020 Petersburg	Clerk	\$16.10 Day	Eff: 11/2/76
Charlene Pfeffer	3710 N. Baker	Clerk	\$16.10 Day	Eff: 11/2/76
Barbara Baker	3119 Droll Ave.	Clerk	\$16.10 Day	Eff: 11/2/76

RE: EMPLOYMENT CHANGES.....RELEASES

CENTER TOWNSHIP ASSESSOR REASSESSMENT

Marie V. Corsey	R.7, Box 105, St. Joe	Field Deputy	\$20.00 Day	Eff: 10/24/76
Kathy L. Scherer	3905 N. St. Joe Ave.	Field Deputy	\$20.00 Day	Eff: 10/24/76

CIRCUIT COURT

Dave Jones	715 N. Boehne Camp Rd.	Investigator	\$7,800 Yr.	Eff: 10/31/76
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EMPLOYMENT RELEASES....CON'T.LAW CLERK ...505.37.1

Robert Bartelt 4984 Tippecanoe Dr. Law Clerk \$11,000 Yr. Eff: 10/31/76

PIGEON TOWNSHIP ASSESSOR RE-ASSESSMENT

Elsie Barning 1703 S. Helfrich Ave. Clerk \$20.00 Day Eff: 10/6/76

PROSECUTING ATTORNEY'S DEFERRED PROSECUTION DIVISION

Carl A. Miller Jr. 732 Fairway-Apt.C Co-ord. clinical Serv. \$13,009.88 Yr. Eff: 9/30/76

VOTERS REGISTRATION OFFICE

Marie Lurker	2100 Schutte Rd.	Clerk	\$16.10 Day	Eff: 10/18/76
Lorraine Pike	615-A SE Third St.	Clerk	\$16.10 Day	Eff: 10/20/76
Edna Henry	3904 Clement	Clerk	\$16.10 Day	Eff: 10/22/76
Beverly Abell	3417 Austin	Clerk	\$16.10 Day	Eff: 10/22/76
Virginia Robinson	909 Meyer Ave.	Clerk	\$16.10 Day	Eff: 10/26/76
Susan Hites	3207 Bellemeade	Clerk	\$16.10 Day	Eff: 10/27/76

RE: COMMENTS ON BIDS RECEIVED FOR CLOSED CIRCUIT TV.

Commissioner Schaad said that the next item on the Agenda is the Bid Awarding for the Closed Circuit TV for the Sheriff's Department, but he didn't believe they were ready to award the contract, since they are still doing some investigating on it. He said he understood that the Sheriff wanted to get some equipment in for a demonstration, to see if the cameras would pick up since they thought the lighting wasn't as good as it should be and that Mr. Huffman told him that this hasn't been accomplished yet, that this would probably be done tomorrow. This matter was continued until next week.

RE: CONTRACT AWARDED FOR BRIDGE REPAIRS - BC-8-76

There were four bids received last week for the repair of six Bridges which are located on Baseline Road-Structure 44A, Kansas Road, Old Boonville Hwy. Str. #94, Baseline Road Str. #49A, Schutte Road & Boonville-New Harmony Road.

The bids were as follows:

Deig Bros. Lumber & Construction Co.....	\$73,865.00
G. H. Allen Inc.....	\$64,664.00
Key Construction Co.....	\$93,325.00
Barnett Bros.....	Read as \$65,610.00 but should be \$67,050.00

The Engineer's Estimate was \$63,250.00

Mr. Ludwick said that the County Surveyor's office recommends that the low bid of G.H. Allen Inc. be awarded the contract in the amount of \$64,664.00. He explained that Barnett Bros. had an error in their bid on one item, so on the re-tabulation, showed their bid to be \$67,050.00 instead of \$65,610.00. He also said that it was no problem, concerning the fact that the low bid was slighter higher than the Engineer's estimate.

Commissioner Ossenberrg moved that the Commissioners accept the low bid of G.H. Allen, Inc. in the amount of \$64,664.00 and that they be awarded the contract for the repair of the six Bridges. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

The Case Report was submitted for the Legal Aid Society of Evansville, Ind. Joint Department of Legal Services, for the month of September, 1976. Report received and filed.

RE: REQUEST FOR ZONING VARIANCE...PYLE ELECTRIC CO.

Mr. David Mounts appeared and said they have been requested by Bisler Enterprises, who owns the property and the Gasoline Station at I-64 and Hwy. 41 to ask for a

Zoning Variance in order to install the required sign on the County right-of-way. He submitted drawings of the area in question, so the Commissioners could examine it.

Commissioner Willner moved that the Commissioners approve the location of this sign, with the stipulation that if it is ever needed by the County for any purpose, that they will remove the sign. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM FOR REFUND

A Claim was submitted by A.C. Tilley Co. for a refund, Permit #6902, which was a duplicate of #7070 for Wayne Kemper, 7300 E. Sycamore St. in the amount of \$28.00.

Commissioner Ossenberg moved that the refund in the amount of \$28.00 be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Pyle Electric Co. for work performed at Burdette Park, in furnishing and installing seven 30' imbedded poles, fifteen MV fixtures and new wiring from existing service overhead, in the amount of \$11,948.00. This was approved by Bob Hertzberger, Manager of Burdette Park.

Commissioner Ossenberg moved that this claim be approved.

Commissioner Willner said he wasn't familiar with this work that was done and Commissioner Ossenberg explained that B.O.R.A. federal monies can be obtained if the wiring is all underground and they were all overhead, so we have a chance of getting \$75,000.00 in a grant by putting all the wiring underground. He said that this action was backed by the County Park Board.

Commissioner Willner then seconded the motion. So ordered.

A claim was submitted by Torian Agency, Inc. for Burdette Park, the 2nd. year installment, 3 year policies, each policy covering \$110,000 fire e/c & vmm on various buildings and contents as shown on policy schedule, in the amount of \$6,036.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees at the County Highway Garage for the past week. Report received and filed.

RE: REPORT BY MR. SIEBEKING

Mr. Siebeking reported that his crew cleaned the mulch out of the culverts on New Baumgart Road in Burch Park. He also reported that of last Thursday, the corn was still standing at Hwy. 65 and Boonville-New Harmony Road on Mr. Rexing's property, so nothing can be done there yet.

RE: CUTS IN

Indiana Bell Telephone Co. submitted a revised application to cut into Hogue Road and Red Bank Road at a different location than previous application that was approved a couple of weeks ago. This cut is to place a telephone conduit.

Commissioner Ossenberg moved that the revised cut-in be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was submitted by Feigel Construction Co. for the paving of Larch Lane, Pine Place, Heather Court and Hillside Drive in the amount of \$19,578.58.

Mr. Ludwick said this contract was awarded to Feigel on a Monday and the project was finished on Wednesday. He said that after paying this claim, all that will be owed them is the 5% retainage fee of \$1,030.45.

Commissioner Ossenberg moved that the claim be approved for Feigel to be paid the \$19,578.58 for road resurfacing. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Ludwick said that Mr. Hertzberger, Manager of Burdette Park, asked the County Surveyor's office, to come up with a legal ad, asking for bids to pave the roads in Burdette Park in the new campsite area, which they have done. He submitted the legal ad at this time and said that Mr. Hertzberger has the money in his account.

The Notice to Paving Contractors for bids will be advertised in both newspapers on November 5th and 12th, the bids to be opened on November 15th. 1976, if approval is given.

Commissioner Ossenberg moved that the County Auditor be authorized to advertise for bids on specified dates. Commissioner Willner seconded the motion. So ordered.

RE: HEERDINK LANE ACCEPTED BY COUNTY

Mr. Ludwick submitted Road Amendment #26, a Resolution incorporating Heerdink Lane within the County Road System.

He explained that this started in 1973 when the people asked the Commissioners to accept Heerdink Lane as an accepted county road and said that the Surveyor's office went out and staked the road and did the road work, that Mr. Siebeking then went out to put the stone on the road, so it is completed.

He said there were eight parcels involved and the right of way was donated, also that these people spent about \$3,000.00 of their own money, plus donating the ground. He said that it has been approved and meets Mr. Siebeking's requirements, so the County Surveyor's office is recommending that this road be accepted by the County.

Commissioner Ossenberg moved that Heerdink Lane be accepted by Vanderburgh County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: WORK TO BE DONE ON BRIDGES IN UNION TOWNSHIP

Mr. Nussmeyer said there are three bridges in Union Township, one on Cypress-Dale Road and two on Seminary Road that need attention, that one of them is good, structurally but it isn't wide enough so they plan to widen it, that another one needs new decking and the third one will have to be completely replaced because it is very hazardous and the foundation is about to go.

He said that he would like the permission of the Commissioners to proceed with plans for this project. He said the cost would be approximately from \$65,000 to \$75,000.

Commissioner Willner moved that Mr. Nussmeyer proceed with preparing the plans and specifications and then submit them to the Commissioners for consideration. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. CROOKS...HOUSE ON HWY. 41

Mr. Crooks had reported, last week, that a house on 41 North had previously been discussed, since a vehicle hit it and damaged the house and he said that Mr. Barrett, who owned the property, said that he would remove the damaged part, but in rechecking, he found that nothing has been done.

Mr. Crooks had written Mr. Barrett a letter, requesting that he contact Mr. Crooks by October 29th. of his plans, since this matter will come before the Commissioners on November 1st.

Today, Mr. Crooks reported that Mr. Barrett called him and said that he was working on the inside of the house at the present time but that he probably wouldn't be finished with the outside before the first of the year, so he said that if the Commissioners agree to this, it is alright with him.

Commissioner Schaad said this was okay with him as long as Mr. Barrett continues to work on it, that Mr. Crooks should keep after him to see that he gets the job done.

RE: TRUCK NEEDED TO HAUL DEBRIS

Mr. Siebeking said that Mr. Crooks related to him that a Ms. James, who is heading up the clean-up in the west side, is going to call him.

He said she has some volunteers to help clean out some of the burned homes out there and she will be calling, asking the Highway Department for the use of a truck or two to haul this debris away and he wondered what he should tell her.

Commissioner Schaad said that according to law, as he understands it, the Highway trucks are to be used only on the highways for county road work. He asked Mr. Hotz if he thought he would help Ms. James in some way.

Mr. Hotz said that all he has is a van and a pick-up truck and he didn't think that either one would be suitable for the job.

Commissioner Willner said that the Levee Authority has some big army-surplus trucks.

Commissioner Schaad said they can find something at Burdette Park or they can ask the Levee Authority if they can't help, since this is for a good cause, however, they don't want to be in violation by using county trucks for anything other than road work.

He suggested that Mr. Siebeking have Ms. James contact the Commissioners office and they will see what they can do to help, since he thought they could work it out in some way.

RE: PROPERTY ON OLD 460

Commissioner Schaad asked Mr. Nussmeyer how he was coming along on getting the right of way off Old 460 surveyed. He explained, as was discussed last week, that Mr. Frielinghausen is interested in that parcel of pie-shaped property, code #3-66-13, located on Old 460 in front of his property, so they would like to advertise it for sale as soon as it is surveyed.

Mr. Ludwick said they have an appointment set up with Mr. Frielinghausen but he hasn't had time, as yet, to do anything further on it.

RE: HEINLEIN ROAD

Mr. Nussmeyer reported that legal descriptions have gone out on the Heinlein Road project they want to get underway as soon as possible, also that he has contacted the law firm who represents Ms. Heinlein and they are working on it. He said it would take them about a week in regard to the donation of right of way from Ms. Heinlein.

This matter was discussed last week, at which time, the Commissioners decided to do the whole project but that they will work on the first phase at the present time and that Mr. Siebeking will do it.

Commissioner Schaad said he has talked with Mr. Al Burch and he said that anything he or Chayes-Virginia could donate, they would be happy to do it.

RE: OUTER LINCOLN AVENUE

Mr. Ludwick reported that Outer Lincoln Avenue is being surveyed at the present time. after which, the plans will be drawn up to widen Outer Lincoln Avenue from Fuquay Road, West.

RE: NURRENBERN & RED BANK ROAD

Commissioner Schaad asked Mr. Nussmeyer how he was coming along on the proposed project of Nurrenbern & Red Bank Road.

Mr. Nussmeyer reported that they have two more parcels of right of way to get yet, that a Mr. Sanders will sign but his wife won't, so they have a little problem here. He said he hasn't heard from the right of way buyer as yet.

RE: DRAINAGE...COMMENT ON JOINT RESOLUTION

Commissioner Schaad said there wouldn't be a Drainage Board meeting this morning, but that he wanted the other Commissioners and all those involved, to know that he had contacted the Warrick County Drainage Board.

He explained that the Vanderburgh County Commissioners passed a resolution to join hands with the Warrick County Drainage Board and they have asked the Corp of Engineer's to do something about making a study of Pigeon Creek and about the cleaning and dredging of it or whatever it would take, that he has talked to the Warrick County Surveyor, also to Jim Marshall, who is president of the Joint Drainage Board, who said they were going to have their Board to draw up a Joint Resolution.

He said they would then have a meeting to adopt the resolution and they would sign it and send it to the Corp. of Engineer's.

He said he has promised to do this and has made contacts, so as soon as the papers are received and as soon as they have the meeting, that will be carried out.

The meeting recessed at 10:10 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Tom Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

503

COUNTY COMMISSIONERS MEETING
NOVEMBER 8, 1976

The meeting of the County Commissioners was held on Monday, November 8, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: COMPLEX CLOSED FOR HOLIDAY

Commissioner Schaad announced that the Civic Center Complex will be closed this Thursday, November 11, 1976, in honor of Veteran's Day, which is a legal holiday.

RE: BIRTHDAY CONGRATULATIONS

Congratulations to Commissioner Willner who is celebrating his birthday today and to County Auditor, Curt John, whose birthday is November 11th.

RE: CONTRACT AWARDED FOR CLOSED CIRCUIT T.V.

The following bids were submitted and opened for consideration on October 25, 1976, and were then referred to Mr. Huffman so that he and Sheriff DeGroote could study them and make a recommendation in awarding a contract for the Closed Circuit T.V. for the Sheriff's Department.

Tele-Star Communications.....	\$13,408.00
Risley & Julian Electronics Inc.....	\$15,872.50
Audio Visual Specialists	\$13,909.00
A.D.T. Security Systems.....	\$12,824.31
Ohio Valley Communications.....	\$13,900.00
Ohio Valley Sound Inc.....	\$18,121.80

Sheriff DeGroote said they considered the two lowest bids and to be fair, they thought they would offer both the opportunity of bringing in a live demonstration, which they did.

He said he formed a committee of three knowledgeable officers that knew what they were looking for in a Closed Circuit T.V. and the two lowest bidders did bring their equipment into the jail and it was set up under realistic circumstances. He said they were judged on their picture quality, the technology of the company representative, his expertise in the area, the adaptability to their needs, the parts and service availability and also, the installation availability, after which the committee analyzed what they had seen and then submitted a report to him which resulted in 3 to 0 in favor of Tele-Star.

He then recommended that Tele-Star, the second lowest bid, be awarded the contract for the Closed Circuit T.V. and said that they are \$575.00 higher than the low bid, but that they are under the maximum amount that the grant allows.

Commissioner Ossenberg moved that the Commissioners set the bid of Tele-Star for the Closed Circuit T.V. for the Sheriff's Department at \$13,408.00. Commissioner Willner seconded the motion. So ordered.

Sheriff DeGroote said that the grant has been approved by Criminal Justice in the amount of \$14,000.00 for the Closed Circuit T.V.

County Attorney Wendel said that as he understood it, from Criminal Justice Planning, that once they found the exact amount of the bid, Criminal Justice was to be contacted, so they could put the money in the account.

Mr. John will contact Mr. Pete Swaim of the Sheriff's Department, who will take care of notifying Criminal Justice Planning. The contract will be signed when money is received.

RE: AUTHORIZED TO ADVERTISE...VAN FOR SHERIFF'S DEPARTMENT

Mr. Huffman of the Purchasing Department submitted specifications for the prisoner's transportation vehicle that is needed by the Sheriff's Department, for the approval of the Commissioners, so that bids can be advertised for.

Commissioner Schaad explained that this vehicle would be used to transport prisoners out of the County and out of the state.

Sheriff DeGroote said they now have a demo model that they have been using for awhile to give them an idea of what they need. He said they can transport three different groups and segregate them so there will be no physical contact between them.

The specifications met with the approval of Sheriff DeGroote.

He said that he and Mr. Huffman did a lot of research as to the availability and also within the needs of the Deputy Sheriff's who are charged with the responsibility of transporting these prisoners.

Commissioner Schaad said the vehicle will come from tax money and is to be paid for out of money that has been appropriated for next year, so they don't have the money to pay for it yet.

County Attorney Wendel said they don't have to have the money to advertise, just so they have the money when they sign the contract, which will have to be after the first of the year.

Sheriff DeGroote said an agreement has been worked out with the three surrounding counties, where they will be transporting from, and that, eventually, will pay for the vehicle.

After further discussion, it was agreed that the request for bids, be advertised in both newspapers on November 11th. & 18th. 1976, with the bids to be opened on Monday, December 13th. 1976, since this will give bidders plenty of time to bid on it.

Commissioner Willner asked Mr. Huffman, if, in fact, two or more can bid on the vehicle.

Mr. Huffman said he didn't know and Commissioner Schaad said he didn't think so, that this is such a highly specialized piece of equipment, so he doubted it.

Sheriff DeGroote said this would be a custom job and in research by the Indiana Sheriff's Association, there is only one company in the entire United States that manufactures this type of vehicle and that is in Warsaw, Indiana but if someone else could come up with a van to meet the specifications, that's great.

Commissioner Willner asked, if there is only one company that bids this, do they put these on different chassis, and said that if they did, he would like for the one bid to have three or four different chassis prices, so he asked that the chassis be separated from the body in the Notice to Bidders, so they can bid both ways. It was agreed that the specifications be written up this way.

On behalf of the Vanderburgh County Police Department, Sheriff DeGroote wished Commissioner Willner a happy birthday.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PIGEON TOWNSHIP ASSESSOR

Juanita Jones	102 S. Denby	Clerk	\$20.00 Day	Eff: 11/8/76
Edna Castrup	426 Richardt	Clerk	\$20.00 Day	Eff: 11/8/76
Kitty L. Maier	1115 S.E. 1st.	Clerk	\$20.00 Day	Eff: 11/8/76
Dallas Sprinkles	904 S. Governor	Fieldman	\$20.00 Day	Eff: 11/8/76
Angus Green	217 Wedeking	Fieldman	\$20.00 Day	Eff: 11/8/76
Kathy Dornmeier	2535 Sunburst	Fieldperson	\$20.00 Day	Eff: 11/8/76

CO-OPERATIVE EXTENSION SERVICE

Debbie E. Etienne	1322 Parrett St.	Secretary	\$5,074.00 Yr.	Eff: 1-29/76
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RE: EMPLOYMENT CHANGES.....RELEASED

PIGEON TOWNSHIP ASSESSOR

William Dieckman	638 E. Florida	Fieldman	\$20.00 Day	Eff: 10/26/76
Susan Hirsch	220 N. Burkhardt	Clerk	\$20.00 Day	Eff: 10/14/76
Mary L. Miller	711 S. Alvord Blvd.	Clerk	\$20.00 Day	Eff: 10/14/76
Theresa Woodward	3915 Vista Dr.	Clerk	\$20.00 Day	Eff: 10/29/76

RE: MONTHLY REPORT

The Report of the Pleasantview Rest Home was submitted for the month of October. Report received and filed.

RE: CLAIM AGAINST COUNTYPETERSON & STEVENS

A Claim for Dale Peterson and Michael Stevens was submitted by Attorney Jeffrey Frank, who is with the law firm of Fine, Hatfield, Sparrenberger & Fine, against Vanderburgh County, on account of personal injuries suffered by virtue of an accident on Waterworks Road, approximately one mile West of Hwy. 41, on May 12, 1976, at approximately 12:25 a.m., due to negligence of Vanderburgh County in maintaining said roadway without proper markings to denote end of paved portion of road, resulting in a sharp drop off and caused the driver, Mr. White, to lose control of his car which resulted in personal injuries by claimants.

Commissioner Ossenberg moved that this matter be referred to the County Attorney. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM AGAINST COUNTY.....GILBERT

A claim for Mr. & Mrs. Jay D. Gilbert of 8216 Heather Drive was submitted by David V. Miller, who is with the law firm of Grove, Miller & Lantz, against Vanderburgh County, arising from the following:

That Mr. and Mrs. Gilbert intend to hold the County of Vanderburgh, State of Indiana, liable for property damages that they have incurred during the six months immediately preceding November 1, 1976, and discovered within the said six month period, caused by the failure of Vanderburgh County, Indiana, to correct serious, improper and inadequate drainage conditions as a result of which surface water floods the residence of Mr. and Mrs. Gilbert. Said conditions have been brought to the attention of the Vanderburgh County Commissioners and their agents by Mr. and Mrs. Gilbert at various times in the past. As a result of the failure of Vanderburgh County to correct said conditions, said Gilberts have incurred damages in the approximate sum of Eight Thousand Dollars (\$8,000.00).

County Attorney Wendel said there are some weather conditions that Vanderburgh County isn't liable for and that this claim isn't specific enough to make a decision on it. He said he would write to Mr. & Mrs. Gilbert and ask them to make it more specific.

Commissioner Willner moved that this matter be referred to the County Attorney. Commissioner Ossenberg seconded the motion. So ordered.

RE: DELINQUENT TAX MATTER

Susie Thomas of 510 Olive Street owes \$425.38 in prior taxes on her property, plus \$129.25 in present taxes, which amounts to \$554.63 plus 7% interest. The code number on this property is 21-28-14 and the legal description is Northeastern Enlargement...E. 25 ft. of L. 14 and W. 9 ft. of L. 13, Blk. 12.

Ms. Thomas explained that she doesn't make too much money and that she has other expenses but if it is agreeable with the Commissioners, she could pay \$100.00 today on the delinquent taxes and then pay \$100.00 per month and that if she could pay more to get it paid off sooner, she would do so. She said she has made arrangements to get siding and other improvements for her home next spring or summer but that she will get the taxes paid off first.

Commissioner Willner moved that the Commissioners go along with Ms. Thomas plan so she can pay the taxes that is owed on her home and referred her to the Treasurer's office to make arrangements for payment. Commissioner Ossenberg seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Torian Agency Inc. which is an Insurance Binder for the coverage of the buildings at Boehne Hospital. Certificate of Insurance received and filed.

RE: CERTIFICATE OF INSURANCE.....TERMINATION

A letter was received from Chubb/Pacific Indemnity Group, notifying the Commissioners that a Master Electrician's Bond on Paul W. Benz of Sanborn Electric Co. is no longer required and will be terminated as of 12/31/76.
Notice of termination of Insurance received and filed.

RE: ZONING CHANGE PETITION

A letter was received from Lucille Mahrenholz of 2715 Harmony Way in regard to the Zoning Change Petition of Robert A. Weil Sr. of 10206 Darmstadt Road.
The letter reads as follows:

Gentlemen:

We have received a Petition notice for a zoning change on the above mentioned property, from residential to residential office, and we are not in favor of the change.

Our property is next door to Mr. Weil, at 10218 Darmstadt Road and was listed as residential when we bought it. Our Abstract of Title carries this notation, The above real estate shall be subject to the following restrictions which shall be covenants running with the land:

1. Said land shall be used for residential purposes only.

2. There shall be but one family dwelling per plot;

If they intend to put up a real estate sign, this would lower the value of our property, right next door.

Since they intend to put the office in their basement, they would in all probability use their driveway, and this is on the side of their house, next to our house, and we think the traffic going in and out would prove a nuisance.

If there is to be a hearing on this zoning change, will we be notified, or will we have to watch the paper.

We are definitely not in favor of this change.

Very truly yours,

Lucille Mahrenholz

Commissioner Schaad said this is apparently from a remonstrator on a Rezoning Petition and it doesn't belong before this body.

Commissioner Willner said this should come before the Area Plan Commission and he understands that the sign is up but that the petition hasn't been heard by the Area Plan Commission yet.

This letter was referred to the Area Plan Commission so it could be attached to the petition.

RE: CLAIMS

A claim was submitted by J. Frank W. Stewart, M.D. who is on the staff at Good Samaritan Hospital in Vincennes, Indiana, for In Patient Care of James Hamilton, in the amount of \$214.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Hunnicutt & Associates Inc. of St. Petersburg, Florida, on account of Contract of Knight Township, in the amount of \$12,093.75.

Commissioner Schaad explained that this is by contract to do the reassessment for the Knight Township Assessor and said that it has been approved by the Knight Township Assessor and the County Auditor.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Brinks Inc. for services rendered the Clerk of the Circuit for the month of November, in the amount of \$94.80 as per contract.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: PROGRESS ON DUPLICATING MACHINE

Mr. Hotz said that Mr. Ruston would like to know if any progress has been made in getting the duplicating machine moved from the Recorder's office.

Commissioner Schaad said he understands that Anika Juras, the Executive Assistant to the County Council, was in an accident, that she would know, but due to the accident, couldn't be here today.

County Attorney Wendel said that the man that was interested in the machine, does now have the required amount of Insurance, but for some reason, in regard to the mailing, he won't have the certificate to prove the Insurance until sometime this week.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Report of the employees at the County Highway Garage for the past week.

Report received and filed.

Mr. Siebeking said that Mr. Hilliard has been on leave of absence from the County Garage due to ill health and that he was the victim of a murder committed last night, which was thought to have been from an attempted robbery, that he was shot three times in the chest.

He said that he will submit a release on him next week.

RE: REPORT BY MR. SIEBEKING

Mr. Siebeking said he has nothing to report on the corner of Hwy. 65 and Boonville-New Harmony Road, that the corn is still standing, but that they have been doing a lot of ditch work and they have also done a lot of work on the bridges which are now completed, so the shoulder work and corner work should be finished on the three bridges this week.

RE: STATUS ON SURPLUS PROPERTY - 3-66-13

Mr. Ludwick said, in regard to the pie-shaped parcel of property that Mr. Frielinghausen was interested in, the office staff went out and made the survey and typed up the legal so he will give this to County Attorney Wendel so he can put it in the proper form.

He said that .20 acres are involved here and that Mr. Frielinghausen has been maintaining this parcel of land for about 35 years and that if it were him, he would just give it to Mr. Frielinghausen, since by his taking care of it over the years, it may be his anyway.

Commissioner Ossenberrg moved that this parcel be declared as surplus and that the Auditor be authorized to advertise it for sale. Commissioner Willner seconded the motion. So ordered.

It was later learned, after the meeting, that Mr. Frielinghausen is no longer interested in this parcel of property, so nothing will be done on it at the present time and the matter will be deferred until next week.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to make a shoulder cut in Emge Road to bury a telephone line.

Commissioner Ossenberrg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

The Waterworks Department requests permission to cut into Saddlebrooke and Autumnwood Way which are gravel roads, to install 1,080' 8" ductil pipe water line.

Commissioner Ossenberrg moved that this cut be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Priest Hazelwood & Son, Estimate #4 on St. Joe over Penn Central Tracks, Acct. #203-3835, in the amount of \$2,256.59.

Mr. Ludwick noted that this is not a final payment, also that this has been approved by Mr. Nussmeyer.

Commissioner Ossenberg moved that the Claim from Priest Hazelwood & Son be approved in the amount of \$2,256.59. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by G. H. Allen Inc. Estimate #2, on Claremont Ave. Structure #56A, Acct. #203-2260, in the amount of \$41,613.54.

Mr. Ludwick said this isn't the final billing, also that this bridge will be opened, hopefully, this week.

Commissioner Ossenberg moved, on the recommendation of the County Surveyor, that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Key Construction Inc. Estimate #2, for the repair of Structures #46A, 177A, 22, 36, 33 & 44A, Acct. #203-2260, Contract #BC-6-76, in the amount of \$14,601.70, which is partial payment.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Deig Brothers Lumber & Construction Co. Estimate #5, which is partial payment on the Kentucky Avenue Structure #116A, Acct. #216-3826, in the amount of \$61,906.21.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Feigel Construction Corp. on Contract #RC-5-76, which is the final estimate on the paving of Larch Lane, Pine Place Heather Court and Hillside Drive, in the amount of \$1,030.45. The Acct. number is 201-2260.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: SUBDIVISION ACCEPTED BY COUNTY

Mr. Ludwick said a letter was submitted to the Surveyors office which should have been sent to the Commissioners office, but since he received it, he went ahead with the process that is followed.

He said the letter is from Bill Wittekindt Jr. and Bill Wittekindt Sr, asking that the streets in Browning Road Estates Subdivision be accepted by the County for maintenance, so the roads have been inspected and the County Surveyor's office recommends that Red Gate Road, Pine Gate Road and Oak Gate Road be accepted. He then submitted Amendment #27 which accepts these roads into the County Road System, if approved by the Commissioners.

Commissioner Ossenberg moved that these roads be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: HEINLEIN ROAD

Mr. Ludwick asked County Attorney Smith if he has heard from Mr. Bosse yet, on the right of way from Mrs. Heinlein. He said they are still waiting for the right of way from Chayes Virginia, from Mr. Burch and from Mrs. Heinlein, concerning Heinlein Road and they are at a stand-still until they get these rights of way.

County Attorney Smith said he hasn't heard anything as yet but that he will contact Mr. Bosse.

Commissioner Schaad said they would do anything they could to speed it up because if the weather gets bad, it will be very hazardous.

RE: OUTER LINCOLN AVENUE

Commissioner Schaad asked Mr. Ludwick if he had anything on Outer Lincoln Avenue, in regard to widening the road out there.

Mr. Ludwick said they haven't done too much with that at the moment, that the boys in the field haven't finished their survey yet, so it will just be a matter of a couple of days before they are finished and then it will depend on the weather as to when the work can be finished out there.

RE: REQUEST FOR ACCEPTANCE OF STREETS IN RIDGEVIEW HEIGHTS

The following letter was received by the Commissioners from Mr. Wilbur E. Reke of 800 Ridgeview Drive:

I hereby submit a request for your acceptance of maintenance of the following streets located in Ridgeview Heights-Scott Township.

Extension of Ridgeview Drive 750'
Extension of Woodland Lane 450'

I have maintained these streets for approximate 10 years and in October, 1976, resurfaced this portion of above streets.

I have a letter on file dated 11/17/55 of acceptance of 343' of Ridgeview Drive and 1284' of Woodland Lane.

I do not foresee any more development in this area in my lifetime and furthermore have disposed of the remaining land.

I would appreciate your acceptance of the above request. Signed Wilbur E. Reke

Commissioner Ossenberg moved that this matter be referred to the Engineer's office. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Bau Oui Nguyen....304 Washington Ave.....Pigeon Township...Investigator, Ms. Vitatoe

Mr. Nguyen said he was asking for \$380.00 for three months back rent, also that he has now moved to a different location.

Ms. Vitatoe explained that Mr. Nguyen wasn't refused help, but was referred to Ms. Welsh of the Welfare Department, since there is a federal law which provides aid to Vietnamese refugees until they find an occupation for themselves, that they are entitled to a \$70.00 grant from the federal government that is handled through the Welfare office. She said that Mr. Nguyen refused to apply for this and that it isn't in the hands of the Trustee to help him. She explained that the Trustee's office are only allowed to pay \$60.00 per month anyway and they don't pay back rent.

Mr. Nguyen said he has had difficulty finding a job but that he recently found one at the Zenith Corp.

Commissioner Schaad explained to Mr. Nguyen that he was in the wrong office to ask for help, that he should have gone to the Welfare office instead of the Trustee's office for help.

Ms. Vitatoe said that Mr. Nguyen had previously applied at the Welfare Department and received one free \$50.00 food order but then when he got a job, he quit going to the Welfare Department.

Commissioner explained to Mr. Nguyen that it is as was pointed out, that he was in the wrong agency to begin with, that it is set up under a federal program, through the Welfare Department, to help him, also that even a citizen of the United States cannot receive more than \$60.00 per month for rent from the Township Trustee and they can't go back and pick up rent that was owed in the past, so he will have to go to the Welfare Department.

Ms. Vitatoe said that Mr. Nguyen knows Ms. Welch of the Welfare Department, that she is the one that brought him up to the Commissioners office to apply for the appeal.

Ms. Welch of the Welfare Department was called so this matter could be straightened out and when she appeared before the Commissioners, she explained that the priest at Catholic Charities recommended that Mr. Nguyen go through the Trustee's office.

Commissioner Schaad said he wasn't correctly advised and that Mr. Nguyen was sent to the wrong place, that it is really no one's fault, that it was just a mis-direction, so he told Mr. Nguyen to go with Ms. Welch, back to the Welfare Dept. and said that she would do what she could for him.

The meeting recessed at 10:40 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Tom Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 15, 1976

The meeting of the County Commissioners was held on Monday, November 15, 1976, at 9:35 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: AUTHORIZED TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of the bids received for the paving of the roads at Burdette Park Recreation Northwest, for the campsites.

RE: EMPLOYMENT CHANGESAPPOINTMENTS

AREA PLAN COMMISSION

Elizabeth A. Anderson 1901 Audubon Dr. Planning Tech. \$7,000 Yr. Eff: 11/15/76

CIRCUIT COURT

Berry L. Standley 2804 Monroe Investigator \$8,413.00 Yr. Eff: 11/3/76

COUNTY ASSESSOR

Zreeta Hardin	419 E. Gum St.	Inheritance Tax Appr.	\$9,381.00 Yr.	Eff: 11/15/76
Monica Mindrup	2105 Hercules	Inheritance Tax Appr.	\$6,134.00 Yr.	Eff: 11/15/76
Meraloyd Stansberry	800 E. Olmstead	Deputy	\$6,134.00 Yr.	Eff: 11/15/76
Cheryl Lawrence	12 N. Roesner	Excise Tax Deputy	\$5,769.00 Yr.	Eff: 11/15/76

COUNTY COMMISSIONERS

Harold L. Buck	7219 Autumn La.	Co. Council Member	\$2,400.00 Yr.	Eff: 11/16/76
Paul E. Ahrens	1032 E. Columbia	Co. Council Member	\$2,400.00 Yr.	Eff: 11/16/76

COUNTY TREASURER

Harriett Higdon	1017 Henning Hd.	Cashier-Bkkpr.	\$231.19 Pay	Eff: 11/15/76
Peggy Atherton	3401 Aspen Dr.	Counter & Post-Clk.	\$227.15 Pay	Eff: 11/15/76
Judy Lipking	R.R.4 Orchard Rd.	Ex. Clerk	\$16.10 Day	Eff: 11/15/76

PIGEON TOWNSHIP ASSESSOR REASSESSMENT

Doris Whobrey	745 E. Riverside	Supervision	\$30.00 Day	Eff: 10/29/76
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VANDEBURGH COUNTY ELECTION OFFICE

Virgil O. Lee	101 N. Alvord	Insp. Supervisor	\$2.70 Hr.	Eff: 10/27/76
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VANDEBURGH COUNTY HIGHWAY DEPARTMENT

Kirk B. Humphrey	111810 Park St.	Truck Driver	\$4.02 Hr.	Eff: 11/15/76
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RE. EMPLOYMENT CHANGES.....RELEASES

COUNTY ASSESSOR

Thomas Lindsey (Deceased)	621 S. Harlan	Inher. Tax. App.	\$9,381.00 Yr.	Eff: 11/12/76
Zreeta Hardin	419 E. Gum	Dep. Inheritance Appr.	\$6,134.00 Yr.	Eff: 11/15/76
Monica E. Mindrup	2105 Hercules	Deputy Appr.	\$6,134.00 Yr.	Eff: 11/15/76
Meraloyd Stansberry	800 E. Olmstead	Dep. Ex. Tax	\$5,769.00 Yr.	Eff: 11/15/76
Cheryl Lawrence	12 N. Roesner Rd.	Dep. Ex. Tax	\$5,484.00 Yr.	Eff: 11/15/76

COUNTY TREASURER

Connie Laubscher	6118 Kratzville	Hd. Cashier-Bkkpr.	\$231.19 Pay	Eff: 11/15/76
Harriett Higdon	1017 Henning	Post & Counter Clk.	\$227.15 Pay	Eff: 11/15/76
Peggy Atherton	3401 Aspen Dr.	Extra Clerk	\$16.10 Day	Eff: 11/15/76

PIGEON TOWNSHIP ASSESSOR REASSESSMENT

Doris Whobrey 745 E. Riverside Field Deputy \$20.00 Day Eff: 10/29/76

PLEASANTVIEW REST HOME

Mary V. Jackson 223 W. Michigan Cook \$2.30 Hr. Eff: 11/1/76
Sharon Stone 5400-A Weaver Road Nurse Aide \$2.30 Hr. Eff: 11/9/76

VANDEBURGH AUDITORIUM

David Moorehead 1602 Stinson Ave. Maintenance \$2.30 Hr. Eff: 11/15/76
James Mitchell 825 Line St. Maintenance \$2.45 Hr. Eff: 11/15/76

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

William H. Hilliard (Deceased) 803 Line St. Tk. Driver \$4.02 Hr. Eff: 11/8/76
Kirk B. Humphrey 11810 Park Street Laborer \$3.947 Hr. Eff: 11/13/76

RE: MONTHLY REPORTS

The monthly report of the Evansville Association for Retarded Citizens was submitted for the month of October.
Report received and filed.

The report of the Building Commission of permits issued was submitted for the month of October.
Report received and filed.

The report of the Clerk of the Circuit Court was submitted for the month of October.
Report received and filed.

The report from the Bureau of Traffic Engineering was received for the month of August and September.
Reports received and filed.

RE: ANNOUNCEMENT.....EMERGENCY ON ROAD CLOSING

Commissioner Schaad announced that the Commissioners declared an emergency and approved the closing of Mill Road between St. Joe Avenue and Kratzville Road and that the L & N Railroad Co. is repairing some railroad crossings at that intersection.

He said they wanted to open the intersection before the weekend but due to some equipment breakdowns, they apparently won't be able to open it before Wednesday.

RE: REQUEST FOR NON-PUBLISHED PHONE NUMBER

The following letter of request was received by the Commissioners from Sheriff DeGroote:

Dear Bob:

I do formally request the approval of your Board to have a private, non-published phone number added to my present telephone here in my office.

Due to the extreme need to protect the confidentiality of a great number of calls that come directly to me, pertaining to investigative matters, crime information, tips, etc., I feel this request is most assuredly valid and justifiable.

Thanking you for your time and consideration, and awaiting your reply,
I am, Respectfully submitted,

James A. DeGroote, Sheriff
Vanderburgh County Police

Commissioner Ossenberrg moved that Sheriff DeGroote's request be approved.
Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FROM JUDGE DIETSCH...VOLUNTEER SERVICES

The following letter was received by the Commissioners from Judge Dietsch:

Dear Commissioners:

I hereby request that the County Commissioners furnish maintenance personnel

for the purpose of painting offices located at 203 N. W. Seventh Street, the offices of Volunteer Services, Vanderburgh Superior Court. Said premises are leased by the County due to the lack of space in the Civic Center Complex and this space is paid for with Criminal Justice Funds.

We have the necessary supplies for the painting, etc., and are merely requesting the assistance of Mr. Hotz and his personnel to help us get this space ready for occupancy.

Your consideration in this matter will be greatly appreciated.

Very truly yours,

Terry D. Dietsch, Chief Judge
Vanderburgh Superior Court

Mr. Hotz said that Judge Dietsch has discussed this matter with him but the question he had was whether he could do it or not since this isn't a county-owned building, that it is leased.

He said there is also some minor carpentry work that needs to be done.

Commissioner Schaad said that the Commissioners didn't lease the building, that it could be that the Superior Court leased it.

County Attorney Smith said that he didn't see anything wrong with them helping do the work if the building was leased by the County but if it isn't, he didn't think they should do it.

Mr. Hotz said he was also concerned about the Insurance coverage.

Commissioner Ossenberg moved that this matter be deferred for one week, until Judge Dietsch provides the Commissioners with a lease and until the County Attorney's check out the legality of it. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR STREET INSPECTION

The following letter of request was received by the Commissioners from Mr. Syl Huck of 1117 E. 5th Street, Mt. Vernon, Ind. 47620:

Gentlemen:

I hereby request an inspection of Barbara Drive, a street located in Village Acres on Peerless Road, which is owned by the undersigned.

The above named street was constructed in accordance with county specifications. Subject street was finished about one (1) year ago.

This letter is submitted at the request of Mr. Ludwick in the County Surveyor's office.

Please notify me at the above address when the inspection is to be conducted.

Thank you, Sincerely,
Syl Huck

Commissioner Willner moved that this matter be referred to the County Surveyor's office for inspection and recommendation. Commissioner Ossenberg seconded the motion. So ordered.

RE: AGREEMENT WITH TEAMSTERS LOCAL 215

Commissioner Schaad said the Commissioners have the Agreement between them and the Teamsters Local 215 for Burdette Park employees.

He said this had been referred to the County Park Board previously, so they are legally responsible for Burdette Park to do the negotiating with the union, that the Commissioners had a letter from the County Park Board, stating that they did recognize Teamsters Local 215 as a bargaining agent.

Commissioner Ossenberg moved that this matter be referred to the County Park Board for their approval. Commissioner Willner seconded the motion. So ordered.

RE: CITIZENS BOARD APPOINTED

Commissioner Schaad stated that the Boehne Hospital property has been discussed for some time and he thought they had perhaps, all the people, on record, that are interested in the Boehne Hospital property and they were of the opinion that a Citizens Committee should be appointed to study all the letters and requests

that they have for the property, so the Commissioners agreed that each of them would appoint two people to study the matter and come back to them with a recommendation as to what should be done with it.

He said he understands there are approximately 55 acres there, and the buildings.

Commissioner Ossenbergs appointments are Don Henry of 815 Schnutte Road, a teacher at Reitz High School and Ralph Mueller of 7514 Huckleberry Lane, Vice President of Chem-Farm Inc.

Commissioner Willner's appointments are Elmer Bruck of 701 N. Boehne Camp Road and Al Dauble of 501 Westmore Drive.

Commissioner Schaad's appointments are Bill Motoux of 2920 Harmony Way and Earl Schmadel of 111 N. Red Bank Road.

Commissioner Schaad said he thought they should have a meeting as soon as possible, that he has had the Commissioner's secretary make copies of all the requests they have had for the property so they can be distributed among the members of the committee.

He said they will go from here and that the matter will again come before the Commissioners at another time.

RE: FRIELINGHAUSEN PROPERTY.....3-66-13

It was learned, last week, that Mr. Frielinghausen is no longer interested in the pie-shaped parcel of property that had been discussed and Commissioner Schaad said that Mr. Frielinghausen just wanted to forget it.

RE: CLAIMS

A claim was submitted by the City of Evansville for the County Share of the combined department of Purchasing, 50%, for the month of September, in the amount of \$899.56.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County Share of the combined department of the Traffic Engineer, 14%, for the month of September, in the amount of \$1,675.53.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the County Share of the combined department of Weights & Measures, 42%, for the month of September, in the amount of \$445.86.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by James L. Angermeier for per diem of \$20.00 per day for attending meeting on proposed Regulation 17, on Indiana property appraisal manual, in the amount of \$20.00.

Commissioner Schaad said he understands this comes out of the Commissioners budget.

Mr. John said it comes out of Acct. #130-980 which is a fund that is set up for the different state travels, organized by the State Board of Accounts and the State Board of Tax Commissioners, under the Commissioners budget.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS FOR THE PAVING OF ROADS AT BURDETTE PARK

There were two bids received for the paving of the roads at Burdette Park, Recreation Northwest, for the campsites, which are as follows:

Midwest Construction Materials Inc.....	\$21,966.40	Engineer's Estimate...
Feigel Construction Co.....	\$24,326.00	\$29,414.00

Commissioner Ossenberg moved that these bids be referred to the County Engineer's office for study and recommendation.

He said the contract will be awarded next week.

Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION 76-108-PC...VC-48-76

Petitioners and Owners of Record...Charles & Jeanetta Hagman.

Premises affected are located at 4916 Earl Avenue.

Petitioner requests a change from an A Zone to a C-1B Zone for an automobile repair shop.

This petition was approved by Area Plan with a vote of 8 affirmative and 1 opposed.

Mr. Richard Probert, Attorney, appeared on behalf of the petitioners and said that the Hagman's have operated this garage on this property since 1947 and they wish to rezone only the rear 90 feet of said property.

He submitted a petition signed by residents, giving consent to the rezoning petition of the Hagman's.

There were no remonstrators present.

Commissioner Ossenbergh moved that Rezoning Petition VC-48-76 be approved.

Commissioner Schaad seconded the motion.

The vote was in the affirmative by Commissioner Schaad and Commissioner Ossenbergh with Commissioner Willner voting in the negative. The motion carried.

RE: REZONING PETITION 76-109-PC...VC-49-76

Petitioner...Leo W. Vogt, Owner of Record...Virginia L. Vogt.

Premises affected is located at 3501 S. Weinbach Ave.

Petitioner requests a change from an A Zone to C-1B Zone for an auction mart and auto repair.

This petition was approved by the Area Plan Commission by a vote of 9 to 0.

Mr. Leo Vogt appeared on his own behalf in requesting the approval of this petition. There were no remonstrators.

Commissioner Ossenbergh moved that Rezoning Petition VC-49-76 be approved.

Commissioner Willner seconded the motion.

The vote was unanimously in the affirmative. The motion carried.

RE: REZONING PETITION 76-115-PC...VC-50-76

Petitioner...National City Bank, Lane Trust No, 14-0005

Premises affected is located at 1201 N. New Green River Road,

Petitioner requests a change from an A Zone to a C-1 for Parcel No. 1 and R-3 for Parcel No. 2.

This petition was denied by Area Plan with a vote of 3 affirmative and 6 negative.

The following letter was received by the Commissioners from Barry L. Standley, Attorney for the petitioner:

Attorney Barry L. Standley appears on behalf of National City Bank, Trustee of Land Trust No. 14-0005 and respectfully requests the Commission to delay and continue its consideration of Rezoning Petition VC-50-76 until and including the Commission's regularly scheduled meeting on November 29, 1976 for the following reasons:

- (1) Petitioner did not receive notice of the Area Plan Commission Executive Staff's recommendation to deny said petition until late morning of the day the petition was to be considered by the Area Plan Commission;
- (2) The Executive Staff of the Area Plan Commission appears to object to the said petition because it is not accompanied by a drainage plan and plot plan;
- (3) Petitioner believes with this extension of time, a sufficient drainage plan and plot plan can be provided.

Signed Barry L. Standley
Attorney for Petitioner

There was a question as to whether the Commissioners could approve the request and Commissioner Schaad said that there is something else that enters into it.

He said that an option had been mentioned and the option will expire before the next meeting and if they don't get this rezoning, they apparently won't exercise the option and that this is just an accommodation, since rezonings are only heard on the third Monday of the month.

Commissioner Ossenbergh said he doesn't mind making the motion to accommodate him, but he asked if there wasn't also, at that particularly time, at the Area Plan Commission, that he could not tell them what, specifically, was the plans for the ground to be rezoned.

Mr. Wilson said the plans for the land was just speculation.

Commissioner Ossenbergh moved that Rezoning Petition VC-50-76 be continued until November 29th, stating that at this particular time, he is going to have to tell the Commissioners what he is going to put on the land.

Mr. Al Nowling, a member of the Area Plan Commission, appeared and said that this Petition was presented to the Area Plan and that it is a land speculation thing, as Mr. Willson had mentioned, but that this wasn't brought out at the meeting and that he didn't care if it is or not, but that he is appearing today because the request was made and even if he had plans and specifications, that is no sign he can't change it and go to anything that comes under C-1 or R-3.

He said that they want to build a street through there and this is his concern and he thinks this is a good opportunity to get a street built in there, also that the Attorney said they were going to wait a year or so to see what was going to happen at the property across the street, where allegedly, a shopping center is going in.

He said the only reason he is appearing today is simply because he would like to see the street go in and as far as the drainage plans, all other requirements of C-1 for one parcel and R-3 for another parcel and he did mention to them that they might have to work out a straight through deal instead of a jog but he thinks it ought to be done so they could get this street in.

Commissioner Ossenbergh said that Mr. Nowling apparently saw a different set of plans than he saw, because when he came in originally, he showed him a street being cut through to the apartments only, that he didn't show him anything else.

Commissioner Willner said he can only go to the end of his property, that he couldn't go any further.

Commissioner Ossenbergh said it would just be a service street for the property that is out there.

Commissioner Willner then seconded the motion but he then commented, in regard to the actual plans for the property, that he didn't really care one way or another, whether there are plans or not, but that if the Commissioners require this gentleman to give a set of plans, then they must require everyone to have a set of plans and this has not been true in the past.

He said that the Commissioners have rezoned many pieces of property in Vanderburgh County with no plans, so he asked, when this set of plans comes up, how are they going to say they need a set of plans now. He said this isn't correct.

Mr. Nowling said that what Commissioner Willner stated is completely true and he thinks, sometimes, that it is totally unrealistic, from a developers standpoint, to require that he must have a set of drainage plans, contour plans, etc., prior to zoning, simply because it costs so much to do that and then if the zoning doesn't go through, he is left with a large bill.

He also said that the "no" votes they get is retarding development in the County and City and he don't want to see it retarded.

Commissioner Willner said he asked the Attorney if he would put up a \$100 an acre bond for the use of the County for drainage for this particular property and that at the meeting of the Area Plan Commission, he said he didn't know because the Owners of Record were not at this meeting and since then, he has called him and said that he has talked to the developers and that they would be agreeable to put up \$100 per acre, to be used for the drainage of the east side.

He said he whole-heartedly agree with this action and he thinks, in the future, that the Board of Commissioners should do the same with all big zonings in that particular area and they will then have some money to do something out there.

The motion so ordered, that this petition be continued until November 29th.

RE: REZONING PETITIONS 76-83-PC...VC-43-76 & 76-90-PC...VC-44-76

Petitioner and Owner of Record for both parcels is William & Susan Harty.

76-83-PC...Premises affected is known as 4119 Cort Street.

Petitioner requests a change from a R-1 Zone to a R-3 Zone for apartments.

This petition was denied by Area Plan with a vote of 3 affirmative and 6 negative.

76-90-PC...Premises affected is known as 4100 Cort Street.

Petitioner requests a change from R-1 Zone to a R-3 Zone for apartments.

This petition was denied with a vote of 3 affirmative and 6 negative.

A letter was received from William Harty, requesting that his rezoning petitions for 4100 and 4119 Cort Street be continued.

Commissioner Ossenberg moved that both these petitions be continued. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION...FIRST READING...VC-51-76

Petitioner and Owner of Record...Robert A. Weil Sr. of 10206 Darmstadt Road.

Premises affected are situated on the West side of Darmstadt Road, a distance of 1584 feet North of the corner formed by the intersection of Cedar Hill Dr. and Darmstadt Road.

The requested change is from A to R-O and the proposed land use is for a Residence and Real Estate Office.

Commissioner moved that Petition VC-51-76 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION...FIRST READING...VC-53-76

Petitioner and Owner of Record...Morris D. Rister of 2901 N. Grove Street.

Premises affected are situated on the East side of Grove Street, a distance of 877 feet from the S.E. corner formed by the intersection of Grove Street and Allens Road.

The requested change is from A to C-1B and the proposed land use is for a C.B. Sales Store.

Commissioner Ossenberg moved that Petition VC-53-76 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION...FIRST READING...VC-52-76

Petitioner and Owner of Record...James Browning of 2501 N. Grove Street

Premises affected are situated on the West side of Grove Street.

The requested change is from A to C-1B and the proposed land use is for a motorcycle Repair Shop.

Commissioner Willner moved that Petition VC-52-76 be referred to the Area Plan Commission on first reading. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST FOR TRANSFER OF FUNDS FROM REASSESSMENT BUDGET

A letter had been sent by Jim Angermeier, the County Assessor, to the County Commissioners, but it wasn't received until Saturday, so it wasn't on the agenda.

Mr. Angermeier appeared and explained the move he wanted to make in his office, since the County Council meets tomorrow and he needed permission of the Commissioners to go before Council.

He said that he wanted to change all the salaries because he advanced all of the personnel in his office, that Zreeta Hardin has been performing the job of Inheritance Tax Appraiser in conjunction with Tom Lindsey for six years and as a consequence, he thought this would be the experience that would be necessary in the continuance of this particular job, one with authority and one with knowledge, so by moving this position up, it gives him a position at the bottom now of a Deputy at \$5,484.00. He said in his repeated efforts to the Council he has been attempting to hire a Real Estate Deputy, not only one who would assist him in the Inheritance Tax work but also the work in Reassessment that is taking place now. He said this person would not only assist him in the duties of the office but would also carry on the same functions that Mr. Lindsey did, by reviewing and opening the boxes in the outlying areas and as a consequence, he could not hire anyone at \$5,484.00 for

this job and he is asking for the full support of the Commissioners, based on the fact that to hire a licensed and a practical and an experienced Real Estate man to perform this job, he would like to have a salary commensurate with the salary that is being paid in the other offices in the township level.

He said that he has some \$20,000.00 in his budget on Reassessment that he didn't use and he would like the support of the Commissioners, if he can find someone for the job and he will be back with their name before they are placed on the payroll, but he would like to have the approval of the Commissioners to take from this fund, \$39.60 per week for the remainder of the year and their permission to take it to the County Council tomorrow, that next year, he could use \$2,500.00 of the \$5,000.00 that has been budgeted for the Reassessment program, whereas he would be able to employ this person at a salary commensurate with \$8,465.00 which would still be below the Real Estate Deputies in the township office. He said he is fully aware of the fact that the Commissioners approve the employment of personnel for the County and he would likewise like their approval before going to the County Council tomorrow.

He said that he is sure that he can't find a broker at this salary but that he intends to hire a man who is a licensed Real Estate Salesman and he feels certain that with this type of background, the man will eventually become a broker and would be very valuable in the valuations of real estate and in the inheritance schedules which seems to be one of the biggest issues in the Attorney General's office now

Commissioner Ossenbergsaid that he feels as though Mr. Angermeier's people should be commensurate with the salaries the same as any Township Trustee.

Commissioner Ossenbergsaid moved that the request of Mr. Angermeier be approved. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report for the employees at the County Highway Department for the past week. Report received and filed.

RE: CLAIMS

A claim was submitted by Barnett Bros. Inc. for Baumgart Road, Burch Drive to Mt. Pleasant Road, Acct. #203-3831, Final Estimate #4, in the amount of \$4,908.94.

Mr. Ludwick said that the original contract on this was \$102,908.90 and that makes it an underrun of \$4,730.90.

Commissioner Ossenbergsaid moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

Two claims were submitted by Pepper Construction for the construction of the Comfort Station at Burdette Park, on in the amount of \$975.00, which was an approved change order previously. The second claim is in the amount of \$19,870.20, for General, Masonry and Plumbing. This amount is less the 5% retainage.

Mr. Ludwick said that both claims have been approved by Mr. Hertzberger.

Commissioner Ossenbergsaid moved that both these claims be approved. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

Mr. Ludwick said that an overloaded grain semi traveled over the bridges on the West side on Marx Road, located .7 of a mile West of Koressel Road, over a branch of Big Creek and that it is barricaded and blocked off. He said that he has prepared the specification and the Notice to Bridge Contractors but that it would be a week before they could come up with the bridge plans. He said the bridge is a narrow 16' wide structure and they would like to go back in and widen the road for the 28' structure and that the length would be about 61' and to do 50' on either side of the existing road, which will take them some time to come up with a set of plans.

He requested that bids be advertised on November 26th and December 3rd with the bids to be opened on December 6th. which will give them time to prepare the plans and he said that this project will cost approximately from \$75,000.00 to \$80,000.00, also that money has been budgeted for next year and that this will probably be held over until next year so he doesn't think they will need any additional money.

Commissioner Willner wondered if there would be any reimbursement at all on the damages and Mr. Ludwick said that no one knows who did it, that he received a telephone call from a farmer in that area who said a grain truck went over it and that is all he knows about it.

He said that it was an overloaded semi that was going rather fast, evidently, and there was a little dip in the road and when the semi went over it the semi bounced and caused all the beams to bust and caused them to collapse which threw one side of the bridge completely over.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise on specified dates. Commissioner Willner seconded the motion. So ordered.

RE: CHANGE ORDER

Mr. Ludwick submitted a Change Order #2 for the Burdette Park Comfort Station to Pepper Construction Co. in the amount of \$75.00.

He said this is a change caused by the type of washer and dryer needed for the Comfort Station, since they had to go to the stack type of commercial units because of wall space.

Commissioner Willner moved that the Change Order be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CHECK RECEIVED

Mr. Ludwick said that several weeks ago, a car hit one of the County vehicles out on the job, that the vehicle was taken to Cooke Chevrolet for an estimate on the damages and the people sent a check that was made out to the County Surveyor's office in the amount of \$64.00.

He said it was just a scratch so the check has been endorsed and he submitted it so it could be deposited into the General Fund

RE: SUBDIVISION STREET PLANS APPROVED

Mr. Ludwick said that Andy Easley appeared before the Commissioners a couple of weeks ago about his proposed development on Hobart Avenue, off St. Joe Ave. and he has submitted street plans to be approved by the Commissioners. He said the plans have been checked and that Mr. Easley is going to build a concrete street for this development which will be deeper than what the Subdivision code requires.

This is Commercial Street and it is in the St. Joe Ave. Business Park Subdivision that will be paved and Mr. Ludwick said that the depth of the street will be 7" instead of the required 6" and it will also be reinforced with wire mesh which isn't required.

Commissioner Ossenberg moved that the Street Plans for this Subdivision be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was submitted by Daniel K. Riddle for the easement work on the Sanders right of way on Nurrenbern Road, 2 parcels, in the amount of \$400.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: MASSAGE PARLOR BILL

Commissioner Schaad said that the status on the Massage Parlor Bill is that the Commissioners agreed, if the Attorney General didn't reconsider it, they were going to appeal it and he asked County Attorney Smith if this wasn't correct.

County Attorney Smith said that he talked to the Judge, this morning, who gave him a memorandum of his decision but it was addressed to the motion to set aside, as he recalled and the Attorney's also filed motions to intervene but he didn't see any ruling on it.

He said that the Judge told him verbally, however, that he had over-ruled the Board of Commissioners motion to intervene, that he didn't believe the Commissioners to be the proper party but he had sustained the motion to intervene by the Attorney General.

He said he asked for a copy of the Judge's original decision so he then could determine exactly what the basis of his ruling is, that as he understands

it, on the ruling, Friday, the only thing the Attorney General objected to was that section referring to the listing of various criminal offenses by section number and that Section 9 of the Ordinance was vague. He said the Judge apparently thought the rest of the Ordinance proved to be satisfactory as far as constitutional standards are concerned, also that the Judge is making a copy of his ruling for him so he will be in a better position to know exactly what they are faced with and how to respond to it. He said that the guts of the Ordinance is Section 8, so as far as he is concerned, they can knock Section 9 out and proceed with the Ordinance as it stands.

Commissioner Ossenberg said that the thing he doesn't understand is that the Judge sets aside the Commissioners but sustains the Attorney General.

County Attorney Smith said they took the position that it is up to the Prosecutor to prosecute under it but if the Judge is sustaining the motion on behalf of the Attorney General, then it looks to him like this opens up another door, since the reason they filed the motion to intervene was so the Attorney General would have the right to appear and defend the constitutionality of any municipal ordinance.

He said that he would get with the Judge and make every effort to get it straightened out so the Commissioners will know what to do.

After further discussion, County Attorney Smith was asked to come back next week with the written opinion and with what other information he has.

Commissioner Ossenberg said he would also suggest that after County Attorney Smith receives the written opinion, that he contact the Attorney General's office, as to what the next step would be.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Tom Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 22, 1976

The meeting of the County Commissioners was held on Monday, November 22, 1976, at 9 30 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: PLEASANTVIEW REST HOME TO BE PHASED OUT

Commissioner Schaad said that the Commissioners have been concerned for some time, of a problem they have had, as far as the County is concerned, since it weighs heavily on the tax roles and this is the problem of Pleasantview Rest Home. He said there are approximately fifty people out there and this year alone, it will cost the taxpayers upwards of \$114,000.00, that the building is old and more requirements are necessary all the time to keep it up to standards and specifications as set out by the Health Department so they can license it, in order to stay in operation.

He said that Jack Harness has done an excellent job in the six years he has been there, that the home is clean and the people are well taken care of, but the Commissioners think it is to a point of no return, that he and Commissioner Ossenberg talked about this problem when they were first elected and thought maybe, they could make a go of it, and when working with the Welfare Department this past spring, they thought the population of the patients would increase at the home since they had fourteen or fifteen people they thought they would be able to add but it didn't work out that way.

He said they did ask for \$20,000.00 of Revenue Sharing money to try to upgrade it which was last spring when they thought they would get more patients to where the home would be put on more of a paying basis rather than a constant loss, but when it looked as though this wouldn't come to pass, the Commissioners and Mr. Harness agreed that they wouldn't spend the Revenue Sharing money to improve or refurbish it, that they had already made some improvements to meet various standards and he said that it would cost the taxpayers more and more, so the decision made last week was that the Commissioners would phase out the Pleasantview Rest Home.

He said this is the decision of the Commissioners and plans for the home to be phased out are being worked on at the present time.

Commissioner Ossenberg so moved that the Pleasantview Rest Home be phased out. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said that Dale Work and his crew have been most helpful, since there has been a lot of work to do, so the residents of the home will be well taken care of.

He said the Commissioners appreciate everything that Mr. Work and Mr. Harness have done to help them out in this instance, that it has been done in a very orderly way, also that there is a lot of detail to be worked out in this matter.

Mr. Work said he thought this to be the right decision and the only decision the Commissioners could make, also that his prime interest is to see that the residents of the home are properly taken care of and they hope to make an orderly transfer of them and is sure they can with everyone working together.

Commissioner Schaad said he can't make any official statement at this time as far as the building is concerned but it is the feeling of the Commissioners that the property will have to be disposed of in some way, but the decision hasn't been made as yet.

He said that in the meantime, Mr. Harness will stay on to phase it out and take care of the properties until something is done with it.

RE: CONTRACT AWARDED FOR PAVING ROADS AT CAMPSITES

Two bids were received last week, for the paving of the roads at Burdette Park, Recreation Northwest, for the campsites, one of which was from Midwest Construction Co. in the amount of \$21,966.40 and the other bid was from Feigel Construction Co. in the amount of \$24,326.00.

Mr. Ludwick said the bids are in order and that the County Engineer Department recommends that the low bid of Midwest Construction be awarded the contract.

Mr. Hertzberger said that the recommendation is agreeable with him.

Commissioner Ossenberg moved that the Contract in the amount of \$21,966.40 be awarded to Midwest Construction for the paving of the roads at Burdette Park, Recreation Northwest, for the campsites. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGESAPPOINTMENT

KNIGHT TOWNSHIP ASSESSOR

Janet Kay Hall 1817 S. Parker Deputy \$16.10 Pt. Time Eff: 11/18/76

RE: MONTHLY REPORTS

The Report of the County Treasurer was submitted for the month of October. Report received and filed.

The Report of the Legal Aid Society was submitted for the month of October. Report received and filed.

RE: FEDERAL MONIES TO BE RECEIVED FOR STRIPING

Mr. Lochmueller said that Vanderburgh County has been authorized and obligated \$24,116.00 which is 100% federal monies which is for the striping of unmarked roads in Vanderburgh County.

He said the County will have to do some engineering and there was some question of whether they would go by contract or whether they would have their own paint crew but once this is determined, they can move on it.

He said he thought that the plans on which roads are to be done and the preliminary engineering can be done simultaneously.

Commissioner Ossenberg moved that Mr. Lochmueller work with Bill Judd to work out the engineering and which roads are to be done and to have them do it on the 100% federal monies in the amount of \$24,116.00. Commissioner Willner seconded the motion. So ordered.

Mr. Lochmueller said what they failed to find out was that this is really a two-year project and they will probably get an additional \$24,000 next year for those same roads, that if in six months to a year, if the markings have worn out, they will come back again and remark it; so the program is really double.

RE: AUTHORIZATION OF MONIES FOR ST. JOE AVE.

Mr. Lochmueller said that he received a letter stating that on September 30th., there was an approval for \$1,050,000.00 for St. Joe Avenue which is 70% federal monies, once they finish construction. He said this is construction money.

Commissioner Schaad said they don't even have the plans on this project as yet.

RE: FEDERAL AID SECONDARY

Mr. Lochmueller said they haven't used Federal Aid Secondary for some time, that they have had it available but haven't used it for some time and they have Federal Aid Secondary for the application the Commissioners turned in, on two culverts that are located over Blue Grass Creek, just west of Hwy. 57 on Boonville-New Harmony. He said this has been approved and the next thing for them to do would be to get the engineering done, that they could end up losing the money if they don't move rapidly.

He said as the Commissioners know, they were quite concerned about whether they were going to get their federal aid, urban, for the amount they were asking, which was considerably over their apportionment, but apparently, they have been getting an okay.

He said he is very pleased to see that the money for these projects has been approved, but they must get the engineering done and get into construction.

Commissioner Willner asked what the total amount is for Federal Aid Secondary over Blue Grass Creek.

Mr. Lochmueller said the amount is \$40,900.00 which was really allotted, that it was worked out through the Surveyor's office.

Commissioner Ossenberg moved that the matter be referred to the County Engineering Department so plans for engineering can be drawn up. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said these monies can be transferred to other counties if we don't need it and he received a call from another county, requesting out money, so he told Mr. Lochmueller to tell them "no", that we are going to use it ourselves.

RE: LIFE INSURANCE FOR COUNTY EMPLOYEES

Commissioner Schaad said an error was made on the agenda, that it should have read Life Insurance instead of Health Insurance.

He said that we are coming to the end of the year and he thought we should authorize the County Insurance Committee to draw up the specifications on Life Insurance for next year.

Commissioner Ossenberg moved that the Insurance Committee be so authorized. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said the Committee will draw up specifications for all County employees for 1977 and this needs to be done right away, so they can get bids advertised for and award the contract before the end of the year.

He said it has been called to his attention that it would be better for the Life Insurance to be billed, perhaps, on a monthly basis and he asked Ms. McBride, the Deputy Auditor, what she thought about it.

Ms. McBride said it would be much better for the bookkeeping department if it was billed on a monthly basis.

Commissioner Schaad said it could be put on a monthly basis, then if there are any adjustments to be made, they could make them from month to month as they go along and he said this could be written into the specifications.

Commissioner Willner said that it is agreeable with him but that usually, if the Insurance is paid by the month, it costs quite a bit more.

Ms. McBride said it wouldn't cost that much more and it would be worth the extra cost to keep from going through all they have to now.

Commissioner Willner suggested that the specifications designate that bidders bid both ways.

This was agreeable with the other Commissioners.

RE: MR. VOLPE.....BOND MATTER

Mr. Volpe, the County Treasurer - Elect, appeared and explained that he is here today to have his bonds approved.

He said that the three bonds he has submitted are identical to the three bonds that the present Treasurer has, in the sum of \$175,000.00, also that there is a fourth bond coming up, which is a blanket bond for the employees, that the present Treasurer now has this bond in the amount of \$50,000.00 to \$100,000.00, mainly because of a greater amount of money, etc.

He drew the Commissioners attention to Burns 17-3-32-1 which reads as follows:

The term of office of the county treasurer shall commence at the expiration of the term of the present incumbent; and he shall, before entering upon the duties of his office, execute his official bond, in a penalty of not less than the amount of money which may come into his hands at any time during his term by virtue of his office, to the acceptance of the board of county commissioners; which bond shall be signed and acknowledged by said treasurer and his sureties in the presence of the said county commissioners or a majority of said commissioners. Provided, that in case of a surety company, the proper officers of said surety company shall sign and acknowledge their signature in the presence of a notary public or other officers authorized to take acknowledgements.

He said this law was written in 1852 and he has spoken to a friend of his in the State Board of Accounts, who told him that they are trying to get this law and all other bonding laws changed and brought up to date by the legislature.

He said the problem is that it states, "the bond of the treasurer shall not be less than the amount of money that comes into his hands at any time," and that in 1852 when this law was passed, the treasurer's were the bank and in many counties, the treasurer's kept the money from two to three weeks, but now, the treasurer deposits daily, but in talking about money, the treasurer gets a check in from the State Auditor of property tax replacement credit of 2.7 million dollars and it is completely non-stealable, non-negotiable, non-embezzleable and it is just a worthless check except for being put into the Vanderburgh County bank account, that they also get approximately one million dollars twelve times a year from the State Welfare Department, the Revenue Sharing checks are better than \$350,000.00 quarterly, Principle and Interest checks from investments of the banks at about one-half million dollars every month, large property tax checks from the Southern Indiana Gas & Electric Company, Whirlpool, etc., that could be one million dollars each, highway checks of about \$80,000.00 per month and Road & Street checks which could be as high as \$150,000.00, that what he is saying is that the law really means money that can be subject to embezzlement or can be subject to conversion, not total money, so on this basis, he doesn't want to go out and get a five or six thousand dollar bond because this would cost the taxpayer \$30,000.00 and he thought it would be completely worthless, although at times, he could foresee where he would have six million dollars worth of large checks in his custody but they cannot be embezzled or transferred, so he would suggest that this present \$175,000.00 bond is adequate. He had heard, on very good authority, that the State Treasurer who handles something like two and one-half billion dollars per year, only has a bond of \$200,000.00 which is much smaller than this one, in relationship, and said it states that the bond should be to the acceptance of the Board of County Commissioners and on the basis of mere practicality and a savings to the taxpayer on what has been done before, he would recommend that the Commissioners accept these bonds.

Commissioner Schaad said that maybe this matter does need some study, since he can see Mr. Volpe's point, and he didn't know what had been established in the past.

Commissioner Ossenberg moved that this matter be referred to the County Attorney's for one week so they can study it. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....MR. DEWEESE

A letter was submitted to the Commissioners from Fred DeWeese, Manager of the Auditorium, requesting authorization to travel to Chicago on November 30, 1976. He said that the Convention & Tourist Commission of the Chamber of Commerce will make a presentation to the National Association of Association Executives at O'Hare Hyatt Regency and as a member of the Commission, he has been asked to prepare a display concerning the Auditorium facility and be a part of the program to be presented to the group and that the estimated expense for the trip is \$150.00 which will include travel by automobile, lodging and meals, that it will not include an estimated \$50.00 per member for the cost of the cocktail party that will be part of the presentation, the total requirements should be less than \$225.00, and that his current budget is sufficient to cover the expenses.

Commissioner Ossenberg moved that the request of Mr. DeWeese be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....MR. SCHAAD

Commissioner Schaad requested permission to travel to Indianapolis on December 1 & 2 for the annual meeting of the Indiana Association of County Commissioners and he said that he is on the program, also that if they can't transfer some money for the expenses, he supposed it could be paid next year, but that something could be worked out.

Commissioner Ossenberg moved that the request of Commissioner Schaad be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....MR. STEBEKING

Mr. Siebeking requested permission to attend a conference at Purdue University on December 6 through the 9th.

He said his registration fee of \$140.00 and the lodging cost of \$60.00 will be paid by the Indiana Office of Traffic Safety and Motor Vehicle, so actually, all he is asking for is permission to go and that he will probably have to have travel expenses for his gas and oil.

Commissioner Ossenbergh moved that the request of Mr. Siebeking be approved. Commissioner Willner seconded the motion. So ordered.

RE: RESOLUTION ON PEDESTRIAN FACILITY IMPROVEMENT

Mr. Bob Perry, President of the Student Council at Harrison High School, appeared and stated that the Student Council at Harrison is working with the City of Evansville, trying to get some pedestrian facility improvements along Division Street, between Green River Road and Cullen Avenue.

He said that this week, the Indiana State Highway Commission will be receiving a packet of information concerning this matter, from the Urban Transportation Study and Councilman Price suggested that he come before the Commissioners to let them know that this information would be presented to the State Commission.

He said the request he is submitting is for improvements to be made to the south side of Division Street, along the state right of way and it should have no affect on the City but that it depends on what they want to do and if they should decide to do something on the North side, it could have some affect on the County, depending on property rights and this sort of thing, but he did want to make the Commissioners aware of the fact that this would be presented, and any affect it would have on the County, they would like to know about it.

Ms. Barbara Henning, President of the Mayor's Youth Council, presented a Resolution that the Harrison High School's Student Council asked the Mayor's Youth Council to make, supporting their efforts and all the other City High School's, regarding pedestrian facility improvements and safety.

She said they felt that this is a very serious problem at Harrison High School but that they are also concerned with all the school property in Evansville, since safety should be promoted at all of them.

She read the Resolution in part:

Therefore, the Mayor's Youth Council is resolved as follows:

The Common Council of the City of Evansville and the Commissioners of Vanderburgh County are hereby requested to petition the Indiana State Highway Commission to install sidewalks and street lights on the South edge of the right of way of Division Street, State Highway 66, between Cullen Avenue and Green River Road for the protection and safety of the pedestrians in that area."

Commissioner Ossenbergh moved that the Resolution be adopted. Commissioner Willner seconded the motion. So ordered.

This is a Joint Resolution between the City Council and the County Commissioners.

Commissioner Schaad thanked Mr. Perry and Ms. Henning for being here and said that it is wonderful to see youth involvement in some of the problems of both, the City and the County, and that he thought it to be badly needed out there.

RE: CLAIM

A claim was submitted by Sheriff DeGroote, for the meals of the prisoners, from Oct. 15 to Nov. 14, 1976, in the amount of \$7,579.00.

Commissioner Ossenbergh moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: PETITION TO CLEAN DRAIN SUBMITTED

Ms. Norma Jarvis appeared and submitted a Petition to the Commissioners, for a drainage ditch to be cleaned on North 12th. Avenue and St. Joe, between Hobart and Allens Lane, in a Subdivision.

County Attorney Smith explained that this isn't on County road right of way, that it is on private property and he didn't think the County Commissioners had authority or jurisdiction to establish a legal drain on private property, but that he would look into it and see what can be done.

Commissioner Schaad said that Ms. Jarvis didn't want a legal drain, that she just wanted the drain cleaned but he didn't know what could be done about it.

Mr. Siebeking said it is only two blocks long and that it is strictly an easement drain or a property drain in Holland Addition and that it finally drains into Locust Creek, after going under St. Joe Avenue, that it is all private property.

Mr. Nussmeyer said he thought Mr. Johnson built that subdivision.

County Attorney Smith will check into this matter and it will be taken up again next week.

Commissioner Schaad said he is familiar with this problem and that if they want him to go with them to look at it, he will be glad to do so.

RE: QUIETUS FOR MONEY MADE ON AUCTION

Mr. Hotz submitted a quietus in the amount of \$1,694.80 which is proceeds from the Auction of surplus county items that were sold and he said the money was deposited into the General Fund.

RE: DISCUSSION OF REQUEST BY JUDGE DIETSCH

Mr. Hotz said that a letter was received last week, from Judge Dietsch, requesting that the Commissioners furnish maintenance personnel for the purpose of painting offices located at 203 N. W. Seventh Street. the offices of Volunteer Services, Vanderburgh Superior Court and he asked if any decision had been made on it.

Commissioner Schaad said this isn't a county building and Mr. Hotz questioned whether he could do any work on a building that wasn't owned by the County and there was also a question as to if they would work on it, if it was leased by Superior Court, as well as a question of Insurance.

After checking, Commissioner Schaad said there is no lease on the building at this time and unless there should be one forthcoming, they will just forget about it.

RE: QUESTION ON UNSOLD COUNTY SURPLUS BEDS

Mr. Hotz said they have fifteen or twenty hospital beds that weren't sold and he wondered if he might contact places such as St. Vincent De Paul to see if they are interested in the beds.

Commissioner Schaad said it is a shame to destroy the beds if they are of any value to anyone, but they are old and antiquated and the new modern places don't want them and made no offer.

He said that Mr. Hotz could see if one of these places would bid \$1.00 for the lot so they can get rid of them.

The other Commissioners agreed that this be done.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the County Garage employees for the past week.

Report received and filed.

RE: HEINLEIN ROAD

Mr. Siebeking wondered if they got the right of way on Heinlein Road and said that he thought that Ms. Heinlein had a question for her attorney since there is a retaining wall that is built out there, next to a machinery shed and this wall cannot be moved, and therefore, they can't go back and his suggestion was that maybe they could put a pipe in there and cover that particular area, but he didn't know if they thought this was a wise thing to do or not, however, he thought this to be a solution to the problem that is by Ms. Heinlein's driveway. He said it would be about 50 feet long, also he thought Ms. Heinlein probably had the wall built so the ditch wouldn't cave down because of the building being built so close to it.

County Attorney Smith said the way he left the matter of the right of way with Mr. Bosse, Ms. Heinlein's attorney, was that she was very reluctant to do anything because of the retaining wall.

He said he conveyed this information to Mr. Ludwick and asked him that he deal directly with Mr. Bosse on this matter and if they could figure something out, it would be fine.

Mr. Ludwick said he has talked with Mr. Bosse who is working on something, but that they are still waiting on the right of way from Chayes Virginia and others, and this all must be done before they can do anything.

Commissioner Schaad said he would see if this couldn't be hurried up because Mr. Burch had talked to him and said that anything the Commissioners wanted, they could have, to do the job right and he said they would get the same thing from Chayes Virginia, so he will follow through on it and in the meantime, Mr. Ludwick can get with Mr. Siebeking on what size pipe they need and what can be done to ease the situation, then maybe County Attorney Smith can go from there with Ms. Heinlein's attorney.

Mr. Ludwick said he would call Mr. Bosse again to see what he can find out. This matter will again be taken up next week.

RE: COMPLAINT OF DAMAGES.....MR. SEIB

A letter was received from a Mr. James Seib of Poseyville which reads as follows:

Dear Sirs:

In the first week in October I punctured a tire on the Ohio Street Bridge. I have been told that the bridge is maintained by the County. I have also been lead to believe that your insurance should reimburse me the price of the tire. The tire was only two weeks old when it was punctured. I am not able to use it again because it is a front tire and liable to blow out. It was a 15-22.5 floatation tire. It has cost me \$313.90 to replace.

Mr. Siebeking said he checked and found this to be a good price for this tire, since it is almost a \$400.00 tire.

He said he has referred this matter to Torian Insurance Co. once already.

Commissioner Schaad said that the Commissioners secretary would send Mr. Seib a letter, telling him that this matter is in the hands of the Insurance Co.

RE: COMPLAINT OF DAMAGES.....MR. MARTIN

A letter was received from a Richard Martin which reads as follows:

Dear Sirs:

On Sunday October 24, 1976, my car was damaged thru no fault of the driver. My sister was returning home from Resurrection Catholic Church when she hit a hole in the road. The hole was dug by the Water Works Department three weeks ago. One of the neighbors told me that there have been many people complaining to them to get it fixed. It was about 8 inches deep. The cost of repairs was \$137.42.

Commissioner Schaad said this matter was also referred to Torian Insurance Co.

Mr. Siebeking said this was on Old 460 and Robinhood and that they were contacted about it and the crew even went out there and barricaded it and put some rock in it until they could get back out there, that it has now been fixed with cold mix. He said he didn't know if they had concrete in it or not, since when he got out there, they already had the cold mix in it. The cost of the repairs was listed as \$137.42.

Commissioner Willner said that the new agreement with the Water Company was that they were supposed to concrete within an inch of the top of the surface and then top it.

Mr. Siebeking said there was a question as to whether it was the Water Company or the Gas Company, that they couldn't find out, also that Mr. Rueger didn't have a permit from anyone for the hole that was cut in the road.

RE: COMPLAINT OF DAMAGES.....MR. MITCHELL

A letter was received from a Mr. Harold Mitchell which reads as follows:

Dear Marsha:

I'm sending you two estimates for the damage that was done to my car on November 1st. around 10:45 as I was traveling North on Oak Hill road going to Oak Hill school to pick up some kindergarten children. I was going around 40

miles an hour just past Heckel Road when I ran over this chuch hole in the road that had been made by the Water Department for a house that was being built across the road. There were no flares or any kind of a warning that there was a hole.

The cost of repairs was \$406.55.

Commissioner Schaad wondered if this matter shouldn't be referred to the Water Department since the cut was made by the Water Company. He asked Mr. Siebeking to check on this matter and said that it will be continued next week.

RE: STREET PLANS APPROVED FOR BOHANNON ESTATES

Mr. Biggerstaff submitted street plans for Bohannon Estates and he requested that the Commissioners approve these plans for construction.

Mr. Nussmeyer said that he actually didn't have any objection but that it had been hanging fire for about six years, that it is located out on Boonville-New Harmony Road just west of Hwy. 57, also that they have had a bad drainage problem out there.

Mr. Biggerstaff said that the drainage problem has been corrected now, to a certain point and that another 250 feet of it needs to be reshaped and recleaned on either side of the Bohannon Estates.

After further discussion, Commissioner Ossenberg moved, on the recommendation of Mr. Nussmeyer, that the street plans for Bohannon Estates be approved. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON THE DRAINAGE PORTION OF BUILDING CODE

County Attorney said that the drainage portion of the building code was previously discussed, that he has talked with Mr. Crooks and they discussed it, on permits being issued which requires a site plan which is applicable to the drainage plan and he thought it to be the case, that the County has all the tools so they can require a drainage plan under the existing law.

RE: CUTS IN

The Waterworks Department requests permission to cut into Briar Court to install a 1625' 8" water main extension.

Commissioner Ossenberg moved that this cut be approved. Commissioner Schaad seconded the motion. So ordered.

RE: VALLEY DOWNS 11 SUBDIVISION ACCEPTED

Mr. Ludwick submitted Amendment #28 to the Road & Street file, for the acceptance of Valley Downs 11 Subdivision. He also submitted the following letter from Guthrie May & Co. Inc.:

Gentlemen:

We hereby submit the following concrete streets with integral curbs for your approval and request that they be accepted and maintained by the County:

Deer Trail from the intersection of Saratoga Drive to Autumnwood Way.
Saddlebrook Lane from Saratoga Drive to Autumnwood Way
Autumnwood Way from Deer Trail to Spring Valley Road

The plans for the construction of the streets were approved by the County Commissioners in September, 1976. The plat was recorded on September 27, 1976.

Sincerely,
Guthrie May, Donald J. Blume, Vice President

Mr. Ludwick said that the Surveyor's office recommends that these streets be accepted by the County for maintenance.

Commissioner Ossenberg moved that the above streets in Valley Downs 11 Subdivision be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: VILLAGE ACRES SUBDIVISION SECTION A

Mr. Ludwick submitted Amendment #29 to the Road & Street file, for the acceptance of Barbara Drive in Village Acres Subdivision Section "A".
He also submitted the following letter from Mr. Syl Huck:

Gentlemen:

I hereby request an inspection of Barbara Drive, a street located in Village Acres on Peerless Road, which is owned by the undersigned.

The above named street was constructed in accordance with county specifications. Subject street was finished about one year ago.

This letter is submitted at the request of Mr. Ludwick in the County Surveyor's office. Please notify me at the above address when the inspection is to be conducted.
Thank you, Sincerely, Syl Huck

Mr. Ludwick said this street has been checked and that the Surveyor's office recommends that it be accepted.

Commissioner Ossenberg moved that Barbara Drive be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: THREE BRIDGES IN UNION TOWNSHIP

Mr. Ludwick said the Surveyor's office is proceeding with the plans for these bridges.

RE: NURRENBERN & RED BANK ROAD

Mr. Nussmeyer said they still have a right of way problem with a Mr. Sanders and they haven't heard anything on it as yet.

RE: OUTER LINCOLN AVENUE

Mr. Ludwick reported that they are still working on Outer Lincoln Avenue.

RE: REPORT ON MASSAGE PARLOR ORDINANCE

County Attorney Smith said he obtained a copy of Judge Lensing's ruling, that he didn't really understand it but that he has sent it off to the Attorney General's office. He said the Judge overruled our motion to set aside and presumably, the reasoning was that in the section of law requiring notice to the Attorney General in any proceeding affecting the constitutionality, that it would apply in a case of a civil nature, however, in all proceedings throughout the state, criminal or otherwise, the Attorney General must be notified and that portion was not done, also they overruled our motion to intervene and they have sustained the motion to intervene on behalf of the Attorney General. He said he didn't believe that the Judge sent them a copy of the ruling, also that he hasn't heard anything from them, so he is going to call today and see what they need to do and he will then report back to the Commissioners.

The meeting recessed at 10:40 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Alice McBride (Deputy)

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Tom Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 29, 1976

The meeting of the County Commissioners was held on Monday, November 29, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

SHERIFF'S DEPARTMENT

Michael Taylor 508 Keck Ave. Patrolman \$10,502.00 Yr. Eff: 12/4/76

VANDEBURGH AUDITORIUM

Dwight Taylor	1214 S. Governor	Maintenance	\$3.947 Hr.	Eff: 11/25/76
Jessie Byers	617 John St.	Maintenance	\$3.947 Hr.	Eff: 11/25/76
Anita Glover	802 Line St.	Coat Check	\$2.30 Hr.	Eff: 11/25/76

RE: EMPLOYMENT CHANGES.....RELEASES

SHERIFF'S DEPARTMENT

Michael Taylor 508 Keck Ave. Probationary Patrolman \$9,352.00 Yr. Eff: 12/4/76

PIGEON TOWNSHIP ASSESSOR...REASSESSMENT

Mary Jo Mooney 105 N. Oakland Clerk \$20.00 Day Eff: 11/19/76

VANDEBURGH AUDITORIUM

Dwight Taylor	1214 S. Governor	Maintenance	\$3.94 Hr.	Eff: 11/25/76
Jessie Byers	617 John St.	Maintenance	\$3.94 Hr.	Eff: 11/25/76
Anita Glover	802 Line St.	Coat Check	\$2.00 Hr.	Eff: 11/25/76

RE: HOLIDAY SCHEDULE

Commissioner Schaad issued the following statement to all County Officeholders and Department Heads:

All county offices will be closed Friday, December 31, 1976, in observance of New Year's Day, 1977.

As December 31st is our regular pay day, checks will be issued on Thursday, December 30th.

Commissioner Schaad said this conforms with both, the City and the School Corp.

Commissioner Ossenberg moved that this action be approved. Commissioner Willner seconded the motion. So ordered.

RE: RESOLUTION OPPOSING PASSAGE OF BILL CONCERNING BAIL

Commissioner Schaad said that it was called to the attention of the Commissioners, by Ms. Juras, that under the new Bail Bond Act, the Clerk will be able to collect the 10% on bail bonds and the 10% will be returned to the person requiring the bond, however, the Clerk will collect 1% for service charge, and he understands that there is to be some legislation considered to eliminate this 1% so the Clerk would get nothing.

He read the Resolution of the County Commissioners, opposing the passage of the Bill for an Act to amend IC34-1-66-1 concerning bail, as follows:

WHEREAS, there is now a bill for an act to amend IC 34-1-66-1 concerning bail before the Indiana State Legislature which would prohibit a court from charging any fee for depositing money as bail; and,

WHEREAS, the Vanderburgh County Circuit and Superior Courts now charge such a fee; and,

WHEREAS, such a fee is charged only upon a defendant exercising the ten percent cash bond option; and,

WHEREAS, the exercising of this option by a defendant results in a ninety percent saving to the defendant and provides a more just system of release; and,

WHEREAS, such a fee offsets administrative costs of this bond program which benefits the defendant; and,

WHEREAS, such fee is deposited in the County General Fund and lessens the property tax burden; and,

WHEREAS, prohibiting the charging of such fee will cause unnecessary hardship on Indiana taxpayers; and,

WHEREAS, the Board of County Commissioners continually seeks alternative ways to relieve the overburdened taxpayers,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF VANDERBURGH COUNTY THAT:

The Board of County Commissioners is opposed to the passage of the bill for an act to amend IC 34-1-66-1 concerning bail and requests the rejection of that bill by the Indiana State Legislature.

Commissioner Ossenberg said he understands that the County Council is going to adopt the same resolution.

Commissioner Ossenberg then moved that the Resolution be adopted. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE...FOOD FOR PRISONERS

Mr. Huffman submitted the specifications and the Notice to Bidders for the Sheriff's Food Program.

Commissioner Schaad explained that the Sheriff is contemplating going to an outside caterer to supply food for the prisoners instead of them preparing it.

Mr. Huffman said he sent the Sheriff a copy of the specifications last week and he assumed they met with the Sheriff's approval.

Commissioner Ossenberg moved that the specifications be approved and that the Auditor be authorized to advertise for bids on December 2nd and 9th, with the bids to be opened on Monday, December 13th, 1976. Commissioner Willner seconded the motion. So ordered.

RE: APPROVAL OF FUNDS FOR INSTALLATION OF AUTOMATIC SIGNALS

The following letter was received from Charles Miller of the State Highway Commission in regard to RRP-E080 (1), PE & Constr. for installation of automatic signals on Nurrenburn Road at L & N RR crossing in southwestern Evansville at the south urban area limits of Evansville:

To Whom It May Concern:

The enclosed Federal Highway Letter is being provided for your information. Since the Indiana State Highway Commission is acting as your agent, no action by the Local Agency is necessary at this time. This office will eventually forward Agreement documents for appropriate signatures and you are reminded that the Local Agency is responsible for installing advance warning signs and pavement markings while the Railroad is constructing the crossing.

If you have any questions, please contact our office

Very truly yours, Charles D. Miller
Chief, Division of State Aid

Commissioner Schaad said that the amount approved for this project is \$34,200.00 and that no action is needed by the Commissioners, other than to come up with the plans, also that Keith Lochmueller has been handling it and getting the engineering done on it.

RE: CHECK RETURNED.....INSUFFICIENT FUNDS

Commissioner Schaad said that a check in the amount of \$224.00 from Mr. J. Vaughn of the Tri State Printing Corp. was returned on some surplus property he had purchased at the auction at Boehne Hospital, due to insufficient funds, that it was sent through again and returned the second time.

This matter was referred to County Attorney Wendel so he can contact Mr. Vaughn to see if he intends to pay it and if not, legal action will be taken.

RE: APPROVAL OF FUNDS TO UPGRADE BRIDGE ON MOHR ROAD

Commissioner Schaad said the County Commissioners, through Keith Lochmueller's office, are constantly seeking federal funds to relieve the tax burden in Vanderburgh County, that it hasn't been done too much in the past and now the County has been given, on off systems money, \$68,055.40, to upgrade the bridge over Locust Creek on Mohr Road, including the removal of an overpass of a vacated railroad. He said this is 70-30 money, that the total cost of the project is \$97,224.00 and the Government will pick up \$68,055.40 of that bill, also that there was a question of whether that track has been abandoned, that he didn't think it had and that this needs to be worked out and they need to get the engineering done on it, so this is the approval for the money.

RE: CHECK RECEIVED FROM EPA OFFICE

A check was received from the EPA office in Chicago in the amount of \$2,200.00, which is money that Vanderburgh County is still getting on the Treatment Works when the sewer was put in at Boehne Hospital.

Commissioner Willner moved that the check be endorsed and referred to Mr. John for deposit in proper account. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. VOLPE.....BOND MATTERCLAIM

Mr. Volpe, the County Treasurer - Elect, had submitted three bonds last week for the approval of the Commissioners and they were referred to the County Attorney's for one week so they could study them.

The bonds are in the amount of \$888.00 to cover his bond as County Treasurer, City Treasurer and the Barrett Law Treasurer and he submitted the claim for this amount.

Commissioner Schaad said he understands this is the same amount as taken out by the present Treasurer.

Mr. Volpe said it is exactly the same but as he had previously stated, he would like to increase the blanket bond on the employees from \$50,000.00 to \$100,000.00, but this will be forthcoming.

Commissioner Ossenberg moved that the bonds and the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON LIFE INSURANCE FOR COUNTY EMPLOYEES

Commissioner Schaad said he had hoped to get the specifications today, in order to advertise for bids on Life Insurance for County employees but they aren't ready as yet, so this matter will again be placed on the agenda for next week and hopefully, they will be ready so they can be advertised on December 9th and 16th, with the bids to be opened on December 20th, since this must be done before the end of the year.

RE: REZONING PETITION 76-115-PC...VC-50-76

Petitioner...National City Bank, Lane Trust No. 14-0005

Premises affected is located at 1201 N. New Green River Road.

Petitioner requests a change from an A Zone to a C-1 Zone for Parcel No. 1 and R-3 for Parcel No. 2

Commissioner Schaad said this Rezoning Petition had been delayed and that it is a little unusual to be taking it up at this time since all petitions on rezoning are only normally heard on the third Monday of each month, but since this is an exception, due to the fact that they have an option to buy which will be up before the Commissioners act on petitions again, they will act on it today.

Mr. Jeff Wilson of the Area Plan Commission said that Mr. Standley, the Attorney for the Petitioner, has worked with the Area Plan on this petition and said he would post a bond which Commissioner Willner wanted and he would have a Letter of Intent that they will put in the deed, to the effect that any construction will have to be approved by the County Commissioners and the County Drainage Board before they attempt to get any permits.

He said the Area Plan recommended denial until the drainage plans had been presented but he thought these were safeguards that would help them and nothing would happen until the County Drainage Board accepted a good drainage plan so it is the recommendation of the Area Plan to approve this petition.

Commissioner Schaad asked if the staff didn't normally make their approval to the Area Plan.

Mr. Wilson said this is the staff approval and they recommend to the Area Plan Commission, after which the Area Plan takes action.

Mr. Standley then submitted to the Commissioners, the executed Letter of Intent and his personal assurance that they will present plans as well as the bond. He said he doesn't have a number for the bond but he will get one, also that the Bonding Company has never written a letter like this but they have no objection to writing it, but they do have to give him a number for it.

He said the Plan Commission has already expressed an intent that this is good zoning out there, since nearly everything out there is zoned commercial, that they only really had one reservation and that was a lack of a drainage plan and construction plan and he explained that his client is waiting for the shopping center to be built across the road before they begin lining up tenants for this tract of land, since they don't want anything that would be duplicated and the other thing is that they can't go out and line up tenants to occupy buildings in this tract of land with it zoned agricultural, not knowing for sure that it will be rezoned.

He said it is good zoning and that with some difficulty, they did get the owners to agree to put a covenant in the deed but they didn't feel, under the land option agreement, they had with his client, that they were obligated to do it, but he did prevail upon them to do this and they gave him a letter of intent to put a restricted covenant in the deed.

He said he believed they were acting in good faith and he thought this to be good zoning and he thought the Area Plan Commission already agrees to this, that the only reservation they had was a lack of a plan.

He said that with these assurances, he hoped that Commissioner Willner has changed his mind since he did vote against the petition, also that Mr. Nowling voted in favor of the petition and that Mr. Jarrett told him that if he had a better grasp of the situation, he would have voted for it at the Area Plan Commission and Mr. Lukens had no objection to it.

He said it would be harsh for his clients to wait and try to sell a piece of agricultural land to commercial tenants and they are assuring the Commissioners that they will give them the plan and give them the opportunity to reject any plan they might present, pursuant to drainage, and he also added, that given this delay of a year or two, until they do line up some tenants, might also make it clearer, as to just exactly what should be required of people in that area, pursuant to a drainage plan as development goes on out there.

He said his client is very interested in an extension of Vogel Road which will be included in his plan and they are dedicating the land because they want it.

Commissioner Willner said he would like to see the Bond Agreement and he asked if there was any recommendation on it.

County Attorney Wendel said that it is awkwardly stated at the end, that a plan will be presented upon a plan being presented and upon the plan being presented, the bond becomes void, but it doesn't specify that it must follow the recommendations that are made.

Mr. Standley said if the wording worries the County Attorney, he will be willing to re-word it to his satisfaction, but that the bond is good until a plan is presented for drainage and construction out there regardless of the lapse of time, that it is open-ended and the bond won't be released until the plan is presented and approved.

County Attorney Wendel asked that the wording, "and approval by the County Commissioners or their successors and the Drainage Board or their successors", be added.

Mr. Standley agreed to add the requested wording at this time.

Mr. Al Nowling said he is in favor of this petition, that he previously enumerated the reasons and they haven't changed any, also they have attempted to do what the Commissioners asked of them, also as to plans, he thought the gentleman was 100% correct since anyone could present plans which might not wind up that way and it is strictly legal too, and he highly recommended that the Commissioners approve this petition.

There were no remonstrators present.

Commissioner Ossenberg moved that Rezoning Petition VC-50-76 be approved. Commissioner Willner seconded the motion.

The vote being unanimous in the affirmative, the motion carried.

Mr. Standley said he would re-word the bond and get it back to the Commissioners right away.

RE: COMPLAINT OF DUST ON NORTH GROVE STREET

Mr. Paul Gates, Inspector for the City EPA, appeared and said they have had several complaints on dust in the North Grove Street area, in the 2600 and 2700 blocks, that the complaint was actually against the property owner at 2400 N. Grove St. but in his investigation, he found that they are not in violation, that the source of the dust is actually under the Diamond Avenue Overpass and this is where the sides of the roads were low and they were filled in and every vehicle that he observed, going southbound, where almost that whole side was filled in, the vehicles were stirring up dust and it was going onto the property of the complainant.

He said his office discussed this and they wondered if that area could be oiled down to eliminate the dust.

Commissioner Willner moved that this area be oiled in accordance with Mr. Gates recommendation. Commissioner Ossenberg seconded the motion. So ordered.

RE: REPORT ON THE MASSAGE PARLOR LAW SUIT

County Attorney Smith reported on the County Commissioners law suit on the Massage Parlor Bill as to it's progress by stating that he was in touch with the Attorney General's office this past week and he came to the conclusion that the Prosecutor would be the proper one to initiate an appeal and they would pick up the appeal and handle it, depending on how Judge Lensing ruled on the motion by the Prosecutor, so the motion was filed.

Commissioner Schaad said it is under the deadline so they will just have to wait and see how Judge Lensing rules on it.

RE: REPORT ON PETITION TO CLEAN DRAIN

Last week, Ms. Norma Jarvis appeared and submitted a petition to the Commissioners for a drainage ditch to be cleaned on North 12th Avenue and St. Joe, between Hobart and Allens Lane and the matter was referred to County Attorney Smith so he could check into the matter.

County Attorney Smith said he didn't think there was much the County could do but that he still wants to do more checking on it.

Commissioner Schaad said it isn't a legal drain and it isn't on County property, but that this has been a problem for a long time and they have had many calls on it, also that if it is going to damage some of the County roads, they would be justified in doing the work, but he didn't know if this was the case or not.

Mr. Nussmeyer said he thought this was a platted alley but he wasn't sure if it was dedicated or not but that he will check it out.
This matter will be deferred until next week.

RE: CLAIM

A claim was submitted by Mr. Alvin Stucki, the Center Township Assessor, for travel expenses in traveling to the State Tax Board Meeting, in the amount of \$22.86 for per diem of \$20.00 plus 13¢ per mile traveled.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: REPORT OF PROPERTY ON BURKHARDT ROAD

Mr. Crooks reported on the property where Ms. Hordynski lives which is located at 4910 N. Burkhardt Road, by stating that he wrote a follow-up letter on November 19th to Ms. John Bunch, the legal owner of the property, relative to that property, in that by November 29th, this matter would be brought up before the Commissioners for condemnation proceedings and on November 22nd she came in and said she would agree to fence the property in, since she was having trouble with the neighbors and it would make it safe so the kids couldn't get to her property but she didn't know if the fence would stay there because she thought the neighbors were going to tear it down.

He said he told her if she would build the fence and make it safe, then by next spring, if she could get something properly done to it, he thought the Commissioners would go along with it and if they agree, this is where they will leave it.

Commissioner Schaad said the fence won't help the eyesore and that they don't have the new eyesore ordinance in yet either.

Mr. Crooks said his concern was the danger of the kids falling in the basement out there.

Commissioner Schaad said if they are going to get their nuisance ordinance in, he would hate for those people to put up a fence and then have to come back and tear it down anyway and the fence doesn't really eliminate the eyesore.

Mr. Crooks said if the Commissioners so wish, they can condemn the building and order it to be torn down but if they didn't do it, the County would have to tear it down at County expense and would then file a lien against the property to recover the cost of wrecking it.

He said that Ms. Bunch told him that she would undoubtedly be able to do something better than that in further improvement by Spring.

Commissioner Willner wondered if she couldn't clean up the mess on the property at the amount she would spend to build a fence.

Mr. Crooks said it would depend on the type of fence built and who she would get to build it.

Commissioner Ossenberg said if this is what she wants to do and if she lives up to her promise in the Spring in making some improvements, he will go along with it.

Mr. Crooks said he would write her such a letter.

Commissioner Ossenberg moved that the Commissioners go along with the fence being built to eliminate the hazard as far as the kids are concerned, providing Ms. Bunch does make improvements by next spring. Commissioner Willner seconded the motion.. So ordered.

RE: REPORT OF PROPERTY ON PETERSBURG ROAD

Mr. Crooks said this property is on Petersburg Road, just North of the Hornet's Nest and that it has been before the Commissioner's a number of times and that he has written a letter to Jerome Preske who is purchasing the property on contract, telling him that this matter will be before the Commissioners this morning for consideration of condemnation.

He said that in the past, Mr. Kriehauser, the owner, by title, had agreed by telephone, that he would get with Mr. Preske about tearing down the place and in their conversation this morning, she said that nothing has happened to it and that she wouldn't tear it down until they had a written letter from them because of past experience.

She also said if the County can condemn the house, she thought it would help us to make some progress since they can't tear it down until it is condemned.

He recommended that this particular house be condemned and said that in turn, he will have to write a letter to the contract buyer and the owner and then if they don't tear it down, the county will tear it down and file a lien against the property, if it is agreeable with the Commissioners.

Commissioner Willner moved that the property on Petersburg Road be condemned on the recommendation of Mr. Crooks. Commissioner Ossenberg seconded the motion. So ordered.

RE: AUTHORIZATION TO FILE SUIT FOR DAMAGES

Commissioner Schaad said that damage was done to a County-owned car issued to Mr. Hotz, in an accident and the County Attorney's wanted permission to sue to try to collect damages and he asked what the status of this matter is.

County Attorney Wendel said that the man originally planned to pay it but then the Insurance Company entered into the picture and now he doesn't plan to pay it.

Commissioner Ossenbergh moved that the County Attorney's have permission to sue, on behalf of the County, to recoup the damages that was done to Mr. Hotz's car. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON COPY MACHINE IN RECORDERS OFFICE

Commissioner Schaad said he had a call from the gentleman that was interested in the copy machine that is in the Recorder's office, but he apparently wasn't able to come up with the bond that the Building Authority wanted, to give him permission to get it.

He said he talked with the gentleman this week and told him that the Commissioners would like to have it done if he is interested in the machine and suggested that they get with the Building Authority and come up with the kind of bond that they want, so they would be protected from any damages that might occur and that he would like to have it done by this Monday and the gentleman assured him that he would, but that he hasn't heard anything further on it.

County Attorney Wendel said that the last he had heard was that the gentleman had contacted a commercial mover, thinking that by having them move the machine, he would have insurance and he wondered if this would be okay.

Commissioner Schaad said that if this didn't work out with him, Mr. Hotz was going to do it with his men and the supervision of the Building Authority's personnel.

After checking, County Attorney Wendel said he now has a Certificate of Insurance made out to Lamasco Transfer Company, so he is asking permission to write a contract between the Commissioners, Lamasco and David Kitch, who is the gentleman that bid on the Copy Machine.

He said the Certificate of Insurance exceeds all requirements of the Building Authority.

Commissioner Willner moved that County Attorney Wendel draw up the contract. Commissioner Ossenbergh seconded the motion. So ordered.

RE: CUTS IN REPORT

Mr. Siebeking said that two cuts made by the Water Company on Oak Hill Road and on Old 460 have been repaired to the County's specifications, but there were no permits issued on either of them. He said the claims that were filed against the County for damages where people had hit the holes, has been forwarded to the County's Insurance Company, with the suggestion that they take it up with the Insurance Company for the Water Company.

Commissioner Willner said that as far as the Water cuts are concerned, he knows exactly how these people feel, that it is ridiculous and asinine and he thought they should get the President of the Water Board up here and get something black on white, signed by both parties instead of the present hit and miss proposition.

Commissioner Ossenbergh agreed with this but said that he didn't think it stops with the Water Company, that the Gas Company should be involved as well as any other utility that cuts into the County roads. and Commissioner Willner agreed.

Commissioner Ossenbergh said he still contends that if the utility Companies don't repair their cuts, that the County should do it and bill them.

Commissioner said the two cuts that were made by the Water Company, where no permit had been issued, should be brought to the attention of the Water Department, also that they need more enforcement by the Road Inspector since the Commissioners don't know anything about these things that aren't done right, if it isn't brought to their attention and they are almost going to have to be acted upon on a job by job basis.

Mr. Siebeking said the roads are being repaired satisfactorily by the Water Co. but that while cuts are being made, some are being left without barricades overnight. He said this is what is causing problems with the damaged cars.

Commissioner Schaad asked if when they do give approval for cuts, if there could be some specifications written as to what they must do, as far as barricades, etc. are concerned and that they be returned to the Commissioners, that to do it on a blanket basis is where they get lost again, so it almost has to be on a job by job basis, in his opinion. He said to get someone from all utilities here for a meeting, which has been done, is all well and good and for awhile it is okay, but then they get back to the same old thing.

Commissioner Willner said it is easy for them to give the application for cuts, to the Surveyor's office and have them brought up to the Commissioners and he asked why they couldn't bring them up themselves and the Commissioners could take them on an individual basis, since the Commissioners has no contact with them at all.

Mr. Ludwick said that they name the area they want to cut and when the Inspector looks at that area, he says the area looks good to cut and he puts his stamp on them and then they are brought back and told to make the cut, but at this time, there has been no work done before the applications are stamped, so they are getting into a problem when they are out on the job, that it is the lack of communication of the Utility Company that is making the cut.

He said they have the utility meetings once a month and have had them for the last four years and personally, he can't complain about any one of the Utility Companies since they help the County out with anything other than these pavement cuts. He said the application form states that they must backfill, set up barricades, etc. and they sign it and he can't see how else they can make out these permits since what they say is sufficient, but they just don't carry it out or else they aren't enforced, that maybe the Utility Company making the cut should get in touch with Mr. Rueger prior to making that cut at a particular location so he can be there.

Mr. Siebeking said he thought a lot of the problem is after the cut is made, that they put the rock in if they get done within the same day, but it beats out pretty fast and he thought this is where a lot of the problem lies, that they don't come back and check it until they go out to do their final repair.

Commissioner Willner said it was agreed, at one time, that they would concrete these cuts within an inch from the top and he would like to know why the cuts are done differently in the City than in the County and if they are done right in the City, why they can't be done right in the County.

Mr. Siebeking said he checked the one out on Oak Hill Road and this was the way it was repaired, but what has happened between the time of the repair and the cut, he didn't know, that he just knew there was a hole when a woman hit it, but that it is repaired now.

Commissioner Schaad said it is just a matter of better co-operation between the County Road Inspector, the Utility Companies and the County Commissioners office and that he thought they should have a meeting with the Utility Companies and the Road Inspector and discuss it with them, since he thought this would be the proper place to do it.

RE: REPORT ON HEINLEIN ROAD

Mr. Siebeking said that he checked Heinlein Road out this past week and it would be his and Mr. Nussmeyer's recommendation that a 36" pipe will be sufficient in there, probably for a distance of about 80' which is the longest retaining wall that Ms. Heinlein was concerned about, also the right of way has been acquired from Burch and Chayes Virginia, so they have it to a distance of about 1300' on the South side of the road and when they get the North side of the road straightened out with Ms. Heinlein, they will be ready to take care of it.

Mr. Nussmeyer said that Mr. Ludwick will contact Mr. Bosse and see what he has on it, also that they will have the necessary right of way, even if Ms. Heinlein doesn't give us any, but that they will have to shift it a little to the South.

Mr. Ludwick said, at this point, Ms. Heinlein has refused to donate the right of way, and she said that the County doesn't need it and he thought it was just a misunderstanding as to what the County intends to do in there and he will explain this in his letter to Mr. Bosse and he should have an answer by next week.

RE: POLICY SET ON CLEARING COUNTY ROADS

Mr. Siebeking said he had the crews out all day yesterday due to the icy roads and streets but he felt they have spoiled a lot of people in Vanderburgh over the last eight years by clearing every road and every dead-end drive that has been accepted by the County and they get a lot of phone calls as soon as we get some ice or snow and he feels that due to high costs, that their first interest is the primary roads which are the main artery roads into the City and these were the ones they really concentrated on yesterday, that it was a mean thing, since they put salt on them early yesterday morning and it didn't do any good. He said there was an accident at Boonville-New Harmony and they had salted it twice before the accident and they salted it a third time, that the reason he is bringing this up is because the Commissioners may get some phone calls from some irate citizens, saying that the highway crew isn't getting out there to clean their roads off, but he feels that it is more important to get the main roads cleaned off and then they can go back and start working on the secondary roads and drives, so with the permission of the Commissioners, this is what he would like to do since he thought this is the best way to work it.

Commissioner Schaad said that as far as he is concerned, that the only thing they can tell these people, if they call, is that it is the County's policy to take the main arteries, where there is the most traffic, first and they can't take them all at the same time, since there isn't enough vehicles, personnel or money to take care of all of them at the same time and when the main arteries are done, they will put these other roads on the list and do them if and when they get to them.

Mr. Siebeking said the bridges are the very first place they clear off and that they have five salt trucks with the plows and everything attached but they don't have the plow on another since it would only take a short time to attach it, plus, they have one army truck with the salt spreader on the back, so they actually have six trucks ready to go at any time and the seventh one there if they need it.

Commissioner Willner said that some secondary roads will have to be taken care of, where the people actually can't get out until the roads are cleared, such as Schlensker Road which is really a problem.

RE: COMPLAINT ON COUNTY LINE ROAD

Commissioner Willner said he has had a complaint on the West side of County Line Road and he wondered if this was Vanderburgh County's responsibility.

Mr. Siebeking said this belongs to Posey County and if he gets any calls on it, he generally calls Posey County and they take care of it. He said that Vanderburgh County takes care of anything on the East and South side and that Posey County takes care of the West side and the North side, and he would judge that the line is in the center of the road.

RE: CLAIMS

A claim was submitted by Feigel Construction Co. which is the final estimate on Green River Road, from Heckel Road to Boonville-New Harmony, RC-2-75, in the amount of \$36,929.63.

Mr. Ludwick said the total amount of this contract is \$499,571.16 and this represents a \$67,000.00 under-run, also that it has been approved by Mr. Nussmeyer.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Pepper Construction Co., Estimate #1 for the Camping Pads at Burdette Park, in the amount of \$13,748.40, which has been approved by Mr. Hertzberger.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the employees at the County Highway Garage for the past week.
Report received and filed.

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RE: RIDGEVIEW DRIVE AND EXTENSION OF WOODLAND LANE ACCEPTED - AMENDMENT #30

Mr. Ludwick said there are two roads that the County Engineering Department has recommended for acceptance. He said he also received a letter on the acceptance of them from Mr. Wilbur Reke and that they went out and looked at these roads, that the sections were just paved and they recommend that these roads be accepted for maintenance.

Commissioner Ossenberrg moved that Ridgeview Drive and Woodland Lane Extension be accepted by Vanderburgh County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: BARBERRY LANE ACCEPTED BY COUNTY - AMENDMENT #31

Mr. Ludwick said that the County Engineering Department recommends that Barberry Lane be accepted by the County for maintenance. He said the location of Barberry Lane is East of Darmstadt Road and the length is 640 feet and has three inches of blacktop, a rock base and width of 16 feet.

Commissioner Ossenberrg moved that Barberry Lane be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: EASEMENT FOR RIGHT OF WAY ACCEPTED

Mr. Ludwick said the County recently let a contract to G. H. Allen Inc. for six bridges and one of them was Kansas Road and they needed some right of way and he finally received the easement back from the party involved, that they have donated the right of way to the County, so they can now do Kansas Road.

Commissioner Ossenberrg moved that this temporary easement be accepted from Gertrude Jones. Commissioner Willner seconded the motion. So ordered.

RE: EASEMENT FOR HEINLEIN ROAD

Mr. Ludwick submitted an easement for Heinlein Road from Burch Industrial Center Inc.

Commissioner Ossenberrg moved that this easement be accepted. Commissioner Willner seconded the motion. So ordered. Both easements will be recorded.

RE: EASEMENT FROM CHAYES-VIRGINIA FORTHCOMING

Mr. Ludwick said the easement from Chayes Virginia is in the mail and that as soon as he receives it, he will submit it to the Commissioners for approval.

RE: REPORT ON THE GREEN RIVER ROAD PROJECT

Mr. Ludwick said the County has another contract with Feigel Construction Company for that part of Green River Road from Boonville-New Harmony, North, to Hwy. 57 and he has tried to get in touch with the Railroad at Daylight to improve their crossing and he was promised by the Railroad Company that it would be done. He said some railroad ties were delivered to the job site and they had problems getting the type of rail to improve that crossing end and it will hold the project up, that they will have to completely re-work it and make it as wide as the new roadway and they wouldn't give him a deadline, so Feigel is finished on the job on that part of Green River Road except for that area at the railroad tracks and before they leave office, they would like to get everything out of the way, so there won't be any problems as far as contracts are concerned and they would like to finalize this project also and the Commissioners should keep in mind that after the Railroad Company comes back in and re-works that section, that twenty-five feet on either side will have to be taken care of next year, also that the finalize estimate will come in within the next week or so and they would like to finalize this contract also.

Mr. Nussmeyer said he would think it wouldn't cost more than \$2,000.00 to complete it and this would be stretching it.

Commissioner Schaad said that they could finalize the contract and next year, they could do the work to complete it by just a purchase order from the Highway Department.

Mr. Ludwick said that any job they have had will be finalized before they leave office.

RE: CHECK RECEIVED FOR SURPLUS EQUIPMENT

A check was received from St. Vincent DePaul in the amount of \$1.00 for the purchase of beds that weren't sold at the auction held at Boehne Hospital.

Commissioner Ossenberg moved that the check be accepted and deposited in the County General Fund. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 11:05 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Bob Schaad
Tom Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
DECEMBER 6, 1976

The meeting of the County Commissioners was held on Monday, December 6, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

Deputy Sheriff Terry Hayes opened the meeting, this being the first meeting of the month.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: AUTHORIZED TO OPEN BIDS

County Attorney Paul Wendel was authorized to proceed with the opening of the bids that were received today for Structure #64, on Marx Road.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BAIL BOND...CIRCUIT COURT

Daniel A. Williams III 1510 Irvington Bond Interviewer \$3.00 Hr. Eff: 12/11/76

PIGEON TOWNSHIP ASSESSOR...REASSESSMENT

Donald Ice 1301 S. Boeke Rd. Fieldman \$20.00 Day Eff: 12/2/76

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

William Carr 6128 Kratzville Rd. Pub. Def. Invest. \$8,413 Yr. Eff: 7/1/76

COUNTY SURVEYOR

Thomas Reisinger 2518 W. Illinois St. Draftsman \$6,300.00 Yr. Eff: 11/16/76

PLEASANTVIEW REST HOME

Eve Thompson	945 Independence	Nurses Aide	\$2.30 Hr.	Eff: 12/1/76
Rosie Jost	R. 4 Kramer Rd.	Nurses Aide	\$2.30 Hr.	Eff: 12/2/76
Sherry Hunter	1001 Old Post Rd.	Cook	\$2.30 Hr.	Eff: 11/26/76
Betty Guinn	625 W. Michigan	L.P.N.	\$3.75 Hr.	Eff: 11/29/76

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Torian Agency, which is a binder on the old Boehne Hospital facility. The Commissioners have been rebinding it every month until they do something with it. Certificate received and filed.

RE: COMMENT ON INSURANCE SPECIFICATIONS

Commissioner Schaad said that the Insurance specifications for the County employees Life Insurance should be ready in a day or two and that as soon as they are received, they will advertise for bids.

RE: SURETY BOND SUBMITTED ON REZONING PETITION...VC-50-76

The Rezoning Petition of the National City Bank which affected premises located at 1201 N. New Green River Road in a Zone change from A to C-1 and R-3, was approved last week but Mr. Standley, the Attorney for the Petitioner was asked to re-word the bond by adding "and approval by the County Commissioners or their successors and the Drainage Board or their successors", which pertains to drainage. The Surety Bond was checked by County Attorney Wendel and found to be agreeable on the drainage matter and said it does stay in effect until the plans have been approved. Surety Bond received and filed.

RE: TAX TITLES ON COUNTY PROPERTIES SUBMITTED

Mr. John explained that these are all tax titles on certificates and deeds, that the certificates will be the County's next December and the deeds are on properties now belonging to the County, to be advertised and sold as surplus property.

Commissioner Ossenberg moved that a list be made and given to the County Assessor for appraisal of these parcels, after which they will be advertised for sale. Commissioner Willner seconded the motion. So ordered.

RE: SOIL CONSERVATION RENEWAL AGREEMENT

Mr. Alcott submitted the Soil Conservation Agreement for renewal, which is an agreement between the Vanderburgh County Soil & Water Conservation Service and the Board of County Commissioners of Vanderburgh County and the Soil Conservation Office, United States Department of Agriculture, relative to the acceleration of land use treatment in Vanderburgh County, Indiana.

He said that the Commissioners have helped them in the past, each year, to supply one man a year, which in turn, gives them one man, since this agreement states that the Commissioners pay half of his salary, that this is for the calendar year of 1977.

Commissioner Schaad said this is also in the Commissioners budget and that this is just a formality, that it is done twice a year.

Commissioner Ossenberg moved that this agreement be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR COUNTY TO ACCEPT TENNIS LANE

A request was received from the Tri State Raquet Club for the County to accept Tennis Lane for maintenance. This street is in the Plaza East Shopping Center area.

Commissioner Willner moved that this matter be referred to the County Surveyor's office so the street can be inspected. Commissioner Ossenberg seconded the motion. So ordered.

RE: PUBLIC EMPLOYEES BLANKET BOND

A Public Employees Blanket Bond was submitted for the Office of the Vanderburgh County Treasurer, beginning on January 1, 1977, in the amount of \$100,000.00.

Commissioner Ossenberg moved that this Bond be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Curran Miller Auction & Realty Co. for the Auction expenses which was held at the Boehne Hospital on November 17, 1976, in the amount of \$391.08.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Brink's Inc. for service performed for the Clerk of the Vanderburgh Circuit Court for the month of December, in the amount of \$94.80, as per contract.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Bob Schaad for expenses to the Indiana Association of County Commissioners which was held in Indianapolis, in the amount of \$35.68.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from Hunnicutt & Associates, Inc. who was contracted to do the Knight Township Assessor's Reassessment, in the amount of \$12,093.75, which has been approved by Roman Gehlhausen, the Knight Township Assessor.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Feigel Construction Co. for the resurfacing of four street approaches located on Westchester, Wittman and two off Wimberg Avenue into Don Stucki's mobile home park, which was ordered by Mr. Siebeking, by purchase order, with the money coming from the County Highway Fund and the claim being in the amount of \$4,169.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

REBUILDING

RE: OPENING OF BIDS FOR RESURFACING MARX ROAD STRUCTURE #64

There were three bids received for the ~~resurfacing~~ of the Marx Road Structure #64 and they are as follows:

Deig Brothers Lumber & Construction Co.....	\$60,965.00
Barnett Brothers, Inc.....	\$59,840.90
G. H. Allen, Inc.....	\$56,844.50

Commissioner Ossenberg moved that these bids be referred to Mr. Nussmeyer, for their extension and study so the contract can possibly be awarded today, if at all possible, so they can get started. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR THE CLOSED CIRCUIT TV.

Bids had previously been received for the Closed Circuit TV for the Sheriff's Department and it was agreeable with Sheriff DeGroote, that the Contract be awarded to Telestar Communications, but it couldn't be awarded until the money was received from Criminal Justice Planning.

The amount of the bid was \$13,408.00 and the money has now been received and a performance bond is forthcoming.

Commissioner Ossenberg moved that the contract for the Closed Circuit TV System be awarded to Telestar Communications. Commissioner Willner seconded the motion. So ordered.

RE: COMPLAINT BY ANTHONY HAZELWOOD

Mr. Anthony Hazelwood of Priest Hazelwood & Sons appeared before the Commissioners and stated that they were the contractors on the St. Joe Ave. Reconstruction and he submitted the following letter in regard to this project:

This appeal made to Vanderburgh County Commissioners by Priest Hazelwood & Son, Inc. for Project #RC-3-76, Reconstruction of St. Joe Avenue over Penn Central tracks.

We have been unable to negotiate a satisfactory settlement with the County Surveyor for work on the above referenced project and respectfully submit the following facts and observations for your consideration.

The fill was designed with two strings of 36" pipe 180' long at a 47 skew with approximately 30' of fill over them. Ends of pipe were staked by County personnel and we started the fill at the ends of the pipe on the required two to one slope. After we had approximately 10' of fill with the required two to one slope we decided that we were going to be too narrow at the top, so we steepened the slope. When we got the fill all the way up, even with the steepened slope we were too narrow.

Mr. Nussmeyer looked at the fill and told us we had to have the planned 40' width and he did not care how we got it. He said he would approve lengthening all four ends of the pipe and starting at the bottom with more fill or we could steepen the existing slope.

Our contention is that we really had no choice but to lengthen the pipes and start at the bottom with new fill. Had we not done this, the slope would have been approximately 1 1/4 to 1. We believe it is physically impossible to construct a 30' high fill with a slope that steep and expect it to remain stable. After extending each pipe 30', we still ended with a slope steeper than 2 to 1. According to our calculations, in order to accommodate a 2 to 1 slope on this fill each pipe would have to be 229' long. That is 49' longer than planned.

In order to lengthen the pipe we incurred considerable expense. We had to order more pipe from Indianapolis and wait two days for it to arrive. Machine down time cost us. We had to bring a backhoe from Henderson to remove the pipe ends and

prepare the ditches for more pipe. Moving costs were involved. The pipe ends were very difficult to remove without damage. Due to the fact that the slopes were so steep, the backhoe had to descend and ascend the slopes with the aid of a winch tractor. A great amount of machine time and labor was involved to do a small amount of work.

The same was true for widening the slope. We had to use a dozer to build a road to the bottom of the fill and bench the fill to get started. As we placed the fill, we could only work one side at a time and as a result we could only run one scraper. The area we were working on was so narrow we could have only one machine on it at a time, therefore either the scraper was waiting on the dozer and compactor or vice-versa. Due to this constricted working space, there is a great deal of difference in the cost of placing and compacting this yardage, compared to the fill that was placed originally.

I have made three trips to Mr. Nussmeyer's office in an effort to reach an agreement on final estimate for payment on this project.

On November 13, Mr. Ludwick offered to pay plan quantities of \$11,748 cu. yds. for the dirt if I would not request pay for the extra work. I refused.

On November 29, Mr. Ludwick told me they had thoroughly checked the cross sections and had arrived at a figure of 9,596 cu. yds. and would pay for that amount plus \$1,200.00 for extra work. I refused.

We checked their figures and found several errors. Mr. Nussmeyer's office also found them because on December 3 Mr. Ludwick offered to pay for 10,311 cu. yds. Again I refused.

We hired a qualified engineer to help us arrive at the actual number of cubic yards we moved, but due to the many inaccuracies found on the plans, it is impossible to arrive at an accurate figure. We concede that the final cross section is probably accurate. However, discrepancies in the original cross sections are unexplainable.

It is unusual for a set of plans to have so many glaring errors. It is unthinkable that a contractor should be expected to correct the errors without pay.

According to plan quantities, there were 11,748 cu. yds. of cut and 14,376 cu. yds. of fill (this includes a shrinkage factor of 20% in the fill). According to the final estimate the County Surveyor wants me to accept, there was 10,311 cu. yds. of cut (12% error in County favor) and 10,311 cu. yds. of fill (29% error in County favor).

The planned quantities of 180' of pipe was short by 49', if the planned slope to be constructed, an error of 27%.

Plan quantities called for 610 L. ft. of guard rail. That was the amount I purchased. Actual quantity needed was 483'. A 20% error in County favor.

Other numerous small errors were evident in the plans and we feel that very probably the original cross sections were in error also.

We feel that Mr. Nussmeyer has refused to negotiate in good faith on these items and ask the County Commission to direct that we be paid for plan quantities on dirt plus \$3,786.00 for additional expenses due us. An itemized list for these expenses is enclosed.

Sincerely, Anthony Hazelwood, President

Mr. Hazelwood said that any consideration in this matter by the Commissioners will be appreciated.

Mr. Ludwick said plans that are made by any Engineer are guides and guides only and that, in the contract documents, it states that the County can add to or subtract from any contract, but he admits they did make an error. He said that any job the County has is determined by cross sections and after that job was finished, they took cross sections and they were planimetered, that this job was all predicated on cuts and not fills, that the contract was set up that way, that what they didn't originally figure in was the 13 inches for the roadway, that it was planimetered, put through a computer, checked and re-checked and they came up with 10,311 cu. yds. and that is all the contractor should be entitled to, that it is in black and white.

He said the County Garage placed 80 yds. of rock so they decided to give the contractor 80 additional yds. of dirt and that he worked outside the right of way and they are giving him 100 yds. of dirt, so the total cut that can be proved by those sections is 10,311 cu. yds. and this is all the contractor should be entitled to, plus the additional \$1,200.00 he was asking, for some additional work he did, necessitated by the pipe length which he was already paid for and the amount was \$1,200 as of last Friday and not \$3,786 that he is now asking for.

He said that any contractor can use guard rail on another job, since they pay what is actually measured in the field and contract documents will back this up, that they use 1974 State Highway specifications which will also back up the quantity.

Commissioner Schaad asked Mr. Ludwick what Mr. Hazelwood is saying they owe him and what is he saying that he owes Mr. Hazelwood, in dollars.

Mr. Ludwick said that \$1,200.00 would be ample for the extra man-hours that he needed to extend the pipe and for his equipment and he said he thought this to be an honest amount and in addition, he has already been paid for the pipe so that isn't in this figure and it can be proven that the actual amount of fill is 10,311 and it can be mathematically proven and Mr. Nussmeyer has given 180 yds. extra for rock, which amounts to 10,311 cu. yds. and beyond this point, he would have to say, "no".

Commissioner Schaad asked Mr. Hazelwood if he contends they owe him an additional \$10,574.00.

Mr. Hazelwood said that he has been paid for 9000 cu. yds. of dirt and he is asking for the difference in the dirt price of, from 9000 to 11,700, which is an additional 2700 yds. of dirt at \$1.95 per yard for the extra work.

After further discussion, Commissioner Ossenberg moved that this matter be taken under advisement and referred to County Attorney Wendel for study and recommendation. Commissioner Willner seconded the motion. So ordered.

REBUILDING

RE: CONTRACT AWARDED FOR RESURFACING OF MARX ROAD STRUCTURE #64

Mr. Dan Hartman said that the low bid of G. H. Allen, in the amount of \$56,844.50, has been checked and the Engineering Department recommends that this bid be accepted for the Resurfacing of the Marx Road Structure #64, BC-9-76.

Commissioner Willner moved that the contract be awarded to G. H. Allen, Inc. for this project. Commissioner Ossenberg seconded the motion. So ordered.

RE: PROBLEMS CITED AT PLEASANTVIEW REST HOME

Mrs. Brenda Limberger of 2783 Broadway, who handled Social Services and was Activities Director at the Pleasantview Rest Home and Mrs. Phyllis Butler of #8 Tulip Ave., who was Director of Nursing out there until August of this year, appeared before the Commissioners and said that they have a petition of over 590 names, requesting that the Commissioners reconsider their decision to close the Pleasantview Rest Home and that they would like, at this time, to present it to Mr. Steve Bracken, to add it to the other petitions that have been circulating, so they can all be presented to the Commissioners next week.

Mrs. Limberger said they don't mean for this to be a political issue of any kind, that it is strictly Management and Policy Procedures, as far as the home was being run and that they have a list of things they would like to accomplish, which include accurate jobs that are adhered to, as a general rule, written policies and procedures for employees and residents that are specific and adhered to, equal rights and benefits for employees on the same or similar levels, written rules and regulations for persons admitted to the home, that one family not be allowed to control the top three management positions out there, that the Advisory Board be given more say in the running of the home and that they have a few, if not regular open meetings, where residents and employees can air grievances and make suggestions that are justified, when they aren't able to get anywhere with the actual management of the home, to establish promotional co-operative attitudes with hospitals, other homes and service organizations and the general public.

She said this is what they would like to accomplish by bringing their complaints, first, before the Review Board and then to the Commissioners.

Mrs. Butler said they went before the Review Board and presented questions they would like to have answered but they received no answers from them and then they read that the facility was closing and she said that this isn't what they wanted, that they feel with proper management and co-operation as a whole, that the facility can be run for the benefit of the people and they feel that with the signatures on the petitions, the public feels that we need a County Home, since there is no place else for people to go that have no way of paying their way and they can go to the

Pleasantview Rest Home and be put on various federal programs, so every City needs a County Home.

She said that the employees that were unhappy with what was happening out there, didn't have anybody to turn to because Mr. Harness was administrator, his wife was the Assistant Administrator and his daughter was at one time, the bookkeeper, that she received no co-operation from Mr. Harness in getting qualified staff aides, also, that it wasn't until after they quit, that they found they could have gone to the Advisory Board, that this is what Commissioner Willner advised them to do, which they did, but they still didn't get any answers.

Both women said that when they complained to Mr. Harness, they were told they could quit or do the work themselves, also, they supposed that poor management was better than no management at all but that it can't be kept open with poor management and this was what the Commissioners were trying to do and that everything had to be done his way or none at all.

They also said that they both filed discrimination grievance charges against the County.

The questions they both raised about the policies and administration at Pleasantview Rest Home include the following:

A lack of accurate bookkeeping procedures in handling residents personal money, which was kept in metal boxes, cigar boxes and envelopes.

Some items used by all the residents such as bubble bath bottles, were paid for out of the personal money of one resident.

Repair costs for the electric razor for the home were paid from the cash of one resident who didn't even use the razor.

Employees were asked to witness signatures of residents for use of residents' money when the employees didn't see residents sign the vouchers.

Mrs. Limberger said bookkeeping procedures for handling residents' money were archaic and error-prone.

She also said payroll time cards and work schedules were not kept accurately, that records were made of in-service training programs when the training was never given. She said that she had to cover for the bookkeeper when the bookkeeper received special privileges with time off and that when she complained to Mr. Harness, she was told where she belonged in nothing flat, also that the workers felt they were under a type of mental slavery.

She said she signed as a witness to signatures she never saw made and did other things she knew that were improper, but at the time, she didn't feel those incidents were of major concern and she needed the job.

She also said there were never adequate supplies for social services activities out there.

Mrs. Limberger said that after she and Mrs. Butler quit and filed grievances, they received harassing telephone calls, with the caller not saying anything and that she also received a call from Mrs. Harness who kept calling them names.

She also said there was a problem with a night aide who often slept on the job when she was supposed to be watching the residents and that when early visitors came, they had to awake residents to get in, also that the night watchman carried a gun, although he was denied a permit to carry it.

Commissioner Schaad said that after being told the main problems at Pleasantview Rest Home a year or so ago, that the Commissioners had never been told about these problems until recently and that this information is now after the fact.

Mrs. Limberger said that on one occasion, some of the residents came to her and said their bedspreads needed to be laundered and she checked with the woman in the laundry so they could do this on a slow day, that she was going to help the residents that were willing to do it and that this got back to Mrs. Harness and within a few days, all of the bedspreads were gathered up and sent to the laundry and the money to pay for this was taken from an individual's account.

She also said she would like to know, when the bookkeeper quit, why was a woman with little training and experience with no formal bookkeeping training, placed in this position. She said the woman was disliked and distrusted by employees and residents alike and her family has long police records and she had keys to the office which she took home with her at night and she had access to all monies.

She said she personally thought this to be a bad decision but that she didn't expect the administrator to go by her personal opinion, but she did expect for him to consider her feelings when she refused to work with her.

She said she didn't think that anyone with that background and the fact that she told everyone the problems she and her family had and the way everyone felt about her, that she actually felt she could not do her job and she wouldn't take a paycheck for a job not properly done and under these conditions, she was put in a position where she couldn't adequately supply the people with the trust and confidence that they had had in her up to that point.

She said that she would also like to know why there was such a large turn-over in employees, since the ratio of turn-over was very high.

She said that she was informed that she was to check the fire alarm system, which didn't bother her, but she wasn't even furnished a screwdriver with which to do it with and she was told to buy her own screwdriver and it seemed to her that this job should come under maintenance.

Mrs. Limberger said that she and Mrs. Butler paid an attorney from their own pockets to prove their point, since they think they have legitimate gripes.

Commissioner Willner asked if there wasn't a limit to the amount of money that the residents are allowed to have at the home.

Mr. Staton said the residents are allowed to keep the amount of \$1,500 at the home, per each resident.

Mrs. Butler said she felt that she was given no co-operation at all from Mr. Harness, as Director of Nursing, that if she had an aide under her who wasn't co-operating or not doing her duties satisfactorily, she would take the problem to Mr. Harness and was told that she should find someone to work it, that if he got rid of the aide, she could come in and work all the shifts because he didn't want to come down there, and she thought this to be a very poor way to be running the home.

She said that all the time she worked there, she had no co-operation and as far as having any authority or any say-so, he told her, "don't you dare, they will go down to the Commissioners and we don't want that" and anything was done his way or quit, which is what she finally did.

She said that she finally quit because after being paid two weeks pay when she was off due to illness in the family, Mr. Harness told her she would have to work a week without pay when she had the time coming including her vacation and sick days and also five days emergency leave and also had worked overtime and she didn't think this was right, also that Mr. Harness was at her hearing for unemployment which she was denied and she is still fighting for it and she is going to Indianapolis to fight for it, that this was just the straw that broke the camel's back and she couldn't take it any more, also that she has worked in other nursing homes and she knows that with proper management, it can be a happy atmosphere for the residents and the employees as well, also that they didn't know that the Advisory Board was to their benefit or they would have done so and maybe they wouldn't have to quit their jobs.

Commissioner Schaad asked how long these conditions have existed out there and he was told by Mrs. Butler that things started to change within the past year.

Commissioner Schaad said that at Commissioner's suggestion, thinking there could be some improvements made, they appointed an Advisory Committee and Commissioner Willner served as ex-officio along with the appointments made by the Commissioners, to the Board and he expected to get some feed-back from this Committee, as to suggestions or changes that could be made and as far as he and Commissioner Ossenberg are concerned, this is the first they have heard and that they haven't heard anything from the Board. He explained that the Commissioners meetings are public meetings and everyone is welcome to air their problems but that it is hard to solve a problem if they don't know anything about it.

Mrs. Limberger said she had never been to a Commissioners meeting and they felt that they couldn't come before the Board to get things straightened out and maybe their feelings were wrong.

Commissioner Schaad said he thought they were wrong, also that as far as the employee policy is concerned, he has been an advocate of some kind of a uniform policy for all the County employees and there is no such policy and at this point, he asked the other Commissioners if they didn't think a County-wide uniform policy was needed. The other Commissioners indicated agreement for the need of such a policy.

Commissioner Willner said that the minute these two young ladies contacted him, he immediately set up a meeting with the Advisory Board and he also told them they could come before the Commissioners if they deemed it necessary, but that he thought they didn't feel that it was necessary and wanted to go before the Advisory Board first and he thought this was commendable, that it was prior to election and he thought they didn't want to cause a major disturbance before then and he thought they were right in going before the Advisory Board first and they did so.

He said the Advisory Board did make recommendations, also that as soon as he heard about the watchman out there carrying a gun, he called the Commissioners secretary and told her to get in touch with the other Commissioners so they could get this matter straightened out.

Commissioner Schaad said that he was told by Jack Harness that the matter was taken care of, also that his door has always been open and the only criticism he has is that Commissioner Willner didn't call the other Commissioners attention to these things instead of the Advisory Board.

Mrs. Limberger said she wanted to make the point that their distinction on the way to go was based more on their personal knowledge which Commissioner Schaad said to be very inaccurate and they chose the course that they, themselves, wanted, in the way they wanted to do it and had they seen any improvement, they wouldn't be here now and if it had not been for the publicity of the home closing, they would still probably be fighting through channels.

Mr. Steve Brackens of 1625 Cumberland, an interested citizen, appeared and said he has petitions circulating throughout the City and that he doesn't feel that the general public was represented in the Commissioners decision to close Pleasantview Rest Home, since he has talked with quite a number of people and it was unanimously agreed that they didn't like the decision to close the home. He said the petitions will be presented to the Commissioners next Monday at the meeting.

Ms. Betty Barber of 8231 Maple Lane, appeared and said, as President of the St. Theresa Conference of the St. Vincent DePaul Society, she would like to say that they would like for the Pleasantview Rest Home to stay open, that they have visited out there for twenty-five years and have also taken gifts to the residents on Christmas, Birthdays, etc. and have taken them shopping and had parties for them. She said the people were happy out there and during the past year, they were unaware that there were internal problems and she also stated that she is legal guardian for Fred Hathaway.

Father William Deitsch, Associate Pastor at St. Theresa Church at 600 Herndon Drive, appeared and said that he has been associated with the Pleasantview Rest Home for a few years, through the work of the St. Vincent DePaul Society, that he knows of the work they have done as well as the work that the home has done and it has been of great benefit to the residents there and it gives them one thing that they need above all and that is a sense of identity and a sense of belonging, that they were always exuberant in showing their feelings towards them for the smallest amount of work they would do and this provided a kind of real home for them, which they probably wouldn't have under other circumstances and he really thought, in general, that we need to address ourselves to the problems of the elderly, that everyone knows that this is a very pressing problem in our society and he thought the utmost concern should be given and he said that he supported the re-opening of the home.

Mr. Paul Ahrens, a member of the County Council, appeared and said that he was opposed to the closing of Pleasantview Rest Home and he still is, that he thought it was a very good thing and when he was on the Council some ten years ago, the home didn't make any money but they broke even by selling stock and grain and he thought this to be the wrong time to close the home. He said he wasn't against repairing the homes in Burdette Park because it is needed, but he thought we shouldn't deprive these people of their livelihood at the present time at the Pleasantview Rest Home.

He thought that other people should be invited to the Board meeting and they should get themselves together and quit arguing about this thing and see what is right, that he didn't think the public wants this home closed and he didn't think that the County Council, as a whole, wants it closed either and he didn't believe the Commissioners wanted it closed.

He said he thought we all make mistakes and he thinks we have made one at this point in the closing of Pleasantview Rest Home.

Commissioner Ossenberg said that since Mr. Ahrens is a member of the County Council, he would like to bring out a few facts concerning this home, that it has been quoted

that there are minimal repairs needed to be done out there to make state inspections and this takes money and that it should have maintenance personnel, that it is generally grossly understaffed and facts must be faced, that they aren't paying those people proper wages to keep people out there.

He said the Liability and Malpractice Insurance is questionable as to whether they can keep it out there and if they do keep it, it may go up as high as 500% and he asked if the County Council would support this money.

Mr. Ahrens said he made the statement that he was in favor of keeping the home open and that maybe they need new management.

Commissioner Ossenberg asked Mr. Ahrens if he would support \$20,000 to \$25,000 for new management.

Mr. Ahrens asked Commissioner Ossenberg if he wasn't going to support the \$10,000 for the safety of the home even if they close it and he asked what they are going to do with the home.

Commissioner Ossenberg said that a number of things could be done, that the home could be sold or it could be leased and it would be up to the lessee to put it in condition.

Mr. Ahrens said he thought the home wouldn't be in a poor condition, providing they had the right kind of management and proper maintenance out there.

Commissioner Schaad said, for the record, figuring in the budget of the Pleasantview Rest Home plus the Insurance, PERF and other things that are in the Commissioners budget, they estimated that the home would perhaps lose something like \$114,000.00 this year and as Commissioner Ossenberg had said, that he had talked with the Insurance people about this Malpractice thing which would increase it that much more and as far as the salary of the people, how that would jump and the Commissioners know how much the County is strapped for money and how hard it is to get money from the Council, that it may not be their fault, that the money just isn't there, but this wasn't a hasty decision, that they looked at the situation four years ago and wondered if the County should be in this kind of business or not and continue to lose money for the taxpayers and they couldn't talk to the news media about it because it would cause everyone to be concerned so they discussed it privately and he understands that the other Counties in the Country are more or less out of the Rest Home business and that the Home used to be the County Poor Farm and they farmed out there but they don't do that today so this wasn't a hasty decision.

He said that all three Commissioners agreed to close the home with the facts they had and had been studying them for some time.

Mr. Brackens said that with the salary the Superintendent received, plus benefits and the salary his wife made, it seemed to him this would pay the salary for someone else to run the home.

Commissioner Ossenberg said he questioned this.

Commissioner Schaad said this would be putting the money for two salaries for the Superintendent and another person would still have to be hired in her place, also there would need to be an improvement in salaries out there which would be an additional cost.

He said that if this matter was taken to a referendum to see if the people would vote to keep on paying the money, he didn't know if they would get it or not. He also said the people are all out of the home now and have been placed elsewhere and it has been satisfactorily done and he didn't think there had been any complaints.

Mr. Frank Staton of the Welfare Department said that to their knowledge, at this point, the feedback has been relatively good and all residents have been placed.

After further discussion, a former resident of Pleasantview Rest Home appeared and stated that she had the misfortune of having a brain tumor and she had no place to go and no one to turn to so she stayed at the Pleasantview Rest Home and she thought that it would be the worse thing in the world for the Pleasantview Rest Home to be closed.

Mr. Hotz said that roughly 40% of his budget was spent for maintenance at the Pleasantview Rest Home.

Commissioner Schaad said he didn't think this was even considered.

One of the reporters asked if the Commissioners were going to ask for a state audit of the County Home and if so, would that include the patients accounts as well as the books, since if they are wards of the County, would they not be considered County property and therefore, all monies they have that would be dispensed from their accounts, be part of the County.

Mr. Staton said that the residents aren't all wards of the County, that they are on programs of state and federal monies through the Welfare Department or the ones that would be considered County type patients would be those that were placed there under the Trustee of which there were only two or three.

Commissioner Schaad said he would talk to the State Board of Accounts and see about having an audit made, to what extent they will be requested to do it. This was agreeable with the other Commissioners.

Commissioner Schaad thanked everyone for being here and told them they were welcome to come back at any time.

He said he was just informed that the State Board of Accounts does make a periodic check at the home but he didn't know when the last one was made, however, he would still call them.

He also said, after getting information from the secretary, that the Commissioners get a report every month from Mr. Harness on his accounts and he understands that Mr. Hudson goes over them and they go out there to check them out.

RE: MR. HOTZ REPORT ON SURPLUS ITEMS

Mr. Hotz said he still has a few items at the old Boehne Hospital that have been paid for but that the people haven't picked them up as yet and he wondered what he should do about it.

County Attorney Wendel suggested that Mr. Hotz send them a registered letter, stating that they have ten days to pick up these items and if they aren't picked up by then, the items will be junked or sold to someone else. This was agreeable with the Commissioners.

RE: ABSENTEE REPORT

The Absentee Report for the employees at the County Highway Garage was submitted to the Commissioners for the past week. Report received and filed.

RE: REQUEST TO TRAVEL

Mr. Robert Moran submitted the following request to the Commissioners for consideration:

Vanderburgh County Commissioners:

I, Robert J. Moran, Vanderburgh County Veterans Service Officer, would like permission to go to the State Office, Indianapolis, Indiana, December 8, 1976, to be a witness for John Buxton, a local veteran, for Re-employment rights.

Mr. Moran said that Mr. Buxton had worked at the State Hospital and was dismissed, that Mr. Buxton first contacted him because he was an out-patient in Louisville and he needed a statement for the hospital.

He said he obtained the statement and that a lot of things have happened since then but the man does have re-employment rights as a veteran and he is exercising this right, so he has been asked to be a witness for him at the State Office Building.

Commissioner Schaad asked Mr. Moran if they would pay his expenses.

Mr. Moran said that the gentleman has asked him to be a witness and if there is a problem, he could be subpoenaed and then they would probably pay for it, so the Commissioners could deny the request, but that Mr. Buxton is a veteran and he is the only witness the man has.

Commissioner Ossenbergh moved that the request of Mr. Moran be denied.

Commissioner Willner said he wouldn't want this gentleman to be without a job because of the Commissioner's action and he would like for Mr. Moran to be a witness and have them pay for it but if he has a choice, he is going the other way.

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Commissioner Schaad agreed but wondered where to go from here, since he didn't know if they could legally do it or not, since this was a request from an individual.

County Attorney Wendel said, however, that this is part of the Veteran Service Officer's job and the gentleman is a veteran.

Commissioner Ossenberg then withdrew his previous motion and moved that Mr. Moran's request to travel to Indianapolis be approved, with expenses to be paid from Mr. Moran's Travel Account. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

The Waterworks Department requests permission to make a pavement cut at 1619 Allens Lane to install 2" water service. Est. 5617

Commissioner Ossenberg moved that this cut be approved. Commissioner Schaad seconded the motion. So ordered.

The Indiana Bell Telephone Co. requests permission to do a push job on Mosquito & Neubling Road to bury a telephone wire, F-1471-76 and to cut into Viehe Drive with no pavement cut to be made, F-1454-76.

Commissioner Ossenberg moved that these cuts be approved. Commissioner Willner seconded the motion. So ordered.

RE: PERFORMANCE BOND

A Performance Bond was received from the St. Paul Fire and Marine Insurance Co. on Midwest Construction Materials Inc. for the contract with Vanderburgh County for the Resurfacing of roads in the Burdette Park Camping Area. Performance Bond received and filed.

RE: CLAIMS

A claim was submitted by Key Construction Co. in final payment for repair of six bridge structures in the amount of \$30,019.00. BC-6-76
It was later found that an error had been made and the right amount of the claim should read \$31,609.30.

Commissioner Ossenberg moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Feigel Construction Corp. for Green River Road, from Boonville-New Harmony Road to Hwy. 57 which is final payment in the amount of \$28,548.93. RC-4-76
Mr. Ludwick said this is a \$3,000 underrun and that it will cost maybe \$1,200.00 to do some paving so it will still be an underrun, also that he would encumber funds for next year on any project that is left over so there will be no mistakes made.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Deig Brothers Construction Co. for semi-final payment for Kentucky Avenue Structure #116, BC-4-76, in the amount of \$43,024.29.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Ludwick said that the claim for final payment on this project will be brought up next week.

RE: AUTHORIZED TO ADVERTISE

Mr. Ludwick submitted a Notice to Paving Contractors for the paving of roads at Burdette Park, with the bid opening date set for Monday, December 20, 1976.

Commissioner Ossenberg moved that the bids be advertised for on December 9th. & 16th. 1976. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON MATTER OF NORMA JARVIS WANTING DRAIN CLEANED

Ms. Norma Jarvis had previously submitted a petition for a drainage ditch on North 12th. Avenue to be cleaned. It is located at St. Joe Ave. between Hobart and Allens Lane.

This matter had been referred to County Attorney Smith.

Mr. Nussmeyer said that this is a platted alley and that Jerry Linzy at the County Garage had mentioned that the County had done some work out there.

This matter will again be placed on the agenda for next week, since it was County Attorney Smith's assignment and he may have some input on it at that time.

RE: EASEMENT FOR RIGHT OF WAY ON HEINLEIN ROAD

Mr. Ludwick said that Ms. Heinlein still didn't hasn't donated the right of way to the County and he submitted an Easement for right of way on Heinlein Road, from Chayes Virginia Corp. and said this should give the County Garage some room to do some work in that critical area.

Commissioner Ossenberg moved that the easement from Chayes Virginia be accepted. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad asked Mr. Nussmeyer if they should justify the County Highway Department to go ahead and he will give them plans to swing it to the South a bit to avoid the problem with Ms. Heinlein and Mr. Nussmeyer said they will have the plans.

RE: OUTER LINCOLN AVENUE

Mr. Ludwick said the crews only did the survey work on Outer Lincoln Avenue but nothing further has been done as yet.

RE: COPY MACHINE IN RECORDERS OFFICE

Commissioner Schaad asked what the latest information was on the contract between the Commissioners and Lamasco Transfer Co. to get the copy machine out of the Recorder's office.

County Attorney Wendel said he found out that the Insurance is in Lamasco's name, that he talked to the man at Lamasco and found that he doesn't want to be stuck with a law suit for disassembling the machine and the proposed buyer stated that Mr. Kitch wants him to stick this on his Insurance Policy so now they are hassling out between the two of them as to who is going to take the machine apart and who will have Insurance coverage on that.

Commissioner Schaad said he thought the Commissioners should again notify Mr. Kitch that if this matter isn't resolved within 20 days, they will just forget about it, as far as they are concerned, and they will make other arrangements to get the machine out of there.

Commissioner Ossenberg moved that County Attorney Wendel so notify Mr. Kitch. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 12:00 noon.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

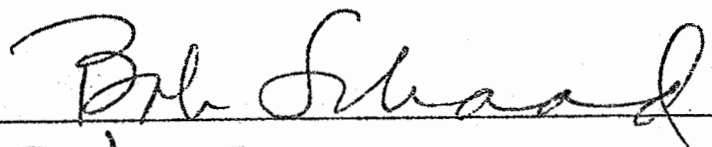


Secretary: Margie Meeks

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Paul Wendel




BOARD OF COUNTY COMMISSIONERS

**COUNTY COMMISSIONERS MEETING
DECEMBER 13, 1976**

The meeting of the County Commissioners was held on Monday, December 13, 1976 at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: AUTHORIZATION TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of the bids that were received this morning, on the vehicle to transport prisoners and on meals for the Vanderburgh County Jail.

RE: LETTER OF RESIGNATION

The following letter was received by the Commissioners, dated December 6, 1976:

Vanderburgh County Commissioners,

Mr. Jack Harness resigns as Administrator and Superintendent of the Pleasantview Rest Home.

Mrs. Helen Harness resigns as Assistant Administrator and Food Supervisor both effective December 10, 1976.

Signed, Jack K. Harness and Helen Harness

Commissioner Ossenberg moved that these resignations be accepted. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH SUPERIOR COURT

Deborah Ransom	Probation Officer	\$9,491.00 Yr.	Eff: 12/6/76
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BOARD OF COUNTY COMMISSIONERS

Paul Wendel	1555 Savannah Dr.	County Attorney	\$8,010.00 Yr.	Eff: 12/4/76
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RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH SUPERIOR COURT

Nancy Chreste	Probation Officer	\$9,491.00 Yr.	Eff: 12/6/76
Deborah Ransom	Probation Officer	\$8,800.00 Yr.	Eff: 12/6/76
Cynthia Ewing	Court Reporter	\$9,552.00 Yr.	Eff: 12/17/76

(The final work day for Cynthia Ewing is 12/10/76 but she has one week vacation coming and pay is to terminate as of 12/17/76.)

BOARD OF COUNTY COMMISSIONERS

Paul Wendel	1555 Savannah Dr.	County Attorney	\$7,560.00	Eff: 12/4/76
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PLEASANTVIEW REST HOME

Jack K. Harness	700 Senate Ave.	Administrator	\$9,000.00 Yr.	Eff: 12/20/76
Helen Harness	700 Senate Ave.	Ass't Admin & Food Super.	\$5,765 Yr.	Eff: 12/8/76
Ruben Bell	700 Senate Ave.	Aide	\$2.10 Hr.	Eff: 12/8/76

RE: MONTHLY REPORTS

The Report of the Pleasantview Rest Home was submitted to the Commissioners for the month of November, 1976.

Commissioner Ossenberg moved that this report be approved and signed. Commissioner Willner seconded the motion. So ordered.

The Report of the Vanderburgh County Treasurer was submitted for the month of November, 1976.

Report received and filed.

The Report from the Bureau of Traffic Engineering was submitted for the month of October and for the month of November, 1976.
Reports received and filed.

RE: OFFICIAL BOND FOR NEW COUNTY SURVEYOR

An Official Bond was received from the Western Casualty and Surety Company on Robert W. Brenner who will take office as County Surveyor the first of the year. The amount of the Bond is \$5,000.00.

Official Bond received and filed.

RE: CLARENCE REICH, M.D.HEALTH DEPARTMENT

Dr. Reich appeared before the Commissioners in reference to the hospitalization of indigent tubercular patients. He said they are taken care of in the Commissioners budget and they have been sent to the Good Samaritan Hospital in Vincennes, Indiana, for T.B. care, that the doctor at Good Samaritan will be retiring the first of the year and doesn't have a replacement to take charge of these patients, so it looks as though the T.B. patients will have to be brought back to the hospitals in Vanderburgh County.

Commissioner Schaad said that the Good Samaritan Hospital has been taking care of the T.B. patients from Vanderburgh County ever since the Boehne Hospital closed, for the indigent and partial payment for those on Medicare, but the Commissioners have no choice but to take care of them, even though the cost will be greater.

Dr. Reich said that he just wanted the Commissioners and the public to know, in advance, what is going on, instead of waiting until the bills for them start coming in.

RE: OPENING OF BIDS ON FOOD FOR THE JAIL

There were two bids received for the meals of the prisoners and they are as follows:

A R A Food Services....

<u>Breakfast</u>	<u>Dinner</u>
150 to 174 people...55½¢ per meal	150 to 174 people.....76½¢
175 to 199 people...55.3¢ per meal	175 to 199 people.....74.3¢
200 & over.....49.9¢ per meal	200 & over.....70.9¢
<u>Supper</u>	
150 to 174 people...78½¢ per meal	
175 to 199 people...77.3¢ per meal	
200 & over.....72.9¢ per meal	

SZABO Food Service, Inc.....

Bid of a flat 65¢ per meal.

Commissioner Ossenbergh moved that these bids be referred to the Purchasing Dept. and to the Sheriff for study and recommendation. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner said that he would like to know what the meals have been averaging under the old system, per meal.

Sheriff DeGroote said the cost of the meals is designated by the State and it is 65¢ per meal.

RE: CONTRACT AWARDED FOR VAN-IN TRANSPORTING PRISONERS

There were two bids received for the van to transport prisoners which are as follows:

Vandever, Inc.....\$11,891.00
Mav-Ron, Inc.....\$ 9,000.00

555

Sheriff DeGroot said he is familiar with the vans from Mav-Ron Inc., which is a specialized vehicle, since men, women and juveniles can all be transported in the same van and none have physical contact with each other. He said the bids are in order and that he recommends that the van be purchased from Mav-Ron Inc.

Commissioner Ossenberg moved that Mav-Ron Inc. be awarded the contract at the low bid of \$9,000.00. Commissioner Willner seconded the motion. So ordered.

RE: PRESENTATION OF PETITION...PLEASANTVIEW REST HOME

Ms. Brenda Limberger, of 2783 Broadway, who handled Social Services and was Activities Director at the Pleasantview Rest Home and Ms. Phyllis Butler of #8 Tulip Ave, who was Director of Nursing out there, had appeared before the Commissioners last week, requesting that the Commissioners reconsider their decision to close the Pleasantview Rest Home and submitted a petition of over 590 names to Mr. Bracken so he could add it to other circulating petitions and submit it to the Commissioners this week. At this time, they submitted petitions of additional names of various organizations and from various people in the community who would like to see Pleasantview Rest Home re-opened.

RE: PUBLIC SERVICE EMPLOYMENT MATTER

Commissioner Schaad said there was a meeting of Manpower last week and he couldn't make the meeting but Ms. Anika Juras was kind enough to consent to go to the meeting for him.

He said that apparently, there are some slots that need to be filled on AWE & CETA. He then read a letter that he has to send Mr. Akin on this matter which reads as follows:

Dear Mr. Akin,

The Vanderburgh County Board of Commissioners requests your approval of the ten new PSE slots outlined on the enclosed Occupational Summary. Seven of these requested slots are current A.W.E. positions which the Commissioners wish to transfer on January 3, 1977. Also enclosed are PSE Priority Schedules and projected Title II expenditures.

Sincerely, Bob Schaad

Commissioner Ossenberg moved that the letter and other information be approved and that it be sent on to Tom Akin. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM CATHERINE ROBERSON ON CAR DAMAGE

A letter was received from a Catherine Roberson, stating that she had called about a claim on an accident that happened on Hwy. 62 which is a state highway and that when they were repairing it and the Commissioners wanted to know what happened. She stated in the letter that in coming out of County Line Road, to Hwy. 62, turned right on Hwy. 62, under construction, no signal on lane they were working on, drove about one mile, hit a hole which had no signs, blew four tires and bent all rims, knocked front end out of line and had to dispose of her car and damage was about \$200.00. She stated that James Dunn was driving the car which was hers, and that it happened on October 25, 1976 and the car was a 1965 Ford.

Commissioner Schaad said he assumes that since this is a State Highway, that this matter be referred to the State Highway Department and that Ms. Roberson be so advised and he asked the Commissioner's secretary to see that this is done.

RE: REQUEST FOR COUNTY TO ACCEPT MAINTENANCE OF STREETS

The following letter was submitted by Mr. W. C. Bussing Jr.:

Gentlemen:

I am requesting that the following streets be officially accepted by Vanderburgh County.

Section K and M Evergreen Acres

Berry Court commencing at Berry Drive and extending northwesterly approximately 880 feet.

Section M Evergreen Acres

Berry Drive continued north approximately 700 feet to the intersection of Berry Court.

Sincerely yours, W.C. Bussing, Jr.

Commissioner Ossenberg moved that this matter be referred to the County Engineer's office for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

The following letter of request was submitted by Sheriff DeGroot:

Dear Sir:

I do hereby formally request approval of the Commissioners for my Chief Deputy and I to attend a very important and timely workshop, dealing specifically with Police Civil Liability and the defense of Citizen Misconduct Complaints.

The training and learning session is being conducted by the AELE (Americans for Effective Law Enforcement, Inc.) Legal Defense Center, is limited to the first 100 Law Enforcement Administrators who apply, and will be conducted in Orlando, Florida, January 31 thru February 2nd, 1977.

I feel honored to have been invited, and have enclosed a copy of the brochure I received to fully explain every detail of the school.

I do have adequate funding in both our travel and training accounts, and feel secure in the knowledge that this will indeed be a worthwhile expenditure.

Awaiting your reply, I am, Respectfully submitted, Jim DeGroot, Co. Sheriff

Commissioner Ossenberg moved that Sheriff DeGroot be permitted to travel. Commissioner Willner seconded the motion. So ordered.

RE: LETTER ON SURPLUS EQUIPMENT AT PLEASANTVIEW

The following letter was received by the Commissioners from Sheriff DeGroot:

Gentlemen:

I submit this letter as my formal request to review all surplus equipment available as a result of the closing of Pleasantview Nursing Home.

Naturally, my interest lies in hospital beds, desks, chairs, mattresses, etc., that we could utilize within the County Jail.

Thanking you for your consideration, and awaiting your reply, I am,

Respectfully, Jim DeGroot, Sheriff

Commissioner Schaad said there will be more explanation later on what the Commissioners are thinking, of regarding the home and it may answer the Sheriff's questions.

RE: MORE DATA ON THE CLOSING OF PLEASANTVIEW REST HOME

Ms. Limberger said she was curious to know if this meant whether or not the Commissioners have definitely decided not to re-open the Pleasantview Rest Home, so Commissioner Schaad decided that the matter be taken up at this time.

Commissioner Schaad said the Commissioners did close Pleasantview Rest Home and that all the residents have been moved out, but that the Commissioners thought that the Home could be opened again very shortly, under new management, that what has been done with the approval of the other Commissioners, is that all the food that was out there has been moved to either Hillcrest or Washington Home, that Herman Hotz has been working out there very diligently to inventory all pieces of equipment, other than the building itself.

He said the Commissioners are thinking of interest from people who are interested in operating the home and hopefully will fill up all 130 beds, that they will take bids on it but will have to have it appraised as far as the worth of the equipment involved and then, perhaps to lease the building itself, to operate it as a Nursing Home, Rest Home, or whatever, since this need is so great in the County and it could be run by someone and as a result, the County could possibly have some revenue from it and it could be utilized because it is a good building and won't take too much to put it in good condition.

He also said that the license to operate that type of operation expires on December 31, 1976, and they did have a deficiency report which they didn't send in and he talked to a gentleman at the Indiana State Health Department and he told him what the Commissioners were planning to do and he said there was no problem at all and that it was a good building and it should be used for that purpose. He said they have no intention of shutting it down to be used for any other purpose, also that the County Attorney wrote the State Health Department a letter, requesting an extension of the time, that an answer has been received and the time has been extended until the end of January, so the license will be good until then and it will be much easier for someone to be interested in the home if there is a license in effect now, but of course, when someone takes the home over, it will need a new inspection by the State Board of Health, since new people will be operating it.

He said that the request has been made for the welfare certification to be extended until the end of January, also they have a few problems because he understands that before they can take bids, it must be appraised and it will take two appraisals and to do this it will take money and there is no money in the budget, that they will probably have to get it from the County Council but that they could get some estimates on what it would cost to have appraisals made of the equipment out there, so they can take bids and go from there, and also perhaps on what the value would be as far as the monthly rental is concerned.

Mr. Paul Ahrens said he viewed the home last week and was very much surprised since he found only three things that needed repaired which he thought would cost less than \$500.00, that the cleanliness and painted walls were 100% and that he also viewed the McCarty Residential Center and found that it needs quite a bit of attention where repairs are needed and said that he can't see why the Pleasantview Rest Home can't be re-opened and operated and if the Commissioners can get the right kind of manager out there, it can be taken care of, that the home had bad management.

He complimented the Commissioners on having Mr. Hotz as the Superintendent of County Buildings, who was so helpful in showing him around the building and for doing a good maintenance job.

Commissioner Schaad thanked Mr. Ahrens for being concerned and said that 40% of Mr. Hotz budget was used at the Home, also that other things are to be considered, that sometimes, private enterprise can maybe do a better job than government can, that if they could hire a good administrator, it would cost perhaps \$20,000.00 per year.

Mr. Ahrens said he thought this to be a little high, also that there are many good people who are unemployed.

Commissioner Schaad said good administrators aren't unemployed, that one would have to be hired away from someplace else.

Mr. Ahrens said there are people now, working for the City that are being overpaid.

Commissioner Schaad said not hospital administrators, that if they did get a good administrator, he didn't think they could give him a contract beyond the term of their office so if they wouldn't be in office in four years and someone else got in, they may want someone of a different political faith so it would be hard for someone to come in with no more security than he would have in a political job, also that the Nursing Homes pay a lot of taxes in this community and we were in competition with them at lower prices and if there is a loss, which they have had out there, they help pick up the loss including all the other taxpayers.

He said the Commissioners want to see the home open but they don't want to see it as a drain on the taxpayers and if someone can go out there to do a good job in managing the home and fill it up, this is what they want to see, so the Commissioners will work as diligently as they can to get it opened as quickly as possible.

Mr. Ahrens said he thought the applicants should be screened and by doing this, he thought they could find a good man.

Commissioner Ossenberg pointed out that when Mr. Ahrens talks of screening the applicants, they must talk of an administrator that is licensed and that there are very few of those unemployed, if any.

Ms. Limberger said she understands that when Mr. Harness took the job of administrator out there, he didn't have his license, that he got it afterwards and she asked why, all of a sudden, it is necessary to get someone that is licensed.

Commissioner Ossenbergs said according to the state law, as it now reads, they are required to be licensed, prior to going in, that the law has been changed.

Ms. Limberger said the Commissioners are talking about leasing the facility to someone else, that they will have the problems the other Nursing Homes are having and she asked what the Commissioners are going to do about people who have no money and are unable to take care of themselves.

She said that some of the people who were at Pleasantview were in this category when they came out there but they were then placed on state or federal programs.

One spectator said that her sister was at Pleasantview where she was taken care of so well and not at Turtle Creek Nursing Home, it is just nothing and the County is paying more for her care and she isn't being cared for as she was at the Pleasantview Rest Home.

Commissioner Schaad said he didn't know how the County can maintain a place that loses \$114,000.00 per year to take care of those few people since the taxpayers have to pick it up and for the past year, they weren't able to increase the number of patients out there.

Ms. Limberger said she has heard this ever since this matter started, that the Commissioners set up an Advisory Board but they didn't know when the Advisory Board met or that it was for them, that they thought it was to help out Mr. Harness with his problems, so how could they do anything when they didn't even know what it was for, that everything that went on out there had to be okayed by Mr. Harness or his wife and this was the reason everything was like it was.

She said that if the Commissioners put a responsible person who is willing to work out there and give the Advisory Board a chance to work with him, they can make it out there, that there is no reason why they can't, that the Commissioners are judging on the situation for the past year and by doing this, it isn't possible and it doesn't sound reasonable.

Commissioner Willner, who was on the Advisory Board, said they did meet and they did make some recommendations and he was sure that the Commissioners knew what was going on and they knew the Advisory Board was there, that it is a two-way street and if they wanted some information, they could go to the Advisory Board as well as the Advisory Board could come to them, that they did have many problems and that he isn't against leasing the home out if the County can realize some good revenue from it, he thought however, with good management, the County Home could have made a go of it but evidently that is a thing of the past, that if the Advisory Board had some input other than advisory capacity, they might have been able to do something but they were of just advisory capacity and they gave recommendations but nothing ever came of it, that the money was there and one of the first things they asked Mr. Harness to do was to paint the halls in bright colors but it just wasn't done.

Ms. Limberger said the employees were responsible for the good care the residents received and also for the appearance of the home and they are the ones that should get the credit and not Mr. Harness.

Ms. Butler said as far as the number of residents there were at the home, it was heard, from Mr. Harness, by several employees, that he got paid the same if he had 50 people out there or if he had the home filled, so why should he have the extra work and with that kind of attitude, she didn't see how the home could be self-maintained.

Commissioner Schaad said he thought the Advisory Board had a bigger task other than what color to paint the walls and to listen to employees' grievances, which was perhaps one of the problems but he thought it was what they could do to get more people out there and what they could do to have better administration and what they could do to improve the operation as far as coming closer to breaking even, that if there was any input, he didn't get it and with Commissioner Willner being on the Advisory Board, he knew that the next place to come would be to the Commissioners.

Ms. Butler said that Commissioner Willner couldn't know that anything of this sort was going on, since he didn't know the employees couldn't go to Mr. Harness with their problems until they quit their jobs and it was then that Commissioner Willner advised them to go before the Advisory Board and that is the reason they have gotten this far.

Commissioner Schaad said he thought the matter has been discussed pretty well and that the die has been cast as to what they are going to do.

Ms. Limberger said that Commissioner Schaad is telling them that the Commissioners have made up their minds as to what they are going to do and that it doesn't make any difference how many names they get on petitions, that this is what they plan to do.

Commissioner Schaad said that everyone has heard what has been said, that the County hasn't been able to make any money out there for the past year and in the Commissioners opinion, to run it as a County Home, it would be rather difficult to accomplish it.

After further discussion, Commissioner Ossenberg cited an example by saying that he is the guardian of a black man who is in MEDCO at the McCurdy and he was one that was brought forward to go out to Pleasantview Rest Home and he encouraged the man to go out there and he refused to go out there because he wasn't going to the County Poor Farm and there were fifteen such instances like that from the Department of Public Welfare.

Ms. Butler said if they had the right kind of administrator, he could have explained things to them.

Ms. Limberger said that when people came out there to look the place over, they didn't get any encouragement from Mr. Harness and no one else had any say-so in the matter and it was such things as this that was responsible for the home not to make a go of it.

Commissioner Willner said it was also his recommendation, last year, that all applicants come before the Commissioners and it was never done.

Ms. Butler said that when Mr. Harness went to the McCurdy to screen patients for admittance to Pleasantview, he had asked her to go with him but when he went, he didn't take her with him.

County Council member, Bill Taylor, said that he and Mike Malone have been doing some research and checking with CAPE to see if perhaps there are some grant monies to help finance Pleasantview.

He said that the idea of private enterprise coming in would be a little steep on those people and the main thought he has this morning is to ask the Commissioners, if possible, to hold off on their decision as to turning the home over to private enterprise, for a week or so, until they can get all the paper work together and and can go through the process of possibly writing for a grant.

He also said he thought that the way the home was closed and then the monies being shifted into another channel, was a rather political type thing to look good at Burdette Park, for a Commissioner or two, but that isn't the problem at hand, that the problem at hand is to see if they can keep this home open under the County rather than a private institution which these people couldn't afford.

RE: AUTHORIZED TO ADVERTISE...COUNTY INSURANCE

Commissioner Schaad said that the specifications have now been prepared for the Group Term Life or Group Ordinary Insurance for the Vanderburgh County employees and they are being taken under advisement so they aren't being made public yet, but he thought they should go ahead and advertise for bids and he said that even if they shouldn't get this concluded by the end of the end of the year, he thought there was a thirty-one day grace period.

Commissioner Ossenberg asked that the meeting of the County Commissioners be moved from December 27th. to December 28th. which is on Tuesday and said the Insurance bids can be opened at this time.

Commissioner Schaad said to be included with the specifications, there will need to be a list of the employees of Vanderburgh County and their ages and information of insurance on the employees at the County Garage if it is different and the bidders will also need to know what the County's present plan is on our present Insurance. He said it would be fine if it could be effective on January 1st. but he didn't think they could, so he thought they had better make the effective date to be Feb. 1st.

Commissioner Willner asked Commissioner Schaad if he was relatively positive now that three, four or more can bid on the Insurance.

Commissioner Schaad said he wasn't positive but that he has had input from several people and he is sure they can, that specifications can be argued with anyone but if this can be lived with, he would like to pass them as they are.

Commissioner Ossenberg moved that the bids be advertised for on Insurance for the County employees on December 16th. and December 23rd. with the bids to be opened on December 28, 1976. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Associated Land Surveyors and Civil Engineer's Inc. for preparation of the work done on the Pigeon Township Assessor's Plat Books and maps in the amount of \$14,750.00.. Bob Dorsey has approved the bill.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Charles G. Osterholt of the Area Plan for attending a meeting in Indianapolis on September 28, 29, 30 & Oct. 1, in the amount of \$122.55. This claim is for the expenses he incurred and he was given permission to go.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: QUESTION OF CLARIFICATION BY COMMISSIONER WILLNER

Commissioner said he needs to clarify a matter with the County Attorney's and he asked them when any action is taken by the Commissioners, before the County Council, if it first needs to go through the Commissioners minutes. He said the reason he is asking is because at times, he has read in the newspaper, that the Commissioners went before the Council for a transfer or new money, which he knows nothing about and he is concerned since according to his interpretation, it should go through the Commissioners minutes before it goes to the Council and he didn't think this has been done in the past and he is wondering how the statute reads.

Commissioner Schaad said that as far as he is concerned, this is well taken, that he thinks it should be done, whether it is or not, that it has been a practise for as long as he can remember and not only that, but as far as transferring the funds from one department to another, that just a letter to the County Auditor does it and the money is in the Commissioners budget. He said that he agrees that there must be some clarity on the thing, that it has been done that way ever since he has been in office.

Commissioner Willner said that it has been done both ways and he just wants to know which is proper, that he was always under the impression that anything must first go through the Commissioners which is the way it should be done and he isn't too sure that the statute doesn't mandate it.

Commissioner Willner moved that this matter be investigated by the County Attorney's and report their findings to the Commissioners. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST FOR COUNTY TO ACCEPT STREET FOR MAINTENANCE

Mr. Roger Klassy appeared before the Commissioners and submitted the following letter of request:

Gentlemen:

It is respectfully requested that the Board of County Commissioners take under consideration the approval of the following improvements as constructed and located, and to accept the same for maintenance purposes, in the subdivision known as Plaza Meadows, Section "B", a recorded subdivision located within the civil limits of Vanderburgh County, Indiana:

Concrete street improvement along E. Walnut Street from the east line of lot Thirty-Two (32) extended to the east voundary line of Plaza Meadows, Section "B".

The above mentioned improvements have been constructed under plans and specifications approved by the County Surveyor and inspected by the office of the County Surveyor.

Thanking you for your consideration on the above, I remain

Very truly yours, Roger N. Klassy

Commissioner Ossenberrg moved that this matter be referred to the County Engineer's office for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR APPROVAL OF STORM SYSTEM

Mr. Roger Klassy submitted the following letter of request in regard to a storm sewer system:

Gentlemen:

It is respectfully requested that the Board of County Commissioners take under consideration the approval of the storm sewer system as constructed and located along E. Walnut Street at the intersection of Plaza Drive, and within the easement extended at the east boundry line of Plaza Meadows, Section "B" in the subdivision known as Plaza Meadows, Section "B", a recorded subdivision located within the civil limits of Vanderburgh County, Indiana.

The above mentioned improvements have been constructed under plans and specifications approved by the County Surveyor and inspected by the office of the County Surveyor.

Thanking you for your consideration on the above, I remain,

Very truly yours, Roger N. Klassy

Commissioner Willner asked Mr. Klassy if all the storm sewers that he has in this application are located within the boundaries of the right of way.

Mr. Klassy said that they were.

Commissioner Schaad said that Mr. Klassy isn't asking for the County to maintain the sewers, that he is just asking that the storm sewer system be approved.

Commissioner Willner said the request for maintaining them will be coming and as long as they are in the right of way, he sees no reason why they couldn't maintain them but the ones that aren't in the right of way are the ones he questions.

Commissioner Ossenberrg moved that this matter be referred to the County Engineer's office for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: OFFICEHOLDERS UNABLE TO ATTEND MEETING

Commissioner Schaad said that Jesse Crooks, the Building Commissioner, couldn't be here today and that his assistant is so busy he couldn't be here either, but he said if he was needed, the Commissioners should notify him and he would come down, also that Mr. Hotz, the Superintendent of County Buildings is busy at Pleasantview Rest Home getting the last minute details worked out.

RE: STATE REQUESTED TO MAKE AUDIT

Commissioner Willner asked if the State Board of Accounts was going to Audit Pleasantview Rest Home.

Commissioner Schaad said that after last Monday's meeting the State Board of Accounts was asked to make an audit on Pleasantview Rest Home, in writing and by telephone but they have received no answer as yet.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to make the following cuts:

On Hoing Road, 1350' west of Boonville New Harmony Road. F-1473-76
Spring Valley Road and North Green River Road to place telephone cable. F-693-76
County Line Road, approximately 3800' North of St. Wendel-Cynthiana Rd. to bury cable. F-2228-76

Commissioner Ossenberrg moved that these cuts be approved. Commissioner Schaad seconded the motion. So ordered.

RE: ABSENTEE REPORT

The Absentee Report for the employees at the County Highway Garage was submitted for the past week.
Report received and filed.

RE: CLAIMS

A claim was submitted by Deig Brothers Lumber & Construction Co. Inc. for the final payment on the Kentucky Avenue Structure #116A, Acct. #216-3826, in the amount of \$14,526.40.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

The contract price on this job was \$317,672.40 but the total cost of the job amounted to \$316,821.30, so there is an underrun of \$851.10.

A claim was submitted by G. H. Allen, Inc. for the final payment on the Claremont Avenue Structure #56A, Acct. #203-2260, in the amount of \$17,136.20.

Mr. Nussmeyer said there is an overrun on this emergency job. The contract price was \$74,475.72 but the work cost \$76,984.04, so there is an overrun of \$2,508.32.

Commissioner Willner asked if there shouldn't be a change order before they can approve this claim. He said he agreed that they must have had to do the work but he also agreed that before the Commissioners approve the claim for final payment, it must legally come before them with a change order.

Mr. Nussmeyer said he would prepare a change order.

Commissioner Ossenberg moved that a change order be approved for Claremont bridge in the amount of \$2,508.32. Commissioner Willner seconded the motion. So ordered.

The reason for the overrun was because of the need of longer piling. Commissioner Schaad told Mr. Nussmeyer when he prepares the change order, that he should take it to the Commissioners secretary so she can stamp the Commissioners signatures on it.

Commissioner Ossenberg then moved that the claim from G.H. Allen Inc. be approved in the amount of \$17,136.20 for the final payment on the Claremont Ave. structure. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by G. H. Allen, Inc. for six bridges; Structures 44A, 94, 98A, Schutte Road & Kansas Road, Acct. #203-2250, in the amount of \$4,742.40.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Michael Moore.....417 John St.....Pigeon Township.....Mrs. Bowling appeared for Trustee.

The Report Form from the Trustee's office on the action in this case reads that Mr. Moor requested medicine and that he was referred to the Department of Public Welfare for Medicaid, also that he has sufficient funds to meet his needs.

Mr. Moore said he went to the doctor who told him he needed a small operation and that he has been to the doctor three or four times, so he went to the Pigeon Township Trustee's office and they said they wouldn't help pay the bill since he has \$476.00 per month income, that he could afford to pay it himself.

He said he couldn't pay the bill with his income and he couldn't pay for the operation and this is why he went down to the Pigeon Trustee to see if they could help him but they said they wouldn't.

Mrs. Moore said she and her husband went to three or four different doctors and that her husband could have internal bleeding, that he has an old fashioned internal problem, inward and outward and that Dr. Wilson said if her husband doesn't have this problem taken care of he could possibly die.

She said they have \$476.00 coming in each month but with four children and the price of food stamps plus other expenses, there isn't a cent left for anything else.

Ms. Bowling said she isn't Mr. Moore's investigator but she checked and found that Mr. Moore has been on medical for a year and he did receive medical until he got his S.S.I. and their income went up to \$476.00 and what he applied for was an office call to the doctor, that he didn't apply for hospital and he was told to go to the doctor and if the doctor wanted him to have any surgery, he was to come back and make a hospital application and instead, they came to the Commissioners.

She said they have never received a report back from the doctor on Mr. Moore's condition, also that Mr. Moore hasn't been denied hospital expenses.

Mr. Moore said he went to the doctor who told him to go to the Pigeon Trustee and talk to them but when he did, they told him they couldn't help him because of his income.

Ms. Bowling said that Mr. Moore wouldn't have been denied an application for the hospital because it leaves their office and goes to the Welfare Department anyway.

Commissioner Ossenberg moved that this case be referred back to the Pigeon Trustee's office so the two of them can work it out. Commissioner Willner seconded the motion. So ordered.

Nable Nichols.....920 W. Columbia St.....Pigeon Township

The Report Form from the Trustee's office on the action in this case reads that Ms. Nichols request was for food and was denied because of sufficient funds in the home.

Ms. Nichols failed to appear this morning so no action could be taken by the Commissioners at this time.

The meeting recessed at 11:20 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

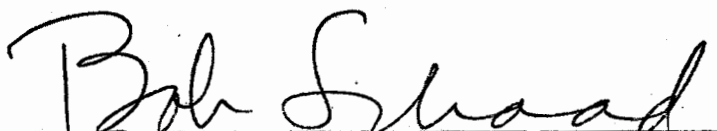
COUNTY AUDITOR

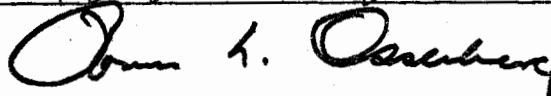
Curt John

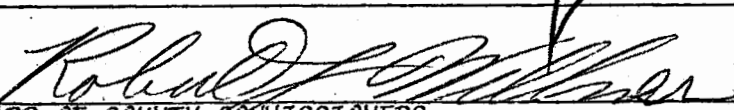
COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks







BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING
DECEMBER 20, 1976

The meeting of the County Commissioners was held on Monday, December 20, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

Commissioner Schaad noted that in the Commissioners minutes of December 6th meeting, on Pages 3 & 5, it reads, Opening of the bids for the Resurfacing of the Marx Road Structure # 64 and it should have read, Opening of the bids for the Rebuilding of the Marx Road Structure # 64.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: AUTHORIZED TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of the bids that were received today for the Resurfacing of the roads at Burdette Park.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

ARMSTRONG TOWNSHIP ASSESSOR RE-ASSESSMENT

Lily LeBlanc Clerical work on Reassessment forms \$20.00 Day Eff: 12/4/76

CLERK OF THE CIRCUIT COURT

Jacqueline Baker 3305 Oak Hill Road Asst. Bkpr. \$241.00 Pay Eff: 12/20/76

VANDEBURGH SUPERIOR COURT

Christy M. Reiter R.3 Box 299 Hwy. 57 Crt. Reporter \$9,552.00 Yr. Eff: 12/16/76

RE: EMPLOYMENT CHANGES.....RELEASED

AREA PLAN COMMISSION

Mary J. Gossman R.7 Box 390 Receptionist Sec. \$6,186.00 Yr. Eff: 12/17/76

PROSECUTOR'S OFFICE

LaTosha Pitt	1119 E. Blackford	Secretary	\$6,500.00 Yr.	Eff: 12/31/76
Mary Laugel	2122 W. Michigan	Secretary	\$8,500.00 Yr.	Eff: 12/31/76
David Zengler	Hwy. 261	Dep. Prosecutor	\$7,000.00 Yr.	Eff: 12/31/76
Stephen Barron	3012 Wimberg Ave.	Investigator	\$8,100.00 Yr.	Eff: 12/31/76

PROSECUTOR

Dorathe MacGregor 641 Jefferson Ave. Super-Investigative \$8,400 Yr. Eff: 12/31/76

CLERK OF THE CIRCUIT COURT

Patricia Patton 2558 Kathleen Ave. Asst. Bkpr. \$241.00 Pay Eff: 12/20/76

VANDEBURGH COUNTY SURVEYOR

Curran E. Bridges 5016 Stratford Crt. Instrumentman \$8,950.00 Yr. Eff: 12/17/76

PLEASANTVIEW REST HOME

Mabel Clark	1621 Ewing Ave.	Aide	\$2.30 Hr.	Eff: 12/2/76
Dixie Lunkenheimer	2609 W. Mill Rd.	R.N.	\$4.50 Hr.	Eff: 12/17/76
Robert F. Walter M.D.	1524 S. Ky. Ave.	Physician	\$4,096.00 Yr.	Eff: 12/17/76
Sheryl Lunkenheimer	700 Senate Ave.	Aide	\$2.30 Hr.	Eff: 12/24/76
Tillie Mancini	700 Senate Ave.	Aide	\$2.30 Hr.	Eff: 12/17/76
Landis Mead	700 Senate Ave.	Aide	\$2.30 Hr.	Eff: 12/17/76
Geneva Sweeney	803 W. Illinois	Cook	\$2.30 Hr.	Eff: 12/17/76
Zadie M. Cobb	Elberfeld, Ind.	Nurses Aide	\$2.30 Hr.	Eff: 12/17/76
Dorothy Hoover	5008 Warren Dr.	Cook	\$2.30 Hr.	Eff: 12/17/76
Willard Hughes	220 Cherry St.	Aide	\$2.30 Hr.	Eff: 12/17/76
Marlyn Johnson	Elberfeld, Ind.	Nurses Aide	\$2.30 Hr.	Eff: 12/17/76
Deborah Nolder	P.O. Box 148, Haubstadt	Soc. Serv. Desig	\$5,184.00 Yr.	Eff: 12/17/76
Tessie Sue Orsburn	608 Berkely	L.P.N. Director	\$8,223.00 Yr.	Eff: 12/17/76
Jearldeen Whitledge	1701 Trailer Terrace	Cook	\$2.30 Hr.	Eff: 12/17/76

RE: MONTHLY REPORTS

The Report of the Clerk of the Circuit Court was submitted for the month of November. Report received and filed.

The Report of the Evansville Association for the Retarded Citizens was submitted for the month of November. Report received and filed.

The Report of the Legal Aid Society of Evansville, Inc. Joint Department of Legal Services was submitted for the month of November. Report received and filed.

RE: CONTRACT AWARDED FOR MEALS TO FEED PRISONERS

Bids were received last week for the meals of the prisoners and they were taken under advisement for study and recommendation.

Sheriff DeGroote appeared and said that the bid of Szabo Inc. at 65¢ per meal is the amount allowed by the state and he explained that the count on the number of prisoners fluctuates and there are many times when they have less than 150 prisoners to feed and he strongly recommended that Szabo Inc. be awarded the contract, on a one-year basis.

Commissioner Ossenberg moved that the contract be awarded to Szabo Inc. for the meals of the prisoners. Commissioner Willner seconded the motion. So ordered.

The motion included that the contract be on a one-year basis.

Commissioner Ossenberg moved that County Attorney Wendel draw up the necessary legal document and have the Commissioner's secretary stamp their names on it. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR RESURFACING ROADS AT BURDETTE PARK

There were two bids received for the Resurfacing of the roads at Burdette Park. They are as follows:

Feigel Construction Co.....	\$15,664.00
Midwest Construction Co.....	\$16,269.95

Commissioner Ossenberg moved that these bids be referred to the County Engineer's office for study, so the contract can perhaps be awarded today.

Mr. Guillaum of the Engineer's office took the bids to have them studied and came back with the recommendation that the contract be awarded to Feigel construction Co. Commissioner Ossenberg moved that Feigel Construction Co. be awarded the contract. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT FOR REMOVING COPY MACHINE FROM RECORDERS OFFICE

An agreement was submitted to the Commissioners which is between them and Mr. David Kitch, whereas Mr. Kitch, the successful bidder, at public auction, of the surplus Itek Photocopy machine located in the Office of the Recorder, whereas the Commissioners want the machine disassembled and removed from the Civic Center Complex and the purchaser is willing to and capable of disassembling and removing said machine.

Commissioner Schaad explained that they have been trying to get this copy machine removed from the Recorder's office and that they have been having problems in getting the right kind of insurance and the right amount of insurance, in case anything would happen in removing it, that it is using a lot of space and is no longer of any value to anyone but they did find that this gentleman would take it out just for taking the machine.

County Attorney Wendel said that the Insurance meets with the approval of the Building Authority which is \$100,000.00 per person in Insurance or \$300,000.00 per occurrence in property damage, in the sum of not less than \$50,000.00, also Commissioner Willner moved that this contract be signed and approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: DISCUSSION ON PLEASANTVIEW REST HOME

Commissioner Schaad said that the only employees left at Pleasantview Rest Home are Mr. Zenthoefer who has been there for 34 years as custodian and looks after the grounds, Lois VanWay who looks after the office, since there are still phone calls and bills coming in, and Mr. Hotz who has been working out there and has completed the inventory of all the physical equipment out there and he said that all perishables

have been moved to Hillcrest-Washington Home under the supervision of the State Board of Accounts.

He said at this point he has had some interest shown in the home by some out of town people in bidding on it or whatever they are going to do and they are trying to get this done as soon as possible.

He said the tractor is locked up, that it wasn't on the list and they can perhaps use it elsewhere but the three vehicles, one that was Mr. Harness' car, a van used to transport patients and 1/2 ton pick-up was transferred to the County Garage which is locked up, also all of the documents and the files that didn't go with the patients, have been sealed in boxes and are in the hands of the State Board of Accounts.

He said the Commissioners have requested that the State Board of Accounts make a complete audit on all of the operation of the Pleasantview Rest Home, also that Mr. Hotz has a complete list of the inventory which includes some appliances.

Mr. Ahrens submitted another petition to the Commissioners, signed by people who want the Pleasantview Rest Home to be re-opened by the County.

Commissioner Schaad said that it is necessary that the Commissioners have a public hearing to find out what the best use of the home would be.

RE: PUBLIC HEARING SET

County Attorney Wendel said the notice of the Public Hearing only needs to be advertised one time for the discussion as to the best use of the Pleasantview Rest Home.

Commissioner Ossenberg moved that the Notice of the Public Hearing be advertised in both newspapers on December 24th. and the Public Hearing be held on January 3rd. 1977. Commissioner Willner seconded the motion. So ordered.

RE: QUESTION ON ORGANIZATIONAL MEETING

There was a question as to whether the Commissioners must have an organizational meeting on January 1st. as to if it is required by law and County Attorney Wendel said he would check it out.

RE: MEETING DATE SET

Commissioner Schaad said that the Commissioners meeting will be held next Tuesday, December 28th. instead of next Monday, at 9:30 a.m., here in the Commissioners Hearing Room.

RE: LETTER FROM THE STATE BOARD OF ACCOUNTS

The following letter was received from Mr. Beesley of the State Board of Accounts:

Dear Mr. Schaad:

This is to acknowledge your letter of December 6, 1976, regarding the closing of the Pleasantview Rest Home.

We are authorizing Messrs. Hudson and McAllister to assist in the accounting procedures necessary for the closing.

Very truly yours, Kenneth R. Beesley,
State Examiner

RE: LETTER FROM THE STATE BOARD OF HEALTH

Commissioner Schaad said he also received a letter from the State Board of Health, dated December 8th. in regard to the expiration date on their license to operate Pleasantview Rest Home which is December 31st. and a report must be made.

He said that since Mr. Harness is no longer at the home, there is no point in him making a report because most of the deficiencies weren't physical, that they were the Policy and the Administrative end of it, so he called a Mr. Heighway of the Health Council in Indianapolis, who told him that if the County Attorney would write them a letter, they would extend the license through next January.

Commissioner Schaad said that the Commissioners thought it best to keep the license to operate the home since it will probably be easier to lease it, also that it will have to be re-inspected anyway before someone else takes it over. He then read the reply that was received in answer to the County Attorney's letter, which reads as follows:

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Dear Mr. Wendel:

Your letter of December 3, pertaining to the licensure and certification of the Pleasantview Rest Home has been reviewed.

After review of this letter and the conversation with you, this office will recommend to the Indiana Health Facilities Council that licensure be granted for the period January 1, 1977, through December 31, 1977. Therefore, this period of time will allow you to make whatever changes necessary in the operation of this facility.

We have also recommended to the Department of Public Welfare that the certification of the Pleasantview Rest Home be extended to January 31, 1976. It is hoped that this extension of time will allow you the necessary time to carry out the changes you anticipate.

Sincerely, George F. Heighway, Director
Division of Health Facilities

Commissioner Schaad said he believed they made an error since they are recommending that the license be extended for a full year, also that the certification of Pleasantview Rest Home should be extended to January 31, 1977 and not January 31, 1976. County Attorney Wendel was asked to check on this matter.

RE: LETTER ON CETA FUNDS

Commissioner Schaad said the Commissioners were notified by Manpower that there are slots open on CETA funds, that they have worked it out since it must be done immediately because they want these people employed before Christmas if possible. He then read the following letter he has written to Mr. Akin of Manpower Planning:

Dear Mr. Akin:

The ten slots for which approval was sought on December 13, 1967 will not be a sufficient increase in the Vanderburgh County program to reach the 125% of mandatory slot level. Therefore, we are submitting a request for approval for an additional seven slots which will bring about the required enrollment.

The necessary documentation is attached.

Sincerely, Bob Schaad, President
Board of County Commissioners

Commissioner Schaad said they have a Laborer at Burdette Park, a Mechanic at Burdette Park, a Field Assessor for the Center Township Assessor, Clerk in the County Clerk's office, a Bail Bond Interviewer in the Circuit Court, a laborer in the Highway Dept., a Reassessment Clerk in the Knight Township Assessor's office, a Resource Developer in Circuit Court, a Liaisonman in Superior Court and a Planner in Area Plan. He said in addition to this, they have a Programmer to be paid from CETA funds for the new computer system that the courts are going to be putting in and an engineer's assistant in Evansville Urban Transportation and something they have been talking about for a long time in their records committee, that the records are kept in the basement and aren't as orderly as they could be, so they have asked for a record clerk to put them in an order to where they can easily be found and everyone thinks this would be a vast improvement. He said they also have a janitor in the Auditorium, a secretary in Superior Court and a laborer in Burdette Park and these would take up the slots.

Commissioner Ossenberrg moved that the letter be approved and that it be forwarded to Mr. Akin. Commissioner Willner seconded the motion. So ordered.

RE: BONDS SUBMITTED FOR RECORDER AND DEPUTY

Bonds were submitted by the Indiana Insurance Co. on Estelle Moss as County Recorder in the amount of \$4,000.00 and on Lucille Elliott as Chief Deputy Recorder in the amount of \$2,000.00.

Commissioner Ossenberrg moved that the bonds be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: STATUS ON MATTER OF MASSAGE PARLOR

Commissioner Schaad asked County Attorney Smith if there was anything to report on the status of the Massage Parlor matter.

County Attorney Smith said, "no", that Judge Lensing has this matter under advisement and hasn't ruled on it as yet.

RE: REPORT ON MATTER OF NORMA JARVIS WANTING DRAIN CLEANED

Ms. Norma Jarvis had previously submitted a petition for a drainage ditch on North 12th. Avenue to be cleaned. It is located at St. Joe Avenue between Hobart and Allens Lane. The matter had been referred to County Attorney Smith and Commissioner Schaad asked Mr. Smith if he has found out anything on the matter. He said he believed this to be a platted alley but that it is just a ditch.

County Attorney Smith said he didn't have anything more on the matter at this time, that he would check on it and come back later.

RE: QUESTION ON AUTHORITY OF COMMISSIONERS

Commissioner Willner said the Commissioners had asked the County Attorney's to come up with an answer on whether the Commissioners would have to approve, in their minutes, an amount of money or person going before the County Council.

County Attorney Smith said he looked this up and he couldn't find anything specifically to answer his question but he found some general authority where the Commissioners could, by resolution, delegate authority to act on it.

Commissioner Schaad said they had also talked of when a letter was written to the County Auditor on monies, by a department head, without the knowledge of the Commissioners and he said if they are going to require the practice of all requests coming first before the Commissioners, they should catch these and it should be done properly all the way through.

He said this needs to be pursued and that Mr. John could put something on the Agenda when a transfer request comes in his office on a department head's letter.

Commissioner Willner said in his opinion, it should first come before the Commissioners and he would like to see it done this way.

Commissioner Schaad said it seems to him that the Commissioners had previously written a letter on it but it hasn't been followed.

Mr. John said he thought the letter stated that anyone under the Commissioners appointment or supervision was to send a letter to the Commissioners but he didn't think elected officials were to come before the Commissioners but what was asked wasn't even done.

Commissioner Willner said all requests should come before the Commissioners, that otherwise, they have no input.

Commissioner Schaad said they probably need to work with the County Attorney to see how they might do it so it can be binding if the statute doesn't provide for it.

RE: REZONING PETITION.....VC-51-76

Petitioner and Owner of Record....Robert A. Weil Sr. of 10206 Darmstadt Road. Premises affected are situated on the West side of Darmstadt Road, a distance of 1584 feet North of the corner formed by the intersection of Cedar Hill Dr. and Darmstadt Road.

The requested change was to be from A to R-0 but has been amended to be from A to R-1. The proposed land use is for a Residence and Real Estate Office.

This petition is being referred back to the County Commissioners by Area Plan with the recommendation that the petition be amended from R-0 to R-1 with eight affirmative votes. The petition was approved by Area Plan, as amended, with eight affirmative votes.

The Attorney for the petitioner appeared and explained that Mr. & Mrs. Weil recently filed a petition to have this property rezoned from A to R-0 and they would like to operate a Real Estate office at this property which is their home, where they have lived for a number of years.

He said that a number of remonstrators appeared at the Area Plan meeting represented by John Carroll and they have reduced the request of rezoning the property from A to R-1, since the intended use for a Real Estate Brokers office is permitted under the R-1 category, providing they do not use over 25% of their square footage of the property, they do not employ anyone other than family members and they can't have a sign over 1 square foot which is satisfactory to them, that the people have lived here for a number of years and they will continue to use it as a residence, so it is merely a request now, which has been amended to rezone the property from A to R-1. He also said that the remonstrators were agreeable at the Area Plan meeting. He said it was amended by resolution at the Area Plan and that technically, it should

be amended here and then ruled upon the request as amended, since they are satisfied with the R-1 category rather than the R-0 category.

There were no remonstrators present.

Commissioner Ossenberg moved that Petition VC-51-76 be approved as amended from A to R-0 changed to read A to R-1. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITIONVC-52-76

Petitioner and Owner of Record...James Browning of 2501 N. Grove Street. Premises affected are situated on the West side of Grove Street. The requested change is from A to C-1B and the proposed land use is for a motorcycle Repair Shop. This petition was approved by Area Plan with nine affirmative votes.

Mr. Ed Johnson, Attorney for the Petitioner, appeared and said they are requesting the rezoning of the property commonly known as 2508 N. Grove Street to a classification of C-1B so they can bring an existing use in conformity with the proper zoning classification, that Mr. Browning has been at the present location for many years and he has a Motorcycle Repair Shop at this location. Mr. Johnson then submitted pictures of the existing building to help then in making a determination.

There were no remonstrators.

Commissioner Ossenberg moved that Petition VC-52-76 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION..... VC-53-76

Petitioner and Owner of Record...Morris D. Rister of 2901 N. Grove Street. Premises affected are situated on the East side of Grove Street, a distance of 877 feet from the S.E. corner formed by the intersection of Grove Street and Allens Road. The requested change is from A to C-1B and the proposed land use is for a C.B. Sales Store. This petition was approved by Area Plan with nine affirmative votes.

There was no one present to speak either for or against this petition.

Commissioner Ossenberg moved that Petition VC-53-76 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITIONSVC-43-76 & VC-44-76

Petitioner and Owner of Record...William F. & Susan G. Harty of 4112 Cort Street. VC-43-76 is located on the North side of Cort Street, a distance of 320 feet North-west of the corner formed by the intersection of Cort Street and Vanness, in Southview Park, commonly known as 4119 Cort Street. VC-44-76 is located on the South side of Cort Street, a distance of 80 feet Southwest of the corner formed by the intersection of Cort Street and Vanness, in Southview Park, commonly known as 4100 Cort Street. The requested change for both petitions was from R-1 to R-3. The present existing land use is vacant and the proposed land use is for apartments. These petitions were postponed until the November meeting and were then taken under advisement until this month.

Mr. Johnson appeared on behalf of the petitioners and explained that they just want to act on the petition that is commonly known as 4100 Cort Street which is VC-44-76. He said that he understands there are two petitions and this matter went to Area Plan with the request on two rezonings on two particular tracts of land on an R-3 and at this time they wish to proceed on VC-44-76 located at 4100 Cort Street and not their intention to proceed further, this morning, on the petition of VC-43-76, commonly known as 4119 Cort Street so they ask that this petition be withdrawn.

Commissioner Ossenberg moved that Petition VC-43-76 known as 4119 Cort Street be withdrawn. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

Mr. Johnson explained that the petitioners live due west of the property they wish to rezone, also that the area itself has industrial zoning and industrial use along the L & N Railroad tracks so they have something besides single family residential.

He said the staff of the Area Plan Commission has recommended approval of an R-3 rezoning for the area for a maximum of four-unit apartments and the petitioner is willing to stipulate four units which is what he would build if the rezoning were passed on favorably.

He said the Area Plan Commission pointed out that apartments in this area would be compatible with the Industrial use to the due west portion of the property. He submitted some pictures to the Commissioners of the property in question as well as plans for the apartments.

He said the grade for the parking is planned to be 1½ spaces per unit and there are four units, that there will be six parking places, at least and this was filed by Mr. Harty, with the plans that were submitted to the Area Plan Commission.

Mr. Johnson said that the area has just undergone the construction of a new sanitary sewer and it will run right along the property itself and by it being newly constructed, it won't tax the sewer with the construction of the four apartments, also traffic wise, he would say that Vanness and Court Avenues have very low traffic rate.

He said he only undertook representing Mr. Harty a week ago but he knew that the Area Plan Commission did vote unfavorably on this petition but he pointed that the staff has recommended approval.

He said he also knew there was a petition against the rezoning presented to the Area Plan Commission and in all fairness to the remonstrators, they attempted to notify those whose property is contiguous to this area, that the letters were sent, certified, return receipt requested and they did it even though they didn't have a legal obligation to do so.

He said he thought this to be darn good zoning and he thought it should be passed.

Mr. Harty said these would be efficiency apartments, that they were basically two rooms with an adjoining kitchen and bath and they are commonly found throughout the City of Evansville.

Mr. George Busby of 4111 Cort St. remonstrated against this petition by saying that his home may not be quite as nice as Mr. Harty's but he is proud of it and has worked hard for it, that he has small children who are up and down that street and there is probably a car down Vanness every four or five minutes and it is true there isn't much traffic on Cort Street. He said the street isn't improved and they don't have any storm sewers, that the water from the streets is now running across Vanness, back down into the lower property and to him, it is a traffic hazard at the corner and he feels in all fairness, that there are several people out there that are retired and he didn't think an apartment building would help those people and he didn't think it would upgrade their property, in fact it would downgrade it. He said that he had planned on bricking his home but if this petition is approved he is going to sell it.

Mr. Williams who lives at 4105 Cort Street appeared and stated that he feels if the Area Plan Commission has rejected this petition, that it is up to the Commissioners to decide what they want to do with it.

Commissioner Willner asked, in deciding which property to build on, what made Mr. Harty decide on this property instead of the other one.

Mr. Harty said this location is more desirable and the other is less desirable and everyone tried to make a big issue of it so he thought if he put up one nice apartment building and after a year, they saw how he operated it, he didn't think they would have any objection to the next one going up. He said this is a better location and it has paved streets.

Mr. Johnson said he hoped that Mr. Busby doesn't sell his home if this petition is approved since the petitioner lives in the area so he is convinced that Mr. Harty will design the apartment building carefully and convinced that he will do a first-class job.

After further discussion, Commissioner Ossenberrg moved that petition VC-44-76 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REQUEST TO TRAVEL

The following letter of request was received by the Commissioners from Mr. Gehlhausen, the Knight Township Assessor:

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Dear Sirs:

Pursuant to the provisions of IC 6-1.1-35-3, the Board of Tax Commissioners is calling a conference of all elected county and township assessors to be held on January 17th, 18th & 19th at the Marriott Inn in Indianapolis, Indiana.

I plan to attend the annual Assessor's Conference with my Real Estate Deputy, James L. Kornblum. This letter is to request the approval of the Board of Commissioners for travel.

Please advise me of the decision of the Commissioners in order that I might make reservations.

Sincerely, Roman F. Gehlhausen
Knight Township Assessor

There was a question of how the men intend to travel and it was found that they are planning on driving to Indianapolis, Indiana to attend the conference.

Commissioner Ossenberg moved that Mr. Gehlhausen and Mr. Kornblum be permitted to travel by car. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Millers Association Insurance Agency for an annual premium of \$20.00 each on County Recorder, Estelle Moss and on Lucille Elliott, Chief Deputy. The total amount of the claim being \$40.00.

Commissioner Willner moved that this claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was submitted by Sheriff DeGroote for the meals of the prisoners that were served from November 15, 1976 to December 14, 1976, in the amount of \$7,325.50 but only a partial payment can be made since there is only \$5,602.75 left in the account, which will leave a balance still owed of \$1,722.75.

Commissioner Ossenberg moved that partial payment in the amount of \$5,602.75 be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for additional Rental for the first six months of 1977, in the amount of \$362,679.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the National City Bank of Evansville, Trustee, for the fixed rental for the first six months of 1977 in the amount of \$331,285.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Good Samaritan Hospital for James B. Hamilton who was a T.B. patient, in the amount of \$331.04 that is due from Vanderburgh County. His total bill was \$1,515.19 and his Insurance paid \$1,184.15.

Commissioner Ossenberg moved that the claim of \$331.04 be approved. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON MATTER OF NORMA JARVIS WANTING DRAIN CLEANED...CON'T.

After looking into the matter, County Attorney Smith said he has checked on the matter and the reason he was a little vague about it was because he wasn't here last week, that even the platted subdivision does call for an alley, this is a private easement and there would be no basis to use state or county funds to clean it.

Commissioner Schaad said that a letter will be written to Ms. Jarvis, stating that this matter has been pursued and there is no way the Commissioners can help her.

RE: MONTHLY REPORT

The Monthly Report of the Building Commissioner was submitted for the month of November, 1976.
Report received and filed.

RE: MR. CROOKS OFFICE

It was reported by Mr. Crook's office that a letter has been sent to Mr. Preske who is purchasing the property on Petersburg Road, just North of the Hornet's nest and also to the legal owner of the property, Mr. Krieghauser, who had said that he would get with Mr. Preske about tearing the place down but nothing ever happened,

The Commissioners had told Mr. Crooks to write these letters to the contract buyer and the owner in regard to the property being condemned.

Mr. Broerman of the Building Commissioners said that the letter stated they have 90 days to tear the building down and if it isn't torn down, the city will do it. He said this has been finalized and now all they will have to do is wait to see if they tear it down, that if the City has to tear it down, they will bill him back for it.

He said the property is located at about 12721 Petersburg Road, the fourth house North of the Hornet's nest on the East side of the road and it will be 90 days from December 2, 1976.

RE: VANDERBURGH COUNTY BUILDING CODE

The Vanderburgh County Building Code was submitted to the Commissioners for their approval and signatures.

Commissioner Willner said he would like a chance to look it over so he was given the new Building Code until the Commissioners can act on it at the next official meeting.

RE: COMMENTS ON UNDERGROUND STORAGE TANK

Mr. Hotz said that there is an underground storage tank at the Pleasantview Rest Home that is used for gasoline and they used it for their equipment and he estimated that there is approximately 320 gallons of gas in it and he said that he talked to Mr. Siebeking about it and he wondered if it would cause any conflict in the bookkeeping or anything, under the supervision of the State Board of Accounts, if they filled the two trucks for the Maintenance Dept. and fill up all the trucks of the Highway Dept. and make it a separate sheet on the invoice on each one. He said he would like an opinion from the Commissioners.

Commissioner Willner said it didn't make any difference to him but he would suggest that they don't empty it, since if they get a lot of rain it could float out of there and fill with condensation so it is best to leave it in there until they do something with it.

Commissioner Ossenbarg suggested they let Mr. Hotz use 150 gallons and leave the rest of it in the tank and that he should keep records on it. He said it really didn't make any difference to him either, but as Mr. Hotz said, someone might break the lock and get a lot of free gas.

The other Commissioners agreed that Mr. Hotz use about 150 gallons of the gas.

Commissioner Willner said if the gas should be stolen, the tank should be filled with water. Commissioner Schaad said that he called the Sheriff's office and Sheriff DeGroote said he would have his deputies patrol the Pleasantview Rest Home more often than they did before.

RE: REPORT ON PLEASANTVIEW'S INVENTORY

Mr. Hotz said that he has the complete inventory list ready on all the items that are at the Pleasantview Rest Home except for a small area since Mr. Harness hasn't as yet moved out his personal items. He said the next step would be to break the list down.

Commissioner Schaad said that one list could include fixtures, furniture, etc. and another could include sheets, pillow cases, towels and other lines, etc.

Mr. Hotz wondered if the Commissioners wanted an appraisal on all the items and he said that he didn't feel that he was qualified to do it.

Commissioner Schaad said he has been at the home several times and looked at it and he thought it would be a tremendous job to try to inventory all of it, also for the record, he has asked Mr. Angermeier and also Mr. Stucki to give the Commissioners an appraisal of the grounds and the building.

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He said, in regard to all the items out there, it would probably be well if they had some idea what it is worth but he wondered who could do it, that if it is auctioned off, the auctioneer will come in and inventory it but he didn't think the auctioneer would put a value on it when he inventories it.

Mr. Hotz said as far as he knows there is only one person that the Insurance Co. approves for appraisals and that is Curran Miller. Commissioner Ossenberg said he didn't see why Mr. Kirsch couldn't also do it. Commissioner Schaad said that anything that is attached to the building, it will become a part of the building and it will be in the lease agreement if they go that route and not sell it; so there won't be any bids on buying it, also that the tractor should be pulled out of the inventory because they can use it elsewhere, also the cars.

County Attorney Wendel asked if the other departments had been contacted to see if they need any of the items out there.

Commissioner Schaad said the Health Department asked if they had any wheel chairs but if they start picking at it, there won't be anything left for the people that might be interested in running it as a rest home and it would be more desirable if everything is there, since they can step in right away and start running it. He asked Mr. John if they could come up with some money to pay Curran Miller or Kirsch, if they could take informal bids and if they could find all the people that are recognized as qualified to make such an inventory and let them give an informal bid and he wondered what they charge to give an estimate for an appraisal.

Commissioner Ossenberg asked why the specifications couldn't read that if they get the contract, they get an addition percentage for the appraisal work, this is to say that if the standard fee is 10%, that they give the auctioneer 12% which would be 2% for the appraisal.

He also said that the contract could read that if it isn't sold it would be null and void, which means there would be no money, that someone might take it on this basis.

Mr. John said they could transfer a line item out of the Pleasantview account into a 200 account to pay for it, or if the contract is given to someone, they can encumber the money either by purchase order or by contract. He said, however, they wouldn't have to encumber the money, since Pleasantview Rest Home has a 1977 budget.

The Commissioners asked Mr. Hotz to contact these men and see what he can do.

RE: PROBLEM AT BOEHNE

Mr. Hotz said that along with the roof condition that the Commissioners are aware of, in the former nurses home out there they have a sewage problem and he called the man that does all the work at the jail and he had his equipment locked up but they can't ascertain where this sewer is tapped into the main sewer line and at this time they have been unable to get the information from the sewer department and he has a man checking down in the surveyor's office and they can't seem to locate where this sewer line connects with the main sewer, that they went down so far and went into something solid and it locked up the equipment and he almost lost it.

He said if they can't locate it they may have to come out of the basement with a sewer line and tap in the sewer at some other point and consequently they would be talking about some money, also at this time, they can only use one fixture at a time right now and it is very inconvenient. He asked if they should go ahead and spend the money that is necessary to take care of the situation.

Commissioner Ossenberg asked who laid the sewer.

Someone said that Deig Brothers laid the sewer and Mr. Hotz said that the Sewer Department was of the opinion that it was a private deal between Boehne and whoever laid the sewer and they put this one line in.

Commissioner Ossenberg told Mr. Hotz to check with Deig since they surely have drawings on it.

Commissioner Schaad said that the roof problem disturbs him since they still don't know just what they are going to do with the Boehne building and Mr. Hotz told him that it would cost around \$10,000.00 to put a new roof on it and under the circumstances, he is reluctant to spend the money on it, but Mr. Hotz is putting patches on patches and is about to the end of it and can hardly patch it anymore.

He said he would sure hate to see that roof give in and do a lot of internal damage, since it would then cost a lot more than the \$10,000.00.

Commissioner Ossenberg said he thought they should get something together with the committee.

Commissioner Schaad said they appointed good people and all good people are busy and every time they made an attempt to get together, they couldn't get half of them there, that they can try again but it will be harder to get them together during the holidays.

He asked the Commissioners secretary to call them again and see if they have some thoughts about it but she explained that some are out of town and other reasons as to why they couldn't be contacted right now.

Commissioner Willner said they should set a date and a time and have the meeting with the Boehne committee.

The Commissioners set a date for the meeting which will be held in the Commissioners Hearing Room on Tuesday, January 4th, 1977 at 7:00 p.m.

Commissioner Schaad asked Ms. Smith to notify the committee and tell them that the Commissioners would appreciate it if the members would make arrangements to attend the meeting.

RE: COMMENT ON MR. LAWSONS SALARY

Mr. Hotz said they have set up Mr. Lawson's salary until January 1, 1977, and it is fast approaching.

Commissioner Schaad said they have requested council for everything for another two months, and hopefully, they wouldn't have to use it but there doesn't seem to be much interest and it must meet with everyone's approval to do something about Boehne so they are going to ask for two more months for salaries, utilities, etc. and he asked Mr. Hotz to relay this information to Mr. Lawson.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report of the employees at the County Highway Garage for the past week.
Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking said they started Friday and are working this morning on Heinlein Road, that there are a lot of trees that must come down so they have to do this first. He said he called several people since he thought they might make a deal because there are some good saw logs out there and he contacted Mike Thomas who is coming out and help to do some of the work so they will get the logs out of the way.

He said they had several calls this morning on Dixie Flyer Drive and he called the Sheriff's Department, who informed him that the City would do nothing on that Drive now as far as washing of mud or anything.

He said that Sheriff's Deputy, Gene Carr, told him that the Fire Department will not make a run out there anymore either, that it would have to be the Volunteer Fire Department so he doesn't know, that he is just taking the Sheriff's word for it. He said that it is rather slick out there where Bobby Staub is hauling all the dirt in there to the new elevator, that there is quite a bit of dirt on the road and he didn't think it was the best of driving conditions.

He said he can never talk to Mr. Staub until after 5:00 p.m., that he put a call in for him but he is already on the job and they will not contact him by radio if it is something he doesn't want to talk about.

Commissioner Ossenberg said he would take care of it.

RE: CUTS IN

The Waterworks Dept. requests permission to make cuts in Valley Rose Subdivision to provide water service.

Commissioner Ossenberg moved that these cuts be approved. Commissioner Schaad seconded the motion. So ordered.

Indiana Bell Telephone Co. requests permission to make a cut at Newburgh and Fuquay Roads which is a push job for a buried cable.

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Commissioner Ossenberg moved that this cut be approved. Commissioner Schaad seconded the motion. So ordered.

RE: COMMENT ON ITEM BREAKDOWN... NORTH KY. AVE.

Mr. Guillaum said that on North Kentucky Avenue he has an item breakdown and they tried to put the bridge items in the County's fiscal responsibility, the roadway items under the City and he understands they had \$135,000.00 figure they were working with there and the City came in about \$5,000.00 under that.

He submitted the Itemized Breakdown at this time and said that he didn't get a chance to get with Dick Eifler on it since he has been on vacation but he should look it over and approve it.

He said this is basically a breakdown as to the County's responsibility and the City's responsibility, since this was a joint project.

He said there are a few items in there that weren't originally covered in the original contract agreement and what they tried to keep in mind was that the County would assume responsibility for the bridge itself and the City would assume the responsibility for the roadway that wasn't originally covered, also that he would get together with Dick Eifler and then come back.

Commissioner Ossenberg said there was near a \$5,000.00 underrun on the street for the City and there was a little better than \$5,000.00 underrun for the County.

RE: REQUEST FOR ACCEPTANCE OF SECTION "B" IN PLAZA MEADOWS

Mr. Roger Klassy of Klassy Homes submitted the following letter to the Commissioners;

Gentlemen:

It is respectfully requested that the Board of County Commissioners take under consideration the approval of the following improvements as constructed and located and to accept the same for maintenance purposes, in the subdivision known as Plaza Meadows, Section "B", a recorded subdivision located within the civil limits of Vanderburgh County, Indiana:

Concrete street improvement along E. Walnut Street from the east line of lot Thirty-Two (32) extended to the east boundary line of Plaza Meadows, Section "B".

The above mentioned improvements have been constructed under plans and specifications approved by the County Surveyor and inspected by the office of the County Surveyor.

Thanking you for your consideration on the above, I remain

Very truly yours, Roger N. Klassy

Mr. Guillaum said this has been inspected and his office recommends that the County Commissioners accept it for maintenance.

Commissioner Ossenberg moved that Section "B" of Plaza Meadows be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR ACCEPTANCE OF STRAWBERRY HILL

Mr. Guillaum said he has a resolution for the acceptance of Strawberry Hill but as of today, this has not been inspected by his department and he would like to have a week to check it out and return with it next week.

Commissioner Ossenberg moved that this matter be referred to the County Engineer for their recommendation. Commissioner Willner seconded the motion. So ordered.

RE: QUESTION ON ORGANIZATIONAL MEETING, CON'T.

After checking on the matter as to what requirement the Commissioners must meet for the Organizational Meeting, County Attorney Wendel said that it isn't necessary that they meet on January 1, 1977, that the regular Monday meeting of January 3rd. will serve as the Organizational Meeting.

There was also a question as to when the Commissioners declare that they will be the Board of Finance but Mr. John said he didn't think they meet until the 3rd. Monday in January but he would check into it, also that the Commissioners are automatically the Board of Finance.

RE: NOTICE OF CLAIM

County Attorney Wendel said there was a Notice of Claim filed against the County on property owned by Mr. & Mrs. Gilbert for damage to their property and he would like for the Commissioners to appoint someone to go out with him to take a look at it.

He said this has to do with water running off the road and damaging his property. This is located in Evergreen Acres and it was decided that Mr. Siebeking would go out to look at the damage also.

The meeting recessed at 11:30 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

THE COUNTY COMMISSIONERS WISH EVERYONE A VERY MERRY CHRISTMAS

Bob Schaad
Tom Ossenberg
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 28, 1976

The meeting of the County Commissioners was held on Tuesday, December 28, 1976, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Bob Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: AUTHORIZED TO OPEN BIDS

County Attorney Wendel was authorized to proceed with the opening of the bids that were received today on the Vanderburgh County Employees Group Term Life Insurance.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT

Thomas P. Norton 921 Canterbury Rd. Probation Intern \$3.00 Hr. Eff: 12/20/76

GERMAN TOWNSHIP TRUSTEE

Sandy Brady R.R. #4 Investigator \$372.00 Yr. Eff: 2/1/76

RE: EMPLOYMENT CHANGES.....RELEASED

GERMAN TOWNSHIP TRUSTEE

Jeanette Phillips R.R. #4 Investigator \$372.00 Yr. Eff: 2/1/76

RE: NOTICE...MASTER KEY ANTITRUST LITIGATION

Commissioner Schaad said this matter came up before on several makes of locks, that a suit was filed and as he remembered it, there was collaboration on the part of these people to establish prices and the County is supposed to get refunds for any locks they bought during that period of time.

Mr. Hotz said the County was supposed to get a refund but he didn't know if they got one or not.

Commissioner Schaad said that perhaps they have records that show what locks were purchased by Vanderburgh County and that if they find that Vanderburgh County was overcharged, there will be a refund forthcoming.

This matter was referred to the County Attorney.

RE: XEROX AGREEMENT APPROVED

The Xerox Agreement was submitted to the Commissioners for their approval.

Commissioner Schaad explained that this Agreement is for the governmental rental on the Xerox machine that is located in the County Auditor's office, with so much charged per copy and that it is just a formality with the effective date being January 1st. 1977.

Commissioner Ossenbergh moved that the Xerox Agreement be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Millers Associated Insurance Agency on the following:

Vanderburgh County Auditor Employees - Blanket Public Employee Bond.....	\$103.00
Curt John - Vanderburgh County Auditor-Annual Premium.....	\$ 35.00
Roman F. Gehlhausen - Knight Township Assessor-Annual Premium.....	\$ 24.00
James L. Angermeier - County Assessor Bond-Annual Premium.....	\$ 20.00
Vanderburgh County Treasurer Blanket Bond.....	\$721.00
Total amount of claim.....	\$903.00

Commissioner Ossenbergh moved that this claim be approved in the amount of \$903.00. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Crown Insurance Agency, Inc. for a Public Official Bond of Robert T. Dorsey, the Pigeon Township Assessor, in the amount of \$20.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Metropolitan Evansville Convention and Visitors Bureau for the second quarterly appropriation to MECC Convention Bureau, in the amount of \$13,467.03.

Mr. John said they asked for \$15,966.00 but that \$13,467.03 is all they have in this account.

Commissioner Ossenberg moved that the claim be approved in the amount of \$13,467.03. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Mike Volkman Insurance Agency for a County Surveyor Bond on Robert W. Brenner, in the amount of \$20.00.

Commissioner Ossenberg moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS ON LIFE INSURANCE

Only two bids were received for the Vanderburgh County Employees Group Term Life Insurance and they are as follows:

1. Blue Cross- Blue Shield, with their company on Life Insurance to be American Bankers Life Assurance Co..

County Attorney Wendel said what the rate is depends on past experience so he can't say exactly what the amounts of the bids are.

2. American United Life Insurance Co.

County Attorney Wendel said this is 60¢ per thousand with possibly some refunds, depending on past experience. He said both bids are in good order.

Commissioner Ossenberg said before they take these bids under advisement, he would like to know if we are protected by Insurance if a decision isn't made by the end of the year.

County Attorney Wendel said he discussed this matter with the present carrier, Jerry Dauble, who said he would extend it on a monthly basis but that he didn't have it in writing.

Mr. Dauble said that any group policy can be cancelled in 30 days by notice from either side and since this hasn't been done, it is automatically in effect for 30 days, also that if the Commissioners want this in writing, he would be happy to give them a letter.

Commissioner Schaad wondered if the bids could be extended and studied right away so the Insurance can be acted on today, since he thought the Commissioners need to act on it right away.

The other Commissioners agreed to study the bids so a decision can be made on the Group Life Insurance this morning.

A gentleman from the Prudential Insurance Company asked if the Commissioners could possibly hold the bids over since they didn't have enough time to prepare their bid, due to the holidays.

County Attorney Wendel explained that all bids were due by 9:30 a.m. this morning and the only way they could bid would be if the present bids are rejected and the Insurance is re-bid again.

Commissioner Schaad said he was sure there were others who are in the same situation since he has had a couple of calls, with one being all the way from Florida, so until the Commissioners decide whether they are going to throw these bids out or not, they can't really answer his question.

RE: MEETING DATES SET

Commissioner Schaad asked Mr. John what he has found out about the Organization Meeting of the Finance Committee.

Mr. John said the Organizational Meeting of the Finance Committee will be their first meeting which will be held on the third Monday in January of 1977.

Commissioner Schaad stated that the Commissioners Organizational Meeting will be held on Monday, January 3rd. 1977, instead of on January 1st.

RE: REPORT ON DIXIE FLYER HWY.

There was a problem with the City on Dixie Flyer Hwy. since they had to wait until the weather warmed up and Commissioner Ossenberrg said that the Fire Department has washed it down so the matter has been taken care of.

RE: REPORT ON THE SEWER AT BOEHNE

This problem had previously been discussed, in that Mr. Hotz had said that the former nurses home at Boehne has a sewage problem and they can't ascertain where this sewer is tapped into the main sewer line. He said he called Deig Brothers and they told him they didn't put the sewer in out there.

Commissioner Schaad said Mr. Hotz called him yesterday and something must be done and he asked Mr. Hotz if he contacted Peyronnin Construction Co.

Mr. Hotz said he contacted them and that they will be out there this morning to see if they can find the problem. He said that house was built over an old barn and that it has a concrete floor in it, also that George Ryan & Son told him they didn't put a sewer in there but they didn't know if they connected this house to it or not but they would look in their old records and contact some men that were on the job at the time, but he hasn't heard from them as yet.

Commissioner Schaad said something must be done, that it is an emergency since they can't even use their bathroom fixtures.

RE: INVENTORY LIST SUBMITTED

Commissioner Schaad said he has seen the complete list of the Inventory on furniture, fixtures and supplies that are out at the Pleasantview Rest Home.

Mr. Hotz said he has two inventories, one that will be furnishings and things that they thought would be used in a Nursing Home, and another list of things that couldn't be used in a Nursing Home such as the tractor and the three vehicles.

Commissioner Schaad said the Commissioners would take a look at the lists. He said that he did request that Mr. Angermeier and Mr. Stucki give the Commissioners an appraisal on the property and the building, separately, so they would have two appraisals it.

He said the Commissioners also asked Mr. Hotz to contact some auctioneers.

Mr. Hotz said he contacted Mr. Kirsch of the Kirsch Auction Co., Mr. Schaefer from the A-1 Auction Co. and that Mr. Hugh Miller is going to meet him at 3:00 p.m. today. He said they are going to submit an informal bid and give a price on what they would charge to come out and appraise the items and give a dollar and cents value on them, so they will have something to go by, that the price they give will not be a price they would receive at an auction, that it would be what they call a fair retail market price.

Commissioner Schaad said there are fifteen or twenty pages of inventory and in order to establish a value on it and he also thought they needed some idea of what the value is, so when they do write the specifications or whatever they are going to do, that they do have a minimum, at least where the bidding can start or whatever is going to happen to it.

Mr. Hotz said each of the auctioneers have assured him that they would have their bids ready for the Commissioners meeting of January 3rd. except for Mr. Miller and he hasn't talked to him as yet, but the other two told him that if they were awarded the bid to do the job, that they could start the next day and that it would take about two days to complete the job.

Commissioner Schaad said that time is of the essence and he would like to see it done before then, if possible, because they would like to get it done as soon as they can. He said that any of the three auctioneers would have the expertise and be qualified to do the job.

The Commissioners agreed that the lowest bidder be given the contract so they can get it done and that maybe they will then have it ready by January 3rd. 1977.

Commissioner Schaad said that he would call the other Commissioners as soon as Mr. Hotz gets the bids so they can award the contract.

RE: BUILDING CODE APPROVED

The Building Code was presented last week but Commissioner Willner asked that any action be deferred for one week so he could look it over.

Commissioner Willner said he read about half of it but that he understands if it isn't passed today, part of it will have to be re-done.

Mr. Crooks said this is correct because he thought they would undoubtedly change officers the first of the year so they would have to re-do that part of it. He said it wasn't really any different from the old amendments and he would like to see it signed as soon as possible.

After further discussion, Commissioner Ossenberrg moved that the County Building Code be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: CONDEMNATION PROCEEDINGS AUTHORIZED

Commissioner Schaad said that a building across from the Nunn Milling Co. that is owned by Lula Bell Dean is falling down, that it is an eyesore and is really a sorry mess.

The Commissioners agreed that they start the condemnation proceedings on it.

RE: REPORT ON HEINLEIN ROAD

Mr. Siebeking said the work on Heinlein Road is very slow since there is a lot of timber out there and they are grinding the stumps as they go so when they get to the end they will be done.

RE: REPORT ON HWY. 65 & BOONVILLE-NEW HARMONY RD.

Mr. Siebeking reported that he has an appointment with a gentleman from the Telephone Company, to meet him out there Wednesday. He said there are a lot of telephone lines out there so the gentleman will have to show him what they can do.

RE: STRAWBERRY HILL DRIVE ACCEPTED BY COUNTY

Mr. Guillaum explained that a Resolution for the acceptance of Strawberry Hill was presented last week and that he has now checked it out and it appears to be okay. He recommended that it be approved.

Commissioner Ossenberrg moved that Strawberry Hill be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: SECTION K & M IN EVERGREEN ACRES ACCEPTED

The following request was received by Mr. W. C. Bussing Jr.:

Gentlemen:

I am requesting that the following streets be officially accepted by Vanderburgh County.

Section K and M Evergreen Acres

Berry Court commencing at Berry Drive and extending northwesterly approximately 880 feet.

Section M Evergreen Acres

Berry Drive continued north approximately 700 feet to the intersection of Berry Court.

Sincerely yours, W. C. Bussing Jr.

Mr. Guillaum said this has been checked out and that it appears to be okay so he recommended that it be accepted.

Commissioner Ossenberg moved that Section K and M in Evergreen Acres be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad asked Mr. Guillaum if his office notifies the state on the County's acceptance of roads for maintenance so the County will get more gasoline tax money on the additional mileage.

Mr. Guillaum said he would see if he could find the form on this.

Commissioner Ossenberg moved that Mr. Guillaum fill out this form and have the Commissioners secretary stamp their names on it. Commissioner Willner seconded the motion. So ordered.

RE: BOND SUBMITTED

A Bond was received from Priest Hazelwood on the Reconstruction of St. Joe Avenue for the Commissioners records. Bond received and filed.

RE: MR. BRENNER ASKS FOR DECISION OF COMMISSIONERS

Mr. Bob Brenner appeared and stated that he is the County Surveyor, Elect, that he takes office January 3rd. and he needs to ask the Commissioners if they have made a decision as to whether they are going to hire a County Engineer or if they are going to leave the function with the Surveyors office.

He said he has waited this long and that there is no way he can operate the office, that he must have a decision one way or the other.

He said he has suggested that they use some money from the Surveyors office and the \$7,500.00 from the state and he would like to suggest they use Mr. Dan Hartman as the County Engineer, that on January 3rd. he can't just walk in and not know whether his function is County Surveyor, Highway Engineer, Bridge Engineer or what.

Commissioner Schaad said it is for sure that he can't be Highway Engineer.

Mr. Brenner said if the Commissioners do not take it away, he will have the function.

Commissioner Schaad said he didn't know if this was true as far as the County Highway Engineer is concerned.

County Attorney Wendel said he didn't think it was true as far as to the state subsidy.

Mr. Brenner said this is correct but if the Commissioners do not take away the Highway or Bridge Engineer, he will be responsible because someone must do it.

Commissioner Schaad said the Surveyor did it before because he was a licensed engineer and now they won't have a licensed engineer in the Surveyor's office.

He asked Mr. Brenner to please not misunderstand, that he has done everything possible to try to find an engineer and it doesn't seem possible to find one that would be suitable to both, Mr. Brenner and the three Commissioners, that if they could, they could get a \$7,500.00 subsidy from the state and Mr. Brenner would agree to use the money in the budget that was for Mr. Ludwick's salary and transfer it into the Highway Account to pick up the tab for the County Engineer.

He explained that he has worked diligently on it, that he has talked to the Highway people in Indianapolis about it and he has also talked to some people in private business in engineering and they thought they could find one but asked that they be given time, also that an engineering firm suggested he run an ad in the Indianapolis Star which he has done.

He said in the meantime, he sees the problem but he has a lot of people looking for one and he asked Mr. Brenner if he perhaps wanted to use Dan Hartman temporarily until they can come up with someone and they would just have to waive the \$7,500.00 they could get from the state.

Mr. Brenner said if they waive the \$7,500.00, the Surveyor's office does not require a license, that the functions will go to them and it is up to him to do the job, that the only time the license comes up is if they attempt to get the \$7,500.00 and he does have a licensed County Engineer in the office at the moment and that is Mr. Hartman. He said his thought was to let Mr. Hartman's pay to continue to be paid from the Commissioners Cumulative Bridge budget, also that the survey crews which are out of the Surveyors do work on the Bridge Fund.

Commissioner Schaad said he thought one of the crews is paid for out of the Bridge Fund and the other is paid from the Surveyor's office.

Commissioner Willner said he didn't believe this to be true.

Mr. Brenner said he knew there were two funds but asked if he wasn't responsible for the Bridge Fund at all.

Commissioner Schaad said he didn't think so, that it is the Cumulative Bridge Fund and comes under the Commissioners and he thought that some of the people in the Surveyor's Physical office are paid for out of the Cumulative Bridge Fund and others are paid for out of the Surveyor's office and he knew there had been an overlapping of what work they do.

He said the Commissioners furnish the money but he agreed with Mr. Brenner, that the Surveyor is responsible for the people in that office and what they do, since it has sort of been that way but said as to the legality of it, the County Attorney would have to answer the question.

County Attorney Wendel said the Surveyor would be responsible for the Bridge and the Highway for doing the work.

Commissioner Schaad said this is something they have to agree on and the matter will have to be resolved somehow.

Commissioner Willner suggested they start at the beginning and said that Mr. Brenner was elected by the people to do the job and asked why the Commissioners can't tell Mr. Brenner to do the job and the best way he sees fit and then he is responsible for it and he is responsible to the Commissioners, that it would be fine if they had a County Engineer, but they don't so they will have to depend on Mr. Brenner.

Commissioner Ossenbergsaid he didn't quite agree with Commissioner Willner and Mr. Brenner because he had an engineer and supposedly by law, the County Attorney's told him that Mr. Dennis Stallings was eligible to serve, as did the City Attorney.

Mr. Brenner told Commissioner Ossenbergsaid that he was free to hire him as County Engineer but he needs to know what the Commissioners are going to do, also that the only thing that was in question about Mr. Stallings was as to whether he was eligible for the \$7,500.00.

Commissioner Ossenbergsaid the County Attorney and the City Attorney told him that Mr. Stallings was eligible for the \$7,500.00.

Commissioner Willner said he disagreed with this, that they should ask the County Attorney's, since when he looked up the statute, there was a note that said he had to be a full-time employee and had to be certified by the County Auditor and he couldn't be a full time employee because he is holding another job.

Commissioner Ossenbergsaid he couldn't serve because he was appointed to a board that pays \$3,600.00.

Commissioner Willner said if the job pays money, it is a job, that he should ask the County Attorney's.

County Attorney Wendel said that he can hold two positions at the same time.

Mr. Brenner said this is for the County Attorney's, so he can qualify for the \$7,500 but the question still comes as to if they wish to hire him as a Highway Engineer and a Bridge Engineer, but the agreement was that the Commissioners find someone that is compatible to both so he would furnish the deputy surveyor's salary and they haven't found anyone.

Commissioner Schaad asked if he then understood correctly, from this, if it could be worked out as far as Mr. Stallings is concerned, that Mr. Brenner wouldn't relinquish the \$12,000 in Mr. Ludwick's budget, so the money would have to come out of the Highway Fund.

Mr. Brenner said this is correct and when the Commissioners hire a County Engineer he wouldn't answer to him, that he would answer to the Commissioners and the only function the Surveyor's office would have is drainage and legal services.

Commissioner Ossenbergsaid Mr. Brenner how he could actually, in fact, take a man and get \$7,500 and compensate with Mr. Ludwick's salary when he hasn't gone before the County Council to get the approval.

Mr. Brenner said all he can do is to hire someone for Mr. Ludwick's job, that he can't hire anyone else without going before the Council. He said it would be the Commissioners that would hire the man, that he has no authority to hire a professional engineer.

Commissioner Schaad said that under Cumulative Bridge Fund, there is a Bridge Engineer, a Project Engineer, a Chief Inspector and an Assistant Inspector and he asked who these men were.

Dave Guillaum said that besides himself, there is Dan Hartman, John Singer and Marvin Karch.

Commissioner Schaad said that in the County Surveyor's office then, is the Surveyor, Chief Deputy, Secretary, two Instrument Men, two Party Chiefs, two Rodmen, three Draftsman, a Party Chief for Highways and Bridges, a Party Chief for Highways and Sections, two Chainmen and a Chief Draftsman.

Commissioner Schaad said he has looked for a County Engineer and has been unable to find one and he asked Mr. Brenner if he has come up with anyone.

Mr. Brenner said he thought that Dan Hartman was well qualified to be the County Engineer.

Commissioner Schaad asked Mr. Brenner if he would need all these people in the County Surveyor's office if the Highway Department was taken from him.

Mr. Brenner said he truthfully didn't know if he would or not but it would seem unreasonable to have that many if they are doing no Highway or Bridge work.

Commissioner Schaad said he is doing everything he knows how to get someone but in the meantime, they have to do business.

Commissioner Ossenberg said they have to have a County Engineer so he supposed he would temporarily go along with Dan Hartman.

Mr. Brenner said he didn't have to have a County Engineer, that the only time the license is even mentioned is when they talk about the \$7,500.

Commissioner Schaad then read the letter that he had sent to Martin Mounts in Indianapolis, dated December 22nd, requesting that an ad for a registered Civil Highway Engineer be placed in the Indianapolis Sun at a salary of \$19,000.00 plus.

He asked Mr. Brenner if it was agreeable with him then, that they go along with Dan Hartman until they come up with an Engineer so they can get some Highway State Funds.

Mr. Brenner said they really shouldn't do it that way, that if they aren't going to hire a County Engineer, they shouldn't do anything, that the office will just function the way it is.

Commissioner Schaad said that if and when they do find a County Engineer, then they will have to make some changes.

Commissioner Willner said he really didn't think this was fair, that this was done in the past and they lost St. Joe Avenue over this kind of thing and if they are going to let him run the office, let him run it, if not, then don't, but they shouldn't go on this temporary basis since this is what really messes up, that St. Joe is sitting out there now and it could have been done, had they not changed Engineers, that the whole project was lost over that and he isn't going to sit here and give him a temporary County Engineer and then two month's later, take it away from him, either we give it to him or we don't, that the Commissioners would have to sign the order for the \$7,500 and he will have to re-arrange his office.

Commissioner Schaad explained that he was thinking they would just let Dan Hartman be the Bridge Engineer and not use any state funds but if they can come up with one, then they can transfer the money that was Mr. Ludwick's salary and transfer it into that and get the \$7,500 and he didn't think there would be a problem with the Council, that he was trying to say that for the moment they could put Mr. Hartman into the Highway Engineer's job and then there would be a Bridge Engineer's opening.

Mr. Brenner said he was going to need a deputy and he has no one that would qualify and if he hires one, the Commissioners will no longer have the \$12,200.

Commissioner Willner asked where the money would come from for the County Engineer then.

Commissioner Schaad said it would have to come from the Highway Fund.

Commissioner Willner said they don't have enough money to do the roads now.

Commissioner Schaad said he didn't get them into this mess.

Mr. Brenner said the only reason in trying to get the \$7,500 is because it is a savings.

Commissioner Schaad said the only way they are going to get it is to have an Engineer and he asked Mr. Brenner what he is going to do then for a Bridge Engineer.

Mr. Brenner said he really didn't know, that this really wasn't his pressing problem, that the bridges have been accented and the problem to him at this time is our highways and this is where he would go with his best people, that this is why he suggested putting Mr. Hartman on there as the County Engineer and he would put his money to the fact that Mr. Hartman would then be his chief deputy and then he would have a Bridge Engineer's salary open, that the position will be vacant.

Commissioner Ossenberg asked Mr. Brenner if he then planned to use Mr. Hartman as the County Engineer and use the \$12,200 and then ask the Commissioners to put the \$7,500 up from the state.

Mr. Brenner said this is correct.

Commissioner Ossenberg then asked how much is there for the Bridge Engineer and Commissioner Schaad said there \$17,593.00.

Commissioner Ossenberg said this would then leave them without a Bridge Engineer and he wouldn't go along with that because he intends to fulfill the promise of continually building bridges and making them safe in this County, that he thinks they need a Bridge Engineer and he certainly didn't think they could hire one for \$17,593.00.

Commissioner Schaad said that Mr. Brenner is then going to hire an assistant for himself and use what was Mr. Ludwick's salary so this money wouldn't then be available and this would close the door on hiring someone else.

Commissioner Willner said this is correct so why not let Mr. Brenner handle it and put Mr. Hartman in as the County Highway Engineer, get the \$7,500 and this takes care of his assistant and if the Commissioners come up with this other Engineer, they can put him in as Bridge Engineer.

Mr. Brenner said that there is an appeal over Mr. Hartman's salary now, since he doesn't think he is being paid enough as a Bridge Engineer, that he imagined the Commissioners were aware of this and judging from the results they have had in getting a licensed Engineer, he has a good case.

Commissioner Willner said that by law, the County Engineer is required to do the East side drainage and we all know that is going to be a big job next year, so if they don't get the personnel with authority to do this, they will be in trouble.

Commissioner Ossenberg said that personally, he would rather see Mr. Hartman stay in there as Bridge Engineer and compensate him more since he thinks Mr. Hartman does a fine job on bridges and he didn't think they would ever find anyone that is as conscientious as he is.

Mr. Brenner said he is sure happy to hear Commissioner Ossenberg say this because they really need to keep him and this is one reason he wanted to put Mr. Hartman as Highway Engineer, because he could get additional compensation for him and insure that he could keep him.

Commissioner Ossenberg said that he would hate to see Mr. Hartman go off bridges and he thought he should be compensated more because he has saved this County a lot of money and the other Commissioners agreed since it would cost a fabulous amount of money to go out to private Engineer firms to do these bridges.

Commissioner Schaad said he would rather see Mr. Hartman stay as a bridge man and they will still try to find a Highway man and they could use another Engineer and

see if they couldn't get some more money for Mr. Hartman as a Bridge Engineer and pay him out of the Cumulative Bridge Fund and he can still help out on the Highway work, that they will still look for a County Highway Engineer and put him in that office under Mr. Brenner and pay him the \$7,500 and use what was Mr. Ludwick's salary to help supplement it.

Mr. Brenner asked County Attorney Wendel if they could put Mr. Hartman in as the County Highway Engineer and collect the \$7,500, that if he reads it right, he could hire a different person with a license and still continue to have it un-interrupted and he asked if this wasn't correct, and County Attorney Wendel agreed that it was. He said that if they found a Highway Engineer, he would then put Mr. Hartman back as Bridge Engineer.

Commissioner Ossenberg said this is agreeable with him but that he thought both the Engineer's should be compensated equally, that Mr. Hartman should be put up to what a Highway Engineer makes and the Commissioners agreed with this.

Commissioner Willner so moved that this decision be carried out. Commissioner Ossenberg seconded the motion. So ordered.

RE: DECISION MADE ON COUNTY LIFE INSURANCE

After study and discussion on the bids that were received today for the Group Term Life Insurance of the County employees, the Commissioners agreed that they be thrown out and that the County continue with the present coverage of the American United Life Insurance Company with Gerald T. Dauble as Agent.

Commissioner Willner moved that the County continue with American United Life Insurance Company for the Life Insurance of the County employees. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Dauble asked that he be furnished with the past experience on claims, premiums and refunds.

The meeting recessed at 10:45 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad
Tom Ossenberg
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

HAPPY NEW YEAR

Bob Schaad

Tom Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

586

THE FOLLOWING LIST OF MONIES TO BE ENCUMBERED FOR PAYMENT OF PURCHASE ORDERS,
CONTRACTS, AND OBLIGATIONS MADE IN THE YEAR OF 1976, VANDERBURGH COUNTY, INDIANA

<u>ACCOUNT NO.</u>	<u>COUNTY REVENUE</u>	<u>AMOUNT</u>
<u>CLERK OF THE CIRCUIT COURT:</u>		
101-254	Maintenance Contract	\$ 72.00
101-360	Office Supply	172.94
101-592	Committment of State Institutions	571.66
101-724.2	Other Equipment-Xerox Leasing	
<u>AUDITOR:</u>		
102-360	Office Supplies	\$2,991.27
102.1-252	Repairs to Equipment	788.13
102.1-360	Office Supplies	118.50
<u>TREASURER:</u>		
103-360	Office Supplies & Printing	\$ 688.49
<u>RECORDER:</u>		
104-370	Lease on Xerox Machine & Supplies	\$ 477.41
<u>SHERIFF:</u>		
105-213	Traveling Expense	\$ 243.60
105-330	Uniforms	787.70
105-360	Office Supplies	53.84
105-722	Business Machines	886.40
<u>CORONER:</u>		
107-360	Office Supplies	\$ 27.50
<u>PROSECUTOR:</u>		
108-360	Office Supplies	\$1,021.19
<u>COUNTY ASSESSOR:</u>		
109-360	Office Supplies	\$ 310.31
<u>KNIGHT ASSESSOR:</u>		
113-360	Office Supplies	\$ 429.11
113.1-263	Professional Firm - Knight Reassessment	223,437.50
<u>PERRY ASSESSOR:</u>		
114-360	Office Supplies	\$ 26.16
<u>PIGEON ASSESSOR</u>		
115-360	Office Supplies	\$ 97.09
<u>VOTERS REGISTRATION OFFICE:</u>		
122-252	Repairs to Equipment	\$ 47.00
122-360	Office Supplies	458.34
122-724.1	Other Equipment	1,986.50
<u>CO OP EXTENSION OFFICE:</u>		
123-360	Office Supplies	\$1,379.28
123-371	Misc. Supplies	130.04
123-721	Furniture & Fixtures	49.94
123-722	Office Machines	669.80
<u>DRAINAGE BOARD:</u>		
126-360	Office Supplies	97.66

ACCOUNT NO.COUNTY REVENUE (CON'T.)AMOUNTVETERANS OFFICE:

127-360	Office Supplies	\$ 70.25
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COUNTY COMMISSIONERS:

130-214	Telephone & Telegraph	\$6,221.89
130-244	Duplicating Services	1,775.83
130-254	Repairs to County Buildings	8.30
130-360	Office Supplies	39.93
130-543.5-360	Office Supplies	150.00
130-722	Office Machines	1,599.50
130-267	Brucellosis & Bovine Vaccine	191.55
130-269	Demolition Fund	1,019.33
130-275	Purchasing Department	8,832.30
130-285	Building Commissioner	18,904.81

SUPERINTENDENT OF COUNTY BUILDINGS:

131-252	Repairs to Equipment	\$ 1,079.84
131-253	Repairs to Buildings	27.09

CIRCUIT COURT:

136-371	Office Supplies	\$ 145.00
136-723	Repairs to Equipment	18.50

SUPERIOR COURT:

137-266	Contractual (Data Processing) being encumbered by contract.	\$16,321.00
137-360	Office Supplies	1,233.24
137-371	Electronic Reporting Supplies	145.42
137-723	Xerox Leasing	89.39

AUDITORIUM:

144-220	Utilities	\$ 287.53
144-251	Buildings & Structures	52.00
144-252	Repairs to Equipment	1,047.68
144-360	Office Supplies	28.42
144-372	Sanitary Supplies & Lightbulbs	508.99
144-712	Building Office & Stage	1,279.09

BURDETTE PARK:

145-214	Telephones & Telegraph	\$ 42.35
145-244	Advertising & Sign Painting	2,725.00
145-254	Repairs to Pool	3,500.00
145-321	Gasoline, Oil & Lube	551.30
145-323	Garage & Motor Supplies	220.06
145-360	Office Supplies	184.48
145-371	Chemicals	235.00
145-372	Sanitary Supplies	705.50

COUNTY HIGHWAY

201-1240	Printing & Advertising	\$ 164.50
201-1360	Office Supplies	101.09
201-2373	Weed Spray	3,919.30
201-2374	Paint	43.05
201-2470	Concrete	181.68
201-4210	Communication Exp.	1,850.00
201-4252	Repair to Trucks & Tractors	127.07
201-4253	Repairs to Road Equipment	21.27
201-4321	Gasoline, Oil & Lube	1,980.71
201-4323	Garage & Motor Supplies	923.67

<u>ACCOUNT NO,</u>	<u>BOND & SINKING</u>	<u>AMOUNT</u>
202.1	Bond & Sinking	\$ 359.91
	<u>CUMULATIVE BRIDGE</u>	
203-2250	Maintenance & Repairs by Contract	147,761.18
203-2251	Right of Way Bridge Contracts	6,020.00
203-3826	Kentucky Avenue Structure 116A	2,297.94
203-3834	Mohr Road Bridge Structure #33	40,000.00
203-3835	St. Joe Ave. over Penn Central	34,884.89
	<u>COUNTY WELFARE</u>	
204.1-722	Office Machines	\$ 3,388.70
	<u>AREA PLAN</u>	
124-231	Tuition & Seminar	\$ 415.00
124-252	Repairs to Equipment	28.47
124-262	Intern Program	1,300.00
124-360	Office Supplies	341.33
124-371	Drafting Paper & Supplies	92.00
124-724.1	Purchases & Rental Equipment	1,615.39
	<u>REASSESSMENT</u>	
111.1-111-241	Printing	\$ 285.25
115.1-115-243	Update Plat Books	30,250.00
115.1-115-263	Reassessment Contract	135,130.00
116-116-241	Printing	16.15
	<u>REVENUE SHARING</u>	
506-105-723	Motor Vehicles	\$ 2,554.00
506-145-711	Burdette Land & Improvements	17,720.84