

**A**

120 Auditorium - Roof + Sidewalks damage.

181 Auditorium roof - as to bonding on repair or replacement

228 Parking lot at Auditorium - CETA people will work on it

228 Auditorium lease with schools objected to.

272 Addendum to lease agreement - West Heights School.

305 Attorney fees requested for extra work by Coatt wondel.



appointments for 1978-employees	4	
appointments made to Budette Park Board	4	
appointment made to Building Authority Board	4	
Appointment made to Visitors & Convention Commission	4	
Appointment made to Levee Board	15	
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appointment of W.C. Bussing Jr. to Airport Auth. Board	295	
appointment of Gary Nickolich & Bill Montrostella to Visitors Bureau	670	

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|-----|--|
| 105 | agreement between Coroner & Dr Variables signed.                                 |
| 119 | Release agreement & check from Ins. Co. - Shuff's wrecked vehicle                |
| 174 | Agreement on pay for Election Precinct officials Primary 1978                    |
| 178 | agreement addendum between teamsters & Co. Hery Sept.                            |
| 179 | Auction to be held at Pleasantview on May 6th, 1978.                             |
| 213 | Annual Element FY-79   |
| 244 | agreement signed for L & P crossing at Lynch Road.                               |
| 272 | Lease agreement - Addendum on West Heights School                                |
| 296 | Application & letter received for Hury. Safety Project grant.                    |
| 307 | Agreement of State - Local Public Agency Agreements for Fed. Aid app for St. Joe |
| 324 | Agreement signed for work release program, 1978                                  |
| 359 | agreement on construction of St Joe #M-E 560(1) by state.                        |
| 362 | agreement signed on error of price on perox contract.                            |
| 389 | Approval on Bus Drivers Training program.  |
| 401 | agreement on Engineering on St Joe discussed                                     |
| 402 | agreement - Blacks Expo '78"   |
| 434 | agreement on encroachment for overhanging canopy                                 |
| 559 | agreement to be signed - Soil & water conservation                               |
| 604 | affidavit to be signed on hospital bill of prisoner                              |
| 639 | agreements to be signed to do work at Hillcrest.                                 |
| 672 | agreement between Co Coroner & pathologist for autopsies                         |

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Authorized to advertise for Kleitz Road Bridge	130
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128

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164	Amendment to Subdivision Ordinance as to status.
400	Amendment #38 - Locust Woods Lane accepted by County.

400	Amendment #38 - Locust Woods Lane accepted by County.
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**B**

# Bids

	M Siebeking authorized to purchase truck for Co. Hwy. Dept	16
	Authorized to advertise for washers in Jail.	30
	Bids on washer at Jail deferred	41
(Rejected)	Backhoe for Co. Surveyor being advertised for bids	59
	Notice of Sale Pleasantview - Sale to be 3/21/78-63	
	Authorized to re-advertise for backhoe for Co. Surveyor	67
	Specs approved for insulation at Hillcrest Childrens Home.	143
	opening of Bids on insulation at Hillcrest Home	154
	advertising for surplus items at Pleasantview.	157
	authorized to advertise for roof at Auditorium	169
200,	authorized to advertise for bids on St Joe, Oak Hill & Darmstadt	185
	Bids opened on roof at Auditorium taken under advisement	193
	authorized to re-advertise for bids on Adler Rd. Bridge.	200
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	Specs approved for St Joe, Oak Hill & Darmstadt resurfacing	216
	Bids opened on Adler Road Bridge	225
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	opening bids on roof at Auditorium	231
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	opening of bids for Sheriff's Communication console	288
#53	Authorized to advertise for bids on Red Bank Rd. Bridge	292
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	Comments on bids for Sheriff's Communication System	300
	authorized to advertise for bids for copier - Auditor's office	304
	opening of bids for Red Bank Rd Bridge #53	311
	opening of bids for computer copier from Xerox	325
	authorized to open bids for Sheriff's 2-way radio's	341
	authorized to open bids for hot mix - Hwy Dept	341
	authorized to advertise for bids on bridges Red Bank - Beechme Camps	343
	authorized to advertise for passing lanes on Green River Rd	344
	authorized to advertise for bids - County Health Insurance	350
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	for Hwy Dept.	

Bid rejected on Red Banks Road Bridge	359	
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Bids rejected for passing lanes on Green River Rd.	365	
authorized to advertise for tandem trucks for Co Hwy	384	
authorized to open bids on Sheriff's 2-way radio's	389	
opening of bids for 2-way radio's for Sheriff's Dept	391	
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opening of bids for reconstruction of Outer Lincoln Ave	422	
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Bid received on vehicles for Sheriff's Dept from Cooke-Chen	438	
Bids received on County Jail equipment	441	
Bids received for equipment at County Jail	455	
Specifications to be drawn up on Tandem & 2 single axle trucks	473	
Authorized to advertise installation of 2 bridges - Bolham & Red Banks	476	
authorized to advertise for bids for trucks	482	
opening of bids on 3/4 ton truck for work Release Program	494	
Bids of trucks for Hwy Dept discussed as to what kind	514	
Authorized to advertise for work at Washington - Hillcrest	515	
Authorized to advertise for wooden bridges	521	
Bid received on structures #53+54	524	
Authorized to advertise for bid on salvage at Co. Garage	528	
authorized to advertise for 7 bridges - Hogue, Adler, etc	547	
authorized to advertise for installation of wooden bridges	548	
authorized to advertise for rental of copier - duplicator	558	
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## Bonds

official Bond on Wm. Hewig as Chief Heating & Plumbing Insp.	1978 2/	
Construction Bond - Feigel Constr. paving St Joe Oak Hill & Steamboat Rd	246	
Bond received from Jerry David for elevating Murrenham Rd	330	
Bond returned to Joe Bolin on Telstead Rd.	353	
Bond for Deig Brothers for O'Hara, Venetian & Susselhof	400	
Bond for Inglefield Rd. filed in Auditor's office	401	
Performance Bond received on G & M Contracting	471	
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Surety Bond on Director of Drug & alcohol defense for 1979	632	
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official Bond for County Auditor for 1979	657	
official Bond for County Pigeon trap assessor for 1979	701	



## Bridges

	32	Columbia & Delaware St. Bridge was hit	
	32	Mill Road - approach needs fixed.	
	32	Baseline Road Bridge - approach needs riprap.	
	39	Geococks Lane Bridge - damage to bridge	
48,	39	Nurrenbern Road Bridge - M. Shillcum suggests new rails from funds.	
	83	Columbia & Delaware Bridge - Guard rail down.	
	112	Kletz Road Bridge - engineering completed.	
185,	173	Millersburg Road Bridge, Red Bank & Brehne Camp bridges <sup>should be</sup> on list.	
	174	Bridge on St Joe Ave needs to be repaired (tracks) by state.	
203,	201	First Ave. Bridge - also Millersburg Rd Bridge needs to be on list.	
	205	Princeton Road Bridge was hit - letter to Ins. Co	
	216	Adler Bridge bids to be opened May 1, 1978	
267	244	Old Princeton Road Bridge - was hit & damaged	
271	258	L & N Crossing on Hogue Rd - agreement signed. complaint	
	283	Mary Rd. Bridge - plans re-engineered & re designed	
	291	Projection on Bridge Repair - Columbia Delaware Bridge.	
	308	Comment on Ohio Street Bridge proposal.	
	329	Bridge Comparison Study submitted by Co Surveyor	
	345	Bridge discussion on Mary Rd & others.	
	477	Bridges on Middle Mt Vernon Rd. needs 4-ton limit.	
	503	comments made on structures 53 & 54.	
	554	Bridge Inspection discussed	
	606	Adler Road Bridge discussed.	
	618	Railroad overpasses - Brownville - New Harmony & Bender Roads	

**C**

269 Bill from SIECO for engineering on pavement striping  
286 Brinks - comment on class action suit.  
491 Busler Enterprises on county road needing repairs.

change order approved on Baseline Road	185
Cumulative Bridge Fund established - - - - -	231
Checks received for rent of West Heights School	340
Check received from Hartford Ins. on glass at Auditorium	368
Check received - reimbursement on snow removal	368
Confirmation on Cumulative Bridge Fund from state.	439
Change Order on Seminary Road Project.	443
County trucks damaged - will receive check from Ins. Co.	457
Cumulative Capital Improvement Fund money denied	457
check received from Ins Co. - lightning hit at radio base stations	511
Refund Check from Blue Cross on Insurance	
check to be endorsed from City for serop tones	568
car available for surveyors office	606
Certificate to County Auditor on condemnation for Rte Pigeon Creek Lane	702

	Checks submitted on 1977 business.	4
	County Employees for 1978	5
	Claim against County - Judith + Joseph Willett	9
	Claim against County - Sam Dickerson - car damaged.	23
	County Highway Dept commended on snow removal	52
	Cross Complaint for property damage + bodily injury (theva fortune)	121
	complaint for appropriation of real estate - Calene Bronstein	122
	Complaint of drainage problem on Kleitz Road	173
	Complaint of junked cars on Middle Mt Vernon Rd	180
	checks received from Farm Bureau Ins. on Co. wrecked trucks	199
	checks received from Hahn + Becker Ins Co. - Sheriff car windshield	211
	cumulative Bridge Fund Re. established	213-
	Checks deposited with County Treasurer	221
	Check received from American United Life on Co's Life Ins. policy	229
	Complaint on junked cars by Mr Crooks	250
	Checks received from Farm Bureau Ins for damage on Old Princeton Bridge	275
	Check received for settlement - glass on Co. owned car	296
	Check received on reimbursement for flasher at New Harmony + St Joe	329
	Check to be endorsed - Insurance matter on gas dryer in Jail	453
	Check received for repair of truck of Harry Seepat.	473
	complaint of tree blowing down + destroyed fence at Washington Home	516
	complaint by Bob Reynolds on road need fixing for school bus	596
617	complaint on voting place of ward 3, Precinct 15	616
	complaint on Sheudan Road	620
	checks received from Blue Cross - Blue Shield	672
	check received for damages to guard rail on St. Joe	672
	complaint on Roof Leaking at EARC	675
	check + letter received on reimbursement of Co Bridge # 40A	685
	Check received on surplus items sold at Millers Auction Barn	702

# Claims

10	from Haynie Travel Service - Mc Osterholts trip - Colorado	10
10	from Brinks Inc - services to Clerk of Circuit Ct - Jan. 1978.	10
16	from Brinks Inc - services to Co. Treasurers - Jan 1978.	16
16	Robert J. Moran, Veteran Service officer for travel expenses - Ind. Dep.	16
16	Association of Indiana Counties - 1978 Co. Info Service.	16
17	Claim for boiler at Auditorium	17
27	from Mc Gillem & Assoc. as per agreement.	
28	from Southwestern Ind. Mental Health Center - Co. share of 50%.	
28	from Mike Volkman Ins. - annual premium - Co. Surveyor	
28	from Carl Stocker - annual premium - Perry Twp. Assessor	
28	from Torian Ins. - Continental Bond - County Coroner.	
28	from Torian Agency - Policy covering glass at Auditorium.	
31	from Barnett Bros. - Old Princeton Rd. Structure #48.	
31	from Barnett Bros. - Baseline Road Structure #49	
37	from Co. Attorney Wendel for office allowance in January, 1978.	
37	from Ind. Assn. of Co. Commissioners - Co. Bd. Membership dues, 1978.	
43	from Co. Attorney Smith for office allowance for January, 1978.	
57	from Szabo Foods for inmates & deputies meals 12/1/77 thru 12/31/78	
57	Szabo - food - 1/1/78 thru 1/15/78 for Jail inmates & deputies	
70	Ind. Assessors Assn for 1978 dues - Big Twp assessor	
70	Lupens & Sons for public official bond on Sheriff Dr. Shrote	
70	Brinks for Co. Clerk & treasurer for Feb. 1978	
70	Vand. Christian Home to be paid from Comm. budget.	
70	Torian Ins Agency - Public Empls. Blanket - Auto Plan	
71	from County Clerk for travel expenses - State Election Bd.	
71	from Hearne Bros. for map for Co. Commissioners	
71	from SIECO for reimbursement back to Co. Hwy Dept.	
71	from Monarch for Bond of Co. Hwy. Engineer	
79	from Sheriff's office for Registration fee to attend Seminar	
79	from Monarch Ins. Co. official bond - County Clerk.	
80	Vand Co. Bldg. Auth for labor & material in Courts Bldg.	
80	Szabo Food Service for meals of prisoners & deputies 1/15/78 to 1/31/78	
91	from M. Stucki for travel to assessors meeting on Feb 20-22, 1978	
91-92	Claims against Baker & Zwickler & Fortune & Tal & Fluty	
93	Claims from various contractors for snow removal.	
93	Claims from SIECO for engineering on Pavement Marking Program	
93	Claims from Cigern Assessor & Chief Deputy for travel to assessors meeting	
94	Claims from Center Assessor & Chief Deputy for travel to assessors meeting	
94	Claims from Co Assessor, Knight Assessor & Deputy for travel to assessors meeting	

## Claims

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Claim from Kenneth Metz - Asst. Mgr at Budette for travel expenses	106
Claim from Ray Wolf - Mgr at Budette in attending Parks institute	106
Claim from Southwest Engineering for Seminary Rd Bridge	106
Claim from Diamond Const. Equip. Sales for Ford tractor backhoe	107
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Claims from Torian Ins. for emp at Auditorium & Burglary on Co. Bldg	128
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Claim from Armstrong Assessor for travel exp to conference	128
Claims from Ohio Valley Engrs for photo's of Budette & Engr. goes on <sup>128</sup> <del>humanism</del>	128
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Claim from D. E. McMillen - final on environmental study - St Joe	128
Claim from City for County portion of East side drainage.	130
Claim from Courier Services Inc - Security police at Pleasantview	142
Claim from American United Life Ins. Co. - Sheriff's Dept employees	142
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Claim from Pigeon Assessor for "Request for address correction"	167
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Claims from City for Co. share of combined departments	178
Claim from Barnett Bros. on baseline road	185
Claims from All Metal Manufacturing Co for St Joe & Mill Rd	185
Claims from Szabo Food Service - meals of Deputies & prisoners March 16 & 31, 1978	196
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Claim from Government Resource Center for training seminar	197
Claim from Brinks for services to Co. Treasurer for April, 1978	197
Claim from Evansville Crushed Stone on St Joe Rd	197
Claims from Torian Agency Inc - Co. Insurance	197
Claim from P & H Construction - St Joe Road	197
Claims from Kim. Willis - mileage - Traffic School	198
Claim from Marvin Korch for mileage - on guardrail	216

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|------|-----|---|--|
|      | 109 | Certificate of Approval on Construction in Floodway   |  |
|      | 176 | Conference - Sheriff will not be able to attend in April 1978                                     |  |
|      | 177 | Check received of RT-5 money from state by Auditor  |  |
|      | 181 | Civilian Defense Emergency operation planned.   |  |
| 276- | 275 | Class action suit against Brinks, Inc. 286  |  |
|      | 315 | coal truck traffic problem on Baseline Rd. etc.   |  |
|      | 367 | Cumulative Bridge Fund Established  |  |
|      | 392 | Check to be endorsed from Ins. for broken glass at Auditorium                                     |  |
|      | 467 | Check for refund received on Auditorium Roof board.   |  |
|      | 471 | Crawford Brandeis Extension to be made legal drain.   |  |
|      | 558 | Check received <sup>paid</sup> from Astra on Gayle Magguit & County for prop damage (Sheriff car) |  |
|      | 576 | Check from Blue Cross for refund on Insurance.  |  |
|      | 611 | Congratulations to newly elected officials - 1979.  |  |
|      | 620 | calcium chloride to be delivered to Co garage   |  |



# Claims

Claim for Credit from Torian Agency on Co. Liability Ins.	224
Claim from Torian Ins. Co. Liability, Workmen Comp - work Release, etc.	224
Claim from Maurice Stockberg for refund on permit.	224
Claim from Jack Sauter for refund job cancelled	225
Claim from Corraier Service - Security at Pleasantview	225
Claim from Kaiser Aluminum - materials Cypress - Dale	225
Claim from Sieco Inc - engineering - Pavement marking Program	225
Claim from Robert Moran - Vet Service Officer - for travel expenses	233
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from John Crosser of Sheriff's Dept for travel expenses	250
from Curran Miller Auction on sale of Pleasantview	250
from Vermont Clardiges - for hauling surplus to junk yard	250
from City for Juguary Road Culverts.	250
from Kathy Auction Realty for conducting sale of Co. personal prop.	266
from Jemmie Owen Hatfield for helping roof repair, etc.	266
Szabo Food Service Inc. for meals of inmates & deputies 4/6/78 to 4/30/78	266
Szabo Food Service Inc for inmates meals for 4/1/78 to 4/15/78	266
from Brinks for services rendered to Clerk of Circuit Court	266
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from Torian Ins. for binders policy on Pleasantview	267
from All Metal Mfg. Co. Inc. for guard rail purchased	267
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from Gas Co. - final billing on Pleasantview Rest Home	278
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from Hunnicutt & Assoc. on contract of reassessment - Knight trip	278
from Louis Carnaghi for deposition - City vs County on Health Dept	278
from SIECO - engineering services on pavement marking	279
from Feigel Constr. Co. - paving Darmstadt Rd - St Joe - oak Hill	279
from Torian Ins. Co. for coverage of Sheriff's boat & trailer	279
Mileage claim from John West of Co. Surveyors office	279
from Vicki Bailey for travel expenses & Reg. for seminar	287

- 287 from Peyronnin Const. Co. Insulation on Hillcrest Home.
- 287 from Economics Laboratory Inc. for 2 washers - Extractors.
- 287 from Evansville Hot Heat & Piping Co. - Boiler & Oil tanks at Auditorium.
- 287 from Welborn Hospital for David Donne - TB patient.
- 287 from Claude Young for mileage on inspecting roads.
- 299 from Nat'l Bank & Bldg. Auth. for rent of building.
- 299 from Brinks for services to Clerk of Circuit Court - June, 1978
- 299 from Nat'l Sheriff's Assn. for Hazard Insurance - Reserve Deputies
- 299 from Vicki Bailey for travel expenses to Chicago.
- 302 from Feigel Const. Co. for Brownville - New Harmony Bridge
- 302 mileage claim from Claude Young for road inspection.
- 314 from Feigel - paving at Audette Park roads & Darmstadt Rd.
- 314 from SIECO for engineering services on Pavement Marking Program
- 314 Simers Glass Co. for county car that was covered by insurance
- 314 Evansville Crushed Stone for 432.45.
- 314 Ron Leonhardt for travel expenses for convention in Launce.
- 314 Szabo Food Serv. for meals of inmates & deputies May 14 & May 15, 1978
- 314 Robert Hargrave for balance of retirement contribution
- 315 from All Metal Mfg. Co. for end rail sections.
- 315 from Robert Kautzman for inspecting ditches.
- 340 from Brinks for Treasurer - from Torian for Continental prop. Ins.
- 340 from David Excavating on Netherburn - Bauer Bros. for Mary Rd.
- 340 from Feigel Const. Co. for Darmstadt, St. Joe & Oak Hill paving
- 341 from Vand. Abstract Corp for Abstract of Pleasantview Rest Homes.
- 341 from Mark Mabrey - Sheriff's Dept for his & Mike Coddock's travel.
- 341 from Szabo for inmates & deputies meals.
- 343 from S.W. Engineers for Seminary Rd Bridge # 129
- 343 two Claims for mileage from Buddy Young & John Koch.
- 353 from Feigel Const. Co. - paving Darmstadt Rd, St Joe & Oak Hill Rd.
- 353 from Torian Ins. Co. - Audette Park.
- 353 from City Auto Parts for removing junked car on Martin Ave.
- 353 from Brinks for services rendered to Co. Clerk for July, 1978
- 381 from Feigel Const. Co. - paving Darmstadt, St Joe & Oak Hill
- 381 from Insurance Audit Inspection - Contract - Liability Ins.
- 381 from S.W. Ind Mental Health for total yearly commitment. 1978
- 381 from Fred Lewis of Auditorium - expenses on travel to convention
- 381 S.W. Ind. & Ky Regional Council of Gov. - 2nd half of 1978
- 382 from Evansville Assn Retarded Citizens - monthly approp.
- 382 from Brinks for services to Co. Treasurer - July 1978

# Claims

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from City of Evansville for Co. share of combined dept's.	382
from All Metal Mfg. Co. Inc for guardrail posts	385
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from Maxine Singer & Roman Sehlhausen - travel - Knight assessor	395
from Bob Dorsey - Don Ice - travel - Pigeon assessor	395
from Ron Troutman - refund on permit	395
from Torian Agency - credit - delete auto	395
from Torian Agency for Insurance on 3 policies	395 + 396
from Feigel Const. Co for paving Saurstadt Rd.	396
from SLEGO for engineering on pavement project	396
from P & H Const. Co for Cypress Dale rental equip	396
from Evansville Crushed Stone - Cypress Dale Rd.	396
from Torian Ins Co - 3 policies on Highway Dept	396
from Siebeking Mowing Service for cutting grass	397
from Buddy Young for Inspection of Bridges.	413
from Jink, Roberts & Petrie - preliminary & design	414
from Co. attorney Paul Wendel & Ed Smith for July office allowance	419
from Brinks for services to Treasurer & Co. Clerks for August	427
from Industrial Contractors for roof at Auditorium	427
from Fred Deewe for travel expenses to Louisville	428
from Szabo Food Services for meals of inmates & Jailers 8/6 to 8/15/78	428
from All Metal rail, posts etc & S.W. Engineers for Seminary Rd.	431
from Bob Moran, Vet Service officer, for mileage to Owensboro	440
from Schmitt Refrigeration Inc. for refund on permit.	440
from Szabo Food Service for inmates & deputies 2/6/78 to 2/31/78	440
from Lewis Volpe, Co. Treasurer, for mileage to & from state.	440
from S.W. Engineers - final payment on last Seminary Rd. structure.	443
from P & H. Construction Co. for equipment rental - Mary Rd. culvert	453
from Bauer Bros. for Mary Road.	453
from Evansville Assn. for Retarded Citizens for monthly appropriation	453
from Building Authority for labor & material - gas dryer in Jail	470
from Co. Attorney Wendel for August 1978 office allowance	471
from Exec. Ass't. to Co. Council for travel to & from Indianapolis	471
from J. H. Allen on beams & guardrail	480
from Co. Attorney Smith for travel & August office expense	481
from Bauer Bros. for structural plate str #65 Mary Rd.	498
from Evansville Crushed Stone - stone for Mary Rd	498
from Szabo Food Service for meals of inmates & Dept 8/1/78 to 8/15/78	498

- 501 Claim from German twp. water District on engineering.
- 513 Claim for refund on permit #1505 of \$8.00.
- 513 Claim from EARC for 10,977.67.
- 513 Claim from James Angermeyer for Reg. at IAAO school.
- 513 Claim from Brinks for services rendered to treasurer's office
- 514 Claim from Szabo Food Service for meals.
- 514 Claim for Torsion agency for Ins - Co. Hwy. Dept.
- 514 Claim from Reid Holcomb
- 514 Claim from PTH Construction for equipment rental
- 514 from Vermont Cloudge for mowing weeds
- 514 from Bauer Bros Constr. Co. for Highway Dept.
- 514 from Foster Construction for permit refund.
- 545 from SIECO - Engineering Services for pavement marking Program
- 545 from Industrial Contractors for 2 payments on roof of Auditorium
- 545 from 7 Oakes Productions for bus driver training - school
- 545 from both Co attorneys for Sept. office allowance
- 545 from all metal Manufacturing for guardrail posts
- 559 from Evansville Crushed Stone for Mary Rd Bridge
- 559 from Eng. assc. for engineering services on Lynch Rd.
- 559 from Brinks for service to Clerk & Treasurer
- 560 from Torsion Ins Co. for bond on Mary Ritter of Auditorium
- 560 from Lew Volpe for travel expenses - Columbus, Ind.
- 560 from Szabo Food Service for meals of deputies & inmates
- 560 from Law Hypnosis Institute for registration of Mark Mabrey
- 560 from Viscom Productions for film in schooling bus drivers
- 560 from Factory Mutual Eng Corp for film in schooling bus drivers
- 560 from Aris Instructional media serv. for films - training sch. bus drivers
- 560 from Sieg Bros. for reconstruction of Adler Rd.
- 571 from Warricks Co. Farm Bureau for seed & seed.
- 571 from Palmer Sentry for refund on permit.
- 571 from Film Fair Communications for print film.
- 572 from EARC for monthly allocation.
- 577 from Col Clerk for election Bd State meeting.
- 577 from Charles Christman for permit refund.
- 577 from JH Rudolph for hot asphalt patch
- 587 from Szabo Foods for meals of inmates & deputies
- 587 from Co Engineer, Louis Stephen, for mileage
- 587 from Bauer Bros. Lumber Contractors - pipe - Mary Rd
- 587 from Bauer Bros Contractors - pipe for Nurenbun Rd.

## Claims

	from SIECO - engineering services - Pavement marking	587
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	from Co Attorney Wendel for office expenses - Oct. 1978	587
	from David Excavating Co. removal of blacktop - Nuremberg Rd.	587
	from Oeig Bros. for Adler Rd	605
	from Brinks for services to Co. Treasurer & Clerk - Nov 1978	615
	from Evansville Crushed Stone for riprap on roads	634
	from P & H Const. Co. for equipment, rental & labor to remove bridge - Nuremberg	634
	from Allen Boger - Corp. Exp't service for lodging at Purdue	634
	from Charles Given - Rec leader at Perry Hgts & others	634 635
	from Swanson Munn Electric Co for refund on permit	635
	from Lirdy Construction Co. for 5% deposit on bid for Hillcrest	635
	from Stan Riddle for St Joe appraisals	645
	from SIECO for services on pavement Marking (2)	648
	from Torian for General Fund Insurance to add cars	648
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	from Holiday Inn for Mary O'Risky of Sheriff's Dept.	673
	from Bldg. Auth. for fixed & additional Rent of Complex	673
	from David Excavating for Nuremberg Road project.	673
	from Circuit Court Work Release for payment of 1975 Dodge car for survey	676
	from SW Engineering for concrete beams sold to County	676
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	from Alvey Scott Motors for dump body & hoist.	691
	from Mark Owen for food & car rental in attending meeting	703
	from Evansville Travel Service - travel fare - Mark Owen.	703
	Crown Ins Agency on Robert Dorsey Bond - Cig tip assessor	703
	Citizens Realty Co for Bond - Mark Owen - Drug & alcohol defendant - same	703
	& of Bond for Roberta Canty of same	703

703	Claim from Valley Coal Co of Booneville for Bridge #54
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703	Clairborn Valley Coal Co of Booneville for Bridge #54	
709	Claim for R/W St Joe - from Parkview Convalescent Center approved	



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Contract awarded to Corpe Chevrolet for 5 Sheriffs cars.	448
Contract signed with Blue Cross for Co. Health Insurance	468
Contract awarded to Key Motors for 2 trucks for Hwy. Dept.	516
Contract awarded to Orbie & Lliavan for treatment facility	560
Contract awarded to Lindy Constr. Co. for siding, etc. at Hillcrest Home	586
Contract awarded Liberty Auto Salvage for truck parts	591
Contract awarded to Halley Coal Co. for bridges #53 & #54	595
Contracts signed on Youth Employment Program Oct & Nov 1978	616
Contract awarded on seven bridges to Day Bros.	618
Contract awarded to Jim Wickes to clean up Dean property	638
Contracts submitted from SW Ind Manpower consortium	657
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Contract awarded to Midwest for exhaust system at Garage	681
Contracts awarded for Surveyors supplies & equipment for 1979	683

*cuts*

- |     |  |
|-----|--|
| 12  | Water Co - 4300 Millersburg & 616 Rosenberger Ave.                             |
| 22  | Median cuts - St Joe Industrial Park - approved.                               |
| 40  | Water Co. - 4241 Hogue Road & 10125 Baumgart Rd.                               |
| 132 | water Co - upper Mt. Vernon, Hogue Rd & O'Hara Drive.                          |
| 133 | water Co - Little Schaefer & Brookdale - Brookshire & Briarwood & Mt Pleasant. |
| 148 | water Co - 720 N Boehne Camp Rd.   |
| 148 | Telephone Co - Mt Pleasant Road  |
| 174 | telephone Co - old State Road #65.   |
| 205 | telephone Co - Inglefield Rd - East of 41.                                     |
| 219 | German Twp. Water Dist - on Fischer Road                                       |
| 245 | Telephone Co. Matz Rd, Streub-Hendricks Rd & Lennemeier Rd.                    |
| 271 | Floyd Stank to cut upper Mt Vernon Rd.   |
| 271 | Board of Public works to cut Old Boonville Hwy.                                |
| 283 | an individual wants to cut Shaff Rd for water line.                            |
| 291 | Cut permit held up for bond on J+B Ciping Co.                                  |
| 293 | German Twp. Water Dist. to cut into Orchard Rd.                                |
| 293 | Philip Ahrens to cut into Old Boonville Hwy.                                   |
| 304 | Cut application approved on Carroll Acres.                                     |
| 319 | from telephone Co. on Mill, Orchard, & John Will Rds & Hillview Drive          |
| 333 | Joe Bohin Excavating Co to cut into Felstead off Broadway                      |
| 333 | Sewer Dept to cut into Old State, Erasler, Sunrise & Bujez.                    |
| 346 | Gas Co. required to apply for cut permit on Old Petersburg Rd.                 |
| 346 | comment on cut permit for Alco.  |
| 346 | Telephone Co. for cut on County Line Rd & Posey Co Road.                       |
| 347 | cuts to be checked on upper Mt Vern Rd & bond for cut on Inglefield            |
| 360 | Industrial Contractors, Inc. to cut Baumgart Road.                             |
| 387 | Jack Alles need County cut permit for Melody Hills                             |
| 400 | comment on cut made by Water Dept on Steamboat Rd.                             |
| 407 | Ind. Bell for SR. 65 & Boonville - New Harmony & St Joe. Rd                    |
| 407 | water Dept. for Diefenbach Rd  |
| 407 | German Twp. water Dist. for Orchard Rd & Seib Rd                               |
| 407 | Brd of Public works for O'Hara, Venetian & Russellchof Drives                  |
| 432 | water Co. on New Harmony & Kern Rd. & Laurel Lane - Bond required              |
| 447 | Ind. Bell telephone Co. to cut into Plaza East Blvd & Tennis Lane              |
| 447 | Russell Seiler for Pleasant Ridge Mobile Home Estates.                         |
| 447 | Donald R. Barnett to cut into Marigold Court.                                  |
| 478 | water Co on Ridgeway, N. St. Joe Ave. & corner of Baumgart & Surger Rd         |
| 489 | water Co on Kansas Rd, Fugnau & Bergdorf Rd.                                   |
|     | Don Barnett - 2 cuts - Oak Hill Rd & Heddon Rd.                                |



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from German trap water Dist on Schmitt La. & Bromm Rd.	508
water seep on old state, Bergolt & 2 on Baumgart Rd.	508
Lloyd I Staub on St. George Rd.	508
from sewer seep. on oak Hill Road	547
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cut on St George Road hasn't been repaired	620
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	49	Comments on available funds for lockbox & CETA people
	68	Complaint to Joint title - Ronald Melton
	73	Comments on Industrial Park - St Joe & Mill Rd.
	76	Commission on Tourism needs office space
	99	Comment on having trouble obtaining salt.
	112	Comments on various projects by Mr. Stephen, C. Eng.
	114	Comments on other projects - St. Joe, W of Mill Rd, 1st Ave etc.
	143	Comments by Mr. Hotz on surplus personal property to be sold.
	147	Complaint of hole in road causing damage Referred to City.
	149	Complaint on Martens Lane where there is gap in road.
	168	Comment by Mr. Hotz on Refrigeration at Pleasantview & locks.
	171	Comments by Mr. Guillaume on repair of chuckholes.
	171	Comment on union agreement by Mr. Guillaume & CETA people.
	171	Comment on Inventory on County Safety.
182,	180	Comment on removal of vehicles & debris due to new ordinance.
	184	Comments on expenses of lockbox & bus that were needed.
	185	Comments on St Joe, Oak Hill & Carmstadt Roads.
	188	Comments on procedure used for R & S notices by Lockmiller.
	198	Comments on Ordinance of Dumping
	198	Comments on mattresses & spreads at Pleasantview
	199	Comments by Mr. Feigel on cost of repairing roads.
	200	Comment on time required for bids before opening
200-	201	Comments on roads needing paved & bridges need built.
	204	Comments on Ordinance on acceptance of Roads.
	205	Comment on Outer St Joe & Brownville - New Harmony
	215	Comments on old voting machines
	216	Comment on hauling on Green River Road
	236	Comment by Mr. Clarke on junked cars
	237	Comments by Mr. Crook on houses on Harmony way & Nuremberg Rd
	237	Comment by Mr. Hotz in regard to auction at Pleasantview
	238	Complaint on Roads at Jugway Rd & Colback Ave.
	244	Comment on bill from Jerry David on Nuremberg Rd.
	262	Comment on Traffic check report
	263	Comment on Health Insurance
	263	Comments on St. Joe Project
	271	Complaint on Hogue Road crossing of L & N
	271	Complaint from Kathy Mc Gowan on car damage.
	271	Complaint on loud motorcycles at Budette Park
	280	Comment on road paver & on roads.

289	Comments on County Trucks by Mr. Liebsberg	289	
290	Comments on Building proposed Ordinance	290	
330	Comments on Utility Agreements for St Joe Ave. Ave.	330	
331	Comments on bills for appraisals on St. Joe Ave	331	
333	Comment by Mr Osterholt on Sunbeam being submitted a permit	333	
341	Comments on wooden bridges	341	
343	Comments on portable scales	343	
344	Comments on mileage & wants to try to get old police cars	344	
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	comment by Mr. Stephen on gas company cuts	432	
	Comments on weeds - account to be set up.	442	
	Complaints on Collocks Ave. being too narrow.	453	
526;	Complaint on EARC building by Tom Jones, that was repaired	515	
	comment on Sean property - getting bids to clean it up.	619	
	Comment on pipe at Bonville - New Harmony Rd.	620	
	Comments on rezoning property for land fill	635	
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	Comments on CETA	667	
	comments by Co Ed Smith on computer read out & tax rates	681	
	comment on truck route ordinance	707	

County owned Surplus Property

310	County owned surplus property to be advertised for sale
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311	County owned surplus property - deeds signed
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354	Complaint on Jumper cars on old State Road.
-----	---

363	County owned surplus property sold for 1978-P.391
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420 Toy Code's 18-169-60 + 28-5-15 sold to Charles Swape

421 County owned surplus parcel deeds submitted for new owners

454	Cumulative Capital Improvement (CCI) Fund discussed.
-----	--

466	Sale of topcode 21-29-13 + 24-46-25 sold to Mrs. Geneva Levels.
-----	---

**D**

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	Darmstadt - Flushing unit to now be paid by them	169
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	Drainage problem on McCutchan Road	205
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	Discussion of Darmstadt's share of gas tax money	217
	Discussion of county roads & road paver.	280
	District meeting to be held in Tell City on June 15, 1978.	306
	Discussion with Mr Wasson of Wasson Coal Co. on truck traffic	316
	Delinquent taxes to be paid by Mrs Schnautz on her property	322
	Discussion of truck traffic on St Joe -	343
	Discussion of weigh scales for County	427
	Deeds submitted for Co owned surplus property.	449
	Discussion of how to pay for new paver. 469,	458
	Discussion on process in developing annual element - Schmuckler	477
	Discussion of tracks on Brownville - New Harmony	515
	Discussion on snow plow, salt, calcium chloride, trees & paving	518
	Discussion on seven bridges	579
	Discussion of Hwy 41 overpass at Washington	606
667	Delinquent tax matter of Dr Teng weng-673,	659
704	Deed - correction deed on property of Anthony Hill approved	704

**E**



[illegible]

# Employment Changes - appointments & Releases

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**F**

[illegible]

**G**

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**Н**

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	House Bill 1370 - transfers responsibility for bridges to governmental	98-119	
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	Hearing set on proposed Hwy 41 bypass	631	
	Holiday Closing Nov 23 & 24 for Thanksgiving 1978	645	
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701- 685.	Holiday closing set for Christmas 1978 & New Years 1979-680		





117 Introduction of Vicki Bailey as Exec. Asst. of County Council.

174 Items to be stored at old Court House.

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Certificate of Insurance on Council of Clubs - use of Auditorium	15
Cert. of Ins. on World Arts 4/13/A Affordable Arts - use of Auditorium	21
Cert of Ins. on Alvin Wolf - wedding party - use of Auditorium	35
Cert. of Ins. on J.H. Rudolph Co. - Contractual Liability Ins.	35
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Cert of Ins. - Wellborn Hospital - use of Auditorium	42
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	296	World Wide Church of God - use of Auditorium	
	296	David & Betty Riley (Electronics) - use of Auditorium	
	310	Joyful Sound, Div. of Music Ministries - use of Auditorium	
	325	Evansville Civic Theater, Boeke Rd. Baptist Church - use of Aud.	
	325	Elmer & Zita Will, Grace Bible Church meeting - use of Auditorium	
	325	Fidelity World Arts Co. & Kerr Family singers - use of Auditorium	
	339	Certificates for use of Auditorium - John & Dorothy Meyer -	
	339	House of David - Syracuse Supply - Larry Aiken & U.S. Sheet Metal	
	367	Evansville Civic Theater, Huish Reception - Larry Aiken & Crusade.	
	393	Cert of Ins. by Ind Ins Co on Mr Will for use of Auditorium	
	423	Cert of Ins. on Keishval Enterprises, Orion Broadcasting &	
	423	Jaycees of Evansville for use of the Auditorium	
	423	Cert of Ins. on Hip Construction Co for Liability & workmans Comp.	
	438	Cert of Ins. on Sterling Mens Club & Jr. League for use of Auditorium	
	450	Cert of Ins. on Music Minister Inc. & Jr. League, for use of auditorium.	
461,	450	Health Insurance Bids - Recommendation letter Rejected, then resound	
	469	Health Insurance Refund of \$18,712.21.	
	480	Cert of Ins. from Union Ins Co. on F.O.P. in Jasper - use of Auditorium	
	491	Cert of Ins. on Tugua Industries for use of Auditorium	
502, 504,	494	Health Insurance discussed by M Taylor & Counselman.	
	522	Cert of Ins. from Evansville Council of Garden Clubs for Auditorium	
	536	Health Ins. discussion - cancellation letter withdrawn	544
	544	Policy of Blue Cross retained for 1 year from Sept 1, 1978 - high option.	
	545	Low option plan terminated of Blue Cross	
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	558	Cert of Ins. on Mike Roberts - use of Auditorium	
	558	Cert of Ins. on Tradesmen on use of Auditorium	
	567	Cert of Ins. on Auditorium - watchtower, Evansville Square dance	
	567	Cert of Ins. on Auditorium - Music Ministries, & Joachim & Jones Machinery	
	586	Cert of Ins. from Neiding Ins. Co. Entic. News Club - use of auditorium.	
	612	Cert of Ins. on use of Auditorium - Kappa alpha, Tugua Ind. & Baptist Hosp.	
	632	Ins. for use of Auditorium on Ind State Teachers & Tennis Hatfield	
	646	Cert of Ins. on Sword of the Lord & Hahn - use of Auditorium	
	675	Comment on Liability Ins. Coverage & Traffic Study	
	684	County Health & Life Ins. accepted for 1979 - Blue Cross & American Life	
	701	Rider # to be attached to Bond of Auditors office - 704	

**J**

**K**



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|-----|---|
| 174 | Log chains found + given to Co. Hwy. Dept.                                    |
| 191 | Lease agreement signed between County + visitors Commission.                  |
| 248 | Law suits against the County Tolson + Peterson                                |
| 317 | Local Road + Streets funding discussed.                                       |
| 319 | Letter from League of Women voters requesting use of voting machine.          |
| 425 | Letter from Duane Holder on Signal Light Indicators                           |
| 426 | Letter concerning reimbursement on snow plowing - 1977-1978 <sup>winter</sup> |
| 441 | Law books that are obsolete - discussed - 472                                 |
| 479 | Law Suit to be filed by Co. Commissioners + County Council against state      |
| 504 | Law suit being filed against County by Central Glass Co.                      |
| 660 | Law Suit filed by Morlings against Treva Fortune                              |



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- 194 Letter on unclaimed warrants from Ind. Assn. of Counties.
- 212 Letter from Brinks Ins on Notice of new charges on Co. Clerk.
- 224 Letter from Hamilton Golf Course on annual rent.
- 248 Letter of Request from Sheriff to attend Police Institute Seminar
- 248 Letter of Request from Sheriff for Mark Mabry to attend training school
- 250 Letter to be written to owner of junk on property & house.
- 271 Letter from Butthod in regard to ordinance on trucks
- 272 Letter from State Board of Health on illegal dumps.
- 276 Letter of Request from Prosecutor on Computer Scope & printer.
- 276 Letter from Dept. of Health on David Sienne, T B patient
- 277 Letter of Request from Voters Registration, for 1st class mailing permit.
- 277 Letter of Complaint on car damage from Kathy Mc Gowan
- 298 Letter of complaint from M. Allen on his car being damaged
- 298 Letter of Request by Area Plan for remodeling office.
- 298 Letter requesting street acceptance on Locust Woods Lane.
- 299 Letter of Request from Co. Election Board to appropriate funds.
- 312 Letter from Co. Atty General withdrawing request for extra pay.
- 317 Letter sent to Virgil Bell requesting engineering on St. Joe.
- 327 Letter from Civil Defense on disaster drill.
- 328 Letter of Complaint from M. O. Krueh on his car being damaged.
- 330 Letter being sent to Ind. Hwy. Comm on frontage Rd. U.S. 41
- 332 Letter from L & N Railroad Crossing received.
- 346 Letter from Division of State Aid on St. Joe
- 368 Letter from Ohio Valley Hardware on past due accounts
- 369 Letter from Mr. Gaffney on vehicle damage.
- 393 Letter from Ruth Croggs on hospital bill County owns.
- 394 Letter concerning truck traffic on Harmony way.
- 396 Letter concerning junked cars to be sent to Red Bank Auto Part
- 403 Letter concerning Murrenburg Rd. & L & N crossing project.
- 409 Letter from Legal Aid on law books no longer in use.
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- 428 Letter received from state on inspection of Jail.
- 432 Letter sent to Penn Central Corrail on bridges they want to tear down
- 434 Letter to be sent in urging speed up of railroad improvements
- 447 Letter to be sent to Dir. of State Aid on Allens Lane RR crossing.
- 468 Letter received from Council of Governments - Request from Tippecanoe Co.
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684	Letter from Larry Lutz on office space for Perry township assessor
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685	Letter from American Family Ins. group of James Burkoll.
686	1st 2nd 3rd 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th 21st 22nd 23rd 24th 25th 26th 27th 28th 29th 30th 31st 32nd 33rd 34th 35th 36th 37th 38th 39th 40th 41st 42nd 43rd 44th 45th 46th 47th 48th 49th 50th 51st 52nd 53rd 54th 55th 56th 57th 58th 59th 60th 61st 62nd 63rd 64th 65th 66th 67th 68th 69th 70th 71st 72nd 73rd 74th 75th 76th 77th 78th 79th 80th 81st 82nd 83rd 84th 85th 86th 87th 88th 89th 90th 91st 92nd 93rd 94th 95th 96th 97th 98th 99th 100th

685 Letter & check - reimbursement for repairs to Co. Bridge structure 40A

696 Letter from Mr. Alderson of Ins. Audit & Inspection on preparing specs

696	Letter of notice of planned improvement on St Joe & Meier Rd
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**M**

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|-----|--|
| 151 | Meeting of County Council to accept sale offer at Pleasantview       |
| 227 | Meeting set on Brink's matter of raising prices                      |
| 264 | Meeting in Scottsburg - Mrs Bailey - Exec Secy to Co Council will go |
| 317 | meeting as to work shop to be held in Brown County                   |
| 383 | Meeting - Mr Crooks to attend meeting in Indianapolis.               |
| 441 | Meeting to be held on energy conservation.                           |
| 576 | Meeting held at Retarded Citizens Bldg.                              |
| 617 | Meeting to be held on Washington Ave. overpass.                      |
| 623 | Special meeting held on proposed Hwy 41 overpass                     |
| 655 | Meeting for SW Ind District to be attended by Mr Stover + Mr Seabury |

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15	County Treasurer for November, 1977.	
18	City-County combined Building Commissioners Report-Dec. 1977	
20	Clerk of the Circuit Court for December, 1977.	
41	Evansville Assn. for Retarded Citizens for Dec of 1977	
63	Clerk of the Circuit Court for January, 1978	
63	County Treasurers for Dec. 1977	
63	Bureau of Traffic Engineering Jan -1978	
63	Building Commission for Jan -1978	
90	Evansville Assn. for Retarded Citizens Jan. 1978	
119	Clerk of the Circuit Court for February of 1978	
134	Evansville Assn for Retarded Citizens for Feb. 1978.	
176	Co. Treasurer for February of 1978.	
179	Building Commissioners Report for March, 1978.	
207	Evansville Assn. for Retarded Citizens for March, 1978	
207	Bureau of Traffic Engineering for March, 1978	
222	case Reports from Legal Aid for Feb + March, 1978	
237	Report of Building Commission for april, 1978.	
247	Bureau of Traffic Engineering for april 1978.	
247	County Treasurer for month of March, 1978.	
261	Report of Evansville Assn for Retarded Citizens - april, 1978	
286	Clerk of the Circuit Court for april, 1978.	
296	Legal Aid Society for April + May of 1978.	
310	Building Commission for May of 1978	
310	Bureau of Traffic Engineering for may, 1978	
326	Evansville Association of Retarded Citizens for May, 1978	
339	Report of Traffic Engineering for May, 1978	
339	Report - Amended - Clerk of Circuit Court for May	
354	Building Commission Report for June, 1978.	
367	Evansville Assn. Retarded Citizens June 1978.	
367	Bureau of Traffic Engineering for June 1978.	
392	County Treasurer's Report for April, 1978.	
392	Report on Clerk of the Circuit Court for June, 1978	
438	Co. Treasurer Report for May of 1978	
438	Bureau of traffic Engineering + Bldg. Comm. for July of 1978	
448	Evansville Assn. for Retarded Citizens Report for July, 1978.	
448	Report of Clerk of Circuit Court for July of 1978	
499	Building Commission Report for August, 1978.	
511	Evansville Assn. of Retarded Citizens for August, 1978	
536	Traffic Engineers Report for August, 1978	

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**Mc**

**N**

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	Notice of Public Hearing for closing of highway at grade crossing	450
	Notice of Claim from State as result of an accident.	511
	Notification of Hearing - in regard to Chandler Extension	547
	Notice of Claim against County - Joseph Leingang	601
	Notice to appear on judgement against Wm Taylor & Creley	613
	Note of appreciation from Bob Reynolds - old Mt Vernon Rd.	622
	Notice of Red Bank Rd & old Bonwill Hwy to be closed	656
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**O**

## Ordinance

52

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Ordinance to be prepared for Blacks Expo 1978 304

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Ordinance Limiting noise of motor vehicles 2nd reading 435

Ordinance from State - denied CCI fund appropriation 440

Ordinance on overweight trucks problem - no signs posted. 442

Ordinance on Massage Parlors - County attorney 581

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3 Oath of viewers Report on alley - William Harty.

453	Order of Garnishment on Larry Supper in Co. Surveyors Office
-----	--

597 overpass proposed on Hwy 41 at Washington



**P**

- 89 Public Hearing on Revenue Sharing Funds 2/27/78
- 182 Problem with driveway entrance at Busler's off 41 by '64
- 191 Public Hearing on vacation of alley near Cort St - Mr Hartley.
- 231 Public Hearing to establish Cumulative Bridge Fund Top Rate.
- 337 Public Hearing set on Revenue Sharing Funds
- 387 Problem with people getting mail on small road North of Sog town.
- 426 Petition to name Road - "Scoops Lane."
- 428 Problem at Hillcrest Home - damage to fence.
- 446 Problem at Busler's station - Mr Busler to be contacted.
- 452 Plan on updating of County Parks & Recreation - Vern Hartenbury.
- 483 Payment of road pavel discussed
- 514 Penn Central - discussion of tearing up fidge overpasses
- 518 Public Boat Launching at Angel Mounds & Sog town discussed
- 530 Petition to be filed with Drainage Bd on Chandler Extension.
- 555 Personnel Policy Booklet submitted on Monroe County
- 576 Polling places for general election, 1978.
- 580 Problem with driveways in Saimstead.
- 582 Polling places discussed as to changes - 583 - 590

# Poor Relief

	Lawrence Hall - 1913 W Illinois - Pigeon twp.	12	
	Charles Nathaniel Reynolds - Pigeon twp.	62	
	Evertha Smith - 1411 Shanklin Ave - Pigeon twp.	86	
	Arthur Sparks - 16 W. Missouri St. - Pigeon twp.	87	
failed to appear	Forestine Cooper - 1836 S. Harwin - Pigeon twp.	101	
	Freddie Allen 700 E Chandler - Pigeon twp.	101	
	Roger Martinez - 821 Judson - Pigeon twp.	102	
	Vicki Williams - 217 May St. - Pigeon twp.	131	
	Mayorie Thornton - 117 Jefferson Ave - Pigeon twp.	132	
	Betty Roll - 603 Read St - Pigeon twp.	148	
failed to appear	Charles Carroll - 1420 Fountain Ave - Pigeon twp.	149	
	James Allen Day - 412 W Mill Rd - Center twp.	162	
	Carole Page - 1214 Edgar St. - Pigeon twp.	163	
failed to appear	Lester Douglas - 416 Chandler Ave - Pigeon twp.	163	
	James Allen Day - 412 W. Mill Rd - Center twp.	189	
	Bunk Carter - 306 Olive St - Pigeon twp.	219	
	Eula Robinson 1415 S. Governor St. Pigeon twp.	259	
	Timothy Sallee - 1139 S. E. First St. - Pigeon twp.	293	
	Mildred Marsh - 104 1/2 S. Governor St - Pigeon twp.	319	
	Louis Reeves - 921 Line St - Pigeon twp.	321	
	Jacqueline Wilson - 774 Judson - Pigeon twp.	333	
	John Davis - 923 Division St - Pigeon twp.	334	
	Beauford Bosaw - 300 W. Illinois St - Pigeon twp.	334	
	Annette Market - 212 W. Franklin St. - Pigeon twp.	403	
	Frances Sheathouse - 319 W. Tennessee St - Pigeon	405	
	Sherri L. Clements - Pigeon - 1407 S.E. 1st St. failed to appear	447	
	Donald Ray Clark - Pigeon - 1718 S. Harwin	504	
	Judy Hughes - Pigeon - 1706 Grove St.	504	
	Ms. Antonia Vinson - YWCA - Pigeon twp.	505	
	Theresa Agnes - 400 S. Rotherwood	5	
	Samuel Storey - 37 E Chandler - Failed to appear	564	
	Joyce Meserve 314 SE Riverside	564	
	William K. Smith 431 S. Evans	564	
	Carrie McReynolds 425 S. Linwood	574	
	Natura Cates - 717 Cross St.	599	
	Imogene Floyd - 713 N. Fulton Avenue	609	
	Larry Alexander - 1661 Lodge Ave. Kn. twp appeal denied	694	
	Paul Mc Crayer - 669 S. Elliott failed to appear	699	
	Francis Egan - 211 W Delaware failed to appear	699	

	30	Pleasantview - comment on boiler & water heaters	
	30	Problem on Sprinkle System at Hillcrest.	
	35	Public Hearing on Federal Revenue Sharing Funds.	
	68	Precinct Boundary Changes made	
	80	Pleasantview Property - comments on snow removal	
	107	Problem of leak in pump to boiler - will call Evansville, Wat Heat	
	129	Pleasantview - Problem of roof leaking	
	136	Trusts submitted on Pleasantview for items found there	
	138	Pleasantview - Sale of this property set for 3/21/78.	
	145	Problem of Drainage on Crowley Drive	
	150	Special meeting on Auction of Pleasantview Property.	
	151	Date of May 6, 1978 set for personal property sale at Pleasantview.	
	151	Pleasantview property sale approved by County Council.	
	158	Pick up truck received by the Co. Harry Leapt.	
	160	Problem with surface drainage in Southview Park.	
	161	Problem on Eissler Road where man wants to lay pipe.	
	161	Problem on Weiss Road - needs side ditching	
	168	Proposal approved by Honeywell Inc. on controls of Hillcrest Home.	
	199	Problems with driveway entrance to Busler's off Hwy 41 by 1-64	
	215	Problem of Inactive Storage in basement	
	225	Request for extension of closing on sale of Pleasantview	
	227	More surplus personal property to take to Pleasantview for sale	
	231	Problem with check treasurer received from Nazarene Church	
	234	Pleasantview Rest Home Property sale discussed.	
	237	comment on auction of personal property at Pleasantview by M. Hotz	
	239	Pleasantview property sale finalized. + C. 244	
	252	Problem at Busler's station Hwy 41 & I-64.	
555,	264	Problem at Busler's station Hwy 41 & I-64; P. 305, 459	
	345	Purchase Order approved for Bauer Bros. - Marp Rd. Project.	
	385	Problem at Wesselman's Park with pond.	
	386	Problem on Boonville - New Harmony - water problem.	
	386	Problem with Gas Co - insists County pay for relocation of lines	
	389	Public Hearing on Revenue Sharing funds 1978-79	
	401	Problem of mud on St Joe Ave + Seamstadt	
	401	Problem of drainage on Bassett Ave off Green R. Rd.	
	562	Problem at Busler's - hole needs filled	
	619	Problem of drainage on Greenbrier to be looked at.	
	620	Problem on Old Henderson Rd. - low spot.	
	639	Problem of smoke fumes at County garage from machinery	

**Q**

problem on Graffe Rd - pipe needed

705

Q

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|-----|--|
| 136 | Quietus submitted on Pleasantview items                        |
| 170 | Question on Truck - given to Hwy Dept.                         |
| 263 | Quietus received from Kutz Auction for items they sold         |
| 275 | Quietus received from Curran Miller for surplus items sold.    |
| 302 | Question on Drainage Plans - action next week.                 |
| 402 | Question on part-time help by M. Williamson - Surveyors Office |
| 416 | Quotation from American Timber Bridge & Culvert Inc.           |
| 476 | Question on amount of bond needed by Ceyssanin Const. Co.      |

**R**



	81	Recommendation of street signs to be posted - My Judah	
88,	81	Resolution adopted for reimbursement on snow removal	
	95	Resolution to request federal money approved.	
	99	Road School cancelled until possibly in April of 1978	
102-103		Re assessment discussed.	
	107	Resolution amending Master control Code - Heather Cir, etc.	
	108	Recommendations by traffic Director on stop signs - Ridgecrest etc.	
	122	Resolution amending master control code - Ridgecrest, etc.	
	137	Rental owed by City for use of Auditorium.	
	137	Resolution concerning indemnification on Building Permits	
	174	Railroad tracks on St Joe Ave need repaired - letter sent to state	
	251	Recommendation for 3 way stops on Trucking ham.	
	258	Resolution adopted requesting immediate action on Hwy 41	
	263	Right of way Buyer named for St Joe Ave.	
	283	Resolution proposing executive order to U.S. President	
	326	Resolution on Cable TV for county residents signed	
	337	Reimbursement of Federal Funds	
	445	Roads - Chastain Dr & Daisy Lane not acceptable for maintenance	
	546	Recommendations made on Hillcrest Washington Home	
	596	Repair to County roads discussed.	
	598	Resolution to be drawn up for Richard Berman of Conrad Baker	
	708	Right of way for St Joe Ave easement from Parkview Center	

R

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Mr Brenner on First Avenue	11
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Mr Stephen - Road lists submitted - acceptance questioned.	17, 32
Mr Lochmueller - plan left turn to K-MART - question on Mides muffler.	23
Report concerning lease with Bob Hamilton & Golf Foundation	29
absentee Report - Co Hwy employees - week ending Jan 16, 1978	31
Mr Siebeking on S. Windbach - pick up trucks - no salt.	31
Mr Crooks - Report of 1+2 Family Housing starts	37
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Mr Siebeking on cost of snow removal Jan 1 to Jan 20, 1978	38
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By Mr Hotz on using Pleasantview for emergency shelter	45
By Mr Siebeking on snow removal & hiring workers	45
Report by Mr Lochmueller on projects & approval on Murrenham DR.	50
Report on usage of paver machine	58
Traffic Engineers yearly Report for 1977.	58
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by Dave Guillaume on CETA employees & rail repair program	95
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# Resolving Petitions

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| 24  | Silver Realty Co. - VC-88-77 - denied   |  |
| 25  | Charles Kent & Shirley Robuck - VC-91-77 - approved                           |  |
| 26  | Wayne Johnson - VC-92-77 - 1st reading / C. 139 - 3rd reading                 |  |
| 26  | John & Margie Richards Jr. VC-93-77 - 1st reading / C. 140 - 3rd reading      |  |
| 79  | Alfred Bauer - VC-1-78 - / C. 141 - 3rd reading                               |  |
| 142 | Georganna Thurmond - VC-2-78 - 1st reading - C. 195 - 3rd reading approved    |  |
| 195 | Forrest D. Railey - VC-3-78 - continued C. 361-420 - 3rd reading 8512         |  |
| 196 | Benjamin E. Buente et al - VC-4-78 - 3rd reading C. 370                       |  |
| 300 | Report by Mr. Hitz on Jail needing clothes dryer soon & on Hillcrest.         |  |
| 301 | Absentee Report of Co. Hwy. Dept. employees - week ending 6/19/78             |  |
| 309 | Letters received from Ed Johnson requesting postponement of VC-3-78 & VC-4-78 |  |
| 312 | Bennora Burnett - VC-5/78 - 1st reading C. 312 - 3rd reading C. 374-395       |  |
| 313 | James Sermonschevin - VC-6-78 - 1st Reading C. 313 - 3rd reading C. 374       |  |
| 313 | Guthrie May & Co. - VC-7-78 - 1st reading C. 313 - 3rd reading C. 374         |  |
| 313 | Key Construction Co. Inc. - VC-8-78 - 3rd reading C. 379                      |  |
| 329 | Absentee Report of Co. Hwy. Dept. employees - week ending 6/26/78             |  |
| 380 | Chal Corporation - VC-9-78 - 3rd reading C. 464 approved                      |  |
| 398 | Budge & Guardrail Report 7/24/78  |  |
| 428 | Report by Mr. Crooks on Dean's Property                                       |  |
| 443 | Absentee Report on Co. Hwy. week ending 8/11/78.                              |  |
| 454 | Mr. Crooks on weed project in the works.                                      |  |
| 458 | Absentee Report on Co. Hwy. employees week ending 8/18/78                     |  |
| 458 | Road Report by Mr. Liebecking week of 8/18/78                                 |  |
| 466 | David Lee Holder - VC-10-78   |  |
| 513 | Guthrie May & Co. Inc. VC-11-78 - approved on 3rd reading 570                 |  |
| 513 | Jerry Allen Whipple VC-12-78 - denied - P. 688                                |  |
| 513 | Robert Lindauer VC-13-78 - approved on 3rd reading 570                        |  |
| 513 | Donald Stucki VC-14-78 - approved on 3rd reading 571                          |  |
| 513 | Donald Stucki VC-15-78 - withdrawn  |  |
| 571 | OW Kattman & WC Bussing VC-17-78 - approved P. 635                            |  |
| 634 | Frontier Kemper Const - VC-18-78 - approved C. 689                            |  |
| 689 | So Ind Gas & Electric Co - VC-19-78   |  |
| 690 | Gene & Gail Whitehead - VC-20-78  |  |
| 690 | Eugene & Janet Hahn - VC-21-78  |  |
| 690 | Eugene & Janet Hahn - VC-22-78  |  |
| 690 | Claude F. Bruner - VC-24-78   |  |

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| 198 | Request for signs to be posted - New Harmony Rd, also Hwy. 62             |  |
| 210 | Travel Request by Chuck Osterhold of Area Plan Comm.                      |  |
| 210 | Request to change voting places, Primary of 1978                          |  |
| 211 | Request to get Civil Defense cleaned up -                                 |  |
| 232 | Request from McClatcheyville Garden Club to plant flowers                 |  |
| 233 | Request for use of votomatics - News from Water Dec High School           |  |
| 234 | Request that bridge fund be raised to 25¢ by Judge Wiley                  |  |
| 241 | Request of compensation for Co At Wendel for work on sale of C. Cassantum |  |
| 242 | Request for acceptance of Autumnwood way & Derby Lane                     |  |
| 247 | Request for extension of Leave of Absence - Dolma Knight                  |  |
| 265 | Request from Bill Taylor for money for Blacks Expo 1978                   |  |
| 268 | Request for contribution from Freedom Festival Committee.                 |  |
| 270 | Request from Hartford Ins. Co. - wants prints - Green Rd                  |  |
| 270 | Request for reimbursement on St. Joe Ave                                  |  |
| 279 | Request to move house from Warwick Co to Kathleen Ave                     |  |
| 280 | Request for Co Hwy crew to work summer scheduled hours                    |  |
| 286 | Travel Request from Veteran officer to attend Indpls meeting              |  |
| 290 | Request from Elmer Buckta to move building.                               |  |
| 291 | Request from Com for weekly report on damaged bridges                     |  |
| 297 | Travel Request from Mr Osterhold of Area Plan.                            |  |
| 297 | Telephone Request from County work Release Program.                       |  |
| 322 | Request for use of Baseline Rd to haul coal.                              |  |
| 328 | Request to travel from Co. Treasurer, to Indpls St. Auditor               |  |
| 330 | Request to delete 2 telephones by County Surveyor.                        |  |
| 330 | Request to be made for money for portable scales for Surveyor             |  |
| 339 | Request to travel to French Lick by Fred Lewis. 1978                      |  |
| 340 | Request to travel to Assessors Session 1978.                              |  |
| 345 | Request from Mr. Guillaume for expense money.                             |  |
| 350 | Request to French Lick from Convention & Visitors Bureau.                 |  |
| 359 | Request for Mr Stephen to size a pipe for a Mr. Main.                     |  |
| 369 | Request to travel by Mr Lewis, Mgr. of Auditorium.                        |  |
| 383 | Request by Mr Hotz to be on Council call.                                 |  |
| 383 | Request for vacation by Mr. Hotz.   |  |
| 384 | Request by Mr Siebeking to be on Council call, 385                        |  |
| 393 | Request of extension on delinquent taxes - Mr. Barr.                      |  |
| 394 | Request to travel by Vicki Bailey - Expo Asst to Co Council.              |  |
| 409 | Request to travel - County Assessor to Seminar in Minn.                   |  |
| 409 | Request to travel - Co. Treasurer - meeting in Indianapolis               |  |
| 419 | Request to approve Nat'l City Bank for fees collected.                    |  |



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	Request to travel for Capt John requested by St. Bd. of Coats	497
	Request to travel from Mr. Mabrey from Sheriff's Dept.	498
	Request by Mr. Hotz to be placed on Council call for approp.	499
	Telephone request from Prosecutor Lantz.	511
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	By Mr Stephen on pavement striping - agreement signed	147
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	by Mr Liebekung on road deterioration - need of repair	157
	By Mr. Guillaum on guard rails installation progress	158
	By Mr Guillaum on chuck holes in County roads.	161
	Absentee Report on Co. Hwy. Emps - week ending 4/3/78	169
173	by Mr Stephen on status of R & S. account - needs straightened out.	173
	Both of Viewers on vacation of alley - Mr. Harty.	176
	Absentee Report on Co. Hwy. Emps - week ending 4/10/78	182
	Report by Mr Guillaum on CETA progress of guardrail.	185
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	Progress Report on CETA people by Mr Guillaum - April 1978	216
	By Mr Crooks on house needing razed on Harming way	226
	" " " on houses on Nurnenbern Rd & Red Bank Road	226
	Progress Report by Mr Guillaum on bridge & guard rail by CETA	226
	Absentee Report of Co Hwy Employees week ending 5/8/78	238
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	Report of condition of School Funds year ending 4/30/78	248
	By Mr Crooks on junked cars & house that is falling down	251
	By Mr Hrtz on surplus personal property being sold	251
	Absentee Report of Co Hwy employees - week ending 5/15/78	252
	By Mr Liebekung on monies from state	253
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	Report of appraisers on pecan trees	268
	By County Surveyor on damage to Columbia - Delaware Bridge	275
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	Absentee Report - Co Hwy Dept. week ending 6/5/78	289
	Report on Roads by Mr Liebekung - 6/10/78	289

- 290 Report by Mr. Guillaum on Bridge & Guard rail crew. 6/5/78
- 291 Report on roads by Mr. Guillaum & on shipping by SIECO
- 301 Report by Mr Judd on center lines on Oak Hill, St. R. Rd etc.
- 301 absentee Report on Co Hwy. employees week ending 6/12/78
- 301 Road Report by Mr. Siebekung 6/12/78
- 302 Bridge & Guard Rail Report - Mr. Guillaum 6/12/78
- 315 Absentee Report on employees of Co Hwy Dept. week ending 6/19/78
- 315 Guard Rail Report by Mr Guillaum for 6/19/78
- 329 Report on roads by Mr. Siebekung for 6/26/78.
- 341 Road Report by Mr. Siebekung - Co Hwy. Dept.
- 343 Report by Guillaum on Bridge & Guard Rail.
- 354 Absentee Report of employees at Co. Hwy. Dept ending July 7th, 1978
- 354 Road Report - Mr Siebekung - 7/10/78
- 357 by Mr Guillaum on problem with County vehicle.
- 357 Mr Stephen - in regard to water line up Martin - across Ingelfield etc.
- 382 Mr Crooks on Junk car to be removed, also house needs torn down
- 383 by Mr Judd - Traffic Director on signs on St. Joe Ave.
- 384 Absentee Report by Mr Siebekung on Hwy employees July 1978
- 385 Report on roads by Mr Siebekung. 7/17/78.
- 385 Report on Bridge & Guard rails by Mr Guillaum 7/17/78
- 387 Report by Mr. Stephen - construction project Report - Bridge Mary Rd
- 387 Construction Project Report filled out by Mr Stephens
- 392 Yearly Reports on Bob Hamilton Golf course for 1974 & 1972
- 397 absentee Report on Hwy Dept employees ending July 21, 1978
- 397 Report on roads by Mr Siebekung 7/24/78
- 411 Road Report by Mr. Siebekung - 7/31/78.
- 412 Report on Bridge & guard rails by Mr Guillaum 7/31/78
- 418 Report by Mr. Ahrens on why we aren't getting any roads.
- 428 Report by Mr Crooks on Dean's property which needs torn down.
- 428 Mr Crooks to meet with Posey Co. Commissioners.
- 429 Report absentee of Co Hwy employees ending 8/4/78.
- 430 Report by Mr. Siebekung 8/7/78 new paver delivered.
- 430 Report by Mr. Guillaum on Bridges & guardrail
- 443 Report of absentees on Co Hwy Employees week ending 8/11/78
- 443 Road Report by Mr Siebekung week ending 8/11/78
- 443 Report by Mr Guillaum on Bridges & guardrail ending 8/11/78
- 458 Report on Bridges & guard rails by Mr Guillaum 8/21/78
- 473 absentee Report on Co. Hwy Employees week ending 8/25/78
- 474 Report by Mr Guillaum on Crawford Brandeis.



# Reports

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	Mr Guillaume - Budget & guardrail Report - Sept 5, 1978.	484
	Report by Mr. Crooks on Lula Belle Dean's property	486
	Report by Mr. Stephen on EARC building which is leaking.	486
	Mr. Crooks Report on letters being sent on weeds Sept 11.	499
	absentee Report on emp. at County garage ending Sept. 9, 78	499
	Road Report by Mr. Siebeking - Baseline, St Joe, Kansas etc.	500
	Mr Guillaume - Bridge & guardrail Report - Sept 11, 1978.	501
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	Report by Mr Siebeking on CETA employees	516
	Bridge & guardrail Report by Dave Guillaume Sept 18, 1978	519
	Report by Mr Stephen on R/W to Empire Lbr for approval	519
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	Mr Guillaume - Bridge & guardrail Report - Sept 25, 1978	529
	Mr Stephen - discussion of Lynch Rd project	530
547	Mr Guillaume on German twp. water District.	532
	Mr Lochmuller - discussion of various funds	533
	absentee Report on emp at Co Garage ending Sept 29, 1978	546
	Mr Guillaume - Budget & Guardrail Report - Sept Oct 2, 1978	547
	Report by Mr. Stephen on Indpls meeting, funds, etc.	549
	Mr Lochmuller on various funds & what roads they can be used on	550
	Report on Busler problem given by Comm. Schoad	555
	absentee Report for Co Hwy Emp for past week to Oct 10, 78	561
	absentee Report for Co Hwy Emp for week ending Oct 16, 78	572
	Mr Guillaume - Bridge & Guardrail Report - Oct 16, 78	572
	Report from state on County jail	579
	absentee Report on Co Hwy Garage employees - 10/20/78	580
	Mr. Guillain - Bridge & Guardrail Report - 10/20/78	580
	Mr Stephen on association of Ind Counties for comments	580
	absentee Report - Co Hwy employees - week ending 10/27/78	590
	Mr Siebeking - State Hwy Post - county can't rock it.	590
	Report on problem at Busler's - repair of road	591
	Mr Crooks - Certified checks sent back to Evansville Garage	604
	Mr Hotz - trying to dispose of law books	605
	absentee Report - Co Hwy employees - week ending 11/3/78	605
	Mr Guillaume - Budget & Guardrail Report 11/3/78	605
	Mr Stephen - Traffic Engineering School	609
	Report on Busler's	621

- 562 Railroad overpass - Born-New Havn & Bender Rd (falling in road)
- 563 R/w easements - R/w needs to be divided
- 563 Comm recommendation on funds to be sent to state
- 621 Mr Guillaume Report on Bridges & guardrail 11/13/78
- 622 R/w - temporary - accepted from Gos Co.
- 640 absentee Report of Co Hwy employees - week ending 11/17/78
- 642 Mr. Guillaume - Report on Bridges & guardrail 11/22/78
- 652 Absentee Report on Co Hwy employees ending 11/24/78
- 663 by Mr Hotz on fumes at Co Garage from Machinery
- 664 absentee Report for Co Hwy employees ending 12/1/78
- 664 Report by Mr Siebekung on English Coal Co having equip
- 666 Mr Guillaume Report on Bridges & guardrail ends 12/2/78
- 676 Mr Hotz in reference to Co. Garage & on energy at Hillcrest
- 676 absentee Report for Co Hwy employees ending 12/8/78
- 676 Mr Siebekung on installation of Calcium chloride tanks 692
- 677 Mr Guillaume report on Bridges & Guardrails ends 12/11/78
- 679 Mr Stephen on training schools & men should attend
- 680 Mr Lochmueller - U.S.A. Project status reported
- 692 absentee Report on Co. Hwy employees - wk ending 12/15/78
- 692 Mr Siebekung on question of ownership when tree falls across road
- 694 Mr Guillaume report on Bridges & guardrails ends 12/22/78
- 694 also report by him on recommendations of L & N structure west of Baseline
- 705 Mr Hotz on tree falling on fence at Hillcrest Home
- 705 absentee Report of Co Hwy employees week ending 12/22/78
- 705 Mr Siebekung on problem on Graffe Rd
- 705 Mr Siebekung - problem of signs & barricades disappearing
- 708 Report of Concrete Cylinder Test from Hanson Testing & Engineering

# Roads & Streets & Subs.

Lynch & Oak Hill Roads - discussion	12
First Avenue - problems of bumps on road	17
Burkhardt Road - lady cleaning her property - Mr Crooks	18
St. Joe Ave. - proposed improvements discussed	22
County Line Road - as to boundary maintenance	40
Outer Lincoln Ave. - still needs final plans	60
Lynch Road Project - final plans approved	60
May Road Structures - work to be done - will go before Council	73
Chal Industrial Park - plans to be drawn up. '83	73
St. Joe & Mill Road - Industrial Park discussed -	73
Eastview Drive - entrance to airport - parking on 1 side only needed	82
Kuhlenachmidt Property at Oak Hill & Lynch Rd. Plans re-designed	84
Empire Development, Inc. - Mill Rd & St Joe	84
St Joe Ave. Project - letter on proposed plans	84
Burkhardt Road - Complaint on banks caving in	95
Eastview Drive - to ban parking on one side - 108,	
Burkhardt Rd. - cave in to be repaired by County Highway	109
Commercial Court - problem with street N. of Hobart	113
St Joe Project - as to how project is moving.	113
Lynch Road - problem of design & study.	113
St Joe & Meier Rd. - waiting for engineering	113
Kleitz Road - Plans approved - to acquire right of way	114
Locust Creek Industrial Park - driveway permits muddy etc	114-115
Meier Road - engineering done, on cutting hill down.	130
Ridgeway Ave. Improvement plans submitted	131
Red Bank Road & Hwy 62 - problem of 4 wheelers making mud	138
Nurrenbern Road - train blocking problem.	144
St Joe & Mill Road - Road application permit approved	145
St Joe - application for permit submitted	145
Ridgeway Ave. Improvement - plans approved.	146
St Joe - Industrial Development drainage discussed	146
Eastview Drive - parking on one side banned	157
Kleitz Road Project - trouble getting right of way from man	159
Essler Road & Weiss Roads - problems	161
St Joe Avenue project & Lynch Rd projects discussed	161
Lynch Rd project status explained	163
Mullens Subdivision street plans approved	172
Kleitz Road - man wants to build house but drainage problem	173

## Roads

- |     |  |
|-----|--|
| 183 | St Joe Avenue - Problem where fill is over railroad track.             |
| 202 | Baseline Rd. needs re surfaced   |
| 205 | Outer St Joe + Boonville - New Harmony                                 |
| 216 | Adler Road Bridge bids to be opened May 1, 1978.                       |
| 217 | Nurrenbern Road - bridge + road work to be done                        |
| 218 | McCutchan Road - drainage problem + tube sizing.                       |
| 218 | Park Plaza Drive - petition for legal drain                            |
| 227 | Carroll Acres - to run water line                                      |
| 238 | Felstead Road - making temporary repairs                               |
| 238 | St Joe Ave - ready for resurfacing                                     |
| 242 | Autumnwood way + Derby Lane - Chan. Request for acceptance             |
| 242 | Carroll Acres Subdivision - want to put bond on cut.                   |
| 243 | Newcomb Subdivision + Brookshire Estates discussed                     |
| 244 | Happe Road off Mill Road - man wants sewer.                            |
| 251 | Old State Rd - problem will be checked.                                |
| 251 | Mr Hrtz submitted quetus on scrap materials sold                       |
| 257 | Old Petersburg + Green R. Rd - Man to buy pipes + Co to do the work.   |
| 258 | St Joe Ave + Meier Rds - Field Check requested.                        |
| 258 | L & N Crossing on Hogue Rd - agreement signed.                         |
| 263 | St Joe Ave Project - comments - 283, 291, 316                          |
| 265 | Nurrenbern Rd to get some temporary Repairs                            |
| 267 | Darmstadt Road Report  |
| 269 | Marp Rd Bridge + Culvert - work to be done                             |
| 270 | St Joe Ave - rails need to be repaired                                 |
| 290 | Red Bank Road - Dilapidated house + junked cars                        |
| 292 | Schmitt Lane Drainage Problem  |
| 292 | Old Petersburg Road needs new culvert.                                 |
| 304 | Carroll Acres - application for cut permit signed                      |
| 304 | Colony Park Subdivision - drainage ditch discussed.                    |
| 306 | Drainage Problems - Western Hills #2, Happe Road + Olmstead Rd         |
| 306 | St Joe - Plans sent back for changes.                                  |
| 70  | Road School to be held March 7-9 - 1978                                |
| 307 | Nurrenbern Rd. + L & N. Railroad Crossing - Letter sent to Mr. Cembler |
| 315 | Seminary Road Project bridges to be completed                          |
| 322 | Fulton Ave. Project - signatures needed on permits.                    |
| 346 | St Joe Ave - Letter from Div. of State Aid.                            |
| 347 | Inglefield Road - question of getting bond for road cut.               |
| 347 | Kansas Road - bridge has been replaced.                                |
| 347 | Upper Mt. Vernon - cut needs to be checked on.                         |

## Roads

	Smith Diamond Road discussed.	444
475-	Rode Road Problem of water - possibility of ditch work.	444
	Roads not acceptable for Co. maintenance - Chastain Dr & Daisy Lane	445
	Outer Lincoln Avenue - project held up - asking for money from Co Council	445
	East Side Industrial Park - concrete used on project discussed	446
	Lost Bend Lane - work needs to be done.	446
	St Joe Avenue Project discussed.	460
	Boonville - New Harmony Roads - Trucks still using road.	474
	Meadow Village Subdivision street plans approved.	475
	Western Hills concrete work not up to specifications	475
	East Side Industrial Development - Mipact - to be checked	476
	St Joe Avenue Project discussed	487
530	Lynch Road Project discussed	487
	Millersburg Road project discussed	502
	St Joe - Easement from K mart	503
	Marigold Court - cut made by Lon Barnett	503
	Adler & Princeton Rds - culvert broken	546
	Boonville - New Harmony Rd - problem made by water Co.	546
	St Joe & Meier Rd. - Progress on engineering	548
	Lynch Road - easements prepared by Don Riddle	555
	Murrenbern Rd closed for tearing up black top	561
	Boonville - New Harmony problem of culvert	561
	McGuilliam Budget & guardrail report ending 11/10/78	562
	Red Bank & Boehne Camp Rd at St & N crossing	563
	Murrenbern Rd. work done	563
	Jugway Road - Gohlhausen & Broerman Subdivision	564
	Lynch Rd - comments made on project.	588
	Starmstad Rd - pipe rusted out - County denied to replace it	590
	Boonville - New Harmony Rd Report - Mr. McGuilliam	593
	Lyle Road - trouble by people getting in their driveways	593
594	Meier Rd & St Joe intersection - cutting down hill	593
	Old Petersburg Rd. - County to participate with repairs	594
	Old Henderson Rd. problem of low spot	595
	St George Rd - cut was made by Mullen	597
	comment on Baseline Rd	597
	Skyline Drive has problem	609
	Boonville - New Harmony & Hwy 65 - Flasher lights working	620
	Baseline & Old Princeton Rd.	621
	Burkhardt Rd - posts need taking down & bank work	621

- 613 Carroll Acres Sub. Sliver & roadway extension
- 616 County Line Road - County boundaries - 636-654
- 617 Inglefield Road - Patch job to be finished.
- 618 Boonville - New Harmony & Bender Rds overpasses - condemned.
- 622 St Joe Ave - Question of money being approved & R/W purchased
- 622 old Mt Vernon road repaired for buses - thank you note.
- 638 Sheridan Road - complaint of telephone poles across road
- 640 Steamboat Road - new road being put down today.
- 641 Intersection of O'Hara Dr & St George Rd - water problem
- 641 Mohr Rd. - bad chuckhole
- 641 Mt. River Rd. - Zimmerman - field washing into ditch.
- 641 Jene & Bassett Ave - to clean up ditches
- 642 Burkhardt Rd guardrail discussed
- 654 Mr. Sullivan Bridge & guardrail report 11/27/78
- 654 Aspen Drive - complaint of trucks on road
- 677 Mullens Estate Subdivision - Street Plans approved
- 679 Wedeking Ave off Baumgart Rd - Replat
- 680 Old Boonville Hwy closed.
- 700 Mullens Estate Subdivision Street plans approved
- 705 Ghabbe Road - pipe needed
- 707 Autumn Winds Subdivision - roadway completed but not backf

**S**



## Roads

Murrenbaum Rd - Letter to be sent on status	347
Coal Mine Road designated for coal truck travel	354
Melody Hills - problem of truck traffic	355
St Joe Ave - Truck traffic - 343, 356	
Green River Road - bids to be opened next week for turn lanes	357
St Joe, Seamstad & Oak Hill Roads completed	357
St Joe - side ditch work needs to be done.	360
Eastbrooke Court - drainage problems	385
Fifth Ave Project being worked on (plans)	386
Melody Hills - County needs cut permit	387
St. Joe Ave - agreement to be filled out & sent to state	387
Boonville - New Harmony Rd. & 65 Project discussed	388
Outer Lincoln Avenue to be put on bid.	388
Everglades Dr & St Joe Rd - McWells wants road repaired	393
New Harmony Rd - house needs torn down	397
Seminary Road almost finished	398
Twickingham Court - water problem	399
Bergdolt Road Problem - offset in road repaired	399
Westmore Drive - signs needed - guard rail hit.	400
Locust Woods Lane accepted by County	400
Clover, Eastbrooke, Longacre - pipe too small & line problem	401
Campbell Road, Inglefield Rd & problem on St Joe	401
Harmony way - on truck traffic & Leon's house needs raising.	410
Green R. Rd & English way - silt on the road	411
Boonville - New Harmony Rd. - problem with structure	413
St. Joe Avenue on utility agreements.	413, 414
Lynch Road - Impact statement approved	414
East Side Industrial Park - specs needed	415
Lost Bend Lane - water problem	417
L & N & Ill Central RR crossing at Allens Lane	418
Road in Union Township named "Scoops Lane."	426
Harmony way - Bid of Safety passed 10 ton load limit on Harmony way	429
North Red Bank Road - traffic problem	429
Kimber Lane - Question of whether it is an accepted road	430
Oak Hill & Lynch Rd. on passing blister - Mr. Saletta - architect.	432
Road striping to be done	433
St Joe Avenue - encroachment agreement on canopy	433
Boonville - New Harmony Rd. Co to repair drop off water Co. made	443
Mark Road closed to replace bridge with pipe	487



- 83 Snow equipment received.
- 108 Snow Removal contracts discussed
- 171 Signs to be posted on bridges that are needed.
- 193 Surplus items at Co Hwy to be sold as surplus with other items.
- 216 Specs approved for St Joe, Oak Hill + Darnstadt resurfacing.
- 254 Special Distribution of Local Road + Street Funds
- 453 Summons on Hawkstad + State Bank VS Wm. + Beverly Phillips
- 456 Salt storage discussed for Co Garage.
- 458 Signs posted on state roads as truck routes as per Judge Kinsinger.
- 503, 459 Striping + Hazard markings to be started Sept 5th. 1978
- 482 Snow routes for school buses discussed.
- 514 Statement from Ind Assn of Co Commissioners on meetings
- 547 Surveyors office needs vehicles - 593
- 548 Specifications approved on Liquid Calcium Chloride treatment facility
- 611 Sympathy to Vicki Bailey who lost her mother.
- 639 Storage space needed for welfare dept.
- 642 Surveyor's office to get a car from work Release Program
- 698 Status of U.S. 41 on traffic Study Inventories.

212	Sheriff has surplus item to be sold at Auction at Pleasanton	
424	Summons was submitted but has to do with Marriage Bond	
451	Statement of assurances on Revenue Sharing Funds	
580	Surplus property auction at County Garage	

424 Summons was submitted but has to do with Drainage Board

451 Statement of assurances on Revenue Sharing Funds

580 Surplus property auction at County Garage

**T**

662 Toy sale deeds - to be appraised & adv + sold.

U

398 Used beams to be purchased for bridges.

**V**

153	Vacation of Alley - Petition filed by Ed Johnson, Attorney	171.
210	voting places changed for Primary of 1978	
221	Vocation of alley - Resolution signed + approved.	
696	County Engineer Stephen to take vacation for 2 weeks - 12/19/78	



**w**

158

War declared on pot holes in Co. roads.

**X**

**Y**

37

yearly financial statement

611

youth appreciation Day - 1979

**Z**

COUNTY COMMISSIONERS MEETING  
JANUARY 3, 1978

The meeting of the County Commissioners was held on Tuesday, January 3, 1978, at 9:30 a.m. in the Commissioners Hearing Room, with Commissioner Ossenbergs presiding.

The meeting was opened by Deputy Sheriff Terry Hayes, 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.

THE FOLLOWING LIST OF MONIES TO BE ENCUMBERED FOR PAYMENT OF PURCHASE ORDERS, CONTRACTS, AND OBLIGATIONS MADE IN THE YEAR OF 1977, VANDERBURGH COUNTY, INDIANA, IS HEREBY NOTED AS BEING RECEIVED AND FILED:

<u>ACCOUNT NUMBER</u>		<u>AMOUNT</u>
<u>CLERK OF THE CIRCUIT COURT</u>		
101-360	Office Supplies	\$ 890.77
101-592	Committment to State Institution	\$3,940.06
101-724.2	Xerox Leasing	\$ 109.96
101-724.2	Xerox Leasing (Contract)	\$ 410.21
<u>COUNTY AUDITOR</u>		
102-360	Office Supplies	\$ 378.69
102-360	Office Supplies (Contract)	\$ 127.33
102.1-360	Office Supplies	\$1,023.31
<u>COUNTY TREASURER</u>		
103-252	Repairs to Equipment (Contract)	\$ 26.45
103-360	Office Supplies & Printing	\$2,210.17
103-722	Office Machines (Contract)	\$3,315.00
<u>COUNTY RECORDER</u>		
104-252	Repairs to Equipment	\$ 480.00
104-253	Rebinding Records	\$ 55.00
104-360	Office Supplies	\$ 95.00
104-370	(Contract) Lease on Xerox Machine & Supplies	\$ 436.60
<u>SHERIFF</u>		
105-321	Jail	\$ 10.35
105-321.1	Jail Food (Contract)	\$1,836.30
105-330	Uniforms	\$ 358.20
105-360	Office Supplies	\$ 53.84
105-371	Ammunition & Flares	\$ 279.60
<u>COUNTY SURVEYOR</u>		
106-321	Gasoline, Oil & Lubricants	\$ 492.98
106-360	Office Supplies	\$ 44.98
<u>COUNTY CORONER</u>		
107-360	Office Supplies	\$ 63.77
107-763	Autopsies (Contract)	\$1,250.00
<u>PROSECUTOR</u>		
108-263	Law Books	\$ 598.40
108-360	Office Supplies	\$ 94.27
108.1-360	Supplies & Printing	\$ 502.96
108.1-361	Items costing \$300.00 or less	\$ 78.00

2.

<u>CENTER REASSESSMENT</u>		
111.1-360	Office Supplies	\$ 17.79
<u>KNIGHT TOWNSHIP ASSESSOR</u>		
113-360	Office Supplies	\$ 271.44
<u>PIGEON TOWNSHIP ASSESSOR</u>		
115-360	Office Supplies	\$ 214.70
<u>PIGEON REASSESSMENT</u>		
115.1-241	Printing	\$3,120.00
<u>SCOTT REASSESSMENT</u>		
116.1-724.1	Rental of Equipment (Contract)	\$ 120.00
117-111.....Union Twp. Assessor....	Salary	\$ 830.00
<u>VOTERS REGISTRATION</u>		
122-252	Repairs to Equipment	\$ 515.00
122-360	Office Supplies	\$ 695.02
122-371	Registration Supplies	\$ 622.80
122-721	Office Furniture & Fixtures	\$ 175.50
<u>CO-OP EXTENSION</u>		
123-213	Travel Expenses	\$2,384.50
123-360	Office Supplies	\$ 218.61
123-371	Misc. Supplies	\$ 21.60
<u>AREA PLAN</u>		
124-241	Printing, Other than Office Supplies	\$ 349.60
124-360	Office Supplies	\$ 608.51
124-371	Drafting, Paper & Supplies	\$ 555.06
<u>COUNTY COMMISSIONERS</u>		
130-214	Telephone	\$5,914.61
130-244	Duplicating Services	\$1,256.06
<del>130-254</del>	<del>Repair to County Buildings</del>	<del>\$ 8.30</del>
130-246	Consultant	\$12,000.00
130-261	Legal Services	\$5,360.00
130-264	Cleaning of Pigeon Creek	\$5,600.00
130-265	Civil Defence	\$4,200.00
130-269	Demolition Funds	\$1,019.33
130-244	Duplicating Services (Contract)	\$2,403.97
<u>SUPERINTENDENT OF COUNTY BUILDINGS</u>		
131-231	Other Operation Expenses	\$ 30.25
131-252	Repairs to Equipment	\$ 600.74
131-253	Repairs to Buildings & Grounds	\$ 243.73
131-253	(Contract) Repairs to Buildings & Grounds	\$7,791.36
131-720	Equipment (Contract)	\$15,000.00
<u>CIRCUIT COURT</u>		
136-371	Office Supplies-Probation Dept.	\$ 97.70
136-724.1	Law Books	\$ 97.50
<u>AUDITORIUM</u>		
144-220	Utilities	\$ 883.96
144-251	Buildings & Structures	\$ 44.33
144-252	Repairs to Equipment	\$ 272.50
144-360	Office Supplies	\$ 48.46
144-372	Sanitary Supplies & Lightbulbs	\$ 487.98
<u>DRAINAGE BOARD</u>		
126-111	Per Error on Payroll	\$ 150.00



BURDETTE PARK

145-244	Advertising & Sign Painting	\$ 597.00
145-251	Repair to Building	\$5,060.10
145-252	Repairs to Equipment	\$1,219.14
145-254	Repairs to Pool	\$3,620.00
145-255	Sand, Gravel & Cement	\$1,070.00
145-264	Park Planning (Contract)	\$ 975.00
145-321	Gasoline, Oil & Lubricants	\$ 451.50
145-330	Uniforms & Linens	\$ 311.74
145-360	Office Supplies	\$ 166.85
145-371	Chemicals	\$ 438.00
145-711	Land & Land Improvements (Contract)	\$78,719.35

COUNTY HIGHWAY DEPARTMENT

201-1260	Other Operating Expenses	\$ 58.84
201-2260	Other Contractual Services (Contracts)	\$30,184.00
201-2261	Pavement Marking Study (Contract)	\$9,401.49
201-2371	Hardware & Tools	\$ 83.32
201-2373	Weed Spray	\$3,191.25
201-2374	Paint	\$ 652.40
201-2450	Lumber	\$ 551.70
201-3770	Right of Way	\$2,000.00
201-4252	Repairs to Truck & Tractor	\$1,165.39
201-4253	Repairs to Road Equipment	\$ 97.21
201-4321	Gasoline, Oil & Lubricants	\$2,090.70
201-4323	Other Garage & Motor Supplies	\$ 26.70

CUMULATIVE BRIDGE

203-2250	Maintenance & Repairs by Contract	\$39,184.04
203-3836	Maryland Street Contract	\$107,268.00
203-3837	Ohio Street Contract	\$16,129.38
203-3838	First Avenue Contract	\$18,642.34
203-3839	Franklin Street Contract	\$25,150.09
203-3840	Columbia St. Overpass by Contract	\$31,336.00
203-3843	Roesner Road Contract	\$ 321.64
203-3845	Fuquay Rd. (2 Culverts by Contract)	\$15,000.00
203-3846	Fulton Ave. Bridge & Pig. Creek Contract	\$53,717.00
203-3847	Baseline Rd. # 49 Contract	\$20,000.00
203-3848	Seminary Rd. #129 Contract	\$36,000.00
203-3849	Seminary Rd. #130 Contract	\$ 8,000.00

REASSESSMENT

249-115-243	Update Plat Books (Contract)	\$30,250.00
249-115-263	Reassessment Contract	\$12,050.73

CRIMINAL JUSTICE

505.43.2	Sheriff Police Comm. Relations	\$ 534.00
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REVENUE SHARING

506-105-330	Sheriff Dept. Uniforms	\$ 166.19
506-105-360	Sheriff's Office Supplies	\$ 439.06
506-105-372	Sheriff's Dept. Identification	\$ 178.80
506-105-593	Sheriff's Youth Development	\$ 115.29
506-105-723	Sheriff's Motor Vehicles	\$ 556.32
506-137-266 (Superior Court)	Data Processing (Contract)	\$ 7.21
506-105-321.2	Fed. Rev. Sharing-Jail Food (Contract)	\$ 500.00

TOTAL OF ENCUMBRANCES

COUNTY REVENUE.....	\$185,463.99	REASSESSMENT .....	\$42,300.73
COUNTY HIGHWAY.....	\$ 49,503.00	CRIMINAL JUSTICE.....	\$ 534.00
CUMULATIVE BRIDGE.....	\$370,748.49	REVENUE SHARING.....	\$ 1,462.87

RE: CHECKS SUBMITTED....1977 BUSINESS

There were three checks submitted on 1977 business that are to go into the treasury. They are as follows:

From County Revenue - Knight Assessor...Xerox Usage.....\$29.90  
 From County Revenue - Pigeon Assessor...Xerox Usage.....\$131.60  
 From County Revenue - Center Reassessment.....\$32.30

Commissioner Schaad moved that these checks be stamped with the Commissioners signatures. Commissioner Willner seconded the motion. So ordered.

RE: RE-ORGANIZATION.....ELECTION OF OFFICERS

Commissioner Schaad moved that the officers of the County Commissioner's remain the same for 1978 as they were for 1977. Commissioner Ossenber seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Stanley Parson                      341 Colonial                      Rink Guard                      \$3.50 Hr.    Eff: 12/11/77

CORONER

Allen Byers                      2211 E. Gum                      Asst. Dep. Coroner                      \$1,687.25 Yr. Eff: 1/1/78  
 Walter R. Blanford                      1921 S. Hawthorne                      Asst. Dep. Coroner                      \$2,281.25 Yr. Eff: 1/1/78

PROSECUTOR'S OFFICE

Robert Zoss Sr.                      773 Lombard Ave.                      Chief Deputy                      \$1,300.00 Yr. Eff: 1/3/78  
 Harriet Inman                      4406 N. 4th. Ave.                      Felony Secretary                      \$7,599.00 Yr. Eff: 1/3/78

RE: APPOINTMENTS FOR 1978

COUNTY COMMISSIONERS

Thomas L. Ossenber	1st. District	President
Bob Schaad	3rd. District	Vice President
Robert L. Willner	2nd. District	Member
Paul Wendel	County Attorney	
Edwin R. Smith Jr.	County Attorney	
Marsha J. Smith	Executive Assistant	(Leave of Absence - Status quo)
Doris Wolf	Part time secretary	
Doris Gaiser	Law Library Clerk	
Anna Lee Niethammer	Soil Conservation Clerk	

AREA PLAN COMMISSION

Bob Schaad

VANDEBURGH AUDITORIUM

Fred Dewes, Manager  
 Kathryn Appuhn, Ass't. Mgr. & Secretary                      (Leave of Absence - Status quo)

SUPERINTENDENT OF COUNTY BUILDINGS

Herman Hotz

COUNTY PARK BOARD

Tom Ossenber

COUNTY HIGHWAY DEPARTMENT

Jack Siebeking, Superintendent  
 Mark Tuley, Road Inspector  
 Louis Stephen, Highway Engineer

COUNTY JAIL PHYSICIAN

John Farquhar

COUNTY JAIL NURSE

Sara Klein

VETERANS SERVICE OFFICER

Robert Moran

LAW LIBRARY CLERK

Doris Gaiser

SOIL CONSERVATION CLERK

Anna Lee Niethammer

LICENSE EXAMINERS BOARD

Tom Ossenber

RE: APPOINTMENTS MADE

BURDETTE PARK BOARD.....Commissioner Schaad moved that Mr. Jim Patton be nominated to the Burdette Park Board for a period of three years to replace Deryl Blackburn. Commissioner Ossenber seconded the motion. So ordered.

BUILDING AUTHORITY BOARD.....Commissioner Schaad moved that Mr. Bill Needler be re-appointed to the Vanderburgh County Building Authority Board for three years. Commissioner Ossenber seconded the motion. So ordered.

Visitors & Convention Commission.....Commissioner Schaad moved that Mr. Bill Monstrastelle and Mr. Gary Nickolic be re-appointed to the Visitors & Convention Commission. Commissioner Ossenber seconded the motion. So ordered.

RE: HOLIDAYS FOR 1978

The following holidays will be observed by County offices:

New Year's Day.....Monday, January 2  
 Lincoln's Birthday...Monday, February 13  
 Washington's Birthday...Monday, February 20  
 Good Friday.....Friday, March 24  
 Primary Election Day.....Tuesday, May 2  
 Memorial Day.....Monday, May 29  
 Independence Day.....Tuesday, July 4  
 Labor Day.....Monday, September 4  
 General Election Day.....Tuesday, November 7  
 Veteran's Day.....Friday, November 10  
 Thanksgiving.....Thursday, November 23 (In lieu of Columbus Day, Fri. Nov. 24th.)  
 Christmas.....Monday, December 25  
 New Year's Day, 1979.....Monday, January 1

This list of Holidays is noted as being received and filed.

RE: COUNTY EMPLOYEES FOR 1978

The following list of employees of all County offices for 1978 is noted as being received and filed:

AREA PLAN COMMISSION

Charles G. Osterholt  
 Deborah Kay Beard  
 Kathie Sue Gehlhausen  
 John G. Clifford  
 Brenda Goldbach  
 Ann R. Schmidt  
 Mary Keown (CD)  
 Denise Reeb (CETA)  
 Thomas Keith (CETA)

AUDITOR

Curt John  
 Alice McBride  
 Peggy Powless  
 Dolores Gugin  
 Lucille Musgrave  
 Gloria Evans  
 Janet Zeller  
 Sylvia Williams  
 Margie Meeks  
 Janice Decker  
 Jean Wilkey  
 Mildred Fuquay

COUNTY AUDITOR..CON'T.

Cindy Decker  
 Georgia Benson  
 Janice Jackson  
 Cheri Grant  
 Terry Woodward  
 Lily LeBlanc  
 Martha Calkin  
 Dorothy Wilson  
 Marion Ellsperman  
 Vanessa Adams  
 Bette Carrigan  
 Ann O'Risky  
 Terry Riney  
 Brenda Hemphling

CLERK OF CIRCUIT COURT

Shirley Jean Cox  
 Helen Kuebler  
 Linda Delano  
 Florence Hess  
 Nancy Kleiman  
 Joyce Fields  
 Sharon Yunker

INSURANCE

Hahn & Becker ) Liability  
 Paul Torian )  
 Gerald Dauble, Agt. of Record (Life)  
 Blue Cross-Blue Shield, Hosp. & Accident

CLERK OF CIRCUIT COURT..CON'T.

Jane Steber  
 Barbara Bruner  
 Doris Cato  
 Jean Schaefer  
 Bertha Greubel  
 Debra Schmitt  
 Rose Smith  
 Velma Knight  
 Grace Wohlhueter  
 Frances Gates  
 Deborah Hunter  
 Beatrice Phillips  
 Carol Nyhuise  
 Sylvia Schnerr  
 Jackie Trail  
 Janet Edwards  
 Betty Burton  
 Carolyn Sue Kyte  
 Donna Dugan  
 Susie Smiley  
 Susan Kirk  
 Deborah Mottley  
 Doretta Fairchild  
 LaTosha Reynolds

CLERK OF CIRCUIT COURT..CON'T.

Patricia Sue Siau  
Betty Kaiser  
Lucille Becking  
Mary I. Ritter  
Etta Mae Mueller  
Ruth Porter  
Dorothy Buente  
Lorraine Dean  
Sharon Owen  
Sharon Taylor

COUNTY RECORDER

Estella M. Moss  
Lucille Elliott  
Virginia Landers  
Aline Payne  
Susan Hites  
Lillian N. Young  
Beverly Kempf  
Yvonne Presley  
Dorothy Lindsey

COUNTY SURVEYOR

Robert Brenner  
Danny Kares  
Robert Kautzman  
Lloyd Rittenour  
Dave Guillaum  
John West  
Wayne Pasco  
Paul Mindrup  
John Koch  
Dave Williams  
Rosemary Carr

CUMULATIVE BRIDGE

Dan G. Hartman  
Al Holtz  
Claude Young  
Marvin Karch

SHERIFF'S DEPARTMENT

James A. DeGroote  
James H. Wallace, Sr.  
Michael Craddock  
James Moers  
Richard H. O'Risky, Jr.  
Charlie Gibbs  
Soney H. Banks  
Marlin Beck  
Gerold Castrup  
Robert Etheridge  
Terry Hayes  
Gary Kassel  
John Lancaster  
Earl Russell  
Michael Sturgeon  
Clifford Trainer, Jr.  
James Tucker  
Lee West  
Paul Bice  
Thomas Brandsasse  
John Crosser  
William Droll  
James Fravel, Jr.

SHERIFF'S DEPT. CON'T.

Stanley Garrett  
Donald Humston  
Mark Mabrey  
William Roberts  
Steven Schnell  
Larry Barchet  
Robert Beckham  
Otis Bell  
Richard Bennett  
James Brinkman  
Robert Carl  
Merrill E. Carr  
William R. Coleman  
Kenneth Collins  
Clarence Cotton, Jr.  
Jerry Crawford  
Michael Daws  
Billy Denton  
Henry Dersch  
Michael Forshee  
Carl Gardner  
Stephen Griggs  
Danny Hape  
Ronald Hartmann  
Elrid K. Hocker  
Randall Korff  
Edward Lander  
Timothy Lennartz  
David Ludwig  
Robert Miller  
Stephen Moser  
James Neighbors  
Ronald Newman  
Gary O'Risky  
Thomas Overfield  
Kenneth Patterson  
Roy Perkins  
William Pierce  
Arella Ray  
John Reutter  
Dwight Rounder  
Mary Russell  
Lois Scruggs  
John Shackelford  
Margaret Smith  
Stephen Sparks  
Philip Strange  
Peter Swaim  
Michael Taylor  
Anne K. Therber  
Robert Tribble  
Joseph Winfield  
Danny Armstrong  
Thomas Rademacher  
Sandra Shuler  
Stephen Bequette  
Sara Klein  
Rick Chambers  
Larry Craddock  
John LaVanchy  
Thomas Wallis  
Michael Jones  
Mark Sloat  
Edward L. Roades  
Jess Julian

COUNTY CORONER

David Wilson  
Earl K. Cox  
Walter Blanford  
Allen Byers  
Mary F. Westfall

COUNTY ASSESSOR

James L. Angermeier  
Mary L. Garrison  
Zretta Hardin  
Monica E. Mindrup  
Madge Bunker  
Meraloyd Stansberry  
Cheryl Lawrence  
Dorothy S. Joest

REASSESSMENT

Evelyn Lannert  
Donald Ray Smith

PROSECUTOR

Robert Zoss, Sr.  
J. Douglas Knight  
Jerry Atkinson  
Roy Tyler  
Steven L. Bohleber  
J. Robert Kinkle  
Ronald Freson  
Scott Bowers  
Charlie Andrus  
Robert Carithers  
Edward Anderson  
Michael Hayden  
Robert Pigman  
Gloria Faye Stinson  
Dan Shuler  
Sue Vance  
Connie Skinner  
Harriet Inman  
Mary Gossman  
Bettye Smith  
Louis Grewe  
Mary Jo Kingon  
Sylvia Reutter

CIRCUIT COURT

William H. Miller  
Harris Howerton  
Beverly Leavell  
Roosevelt Brant  
Jeffery Johnson  
Daniel Casper  
Harry Gray  
James Keating  
Kenneth Henson  
Joyce Giannini  
Maurice O'Connor  
John Brinson  
Malcolm Montgomery  
Charles Berger

SUPERIOR COURT

Terry D. Dietsch  
Morton W. Newman  
Claude B. Lynn  
Thomas M. Swain  
Robert W. Lensing  
Alan M. Kissinger  
William J. Brune  
Robert S. Matthews  
Jane Griffith  
Gayle Spalding  
Alice Hillenbrand  
Georgia Williams  
Karen Flittner

SUPERIOR COURT..CON'T.

Christy M. Reiter  
 Mary Laugel  
 Joann Stevens  
 Sharon Boardman  
 Bert Conway  
 Edward Davine  
 Alvis Herrenbruck  
 Marlon H. Lowe  
 John Rapp  
 Donald Scott  
 Bart F. O'Connor  
 Elvera M. Riggs  
 Virginia Lomax  
 Charles Kratz  
 Theodore Gore  
 Mark Russler  
 Joseph Lutz III  
 Deborah Ransom  
 Roger Walker  
 Nina Horstketter  
 Rosemary Norbury  
 Janie Schmitt  
 Kathryn Flittner  
 Sarah L. Cook  
 Mary Lee Hahn  
 Susan Muensterman  
 Steven C. Haas  
 Wayne Turpin  
 Robert Terry  
 Thomas Lockyear  
 Fred O. Vetter  
 Clare Riordan  
 Mildred Morgan  
 Leah Graham  
 Rebecca Roth  
 Dorothy Leitz  
 Sally Kaster  
 Erma Haas

COUNTY TREASURER

Lewis Volpe  
 Gilbert Schiff  
 Doris Whobrey  
 Helene Sprinkles  
 Roberta Burkhardt  
 Beatrice Freeman  
 Kathy Crowe  
 Sally Hicks  
 Pam Hopson  
 Lousie Gunther  
 Emma Hood  
 Martha Green  
 Carmen McAtee  
 Melody Ellsperman  
 Sharon McIntire  
 Sherry Boardman  
 Karen Francis  
 Edna Kasper  
 Beverly Nance  
 Mary Hatfield

PIGEON TWP. ASSESSOR

Robert T. Dorsey  
 Dorathea M. MacGregor  
 Donald Ice  
 Judith Stricker  
 Mary Dee Williamson  
 Joane Greer  
 June Hallenberger

CO-OP EXTENSION SERVICE

Jack D. Wade  
 Allen E. Boger  
 Jane E. Heramb  
 Joe A. Milner  
 Glenna L. Hanks  
 Betty M. Bumb  
 Debbie Etienne  
 Betty J. Kompst  
 Florence M. Watkins  
 Rosalie Mesker  
 Michael Thomas

COUNCIL OF GOVERNMENTS

Mary Reno Brown  
 Andrew Furedy  
 William Mills  
 Duane Mann  
 Patsy Moore

VOTERS REGISTRATION

Mabel Lurker  
 Beulah Evans  
 Amelia L. Tornatta  
 Wandalee Cain  
 Virginia Massey  
 Dorothy Block  
 Travis Rayburn

COUNTY HIGHWAY DEPARTMENT

Jack Siebeking  
 Jerry Linzy  
 Gilbert D. Harris  
 Robert B. Hollman  
 Ella Mae Sheets  
 Virginia K. Hobbs  
 Mark T. Tuley  
 Louis Stephen  
 Larry Babbs  
 Clayton Jenkins  
 Larry Phillips  
 William Bayne  
 Eugene Follis  
 Donald Gartner  
 Joseph Geiser  
 Kirk Humphrey  
 Harry Woods  
 Mark Montgomery  
 Charles Kelsie  
 Russell Schroeder  
 James Bell  
 Walter Swope  
 Gilbert Gartner  
 Dennis Merideth  
 Mark Krueger  
 Roger Kissel  
 Harold Steckler  
 Tony Harvey  
 Allen Brigham  
 Cecil Sills  
 James Howell  
 Thomas Schmitz  
 Sam Robinson  
 Charles Gee

BURDETTE PARK

Raymond J. Wolf  
 Kenneth A. Mitz  
 Sherry J. Brooks  
 James E. Render  
 Stanley Parson  
 Greg Smith  
 Charles Hertzberger  
 Harold Babbs  
 Bobby Drake  
 Kim Babbs  
 Joyce London  
 Charles Newton  
 Larry Jones  
 Maria Huffman  
 Ermon B. Hart, Jr.  
 Corey Bunk  
 Kim A. Betts  
 Don Henry  
 Daryl Blackburn  
 Michael Maier

COUNTY AUDITORIUM

Fred G. Dewes  
 Judith Sumner  
 Earl Schoenbachler  
 Jessie Byers  
 Dwight Taylor  
 Darrell Lowrance  
 Ruby Norris  
 Anita Glover  
 Katherine Appuhn

COUNTY COUNCIL

Paul Ahrens  
 Harold Buck  
 Dan Kollker  
 Robert Lutz  
 Irene Mooney  
 Otto P. Niethammer  
 William Taylor

R.E.S.C.U.E.

Ken Hood  
 Art Stippler  
 J. W. Loving  
 Tom Dorsey  
 Ron Bae  
 Jim Van Leer

LEGAL AID SOCIETY

William W. Deems  
 Marta Provenzale  
 Margaret S. Ruedlinger  
 Brenda Heck

VETERAN'S SERVICE OFFICE

Robert J. Moran  
 Norma J. Dickens  
 Frances L. Rohner

KNIGHT TWP. ASSESSOR

Roman Gehlhausen  
 Maxine Ginger  
 James Kornblum  
 Patricia DeVault  
 Portia Schlachter  
 Deloris Hall

HEALTH DEPARTMENT

Hadyn E. Angle  
 Mary E. Crenshaw  
 Jackie N. Dannheiser  
 Irene E. Dean  
 Joyce K. Dowd  
 George F. Dycus  
 Samuel T. Elder, Jr.  
 Van G. Ghormley  
 David A. Gries  
 Charles W. Griffith  
 Weston A. Heinrich  
 Jane M. Hoopes  
 Diana L. Hume  
 Bernice J. King  
 Sharon A. King  
 Mildred M. Knodel  
 Billy R. Larkins  
 Clifford Markham  
 Mary A. Moore  
 Dorothy L. Mueller  
 Mary A. Nowlin  
 Donald R. Pickett  
 Ruth E. Powell  
 Walter E. Ramsey  
 Donna Rounder  
 Jo A. Sayle  
 Julie A. Schauss  
 Norma J. Shidler  
 James W. Sieber  
 Barbara A. Sprinkle  
 Viola M. Steurer  
 Shirley A. Swindler  
 Marjorie Wessling  
 Mary Joan Woods  
 Emma J. Reed

CENTER TWP. ASSESSOR

Alvin E. Stucki  
 Shirley E. Stucki  
 Betty Ann Bawell  
 Sherry Culp  
 Joyce A. Fields  
 Ramona Rueger

REASSESSMENT

Virginia Parrish  
 Helen Middleton  
 Linda Ann Westfall  
 Deborah I. Harrison  
 Ora E. Dorsey  
 Evelyn Meyer  
 Judy L. Stucki  
 Gregory W. Denton

ARMSTRONG TWP. ASSESSOR

William C. Hepler  
 Francis Martin  
 Louise Luigs  
 Marion Hepler

REASSESSMENT

Francis Martin  
 Clarence Seib  
 Allan Maasberg  
 Herbert Weisman  
 Louise Luigs

HILLCREST-WASHINGTON

Denzil E. Reed  
 Bernice L. Roedel  
 Austin F. Dubuque  
 Mary F. Arvin  
 Versie M. Burgdorf  
 Thelma I. Beyers  
 Mable Carroll  
 Mary Ann Cobb  
 Joseph S. Coughlin  
 Marcia Duncan  
 Iva Fowler  
 Raphael Gingrich  
 Velma Gingrich  
 Rena Green  
 Annie Hawkins  
 Lee Kellems  
 Dorothy E. Reed  
 Verlie Rupp  
 Lois Van Way  
 Elizabeth Williams  
 Ted J. Wiltsie  
 Amy J. Young  
 Edwin Zenthoefer  
 Irene Baldwin  
 Edna DeTallente  
 Sylvia Edwards  
 Mary Jane Dubuque  
 Wava Bee  
 Carrie Hanshaw  
 Mildred Smallwood  
 Mary Voyles  
 Nancy Woolsey  
 Michael J. Stacey

GERMAN TWP. ASSESSOR

Gary W. Wagner  
 Marion Wagner

REASSESSMENT

Karen Ann Wagner  
 Jim Smith  
 Janice Smith  
 Margaret Elfreich  
 Margaret Effinger  
 Mary Lou Allison

UNION TWP. ASSESSOR

Robert Bernard  
 Evelyn Bernard  
 Clara Bernard

CENTER TWP. TRUSTEE

Wilbur J. Schmitt  
 Georgiann Schmitt  
 Viola Winiger  
 Mildred Schnute

PERRY TWP. TRUSTEE

Norman "Red" Mosby  
 Betty J. Hempfling  
 Norma J. Smith  
 Marcella Strange

KNIGHT TWP. TRUSTEE

J. A. Chaddock  
 Mary E. Mueller  
 Albion Burch  
 Dorothy Alsop

PIGEON TWP. TRUSTEE

Robert Morrison  
 Rachel J. Altheide  
 Robert E. Olsen  
 Ruth Anslinger  
 Myrtle Bowling  
 Phyllis Dougan  
 Mary L. Hall  
 Cova L. Morris  
 Margaret Sallee  
 Nancy B. Walters  
 Ethel M. Bryant  
 Jacquelyn R. Brown  
 Rhonda J. Crawford  
 Bettye Duggins  
 Mary Esparza  
 Modesta Harl  
 Helen Ann Eickhoff

SUPERINTENDENT OF COUNTY BLDGS.

Herman Hotz  
 Bennie Gossar

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter of request was received by the Commissioners from the Clerk of the Circuit Court:

Dear Sirs:

It is necessary that I request permission for a leave of absence for Betty Kaiser, who is now hospitalized at Welborn Hospital for palliative and concentrated treatment. Her physicians, Dr. Williams and Welborn do anticipate her returning to her part-time status that your Board so graciously granted this past November 5, 1977 at some future time.

She has been a faithful and effective employee and has the determination necessary to cope with her health limitations and the will to overcome this latest remission.

I sincerely hope that you will grant this requested leave for her and wish to thank you for the understanding and courtesy you have shown in the past.

Most Sincerely, Shirley Jean Cox, Clerk of  
Circuit & Superior Courts

Commissioner Schaad moved that this request be granted. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the American States Insurance Co. on insured, the Fraternal Order of Police Lodge #73, for the use of the County Auditorium for the Country Western Show that will be held on January 27, 1978. Certificate received and filed.

A Certificate of Insurance was received from the Ohio Casualty Ins. Co. on insured, The Musicians Club of Evansville, Inc. for the use of the Civic Auditorium. Certificate received and filed.

RE: MECHANICS LIEN

A Mechanics Lien was filed by a Mr. Jim Wicks of Wicks Excavating Co. vs Dennis Owens, et al, Lewis Volpe, County Treasurer and Curt John, County Auditor. This matter was referred to County Attorney Smith for disposition.

RE: CLAIM AGAINST THE COUNTY

A Certified letter from the Law Offices of Bates, Warrum & Noffsinger was received by the Commissioners notifying them of a suit being filed against the County. The letter reads as follows:

Gentlemen:

Pursuant to Indiana Code 34-4-16.5-1 et Seq., Judith Willett and Joseph Willett, hereinafter referred to as claimants, hereby present to the County Commissioners a written notice of claim for suit and tort.

On or about July 4, 1977, at approximately 7:20 p.m., claimant Judith Willett was the operator of a certain motorcycle, which motorcycle was traveling in an easterly direction on Millersburg Road at its intersection with Green River Road in Vanderburgh County, Indiana. That at the same time and place, claimant Joseph Willett was a passenger on the same motorcycle.

That at the above time, an accident did then and there occur causing severe, permanent and disabling injuries and damages to Judith Willett.

That the accident described as aforesaid was a result of a second motor vehicle being driven by Mrs. Linda Giesler colliding with the motorcycle on which the claimants were driver and passenger, after said motorcycle skidded on rocks and other slippery substances located at the said intersection of Millersburg Road and Green River Road.

That the injuries and damages to claimants were the result of the acts or actions or omissions of several persons or organizations, including the County of Vanderburgh, which resulted in a dangerous or defective condition on said Green River Road and Millersburg Road and contributed to cause the accident.

That the County of Vanderburgh was negligent in failing to exercise reasonable care to keep the certain road located in Vanderburgh County, Green River Road, in a safe condition in that the County by and through its agents, servants, or employees negligently failed to provide proper drainage in said area, which lack of proper drainage was known or in the exercise of reasonable and ordinary care should have been known by the County of Vanderburgh, and caused and/or contributed to the accident described aforesaid.

Or the County of Vanderburgh was negligent in that they knew of the aforesaid dangerous condition and defects in the drainage adjacent to Green River Road at the area of the accident and negligently failed to warn passers of said defect or dangerous



condition or negligently failed to close said Green River Road when a dangerous and unsafe condition of the road was known or should have been known by the County of Vanderburgh.

That as a result of the negligence of the County of Vanderburgh or the failure of the County of Vanderburgh to abate said nuisance, in conjunction with the negligence of other person or persons which culminated in said nuisance and said accident, claimant Judith Willett sustained injuries and damages and she is permanently partially disabled, her earning capacity is permanently impaired and/or restricted, and she has incurred medical bills to date in the approximate amount of \$20,000.00.

That as a result of the negligence and/or actions of the County of Vanderburgh described aforesaid, claimant Joseph Willett, the spouse of claimant Judith Willett, sustained loss of services, society and consortium with his wife.

At the time of the accident and at the time of the filing of this notice, claimants reside at 5123 Heckel Road, Evansville, Indiana.

That as a result of the injuries and damages sustained as described afore said, claimants Joseph and Judith Willett demand the sum of Fifty Thousand Dollars (\$50,000.)

Respectfully submitted  
Bates, Warrum & Noffsinger  
Signed Terry Noffsinger

Commissioner Schaad moved that this matter be referred to Torian Agency, the County Insurance Carrier. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL ...VETERANS SERVICE OFFICER

The following request was received by Mr. Moran, the Veteran's Service Officer:

Sirs:

I request permission to travel to Indianapolis, Indiana to the Veterans Administration Regional Office on Tuesday, January 3, 1978. Thank You.

Commissioner Ossenbergsaid that Mr. Moran called him on the phone and he requested that this letter be submitted.

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

RE: REQUEST TO TRAVEL.....AREA PLAN COMMISSION

The following letter of request was received by Mr. Osterholt of the Area Plan Commission:

Gentlemen:

I am requesting to travel to Denver, Colorado by plane, leaving on January 22, 1978, to attend the Institute for Professional Education Seminar which will be held on January 23, 24, & 25, 1978.

Sincerely, Charles G. Osterholt  
Executive Director

Commissioner Schaad moved that the request of Mr. Osterholt be approved. Commissioner Ossenbergsaid seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Haynie Travel Service for the round trip that Mr. Osterholt took to Denver, Colorado, in the amount of \$208.00.

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

A claim was submitted by Brink's Inc. for services rendered to the Clerk of the Circuit Court for the month of January, 1978, in the amount of \$94.80 as per contract.

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

RE: MR. SIEBEKING

Mr. Siebeking said that Dave Guillaum asked him if he would furnish some trucks to clear the stumps from Burkhardt Road and he told Mr. Guillaum that he would have to ask the Commissioners before he could give him an answer.



He said the stumps that were dug out on the new ditch there needs to be hauled away, that this wasn't part of the contract.

Mr. Brenner reminded the Commissioners that neither was it in the contract to give the County a six-foot shoulder on Burkhardt Road which they did do and the County agreed that they would help him get rid of the stumps.

He said the highway is benefiting from this project at no cost and this would be a way they could participate, that he didn't know what to do with the stumps and he would recommend that they do it.

Commissioner Schaad moved that the County furnish the trucks to remove the stumps. Commissioner Willner seconded the motion. So ordered.

RE: MR. CROOKS

Mr. Crooks said that last week, the Commissioners agreed to let a contract with Crow Wrecking Co. for wrecking the house of Mrs. Bunch's out on Burkhardt Road, and that after he had written her a letter letting her know what they were doing, she called and said she was out there all weekend and pretty much cleaned up the place, since she particularly wanted to save the basement because she wants to build out there next spring.

He said he asked her what assurance he had that she was going to do anything since she had been working on it for a year and a half, and she said she couldn't help that the man who was helping her got sick.

He said he told her that a contract had been let to do this work, so that he would again appear before the Commissioners this morning to see what their recommendations are at this time, also that it was late when she called so he hasn't been out there this morning to see what she had done, so he wondered what to do.

He said he didn't feel that it would be a problem to cancel the contract if the Commissioners wish to do so, also that he could check on it to see if she has done a decent job, and if so, they could cancel the contract and if not, they could let it stand.

Commissioner Schaad wondered if there would be a hazard as to children falling into it, and if she has done a decent job, if they could ask her to put a fence around it.

Mr. Crooks said she volunteered to do this, that she had a chain link fence up but someone has already torn part of it down.

Commissioner Schaad moved that action on this matter be delayed for one week, until Mr. Crooks has had time to check on it and they will make a decision on it at that time. Commissioner Willner seconded the motion. So ordered.

RE: MR. BRENNER.....FIRST AVENUE

Mr. Brenner said he did appear before the Safety Board on removing traffic from First Avenue and he only succeeded in putting them in a tither, that they said they would consider this on January 26th. and he supposed it would be six months before they hear from them, since they want to hold public hearings and they want to do a house to house survey to see what the impact of parking is, so they will just put First Avenue away.

RE: MR. LOCHMUELLER.....CONTRACT SIGNED

Mr. Lochmueller presented three copies of the L & N Contract for Baseline Road for engineering on the crossing signals and gates at Baseline Road and the L & N Railroad, that it needs to be executed by the County Commissioners and submitted to the State Highway Commission.

He explained that the Commissioners sign all three copies, that it be attested by the County Auditor and approved by the Chief Counsel, as well as a notary preparing and sealing the acknowledgement sheet, after which all three copies are to be sent to the State Highway Commission so they can execute their portion, and that they will then return an executed copy to the County Auditor to keep on record.

Commissioner Schaad moved that all three copies be signed by the Commissioners, attested to, notarized and sent back to the State Highway Commission. Commissioner Willner seconded the motion. So ordered.

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: CUTS IN

The following applications for cuts were submitted:

Evansville Ind. Water Dept.....4300 Millersburg Road to install 2" water pipe.  
 Evansville Ind. Water Dept.....616 Rosenberger Ave. to repair water main break.  
 German Twp. Water Dist.....Hillview Drive at Hillview Baptist Church.

RE: LYNCH AND OAK HILL ROADS

Mr. Lochmueller said that on the subdivision that would be laying right across from the intersection of Lynch Road and Oak Hill Road, he has looked at the plans that has presently been presented to the Area Plan Commission and he is very concerned with how the entrance of the access into the subdivision would affect the intersection of Lynch Road, that he thought it could be very hazardous, that it would be very similar to Willow Road in the City, where they have a jog in the street, also that there are plans in the E.U.T.S. of extending Lynch Road and he thought the County Surveyor's office has even looked into this, in some detail, and in extending it over to Green River Road, that this would create a jog if they didn't have right of way dedicated on the South side of the subdivision, since they would then have to jog the street and he didn't know how practical this would be, that it would be very dangerous.

Mr. Brenner said this is Kuhlenschmitt, that they turned it down the last time and he called Mr. Biggerstaff and so informed him, that the Drainage Board turned it down because there would be massive grading and they would have to raise a lot of the area out of the flood plain, that it does fall away from the road at a severe angle, that the right of way permits were to be brought to the Commissioners and he would think that neither of the two would be granted.

He said that the East bound lane of Lynch Road would line up with the two lanes of traffic and the other entrance they had was right on the passing lane that was required from the Citizens National Bank.

He recommended that the Commissioners not give driveway permits.

Mr. Brenner said it should go to the Area Plan since the Commissioners don't have a vote on this, that it is evidently already zoned R-1, that they weren't asking for zoning, that they were just coming in for the subdivision, also that the only things the Commissioners have any affect is the driveway permits, drainage and the zoning.

- \* Commissioner Willner moved that a letter be written to the Area Plan Commission today on this matter since they would be the governing body, so stating that the Commissioners don't like the zoning and wish that they not grant a preliminary plan. Commissioner Schaad seconded the motion. So ordered.

Mr. Lochmueller said this is on the Area Plan Commission's agenda for tomorrow night at 7:30 p.m..

He asked that the County Attorney check the zoning code on whether they do need to get a rezoning.

RE: POOR RELIEF

Lawrence Hall.....1913 W. Illinois St....Pigeon Township

Mr. Hall said that he requested help on his medical bills from the Pigeon Township Trustee's office but was refused.

He said that right before Christmas his family took sick so he went to ask for help and he talked to a lady named Bowling and asked her for a slip so he could take his wife and children to the emergency room, but they said they didn't pay for an emergency room, that he would have to take them to a regular doctor, so he asked her to write a slip to take them to Dr. Combs, but she said he would first have to call Dr. Combs, but he was so sick he didn't even have any business being out.

He said they finally got Dr. Schimmelpfennig to write a prescription and she refused to pay that bill and a few days later when he was in the Trustee's office, there was a lady that came in there to ask that she be allowed to take her sister's child to the emergency room at the hospital and they wrote out a slip for the child to get help.

He said that every time he and Ms. Bowling gets together when he needs something, it is always a hassle, and on one occasion he asked Mr. Morrison if he would give him another caseworker but he refused, that he has no problem with his medical bills but his wife and children aren't eligible for medicaid since they are about \$20.00 to \$30.00 over income and this is where the problem is.

Commissioner Ossenberg asked Mr. Hall if he was given a denial sheet by the Trustee's office.

Mr. Hall said Ms. Bowling even refused to give him a denial sheet but they did pay for the medicine.

Commissioner Ossenberg told Mr. Hall that actually, for him to come in front of the Commissioners, he would have to be denied with a denial slip.

Mr. Hall said he was denied, that he couldn't help if the woman don't want to write out a denial slip, but the fact is that he was denied.

Commissioner Willner asked how much the bill was, and Mr. Hall said he hasn't received the bill as yet but he thought it would be about \$10.00, but Ms. Bowling said flatly, that she wouldn't pay a specialist and she wouldn't pay for them to go to the emergency room.

The Commissioners agreed that hospitalization goes through the Welfare Department, but Mr. Hall said he couldn't see how this could be considered hospitalization, that it is emergency treatment when someone is sick and he was asking for emergency treatment.

Commissioner Schaad said he would suggest that when Mr. Hall gets the bill, that he take it to the Trustee's office, ask them to pay it, and see what happens.

Mr. Hall said he has another problem, that he has a bill from the Welfare Dept. from when his baby swallowed something, in the amount of approximately \$70.00, that the youngest child was on Crippled Children's program because she was put into a brace and they signed a slip for the Crippled Children's Program to pay for it but they refuse to do so, and if they don't pay for it, the responsibility should be that of the Trustee. He asked if it wasn't customary for people to be able to go to the hospital for emergency treatment.

Commissioner Ossenberg explained that the Trustee's no longer have the hospitalization under their control, that it is under the Welfare Department, and when he comes before the Commissioners, they can't do anything with the Welfare Department. He said the only thing he knew for Mr. Hall to do would be to take his bills to the Trustee when he gets them, and then if they are denied, he will have to appeal the case and the investigator will have to give him a denial slip.

#### RE: LETTER FROM REPRESENTATIVE RICHARD BODINE...NEWS RELEASE

Commissioner Ossenberg said he supposed that each of the Commissioners received a letter from Representative Richard Bodine on House Bill 1177, which he introduced to establish a state revenue sharing plan.

He said he wholeheartedly endorses this Bill and he hopes that the Commissioners will go on record in the endorsement of it.

The News Release reads as follows:

#### REPRESENTATIVE BODINE INTRODUCES LOCAL GOVERNMENT REVENUE SHARING PLAN

INDIANAPOLIS -- State Representative Richard C. Boding (D-Mishawaka) today introduced a bill to the 1978 session of the Indiana General Assembly to establish a state revenue sharing plan. This bill, H.B. 1177, is similar to one Representative Bodine co-sponsored with then State Representative William Ruchelshaus in 1967. That bill was passed into law and provided the state with a two year revenue sharing plan.

Under the provisions of the Bodine bill, the state would return \$54 million in the first year of distribution to various county governments in the state. The County treasurer would be responsible for the distribution of funds to the various taxing units in any county.

In each county, libraries would be included among those that would receive funds, as would taxing units like the one in Indianapolis which collects funds for fireman's salaries. In a hypothetical county, where the total amount of tax money collected is \$100,000 and where the library taxing unit in that county raised \$10,000, the county treasurer would give the library 10% of the money returned to the county by the state.

School corporations are excluded from the plan because there are other proposals before the General Assembly this year that are designed to increase the level of state support to the public schools.

"I hope to take advantage of the efficiency and effectiveness with which local units of government spend funds," Representative Bodine said. "Although the state is a more efficient tax collector than the smaller units of government in the state, I feel we should return some of the funds we collect for use at the local level."

Representative Bodine estimates that the formula for the distribution of funds proposed in his bill will designate \$54 million for distribution in the first year of the plan.

The revenue sharing fund established by this bill would receive 4% of the gross sales taxes collected by the state and 4% of the income taxes collected. Funds would be returned for the first time in 1979."

"We expect the combined state surplus to exceed half a billion dollars by the close of the fiscal year," Representative Bodine said. "Consequently, funding of this local government revenue sharing plan will still leave the state with a surplus of about \$450 million on June 30th."

Representative Bodine explained that under the provisions of this bill, the Bowen property tax relief program would be protected. Local taxing units, which have been hard pressed for funds since the property tax freeze, would receive the funds they need, thereby eliminating the need for any increase in local property taxes.

"The bill I sponsored with William Ruckelshaus in 1967 provided much needed relief to the counties and cities in this state in 1968 and 69," Representative Bodine said. "This new bill would provide funds not only to our counties and cities, but also to local libraries and, in Indianapolis to the tax fund that pays the firemen their salaries. It is estimated that the funds available to the firemen's salary fund would be in excess of \$700,000. This level of funding should help the city of Indianapolis deal with its financial needs."

"When Representative Ruckelshaus and I introduced a revenue sharing in 1967, it received strong, bipartisan support in both the House and the Senate," Representative Bodine continued. "I hope that the bill I will introduce this year receives the same kind of support in this session of the legislature. I welcome comments and amendments from all of the members of the 1978 General Assembly."

The revenue sharing plan will be introduced in the Senate by State Senator Robert L. Kovach (D-Mishawaka), Majority Caucus Chairman in the Senate.

"We have had copies of this bill sent to all of the mayors, county councils and county commissioners in the state. I know that there are more taxing units in the state and urge them to write to me or call our staff at 10800-9842 at the State House," Representative Bodine concluded. "Our staff will send them copies of the bill and some information about it."

Representative Bodine then listed the amount of money that would be returned to some of the counties and cities in the state, and it showed that under this plan, Vanderburgh would receive \$1,754,769.

Commissioner Schaad said that this wouldn't help our Highway Department.

Commissioner Ossenberg said "no" it wouldn't, however he saw where the Governor is proposing a 3¢ tax on gasoline for highway departments, and he said, certainly, 2¢.

Commissioner Schaad moved that the Commissioners support House Bill 1177 by letter or by wire or whatever it takes to get it to our legislators. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 10:30 a.m.

#### PRESENT

#### COUNTY COMMISSIONERS

Thomas Ossenberg  
Bob Schaad  
Robert L. Willner

Secretary: Margie Meeks

#### COUNTY AUDITOR

Alice McBride  
(Chief Deputy)

#### COUNTY ATTORNEY

Ed Smith, Jr.

*Thomas Ossenberg*

*Bob Schaad*

*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS

15.

COUNTY COMMISSIONERS MEETING  
JANUARY 9, 1978

The meeting of the County Commissioners was held on Monday, January 9, 1978, at 9:30 a.m. in the Commissioners Hearing Room, with Commissioner Ossenbergs 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

AREA PLAN COMMISSION

Ann R. Schmidt	802-A S.E. First St.	Land Use Planner	\$12,750.00 Yr.	Eff: 1/4/78
Robert B. Tiek	1212 S. Roosevelt Dr.	Planner	\$10,000.00 Yr.	Eff: 1/4/78

BURDETTE PARK

Jim Patton	572 Ingle St.	Park Board	\$300.00 Yr.	Eff: 1/1/78
Stanley Parson	341 Colonial	Security	\$3.50 Hr.	Eff: 1/1/78

VOLUNTEER SERVICES...SUPERIOR COURT

Katherine Fuchs		Part-time Secretary	\$2.65 Hr.	Eff: 1/3/78
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VOTERS REGISTRATION OFFICE

Shirley R. Oglesby	1925 Audubon Drive	Deputy	\$6,924.00 Yr.	Eff: 1/16/78
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RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

Ann R. Schmidt	802-A S.E. First St.	Planner	\$10,661.00 Yr.	Eff: 1/3/78
Robert B. Tiek	1212 S. Roosevelt Dr.	Part-time	\$3.00 Hr.	Eff: 1/3/78

BURDETTE PARK

Daryl Blackburn	3327 Cave Ave.	Park Board	\$300.00 Yr.	Eff: 1/1/78
Stanley Parson	341 Colonial	Rink Guard	\$3.50 Hr.	Eff: 1/1/78

VOLUNTEER SERVICES...SUPERIOR COURT

Sue Terrell		Part-time secretary	\$3.00 Hr.	Eff: 12/29/77
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VOTERS REGISTRATION OFFICE

Jo Evelyn Gaffney	2720 N. Sherman	Deputy	\$6,594.00 Yr.	Eff: 12/31/77
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RE: MONTHLY REPORT

The Monthly Report of the County Treasurer was submitted for the month of November, 1977.

Report received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by the Neidig Insurance Agency, Inc. on insured, the Council of Clubs, for the use of the Civic Auditorium from January 7, 1978 to January 9, 1978.

Certificate received and filed.

RE: APPOINTMENT TO LEVEE BOARD

Commissioner Schaad moved that Ron Steinkamp be reappointed to the Levee Board. His term will expire on June 30th. 1980.

Commissioner Ossenbergs seconded the motion. So ordered.

RE: TELEPHONE REQUEST

The following telephone request was received by Commissioner Ossenbergs, from the County Recorder:

Dear Commissioner Ossenberg:

This is a request for telephone service in the office. The need is to have one telephone moved to another desk - Telephone number 426-5216 and the main telephone with the most incoming calls, numbers switched.

One hundred dollars (\$100.00) has been allowed in my budget by the County Council for services, pending your approval.

Sincerely,  
Estella M. Moss, Recorder  
Vanderburgh County

It was also noted that Mrs. Moss wants 5215 and 5217 switched and 5216 moved to another desk, that Mrs. Boughten from the Telephone Company gave an estimate of \$36.00 and the Building Authority gave an estimate of \$50.00 for installation of receptacle.

Commissioner Schaad moved that Mrs. Moss's request be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: MEETING SET FOR DISCUSSION OF REVENUE SHARING

Mr. John, the County Auditor, submitted a note to advise the news media that at 9:30 a.m. on January 23, 1978, there will be a Public Hearing in the Commissioners Hearing Room #307, Administration Building, Civic Center Complex, on the proposal to spend \$24,384.00 of Federal Revenue Sharing funds for the salaries in the Sheriff's Department.

Mr. John said that in the budget session that was held in September, the Council allowed the Sheriff's Department two captain's positions and they allowed a little more than \$4,000 for each position above the normal patrolman's salary and they reduced the patrolmen by two and placed them in a captain's position, but in doing so, they only allowed the difference of \$4,000 for each employee, so they are two patrolmen's salaries difference from what they are suppose to have and what they actually have, so he is asking for the difference.

He said that notices have been sent to everyone necessary, plus he is asking that the news media please print notification of it in the newspaper. He also explained that it must be in the newspaper at least ten days before the Commissioners meeting, the Commissioners meeting must be at least seven days before the ad for the Council meeting and the ad for the Council meeting must be at least ten days before the Council meets.

RE: CLAIMS

A Claim was submitted by Brinks, Inc. for services rendered to the Treasurer's office, by contract, in the amount of \$253.20.

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

A Claim was submitted by Robert J. Moran, the Veteran's Service Officer, for expenses of mileage and meals to and from Indianapolis, in the amount of \$63.06.

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

A Claim was submitted by the Association of Indiana Counties for dues of the 1978 County Information Service for Vanderburgh County, signed by Shirl Evans, Jr., the Executive Director of the Association of Indiana Counties, Inc. in the amount of \$975.00.

Commissioner Schaad 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 of the County Highway Department for the past week.  
Report received and filed.

RE: MR. SIEBEKING.....TRUCK TO BE PURCHASED

Mr. Siebeking said that back in December the Commissioners gave him permission to get some prices and to purchase a new pick-up truck to replace the one that was totaled.



in a wreck, and they couldn't come up with the money so what they had was put in the General Fund, and he didn't know if the Commissioners wanted him to look into it again or not, but he did get two prices from two different dealers in Evansville, in case they want him to go ahead and see about it, that he now has the money. The bids are as follows:

Key Ford...6 cyl. Ford.....\$4,467.41 - painted omaha orange  
Vandever...6 cyl. Dodge.....\$4,386.17 - white

Mr. Siebeking said that Vandever didn't have the orange paint so he couldn't give him any idea of what it would cost to paint it the County's color. He said they presently have two Ford trucks and are using the one from Pleasantview that belongs to the County, that this one will be an outright purchase, also that they have a couple of older pick-ups that are used to run parts or gas or whatever is needed out on the job, and they have a real old International that they use to pull the mulchers and the brush cutter. He said he checked at a place that paints trucks and found that a paint job on a new truck will cost about \$214.00.

Commissioner Schaad moved that Mr. Siebeking go ahead and buy the Ford since it is already painted the County's color and would cost less than buying the other one and having it painted. Commissioner Willner seconded the motion. So ordered.

RE: MR. STEPHEN.....CLAIM HELD

Mr. Stephen said he has a claim for the boiler at the Civic Auditorium but the boiler hasn't been fired yet, so he didn't know if the Commissioners wanted to withhold 10% and pay it or if they wanted to hold it up until the boiler has been fired. The Commissioners agreed to hold the claim up.

RE: MR. STEPHEN.....ROAD LISTS SUBMITTED

Mr. Stephen said that Mr. Guillaum made a list of the roads and he got a computer print-out of the state accepted roads and by going through them and comparing them, he has made a list of county accepted roads that have never been certified to the state and another list of county roads of which there is no record of ever being accepted and they aren't on the state certification. He said he is going to contact the state and see how they would like to have the roads presented for certification to the state and he didn't know if the later list of roads are county maintained or not, that Mr. Siebeking will have to look over the list to see if they are. He said he couldn't find any record of Valley Downs but he found in the Auditor's office that it was amendment #17, so he made a copy of it, so the records are up to date.

Commissioner Schaad said he thought that when the Commissioners accepted a county road in their meeting, that it was automatically reported to the state by the County Surveyor's office. He said this should be pursued with the state and they should get it up to date so the County's revenue will be increased from the gas tax.

Commissioner Willner asked about Schook Road since there is a question mark at to the footage, on the list.

Mr. Stephen said he couldn't locate the road, that it was accepted as Schook Road in 1919 and is now probably a road known by some other name, so he didn't get any mileage on it.

Commissioner Willner said there is a complete subdivision on the list that includes Oak Gate, Pine Gate, Pine Place and Red Gate.

Mr. Stephen said the Commissioners accepted some of the roads, that all of them aren't completed and there will be additional ones that will be up for acceptance later on, but what he has listed is the footage as it is now, that the Commissioners have accepted. He said he will check with the state to see how, in the past, they have had these roads submitted for certification and he will follow up on it.

RE: FIRST AVENUE

Commissioner Schaad said he has been getting quite a few calls on the First Avenue Bridge, going north, as to how rough it is and he asked if anything could be done about it.

Mr. Stephen said that the deck was poured when that bridge was originally built, perfectly flat, and they tried to correct it when the bridge deck was repaired, to provide drainage for it and in doing so, they raised the crown in the center, sloped it to the side and also dished it so it sloped to the drain holes that are in the side, that it isn't a continuous drain so they get a down-hill and up-hill for each of those holes.

Commissioner Willner said he has had 25 or 30 complaints and he has told them the same story and he has had the people come back and say that they looked and found that there are holes in it.

Mr. Stephen said with the continuous curb along there, if they don't get the water to those drain holes, he doesn't see how they can get it drained, and this is what contributes to the deterioration of the deck under the bridge.

Mr. Brenner said this is why it was so bad before, that the water and the salt just stood there and it is wavy.

Mr. Stephen said they could make it perfectly flat again but it would just damage the bridge by doing so.

Commissioner Ossenbergsaid he didn't receive any calls on it but he did read a letter to the editor about it, that some woman was talking about annexation and accused the City of building that bridge.

Mr. Crooks said the matter of First Avenue was brought up at the Safety Board meeting.

RE: MONTHLY REPORT

Mr. Crooks submitted the City, County and Combined Report of the Building Commissioner's office for the month of December, 1977.  
Report received and filed.

RE: MR. CROOKS.....BURKHARDT ROAD

Mr. Crooks said that the problem on Burkhardt Road was discussed last week, that he went out to look at it and found that the lady did clean up the front lot and has removed all the debris, except for one car that is still there, and they took all the lumber and stacked it up on top of the building.

He said there is really no basement in that building, that it is a walk-out type basement arrangement, so there is no water in it, that the whole thing that is involved here now, as far as he is concerned, is the open well in the back and he will get with them to get it filled up, also that this place looks considerably better than the two lots next to it.

He suggested that they completely cancel out the letting of the contract with Crow Wrecking Company and let it ride, because Mrs. Bunch still thinks she wants to build out there next spring.

Commissioner Willner moved that they cancel the contract with Crow Wrecking Company. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FOR REVIEW OF HAMILTON LEASE

Commissioner Willner said that on April 18th, 1977, he requested that Bob Hamilton's lease be reviewed.

The minutes of that date reads as follows:

(Commissioner Willner said he has a copy of the Hamilton Lease in front of him and to quote it in part; it reads that the Foundation agrees to furnish to the Lessor on or before March 15 of each calendar year a written annual report for the calendar year immediately preceding pertaining to the operation of the 36 holes of golf to be constructed and operated by the Foundation hereunder, setting out matters of mutual interest and concern both to the Lessor and the Foundation.

He said to his knowledge, this has never been done, that several weeks ago, they reviewed the lease of the Coliseum and he thought this should also be done and he has several questions about this, so he would like for the Commissioners and the County Attorney's to review the lease and see if there is anything they can do about it or at least to get the lease in force.

Commissioner Ossenbergsaid County Attorney Smith to handle this and told him that Willard Shrode is Hamilton's attorney.

Mr. John said that he would see that everyone gets a copy of the lease.)

Commissioner Ossenbergsaid County Attorney Smith if he remembered this.



County Attorney Smith said that he reviewed the lease and he could find nothing wrong with the form and the substance of the lease, that Commissioner Willner was probably concerned, and rightfully so, with the division that requires the reports and things of that nature, but in looking it over, it is okay as far as the lease is concerned, but he didn't know if they were complying with the monthly reports or not, that he supposed this would be directed to the office. He asked if they had been submitting these reports.

The Commissioners said they haven't seen any reports and Commissioner Schaad said they should have the County Attorney to write them and tell them that they haven't been complying with the lease and ask them to comply.

County Attorney Smith said if they aren't complying with the lease arrangement, the Commissioners probably have grounds for forfeiture.

Commissioner Willner asked if Mr. Hamilton is paid up now, dollars and cents wise.

County Attorney Smith said he didn't know, since he doesn't receive a report and he doesn't take care of the records on that, and he supposed this would be taken care of through the Auditor's office and he asked Mr. John if he had any record on it.

Mr. John said he would have the amount that they paid on the lease, but the lease reads that they pay up to \$4,000, that for example, if their taxes are \$2,000, then their lease payment would be \$2,000, that the total payment including taxes is \$4,000.

Commissioner Ossenberg asked if this was under the Charitable deal they came up with.

Mr. John said "no", that it is in the contract that they pay up to \$4,000 and the difference between the amount they pay in taxes and the \$4,000 is what they pay on the lease.

He said he wouldn't have the amount they paid on the taxes but he would have the amount on the lease and unless he had the records on the taxes, he wouldn't be able to tell if they had paid the full \$4,000, that the Treasurer would have the tax records.

He said he would get it together and see what they have paid each year.

County Attorney Smith told Mr. John that after he has done this, to get with him and if there is any default on it, they will go from there.

RE: MONIES TO BE ENCUMBERED...CONTINUED FROM LAST WEEK

AUDITORIUM...144-714.....Equipment....\$25,000.00

SUPERIOR COURT AND JUVENILE DIVISION

137-254...Neglect & Delinquency Transactions...\$7,781.99 - Court Order..Judge Lensing  
This amount plus the \$185,463.99 from last weeks minutes, makes total to be \$218,245.98.

REASSESSMENT

249-113-263.....Reassessment Contract.....\$21,500

The meeting recessed at 10:20 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

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

COUNTY COMMISSIONERS MEETING  
JANUARY 16, 1978

The meeting of the County Commissioners was held on Monday, January 16, 1978, at 9:45 a.m. in the Commissioners Hearing Room, with Commissioner Ossenberg 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

CIRCUIT COURT

Willard Walls	1556-A. S. Kentucky Ave.	Asst. Chief Prob. Off.	\$14,500 Yr.	E66: 1/1/78
Robert L. Saunders	1319 Ravenswood Dr.	Prob. Officer	\$10,400 Yr.	E66: 1/1/78
Michael Mattingly		Prob. Officer	\$11,409 Yr.	E66: 1/1/78
Brenda Boyd	738 E. Powell Ave.	Budget Clerk	\$7,600 Yr.	E66: 1/1/78
Tom Dorsey	643 Jefferson Ave.	Program Treatment Dir.	\$11,500 Yr.	E66: 1/9/78
Ron Bae	1126 Bennighof	Counselor	\$3.00 Hr.	E66: 12/29/78
Norman Hooe	1100 W. Florida	Bailiff	\$4.00 Hr.	E66: 1/14/78
Robin Kinney	463 S. Ruston Ave.	Bail Bond Interviewer	\$4.00 Hr.	E66: 1/1/78
Greg Cullison	R.R. 4 Box 276 Newburgh	Bail Bond Interviewer	\$4.00 Hr.	E66: 1/1/78
Dan Williams	1510 Irvington Ave.	Bail Bond Interviewer	\$4.00 Hr.	E66: 1/1/78
Harris Howerton	1707 Vann Ave.	Bail Bond Interviewer	\$4.00 Hr.	E66: 1/1/78
Jerry Brandenberger	2440 Five Dollar Rd.	Bail Bond Interviewer	\$4.00 Hr.	E66: 1/1/78
Charles Smith	1504 Akin Park Dr.	Bail Bond Interviewer	\$4.00 Hr.	E66: 1/1/78
Karen Stewart	311 Rotherwood	Bailiff & Asst. Cr. Reporter	\$8,900.00 Yr.	E66: 1/1/78
Maxine Buchanan	1214 Treetop Lane	Bailiff	\$8,700.00 Yr.	E66: 1/1/78
John Harl	501 N. Wabash	Chief Prob. Officer	\$17,126.00 Yr.	E66: 1/1/78

COUNTY RECORDER

Dorothy Lindsey 1712 S. Bosse Photo Copy Deputy \$6,539.00 Yr. E66: 1/2/78

KNIGHT TOWNSHIP ASSESSOR

Jeri Ann Barron 1763 S. Taft Ave. Deputy \$20.00 Day E66: 1/16/78  
Reassessment...Naomi Kreisle 4107 E. Morgan Ave. Deputy \$20.00 Day E66: 1/16/78

PIGEON TOWNSHIP ASSESSOR

Ruth Calhoun 723 Bayard Park Dr. Clerk \$20.00 Day E66: 1/9/78

SHERIFF'S DEPARTMENT

Michael K. Jones 1600 Waggoner Jailer \$6,500.00 Yr. E66: 1/1/78  
Mark A. Sloat 1024 E. Blackford Jailer \$6,500.00 Yr. E66: 1/1/78

VANDEBURGH SUPERIOR COURT

Robert E. Hillenbrand Bailiff Trans. Officer \$5,200.00 Yr. E66: 1/16/78

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Don Fuchs 522 S. Boeke Rd. Prob. Counselor \$120.00 E66: 1/14/78  
Dave Hatfield 632 S. Willow Rd. Prob. Counselor \$120.00 E66: 1/14/78  
Norman Hooe 1100 W. Florida Bailiff \$4.00 Hr. E66: 1/14/78

KNIGHT TOWNSHIP ASSESSOR

Naomi Kreisle 4107 E. Morgan Ave. Deputy \$20.00 Day E66: 1/15/78

SURVEYOR'S OFFICE

John A. Koch Rte. 8 Browning Rd. Inspector \$8,840.00 Yr. E66: 1/16/78  
Robert Terry \$319.92 Pay E66: 1/13/78

RE: MONTHLY REPORT

The Report of the Clerk of the Circuit Court was submitted for the month of December, 1977. Report received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Aetna Insurance Co. on Insured, Fidelity World Arts Co. d/b/a/ Affordable Arts, for use of the Vanderburgh County Auditorium on January 22, 1978.  
Certificate received and filed.

RE: TRAVEL REQUEST

A letter of request was received by the Commissioners from Robert Dorsey, the Pigeon Township Assessor. The letter reads as follows:

County Commissioners:

I, Robert T. Dorsey, Pigeon Township Assessor, request permission for myself and my Chief Field Deputy, Donald J. Ice, to attend the Annual Meeting of the Indiana Association of Assessors at Indianapolis, Indiana on the days of February 20, 21 and 22.

Please advise.

Respectfully,

Robert T. Dorsey,  
Pigeon Township Assessor

Commissioner Schaad moved that the request of Mr. Dorsey be approved. Commissioner Willner seconded the motion. So ordered.

RE: OFFICIAL BOND

An Official Bond was submitted by the Continental Insurance Co. on William Hewig, who has been appointed as the Chief Heating and Plumbing Inspector of Vanderburgh County, to replace Mr. Legeman who has retired.

Commissioner Schaad moved that the Bond be signed and recorded. Commissioner Willner seconded the motion. So ordered.

RE: KEN HANSEN...EMPIRE DEVELOPMENT CORP.

Median cuts...St. Joe Industrial Park

Mr. Hansen said they own a 20-acre parcel of land at the Southwest corner of St. Joe Avenue and Mill Road and they are in the process of designing a subdivision plan and want to construct a street through this parcel of property and are looking to the Commissioners to approve a median cut in St. Joe Avenue and with the widening of St. Joe, to obtain access to this new street and that a median cut would also benefit Kem Farm, one of the growing industries out in that area.

He said they have been working with the Urban Transportation Department and they have helped them design a location for this median cut, approximately 430 feet south of the center line of Mill Road and he submitted what was basically a preliminary drawing of the proposed subdivision and said that the preliminary engineering hasn't been completed, that they are waiting for the location of that street and hopefully, the median cut.

He said they request that action be taken with the design engineer to locate a median cut 430 feet south of the center line of Mill Road.

Commissioner Schaad said this was discussed at the state hearing and that Guy Cantwell was in on it, but nothing was determined at that time.

Mr. Lochmueller said he has worked with Mr. Hansen for the past few weeks on this and he brought this point up to Mr. Cantwell and the first cut in the median now is 700 feet from the Mill Road intersection and this cut would be 430 feet. He said they feel that they can get in safely for a proper left turn lane from Mill Road, going North, and a short left turn lane in the Kem Farm plant, that they show it can be designed in there.

He said that the Industrial plot showed several lots that would face on Mill Road and if Mill Road was ever upgraded, they would have a series of curb cuts, that Mr. Hansen has agreed, depending on how he sells it, that he would still just be asking for the one curb cut.

Mr. Hansen said they do show a T type of road construction with one access to Mill Road and one access to St. Joe Avenue, that they have tried to design the interior lots so that all the access would come off their proposed streets.

Commissioner Schaad said that something was also discussed about the landfill and of

some way it could be used, but he didn't know what was determined.

Commissioner Ossenberg said he understood that Kem Farm had an existing cut and is willing to close that cut and join in with this cut if approved.

Mr. Lochmueller explained that this is a local project and it would really be the Commissioners multiple approval.

He said he has talked with Mr. Cantwell and with their own people and they don't see any problems, that they prefer it not be in there but he prefers limited access in some areas.

Commissioner Schaad asked if this change will have to be approved by the Federal Government.

Mr. Lochmueller said that the design being proposed is not unsafe but the Federal Government will have to approve it.

He said his recommendation is that the Commissioners go ahead and grant that street by approving the cut.

Commissioner Ossenberg said that previous to this coming up for zoning, he thought they wanted two curb cuts off St. Joe and then they did lower it to one, that personally, he sees nothing wrong with it.

Commissioner Willner moved that it be approved with the stipulation that they and Kem Farm are properly parallel to each other. Commissioner Schaad seconded the motion. So ordered.

RE: PROPOSED IMPROVEMENTS FOR ST. JOE AVE.

A letter was received from R.A. Easley, Jr. which reads as follows:

Gentlemen:

We have been made aware of the County's plans to widen and improve St. Joseph Avenue between Diamond Avenue and Mill Road. It is our understanding that these plans include a concrete median across the new street we have constructed in our St. Joseph Avenue Business Park Subdivision.

It will be appreciated if the Commissioners will have the plans revised to provide an opening in the median at Commercial Court (the name of the new street) in order to allow trucks and cars to make left turns when entering and leaving the commercial subdivision.

Commercial Court is a 30' wide street having a length of over 1000 feet and will serve approximately 15 firms, all of which will have truck traffic.

Your cooperation in this matter will be greatly appreciated. May we hear from you on this matter.

Very Sincerely,  
Mill Road Office Building  
R. A. Easley, Jr.

Mr. Stephen said this is the one on the new road that Guy Cantwell saw and it is just a little offset from Wyoming Avenue and they found that the development had been approved about a year and a half before and they were just now building the road and have put the approach in, this last summer and fall, to the county road, that they didn't really need a permit because it was prior to the County's established permits. He said it does cause problems though because the only way they can turn out of there is north.

Commissioner Willner moved that this matter be referred to Mr. Lochmueller for one week, until he gets the maps so he can take a look at it. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM BARRY STANDLEY ON ST. JOE AVE.

Mr. Barry Standley, Attorney, submitted a letter he had written to Mr. Harold Fancher of the Indiana State Highway Commission, on St. Joe Avenue, which reads as follows:

Dear Mr. Fancher:

I represent Sterling L. and Ollie M. Whitley who own a residence at 2815 N. St. Joseph Avenue, Evansville, Indiana. It is the same area of St. Joseph Avenue in Evansville which I understand you are presently developing plans for widening. My clients' property has two driveways onto St. Joseph. My clients inform me that your present plans for widening St. Joseph would only allow a curb cut for one of those driveways and would not allow a curb cut of the driveway on the northerly side of the residence. My clients need a curb cut for both driveways for the reason that they intend to seek a rezoning of this property allowing it to be developed commercially.

Therefore, please let this letter serve as my clients' official protest to your plans for only one curb cut for their property and their request that you include a curb cut for both the northerly and the southerly driveways from their property onto St. Joseph Avenue. Please inform me of any action you take.

Sincerely,  
Barry L. Standley

Commissioner Ossenberg asked if these people were at the public hearing.

Mr. Standley said he wasn't but his client was and he thought they expressed their opposition at that time and were told to do it by written notice, which he did. He said his clients' concern is that if it goes in without a curb cut, at this point of the plan, that there would be no subsequent curb cut available to him when he does seek a commercial rezoning and he thought there was some adjacent property owner that would be willing to share a common curb cut on that side, that would be willing to dedicate additional land on that side, that they would cooperate to eliminate a curb cut for every piece of property.

Mr. Lochmueller said he would recommend that the curb cut would be looked at when they do the rezoning, since he thought it would be difficult to grant a curb cut if they don't know what it is really for.

Mr. Standley said he would inform his client of what the Commissioners have told him.

RE: MR. LOCHMUELLER

Mr. Lochmueller said he has a question on the Midas Muffler Shop and they have presently designed in a plan of a left turn land to K-Mart which would be 100 feet or so south and with that cut being granted, it could create some problems and he would think that the land owner or his attorney, himself and the County Engineer, should probably sit down to see whether they could re-design, since he wouldn't think they could have two cuts in the median that close.

Commissioner Ossenberg said they have written to the State Highway Commission and they complained that they knew nothing about a public hearing and the State Highway Commission answered the attorney back and said it was advertised by the local news media according to the Federal and State statutes.

Commissioner Schaad moved that this matter be referred to the Engineer, Mr. Lochmueller and Mr. Cantwell. Commissioner Willner seconded the motion. So ordered.

RE: LETTER AND CLAIM FROM MR. DANIEL R. DICKERSON

The following letter was received from Mr. Daniel R. Dickerson in reference to making a claim against the County:

Dear Sir:

I would like to make a claim.

I was driving on Harmony Way heading toward Old Cynthiana Road. On Harmony Way right before you get to the double stop signs, there are three chuck holes, one on the right and two on the left. I hit one of them on the left and bent two of my wheels and knocked my front end out of line. I have recently purchased my wheels from United Tire Co. I would appreciate it if you could answer my letter as soon as possible, so the wheels don't wear out my tires.

Paul Wendel was the man whom referred me to you. I have a witness if I need one.

Sincerely yours,  
Daniel R. Dickerson  
7310 Everglades Dr.  
Evansville, Ind. 47712

Commissioner Schaad moved that the Commissioner's secretary send Mr. Dickerson a letter, telling him that his letter is being referred to the County's Insurance Company. Commissioner Willner seconded the motion. So ordered.

RE: LETTER OF REQUEST

The following letter was received by the Commissioners from Shirley Jean Cox, the County Clerk, in requesting the use of the Election Office, Room 214, City County Bldg. as Clerk-Secretary of the County Election Board.

Dear Sirs:

I hereby request that the use of Room 214, City County Building be granted the Vanderburgh County Election Board beginning on January 30, 1978.

Previous permission was granted by your Board for use of the Room for Data Processing personnel and storage.

It will be necessary for data processing materials to be removed from the Area as all available space will be needed for Election purposes.

Thank you, Most Sincerely,  
Shirley Jean Cox, Clerk  
County Election Board

Commissioner Schaad moved that the request of Ms. Cox be approved. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....THIRD READING.....VC-88-77

Petitioner.....Silver Realty Co.  
P. O. Box 62, Evansville

Owner of Record.....Leona C. Messimore  
Indianapolis, Inc.

Premises affected are situated on the South side of Upper Mt. Vernon Road, formed by the intersection of Upper Mt. Vernon Rd. & Red Bank Rd.

The requested change is from A to C-1.

The present existing land use is for Agricultural crops and the proposed land use is for a shopping center.

This petition was denied by the Area Plan Commission with three affirmative and nine negative votes.

Mr. Silver said he represents Ms. Leona Messimore, the owner of the 11 acres of property at the Southwest corner of Upper Mt. Vernon Road and Red Bank Road and that this is a convenience type shopping center, not a major one, that they have all utilities on the property and there is a 12-inch sewer across the property.

He said one thing that was brought up in a previous meeting was the traffic, that Upper Mt. Vernon Road has a 60-foot right of way and the Area Plan Commission and the Traffic Department has requested that they provide acceleration and deceleration lanes which they will do, that there is also a necessity for a similar lane on the North side of Upper Mt. Vernon Road which of course, is County property, so there won't be any trouble. He said that Red Bank Road is now a 40-foot roadway and there has been some talk of a beltline going through Red Bank Road and in anticipation of that, for purposes of reducing any possible congestion on a 40-foot right of way, they have allowed 20-feet of their property for any future expansion.

He said that another matter that has been a matter of controversy is the water run-off and he submitted a map of the area showing the elevations and said that the Area Plan Commission has recommended that they have a floor elevation of 382½ feet which is satisfactory with them, and some comments have been made in regards to the water run-off and all of the remonstrators are higher than they are, so they have nothing to fear as far as this project is concerned.

He also said that Mr. Biggerstaff has recommended that they make some sort of arrangements to slow down whatever water that comes down there and he pointed out that there has been occasions of high water after a rain, but that it is no different than other places where water stood after a rain and they have nothing to fear.

He submitted plans of the building and explained that they have no plans for building in one section and that they would be happy to provide a buffer zone or easement for roadway, driveway, or whatever is necessary, but that they will have no congestion like they have on Green River Road, since this will not be a big shopping center, but a convenience type shopping center and in view of this, he requested that the Commissioners grant their petition for rezoning.

Commissioner Schaad said there is a creek closeby and they would need for the Department of Natural Resources to approve it, and he asked if this has been done.

Mr. Silver said it hasn't been done as yet, since it must first come before the Commissioners and he also understands that it must come before the Drainage Board and that the Commissioners are this body.

Commissioner Schaad said if all these things had been done first, that if the Drainage Board had approved it as far as the drainage is concerned and if the Building Commission had approved it as far as the elevations, if the Department of Natural Resources had approved it, and this was all done first, he would have a better chance of getting it approved by the Area Plan Commission, that he hasn't done his homework, that all of this must be done beforehand, that there are too many questions to be answered here and apparently, this is why he was denied by the Area Plan Commission.

Mr. Silver said they must know if they have approved of the rezoning before they can go through any more engineering or any more work on it, although they would be agreeable to a rezoning on condition, because it goes without saying, that they can't build unless



they do get a permit but they would first have to know if the rezoning is approved.

Commissioner Ossenberg said that Mr. Silver said he was 380 feet and according to the Building Commissioner, his ground elevation ranges from 375 feet to 384 feet.

Mr. Silver then submitted a drawing and explained the different elevations and said that the objection by Area Plan was because of the apartment project nearby.

Charles Johnson, a remonstrator, said that he lives next to the property that Mr. Silver is trying to get rezoned, that he is trying to rezone the complete 11 acres and will probably only use less than one half of it on the east end of the property. He said he objects to that commercial zoning right up to his property and according to Mr. Silver, they aren't going to use it for several years, so he wondered why it should all be rezoned to commercial right now, at least on this area, and said that he should have only tried to rezone part of it, at this time, that he would likely have no objection to that, also that his second objection, even though he isn't affected by water, is that the bridge crosses Upper Mt. Vernon Road right at the point of Tupman Road where it is very narrow and the water flow through it is restricted quite a bit and in a hard rain, that water has to come across Tupman Road and then flow across Upper Mt. Vernon Road on both sides of the bridge and if he was to build this property on the east side of the creek, it would restrict the water flow and it would throw more water on the west side of the bridge where there are houses and their flooding will be increased and the only alternative to this would be to build a bridge with a larger flow. He also said that the utility line is 6 or 8 inches and it will be overloaded when they get the project built and put on that line, that if he connects onto the 12 inch line on the back of his property, he may have no trouble, but the utilities would be a problem, especially the water, since he has had problems with the water pressure. He said he didn't know anything about the beltline but he would suggest that if Mr. Silvers came back with a request to rezone part of the property, he doubted that he would object to it, but at this point, with his request to have the entire 11 acres rezoned commercial, he does object to it.

Mr. Silvers answered to this by saying that he has already offered to having an easement between his property and Mr. Johnson's property, either for a roadway or a driveway, particularly as a buffer against his residential area, that their project is based on the entire 11 acres, that he wouldn't want half of it rezoned now and then if they ever do want to build on the other part, to have to go through this whole thing again, also that while they have the 11 acres and it is now agricultural and they have no water worries on a corn crop, their building will be about 42,000 feet which is one acre, their parking lot about the same area, so they will have a total of 2 acres on an 11 acre plot of ground, so there will still be the same conditions that exists now, as far as the water run-off and he doesn't see anyone moving out because they have trouble with water, that they like it and want to stay there.

Commissioner Schaad moved that petition VC-88-77 be denied based on the fact that too many things were left undone, that the Drainage Board hasn't looked at it, the Department of Natural Resources hasn't any input into it and he can make a lot of promises as to what he will do if the property is rezoned, so he thought if all these questions were answered beforehand, it might have made a difference. Commissioner Willner seconded the motion. The vote was unanimous to deny this petition. The motion carried.

RE: REZONING PETITION.....THIRD READING.....VC-91-77

Petitioner.....Charles Kent Robuck & Shirley J. Robuck of 1304 Mayfair Dr. Boonville, Ind.  
Owner of Record.....Charles Kent Robuck, Shirley J. Robuck & Mathilda Hirsch Pugh  
of 2405 N. Green River Rd.

Premises affected are situated on the East side of N. Green River Road, a distance of 1300 feet North of the corner formed by the intersection of Theatre Drive and N. Green River Road, more commonly known as 2401 N. Green River Road.

The requested change is from A to R-3.

The present existing land use is Agricultural and the proposed land use is Multi-family residential.

This petition was approved by the Area Plan Commission with ten affirmative votes.

Mr. Robuck said there was one point he wanted to cover, that at the first reading, a 30-foot easement, 8 feet wide, off Green River Road, was discussed and he talked to Mr. Brenner, that in April of 1976, this work was completed by the County Commissioners and the Soil Conservation office.

He submitted a map and explained how he intended to run the ditch down the County right of way and he proposed to run it down Green River Road to a certain point, that will carry the water and he explained that if for some reason, he found that he was backing

water up, he would pick up both 8 inch pipes and another 8 inch pipe at his cousin's next door if necessary, that runs to the creek.

Mr. Brenner said what they proposed to do was to run the water down the property line and this is why they agreed, since they needed an easement there, that if they use the existing pipe which the county put in, it takes it all the way back.

Mr. Robuck said they will widen the roadway to the actual County specifications, that what it boils down to is that they are building the County's ditch for them.

Mr. Stephen said the ditch shouldn't be put in the County's right of way along the road because it will just have to be moved again, since they will need all of the easement for roadway.

Mr. Robuck said he could put the ditch on the edge of the County's easement.

After further discussion, Mr. Biggerstaff said he will have to bring his plans in anyhow for approval.

Mr. Robuck said he has picked up a storm drainage easement in case he ever runs into problems.

There were no remonstrators.

Commissioner Schaad moved that petition VC-91-77 be approved. Commissioner Willner seconded the motion. The vote was unanimous in the affirmative. The motion carried.

RE: REZONING PETITION.....FIRST READING.....VC-92-77

Petitioner.....Wayne Johnson of Bloomington, Indiana.

Owner of Record.....Alvin & Helen Franzman of R.R. 13-B, 384 Miller Rd. of Evansville.

Premises affected are situated on the west side of Boehne Camp Road, a distance of 1200 feet North of the corner formed by the intersection of Ind. State R 62 and Boehne Camp Road, more commonly known as Boehne Camp Road. R.R. #13.

The requested change is from A-1 to R-3.

The present existing land use is Agricultural and the proposed land use is for Multi-family apartments.

Mr. Barry Standley, attorney representing the petitioner appeared and explained that this is a 30-acre tract of land on Boehne Camp Road between Hwy. 62 and Hogue Road and between Miller Road and Boehne Camp Road.

He said that the petitioner is a person who has developed apartment complexes in Bloomington, Kokomo and Marion Indiana and they are seeking a rezoning to develop this tract of land for multiple family dwellings and they are in the process of contacting all of the adjacent property owners and are working with the Plan Commission on problems of drainage, traffic, improvement of Boehne Camp Road and have been in contact with the County Surveyor and has talked to at least one of the County Commissioners about it, that they have been trying to do their homework.

He submitted a map but Commissioner Ossenberg suggested that he submit a more identifiable map before going to Area Plan and he added that by statute, this petition is automatically referred to the Area Plan Commission.

There were no remonstrators present, but he said he has had several calls and a letter protesting this petition.

Commissioner Schaad moved that Petition VC-92-77 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-93-77

Petitioners and Owner of Record.....John R. & Margie J. Richards, Jr.

Address.....Route 4, Kleitz Road of Evansville, Indiana

Premises affected are situated on the South side of Kleitz Road, a distance of approximately 120 feet West of Meier Road.

The requested change is from A to R-2.

The present land use is a two-family dwelling with an unfinished lower floor, that was originally planned for two additional family units and the owners propose to finish the inside of the lower floor in order to be able to rent two additional small apartments. The building was originally planned to contain four apartments.



Mr. Andy Easley, engineer, said that he assisted Mr. Richards in the application and explained that there is an existing building, that when Mr. Richards took out his permit, two years ago, it was for a four-plex and they found that it wasn't properly zoned for a four-plex, so he went ahead and got a conditional use permit and finished the two upper units and he needs to go ahead and complete the downstairs units because the income to advertise the mortgage was dependent upon having four units there. He said that Mr. Richards has talked to his neighbors and there is no known opposition to this rezoning and he submitted a drawing of the proposal.

Commissioner Willner asked Mr. Easley if Mr. Richards was going to rezone the back property too.

Mr. Easley said that they talked to Mr. Osterholt and he suggested that they take the whole lot but Mr. Richards does not intend to put any other dwellings back there, but he didn't know how they wanted to handle it.

Commissioner Willner said this might stop the zoning if someone objects to it.

Mr. Easley said if the Commissioners wants him to, he would be glad to amend the petition for the Area Plan Commission since he doesn't intend to put any more buildings on it.

He said it drops off down the hill and that there is a lake back there.

Commissioner Willner said it might affect his vote.

Mr. Easley said they will then amend the petition.

Mr. Dave Castle, who has the lot East of the area up for rezoning, and Mr. Gary Schmitt who has the lot Southeast of it, appeared and Mr. Castle said they contend that Mr. Richards was issued a permit to have a duplex and they don't object to this, providing all plans are properly made, but they do object to a four-plex, since it would cause sewage problems, that Mr. Richards property is higher than his and he would get the drain off from it and he would later like to build a lake and it would mess this up, also there are just too many people there, which is a rural area and the traffic problem is tremendous and there is hardly any place to park. He said it isn't shown correctly on the map.

Mr. Schmitt said as near as he can determine, the house lies within 125 feet of the Meyer and Kleitz Road intersection, again creating a parking problem and it doesn't appear that there is enough off-street parking at this time, also the ground in the area does not filter well and the single family dwellings in the area are constantly having trouble with sewage run-off with their sand filters and he has the same problem, and they are talking about a four-family dwelling here and he doesn't see any provisions in their plan for a sewage proposal or a treatment plant and currently, they don't have surface drainage sewers or sanitary sewers and as near as he can determine, this is not at the present time within the feasible annexation of the City, therefore it looks like it is long range before they can anticipate any help.

Mr. Castle said that the drainage will wind up at the St. Joe and Mill Road intersection. He said, based on the size of this complex, he doesn't see that there can be anything but efficiency apartments available, that this is again, a rural, agricultural, residential area and he doesn't feel that this would be consistent with the present buildings in the area, also that it begins to taper down directly behind this area and drops continuously until it reaches the Mill Road-St. Joe intersection.

Commissioner Schaad said he wants to go out and look at it.

Mr. Schmitt and Mr. Castle said that they were never notified when this property was first zoned some years ago.

Commissioner Willner moved that Petition VC-93-77 be referred to the Area Plan Commission on first reading. Commissioner Schaad seconded the motion. So ordered.

#### RE: CLAIMS

A Claim was submitted by D.E. McGillem & Associates for payment due as covered by section 4.1, Part A & B of agreement dated 4/30/75, in the amount of \$2,101.95. Commissioner Ossenberrg said that Mr. Lochmueller has approved this claim and that this money will be refunded to the County.

Commissioner Schaad 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 50% of Vanderburgh County's share of operational expenses of the Health Center, by contract, in the amount of \$79,230.00.

Mr. John said this is half the amount that was allowed and somehow on their budget, they requested something like \$162,000 and they thought it should be \$165,000 so they have a request in to the Council for the additional amount, but he didn't know if it is being allowed or not, that the County is obligated to pay 4% of the total assessed value for the County towards mental health, but they also fund the Evansville Assn. for Retarded Citizens.

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

A Claim was submitted by Mike Volkman Insurance Agency for the annual premium on the County Surveyor, for his bond, in the amount of \$20.00.

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

A Claim was submitted by Carl E. Stocker, Insurance Agency for the annual premium on the Perry Township Assessor, for his bond, in the amount of \$20.00.

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

A Claim was submitted by Torian Insurance Agency, Inc. for Continental Bond for David Wilson, County Coroner of \$5,000 and for Earl K. Cox, the Deputy Coroner, of \$2,000 bond, at \$20.00 each or a total of \$40.00.

Commissioner Willner moved that the claim in the amount of \$40.00 be approved. Commissioner Schaad seconded the motion. So ordered.

A Claim was received from Torian Agency, Inc. for Hartford Plate Glass Policy covering glass at auditorium and convention center, in the amount of \$1,553.00.

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

#### RE: HAMILTON LEASE DISCUSSED

Mr. John said that, last week, the Commissioners requested some figures on the Hamilton Lease as to the amounts paid in by Mr. Hamilton and by the Foundation. He submitted the report, a copy of which is on the next page of these minutes. He said the top figures are the actual amounts received to date and the bottom set of figures are the amounts according to the contract which should have been received. He said there is a \$4,000 difference in it but on December 26, 1972, there was a vote by the Commissioners to exempt Hamilton from the first year payment of \$4,000 which was due to a problem they had with oil out there, so there was about a year's lapse where nothing could be done and this was the reason for the exemption, so as far as he is concerned, the amounts due from Hamilton and the Foundation have been met to date. He said that last year was the first year they started paying property taxes, so from now on, they won't be getting \$4,000 in rental from it, that they will be getting the difference between the taxes they pay and the \$4,000, for example, this year he believed the County got \$1,114.36 as rental payment and the rest was applied toward property taxes. He said it was in court for about four years, concerning an exemption they had applied for.

Commissioner Willner said this brings the payments up to date but that in March of each year, the Commissioners are suppose to get a complete year-end statement and he asked if something has been done about this.

Mr. John read the contract, in part, to the effect that Hamilton is to submit a yearly report, but the Commissioners all said that they haven't seen such a report.

Commissioner Willner said that if they had gotten an annual report in 1974, 1975, and in 1976, they would have known that there was a shortage somewhere in the Commissioners office because this was where the checks were found and they didn't even know about it, that it is just good business that they have this annual report, and the other Commissioners agreed.

REPORT TO VANDERBURGH COUNTY COMMISSIONERS CONCERNING THE LEASE WITH ROBERT HAMILTON AND BOB HAMILTON CHARITABLE GOLF FOUNDATION...

The Vanderburgh County Commissioner's entered in an agreement with Robert T. Hamilton and the Bob Hamilton Charitable Golf Foundation on September 7, 1971. For all practical purposes, this lease became effective July 1, 1973. The agreement sets forth certain criteria to be met by the lessee's.

One of the terms of this lease specifies certain payments due to the lessor from said lessee's. Robert T. Hamilton shall pay to the County, through advalorem real property taxes and rental, a total of \$4,000.00 annually. The Foundation shall pay to the lessor for annual rental the sum of \$600.00.

Records from the Vanderburgh County Auditor's Office and the Vanderburgh County Treasurer's Office show the following payments:

<u>TAXES</u>	<u>HAMILTON</u>	<u>FOUNDATION</u>	<u>TOTAL</u>
1973.. -0-	-0-	-0-	-0-
1974.. -0-	-0-	-0-	-0-
1975.. -0-	-0-	-0-	-0-
1976.. -0-	\$4,000.00	\$600.00	\$4,600.00
1977.. \$2,885.64	\$9,114.36	\$2,400.00	\$14,400.00
<u>Total \$2,885.64</u>	<u>\$13,114.36</u>	<u>\$3,000.00</u>	<u>\$19,000.00</u>

Should payments have been due for the last six months of 1973, the following should have been recorded as receipts by the respective offices:

	<u>TAXES</u>	<u>HAMILTON</u>	<u>FOUNDATION</u>	<u>TOTAL</u>
7-1-73 to 6-30-74	-0-	\$4,000.00	\$600.00	\$4,600.00
7-1-74 to 6-30-75	-0-	\$4,000.00	\$600.00	\$4,600.00
7-1-75 to 6-30-76	-0-	\$4,000.00	\$600.00	\$4,600.00
7-1-76 to 6-30-77	-0-	\$4,000.00	\$600.00	\$4,600.00
7-1-77 to 6-30-78	\$2,885.64	\$1,114.36	\$600.00	\$4,600.00
<u>Total</u>	<u>\$2,885.64</u>	<u>\$17,114.36</u>	<u>\$3,000.00</u>	<u>\$23,000.00</u>

The actual payments appear confusing for two reasons;

1. Taxes on said property have been in contention since 1973. This matter was resolved in 1977. For this reason, the first taxes appearing in the payments made are reflected in 1977.
2. A recently publicized controversy revolving around the Executive Assistant to the County Commissioners revealed that several payments made on behalf of the lessee's were not receipted into the County General Fund until 1977. Some of these payments were made as early as 1974.

CONCLUSION:

Since the lease is based on a fiscal year beginning July 1, and payments are due in advance, I believe that a total of \$4,000.00 is still due from Hamilton. The Foundation has met it's obligation for the five year period in the amount of \$3,000.00.

The total payments of both, Hamilton and the Foundation, have been confirmed by Mr. Wayne Watson (CPA), Accountant for the lessee's.

SUBMITTED JANUARY 16, 1978.

  
Curt John, Auditor  
Vanderburgh County, Indiana

Commissioner Schaad said he thought the County Attorney should write them a letter and remind them of that part of the contract and to ask them to please provide the report for all the years that they haven't gotten one.

Commissioner Willner moved that this be done. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner said that as he understands, to keep their tax free status, they need to do something for the public that is free of charge and he understands Mr. Hamilton isn't doing anything yet, but it is nice to know these things.

RE: COMMENT ON BOILER AND WATER HEATERS AT PLEASANTVIEW

Mr. Hotz submitted a letter to the Commissioners which reads as follows:

Gentlemen:

This is to inform you that one boiler and three gas fired water heaters at Pleasantview were inspected January 6, 1978, and approved.

As soon as an inspection certificate is issued it will be posted in the boiler room.

Sincerely, Herman T. Hotz  
Supt. of Co. Bldgs.

Mr. Hotz said he shut down the boiler for inspection and used one other boiler and had no problems with it, so the Commissioners might need to know this.

RE: AUTHORIZED TO ADVERTISE FOR WASHERS FOR JAIL

Mr. Hotz submitted specifications and a Notice to Bidders for the washers needed by the County Jail and he asked that they advertise for bids again. He said that the dates will have to be amended and he would like for the bids to be opened on January 30, 1978.

Commissioner Schaad asked Mr. Hotz if he has contacted other institutions in the area that might use the same type of equipment and to be sure those people are asked to bid, since they may not see the ad in the newspaper.

Mr. Hotz said that one company said they didn't see the ad and he would see that Econ gets a copy of the specifications.

Commissioner Willner moved that bids be re-advertised for on the washers for the County Jail. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad told Mr. Hotz to also call Mr. Bassett who lives on Beech Street in Newburgh, since he is a representative for Maytag in the area and he thinks he knows a man in Owensboro who may submit a bid also.

RE: PROBLEM ON SPRINKLE SYSTEM AT HILLCREST

Mr. Hotz said he called Commissioner Ossenberg last Thursday, that they have a problem at Hillcrest, that a couple of years ago they installed a new sprinkle system that was required by the State Fire Marshal and at that time, they installed it with the idea of having temperatures above freezing and since that time they have had about four freeze-ups on the system.

Mr. Stephen explained that the system they are using is the wet system which means that when they put water into it, the air was trapped in the fingers near the heads but after so long a time, that doesn't happen, that air is absorbed and they get water up to all the heads.

He said there isn't too much insulation in the ceiling out there but it is too much to allow enough heat in the attic to keep the temperature above freezing and one of the men who installed it, tried to overcome the situation by putting some 2,000 watt electric heaters in the ends of the mains with the assumption that the water would circulate within the pipes themselves and maintain a temperature above freezing, but this was proved incorrect, so there is a question of what to do.

He said when he saw the system he said they must do one of two things, either they convert it to a dry system, which is what should have been done with those conditions or insulating the roof line which would be the cheaper way to go.

Mr. Hotz said they have approximately 21,700 feet to insulate, using fiberglass, which is apparently the only insulation that the Fire Marshal would approve and this would cost somewhere around \$6,651 installed. He said his concern, with the insulation in there, is if they would still have enough heat trapped up there to do the job.

Commissioner Schaad moved that this matter be referred back to Mr. Hotz, Mr. Stephen, and the Insulation Company to work it out and to come back with a recommendation. Commissioner Willner seconded the motion. So ordered.

Mr. Hotz pointed out that the system is not now in service, that they have repaired the leak but he hesitates on turning it back on because if the temperature goes down to 0, they may have the same thing over again, also that if they decide on the insulation, it will be six to eight weeks before it is finished and he wondered if they should leave it out of service until that time, or what should they do.

Commissioner Willner suggested that they turn it on and leave the stairway doors open, but Mr. Hotz said the Fire Marshal won't let them.

Commissioner Willner said he thought that it would be better for the sprinkle system to be turned on with the doors open than to have no sprinkle system at all, until they install the insulation.

Mr. Hotz said he will turn it on but he isn't sure that they will open the doors.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the employees at the County Highway Department for the past week.  
Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking reported that they have the gates up on South Weinbach Avenue, that the new pick-up truck for the Highway Department has been ordered, and that they are all out of salt.

Commissioner Ossenbergs asked Mr. Siebeking if he intended to connect with the City and buy part of that salt if they get it today.

Mr. Siebeking said that if the deal goes through that Mr. Gullledge was talking about, he would buy what they let him have, but he was promised this morning, from the Owensboro terminal, that they are unloading a barge right now and she said she would try to get him one or two loads today.

Commissioner Ossenbergs said that Mr. Siebeking had better get with Mr. Gullledge, since if the Owensboro deal doesn't go through, they will still need salt, and Mr. Gullledge was sure he was going to get that barge and said that the salt is \$24.00 per ton.

Mr. Siebeking said that he found that the Board of Public Works hadn't realized, when they were letting bids, that the County was to be included on salt and things like that, but that they know it now.

He said his personal opinion is that the salt is there and they are just waiting for the price to go up, that they are paying \$14.00 per ton for salt now and he thinks they will be paying at least \$25.00 per ton when they buy more.

RE: CLAIMS AND CHANGE ORDERS

Mr. Guillaum said he is happy to say that they have the speed bumps taken out of Old Princeton Road.

He submitted a Claim from Barnett Bros. for the Old Princeton Road Structure #48, in the amount of \$1,266.50 and a change order which was an increase of \$120.00 for additional blacktop.

Commissioner Schaad moved that the claim and change order be approved. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by Barnett Bros. for Baseline Road, Structure #49, in the amount of \$19,803.13 and a change order which was an increase of \$3,445.00 for materials needed to insure satisfactory bearing area for beams.

Commissioner Schaad moved that this claim and change order be approved. Commissioner Willner seconded the motion. So ordered.

RE: BRIDGE AT COLUMBIA & DELAWARE STREETS

Mr. Guillaum said that the bridge at Columbia and Delaware was hit and he thought it best to take care of this through the garage. He said he has contacted the police department to try to find out who hit it, that the Insurance Company is involved and they have it temporarily cabled up to keep anyone from going through there, so he thought it best for the County to go ahead and repair it and keep track of time and materials and then back charge the Insurance Company.

Commissioner Ossenberg said he should notify the Insurance Company first, to inform them that the County is going ahead and fix it.

Mr. Guillaum said that there were three wrecks there at about the same time and he is having a little trouble with the police department in determining who did it and what company he is with.

RE: MILL ROAD

Mr. Guillaum said that on Mill Road between St. Joe and Kratzville Road, the approach needs fixed and he thinks that all it will amount to is some cold mix brought in there and that it be built up, and that the County garage could do the work.

RE: BASELINE ROAD BRIDGE

Mr. Guillaum said they probably should have a little riprap at the approach of the new Baseline Road Bridge, and here again, the garage could probably do the work, since it would be cheaper than to have the contractor do it.

RE: MR. STEPHEN

Mr. Stephen said, in continuing from last week when he gave the Commissioners a list of roads accepted by the County but not certified by the state, he submitted another list of roads of existing roads, but said he couldn't find where they asked the County to accept them, or either where they were certified to the state. He said the ones he has a question mark by are the ones that Mr. Siebeking didn't recognize and said that the County wasn't maintaining them, but were maintaining the rest of them and he came up with a little more than five miles of road. He said he also has some existing roads that were certified by the state that have been extended in the meantime and he came up with a little more than two and one-half miles of road, that he can certify these to the state, that have been extended and also the first list, but he wants some directions on the second list.

Commissioner Schaad said that the former County Attorney, Bill Stephens, made up a list of the accepted County roads, that Mr. Siebeking has a copy of them and the other copy should be in the Commissioners office. He said that Mr. Stephen should get with the state and check them out.

Commissioner Ossenberg said there are some roads on the list that he knows has been accepted by the County. He asked Mr. Siebeking if he has compared the lists that Mr. Stephen has with his master list.

Mr. Siebeking said he hasn't had time to check them yet, so Commissioner Ossenberg asked that they get together and check them out.

RE: SNOW EMERGENCY DECLARED

Commissioner Ossenberg said that the City has declared an emergency on snow routes so all those roads will be cleared first, that the County is doing this now. He said there are four inches of new snow right now, over what is already on the ground, with another four inches predicted, so we are talking about at least a foot of snow, so on the matter of closing county offices, he thought it should be left up to the discretion of the department heads, but he thought that someone should keep the county offices open.

The meeting recessed at 11:55 a.m.

PRESENTCOUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner  
BOARD OF COUNTY COMMISSIONERS



COUNTY COMMISSIONERS MEETING  
JANUARY 23, 1978

The meeting of the County Commissioners was held on Monday, January 23, 1978, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg 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

COUNTY COMMISSIONERS

Doris Wolf                      3029 W. Virginia St. Exec. Asst. to Co. Comm. \$10,914.00 Yr. Eff: 1/16/78

PROSECUTORS OFFICE

Gloria Faye Stinson      1033 Covert Ave.      Ch. Misd. Inv.      \$9,382.00 Yr.      Eff: 1/1/78  
Dana L. Shuler              1413 Venice              Misd. Inv.      \$9,132.00 Yr.      Eff: 1/1/78

VANDEBURGH AUDITORIUM

Ruby Norris                      1120 Lincoln Ave.      Parking Lot      \$2.75 Hr.      Eff: 1/1/78

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Robert Drake                      3137 Arlington Ave.      Rink Guard      \$3.00 Hr.      Eff: 1/1/78

COUNTY COMMISSIONERS

Doris Wolf                      3029 W. Virginia St.      Pt. Time Sec.      \$3,959.00 Yr.      Eff: 1/16/78

COUNTY TREASURER

Viola Schmahlenberger	Extra Help	\$20.00 Day	Eff: 1/20/78
Flora Rose	Extra Help	\$20.00 Day	Eff: 1/20/78
Carol Frank	Extra Help	\$20.00 Day	Eff: 1/20/78

PROSECUTORS OFFICE

Gloria Faye Stinson      1033 Covert Ave.      Misd. Inv.      \$9,132.00 Yr.      Eff: 1/1/78  
Dana L. Shuler              1413 Venice              Misd. Inv.      \$7,717.50 Yr.      Eff: 1/1/78

VANDEBURGH AUDITORIUM

Ruby Norris                      1120 Lincoln Ave.      Parking Lot      \$2.60 Hr.      Eff: 1/1/78

RE: LETTER FROM CONGRESSMAN DAVID CORNWELL ...TRAVEL REQUEST

A letter was received by the Commissioners from Congressman David Cornwell which reads as follows:

Dear Commissioners:

I am writing to invite you to attend a Conference on Federal and State Highway Programs to be held on February 3, 1978, beginning at 10:00 a.m. in the Holiday Inn in Jasper.

The Highway Conference will feature representatives of the Federal Highway Administration, Indiana State Highway Commission as well as Professor Jean Hittle of the School of Civil Engineering, Purdue University, discussing available federal and state funds for highway, road and bridge construction and repairs. These officials will also discuss the application procedures and answer any questions you might have concerning specific programs.

During 1978 Congress will be considering the Federal-Aid Highway Bill. This legislation will authorize for the next two years Federal programs involving highway construction and maintenance, bridge repairs, and railroad track relocations.



Because this legislation is currently before the House Public Works and Transportation Committee, I am most interested in your views on the current Federal-Aid Highway Program and what changes you would like to see implemented. Therefore, the last part of the Conference will consist of an open discussion evaluating the Federal-Aid programs.

I have attached to this letter a copy of the Conference participants and program. If you plan to attend, I would appreciate it if you would return the enclosed response form on the bottom of the attached information sheet by January 25.

In the meantime, if you have any further questions or need additional information, please do not hesitate to contact me.

Looking forward to seeing you on February 3, and with best wishes, I am

Sincerely yours,  
David L. Cornwell, M. C.

Commissioner Ossenberg said that he wouldn't be able to attend this Conference and he doubted whether the other two Commissioners would be able to attend, but he feels that someone should represent the Commissioners at this Conference.

Mr. Stephen said he has sent in his reservation.

Commissioner Ossenberg said he also thought that someone from Keith Lochmueller's office should attend as well as Mr. Siebeking, the County Highway Superintendent.

Mr. Siebeking asked if it would be okay to drive their car to Jasper, and said that he would take Mr. Stephen and someone from Mr. Lochmueller's office with him.

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

#### RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from Heston Insurance Agency, on insured, Alvin B. Wolf of 4501 Cynthiana Road, for a wedding party that will be held at the Evansville Vanderburgh Civic Auditorium on February 11, 1978. Certificate received and filed.

#### RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the Schultheis Insurance Agency, Inc. on insured, J. H. Rudolph & Co. Inc. for contractual liability insurance coverage, for coverage from 1/31/78 to 1/31/79. Certificate received and filed.

#### RE: PUBLIC HEARING ON FEDERAL REVENUE SHARING FUNDS

The Board of County Commissioners of Vanderburgh County set 9:30 a.m. on January 23, 1978 for a public hearing in the Commissioners Hearing Room, Room 307, Administration Building, Civic Center Complex, on a proposal to spend \$24,384.00 of Federal Revenue Sharing Funds for Salaries in the Sheriff's Department.

Any Citizen, including senior citizens, can comment verbally or in writing on the proposal at the hearing.

Following the hearing, the Commissioners will then present the original or modified proposal to the County Council for consideration at a date to be set by that appropriate body.

Commissioner Ossenberg said notices were sent to the Evansville Courier, the Evansville Press, the Evansville Public Library and the Southwestern Indiana Regional Council on Aging.

He asked if there was anyone in the audience that would like to speak for or against this public notice.

He explained that these are new guidelines set out by the Government for Federal Revenue Sharing that the Commissioners must follow.

There was no one present to speak for or against the notice.

Commissioner Schaad then moved that the proposal be presented to the County Council. Commissioner Willner seconded the motion. So ordered.

RE: LETTERS ON E.A.R.C. PARKING DECK PROBLEMS

The following letter was received by Mr. Tom Jones, the Executive Director of the Evansville Association for Retarded Citizens, from Fosse & Associates Architects, Inc.:

Dear Tom:

January 11, 1978

Enclosed is a copy of the letter received from Sonneborn Building Products concerning your parking deck problems.

As indicated in the letter, better weather conditions are required for inspection/correction procedures.

When appropriate weather conditions prevail, inspection/correction measures can proceed. I would assume this to be in a period of six weeks more or less.

If you have questions, do not hesitate to call.

Respectfully, William H. Fosse

The letter to Mr. Fosse from Sonneborn Building Products reads as follows:

Dear Mr. Fosse:

December 29, 1977

It was a pleasure meeting with you and the other gentlemen involved with the problem at the referenced project.

After the inspection of the deck and the plan and specifications, we would offer the following suggestions as a means of establishing the cause or causes of the leakage so that a plan for permanent repair can be put into effect.

1. A section of the wearing surface of the deck be removed for inspection of the membrane and the sealant joint in the structural slab. Perhaps the area abutting the ramp wall which is currently leading would be appropriate.
2. This inspection would best be done when the weather is more suitable, probably in early Spring. Concrete should not be removed and replaced in freezing temperatures.
3. Perhaps, at this same time, an inspection of the flashing where an expansion joint meets the parapet wall would be helpful since most of the leaks appear to be occurring at the exterior walls or the ramp walls.
4. A qualified Sonneborn-Contech representative should be present at this inspection. Please notify this office at least one week prior to the inspection so that we may schedule this visit.

We have discussed some necessary corrections in the joint details, but it is our opinion that all corrective work be held up until after the inspection of the membrane and structural slab.

If we may be of further immediate assistance, please notify this office or contact Mr. Murrell Mann.

Very truly yours,  
Allen L. Galin  
Manager of Technical Services

Commissioner Ossenberg asked Mr. Stephen if they had contacted him at all.

Mr. Stephen said they had, that he had received a copy of these letters, and he and Mr. Hotz were going to look at it, but they haven't had a chance to do it, but as soon as the weather gets better, they will, also he would like to be present when they come down, and they are aware of this.

Commissioner Ossenberg said, as long as Mr. Stephen is notified, because the County does have a considerable amount of money involved in that building.

Commissioner Schaad said he thought Mr. Stephen should write a letter to the architect and to the contractor, asking them to let him know when the inspection is to be made so he can be present, thereby, getting it on record.

Mr. Stephen said he would write the letter to them, asking that he be contacted as to date of inspection.

RE: MEMO FROM CHIEF ON DIVISION OF STATE AID

The following memo was received by the County Commissioners, from Virgil A. Bell, dated January 10, 1978.

Transmitted herewith is a listing of county allocations of "Special Bridge Replacement Funds" (BRS, BRM) which have been allocated as per Highway Commission policy which was approved and became effective as of printout sheet which lists all bridges in your county which may be eligible for this type of funding.

We are also enclosing at this time a memo concerning the use of 1978 Specifications and the availability of the specifications book.

The Indiana Counties were listed as well as the allocations of special bridge replacement funds for the fiscal year of 1978 for said counties.

Commissioner Ossenberg said, in looking at this situation, he assumes that Vanderburgh County is eligible for \$788.00.

Mr. Stephen said they have only one bridge that even looked like it was eligible for that and this is the bridge on Nurrenbern Road, Structure #119, west of Burdette Park.

He said he didn't know how the various counties were allotted this money, since he thought there was only \$1.2 million, total, to be divided among all the counties and some counties got in for bigger shares, but he didn't know anything about the guidelines. He said this is a program that will possibly be expanded, that it is set up so that if more money is made available, channels will open up to provide it, so he should probably keep on top of it so that Vanderburgh County can be put on the list for more funds, as it becomes available.

Commissioner Ossenberg said he wondered if Mr. Stephen's office shouldn't make an investigation to see what the \$788.00 would do, or the possibility of there being more money in the future, since they could then use the money, otherwise, the \$788.00 wouldn't do us any good.

Mr. Stephen said that he could find out at the meeting of February 3rd. by actually quizzing the people there.

RE: CLAIM

A Claim was received from County Attorney Wendel, for his January office allowance, in the amount of \$166.67.

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

A Claim was received from the Indiana Association of County Commissioners, for the County Board Membership Dues for 1978, in the amount of \$100.00, which is budgeted.

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

RE: YEARLY FINANCIAL STATEMENT

Mr. John submitted the Yearly Financial Statement to the Commissioners and explained that this must be made up and advertised this month and then send it to the state to show the financial status of the County.

Commissioner Schaad moved that the financial statement be accepted. Commissioner Willner seconded the motion. So ordered.

RE: REPORT.....MR. CROOKS

Mr. Crooks submitted a Report of 1 and 2 Family Housing Starts for the period of 1964 thru 1977, which shows a steady increase. The Report is as follows:

<u>YEAR</u>	<u>CITY</u>	<u>COUNTY</u>	<u>COMBINED</u>	
1964	294	180	474	
1965	344	258	602	+27%
1966	258	253	511	-15%
1967	292	311	603	+18%
1968	226	318	544	-10%
1969	132	208	540	-01%
1970	-144	119	263	-51%

<u>YEAR</u>	<u>CITY</u>	<u>COUNTY</u>	<u>COMBINED</u>	
1971	203	138	341	+30%
1972	175	178	353	+04%
1973	209	229	438	+24%
1974	94	217	311	-29%
1975	132	207	339	+09%
1976	198	301	499	+47%
1977	259	383	642	+29%

Report received and filed

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: REQUEST TO OBTAIN BIDS

Mr. Siebeking said he would like to ask permission or to see what the Commissioners think about getting some bids on two new trucks, two new snow plows and two new salt spreaders.

He said their snow plows haven't been replaced in eight years and they are having some problems with the old ones which have needed a lot of repair and they have nothing to use as a standby when one is being repaired, and they could use two new trucks, especially this summer, but they can also be used in the snow removal, that the trucks they are using now on the snow plows are 1968 models and they are beginning to tell the wear and tear on them.

He said they have \$65,000 in the equipment account from Federal Revenue Sharing money and he was just wondering what the Commissioners thought of this.

Commissioner Schaad moved that Mr. Siebeking go ahead and get bids on them, as to what he wants, since they need to keep the equipment up to par, and they haven't bought any for a good long while.

Commissioner Willner said he would like to wait the snow is off the roads, since they might have another road problem like they had last year and he would like to spend all the money possible on roads this year, since they did get some from Council. He said he also knows that they must keep the equipment up, but he would like to wait a month or two, so they will know exactly what they need.

Commissioner Ossenberg said he can see this too, but he can go along with at least going with one new truck, one new snow plow and one new salt spreader right now and getting the bids advertised because of the time of delivery.  
He asked Mr. Siebeking if he had any idea of time of delivery and if he had any specifications prepared.

Mr. Siebeking said he didn't know about time of delivery as yet, since he hasn't talked to anyone yet, but he does have the specifications for a truck, and he talked to Don Scraper the other day on snow plows and he said that he might be able to get a snow plow within three weeks, but that salt spreaders are a different thing, that he has more or less just been thinking about it, and this is why he brought it up this morning.

Commissioner Schaad said that the first thing Mr. Siebeking should do is to check on time of delivery and to come back next week.  
The Commissioners agreed that he check on the price and delivery dates of the vehicles and to come back with that information next week.

RE: COST TO COUNTY FOR SNOW REMOVAL

Mr. Siebeking said that the winter weather from January 1 to January 20 of this year has cost the County over \$10,000, that they spent \$3,466 in overtime payments to the garage employees who worked 469 overtime hours in that period, that they spent \$3,366 for 238 tons of salt and \$954 for 367 tons of sand.  
He said they spent about \$1,000 for repairs to equipment and with the additional cost of gas and oil for the equipment at about \$1,500, it pushed the total cost over \$10,000, for snow removal alone.

He said that last January was a very bad month also, but he didn't know how the cost this year compares to what they spent last year.

He said he was real proud of his men and the way they worked the past couple of weeks, especially this past week, since they put in a lot of hours, including the foreman and himself, that they all worked 12 hours last Saturday, that he split the crews

up so they could try to get some rest, rather than to keep them in a truck for 14 to 16 hours, and this was one reason they were able to keep the emergency snow routes clear, that they concentrated on those roads all night last Monday and on Tuesday, and this was one reason they were able to stay ahead of the snow on those particular routes.

He said they would have been in real good shape Thursday if the wind hadn't started blowing, but this really messed them up again, but he was real proud of the way his men performed in this emergency, and they have received a number of compliments from people, but they have also received a lot of nasty remarks, but on the whole, he thought the men did a real good job.

Commissioner Ossenberrg said he would like to compliment the Highway crew, since he also thought they did an outstanding job, that he received many calls, most of them complimentary, but he did have a few belligerent calls, namely, a couple of roads that weren't even on the Vanderburgh County list, that they were private lanes, but overall, he thought the county crews did an outstanding job.

RE: DAVE GUILLAUM.....PEACOCK LANE BRIDGE

Mr. Guillaum submitted pictures of the Peacock Lane Bridge but said they didn't tell the whole story, that he talked with Mr. Clouse out there perhaps a month ago, that at the time he had this riprap in front of the abutment, he really had a congestion problem with the ditch itself, that they have, right now, roughly 225 square feet of water way area in the new improvement in the ditch and at the time he had his riprap, it actually came out and extended in front of the abutment wall and he was cutting it down to about 140, so any way they look at it, he has a lot of congestion, and this is the reason they feel that he had to wash it out.

He said he talked with Mr. Stahl to see if he would sign an affidavit to the effect that he didn't damage the Bridge itself, but Mr. Clouse said that the contractor did damage it, so their stories are in conflict, but he said that right now, the bridge isn't that much of a restriction.

He said that the main thing now is, whether or not he even had permission to put the bridge in, that he asked him if he contacted anyone in County Government to get approval to do it, and he said he didn't know.

He said this bridge was built in 1969, that it was 50 foot upstream and a profile was taken of the new ditch, they have in, and 50 foot downstream and they took another profile, and they have an average waterway area of roughly 224 feet, and before, he had at best, maybe 140 square feet.

He said from the legal standpoint, he really doesn't know what the law says on the structure that has been put in and to come back in to clear the ditch.

Commissioner Schaad asked if anyone researched the minutes of the Drainage Board in 1969 to see if he was given permission to build a bridge or not.

Mr. Guillaum said that Mr. Brenner looked for it but there wasn't any record of it, and he said that the only thing he could do was to talk to Mr. Nussmeyer about it since this is who the man talked to.

Commissioner Ossenberrg said that Mr. Nussmeyer wasn't County Surveyor in 1969.

Commissioner Willner said the man didn't say he talked to the County Surveyor, that he talked to the engineer.

Commissioner Schaad said that he always understood that the Drainage Board would have to have given their approval for him to build a bridge, and that it wouldn't hurt to research those minutes back when it was built, to see if there was any approval given for it, that he might be in violation by putting the bridge in to start with.

RE: NURRENBERN ROAD BRIDGE

Mr. Guillaum said that maybe they could use the \$788.00 allocated to Vanderburgh County from the Bridge Replacement Funds to put new rails on the outside of the Nurrenbern Road Bridge, like they did on the Baseline Road Bridge, rather than to forget about the money.

Commissioner Schaad moved that Mr. Guillaum check this out and come back next week with recommendations. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad asked if an application must be made for the \$788.00 or do we automatically get it.

Mr. Stephen said they have to apply for it.

Mr. Guillaum said they could maybe do the job and then just get the money later, since this is a terrible bridge, that it is on a curve and has tremendous head walls. He said he would take a look at it and come back next week with a recommendation.

RE: COUNTY LINE ROAD

Commissioner Schaad said he had a call from a Bill Webb, that this goes back to the old County Line Road, between Posey County and Vanderburgh County, south of Old 460, West, and he wanted to know who takes care of this road, Vanderburgh County or Posey County, that he said he pays taxes in Vanderburgh County and it looks like we should take care of his road.

He said he told Mr. Webb that where he pays taxes doesn't have anything to do with it, that it is gasoline tax that pays for the roads.

Mr. Siebeking said that Posey County is responsible for that road, that Vanderburgh County maintains the South boundary and the East boundary of County Line Road, but we don't have anything to the South so all we maintain is the East Boundary.

Commissioner Schaad said that he will call Mr. Webb and tell him.

Mr. Siebeking said he always has fairly good cooperation from Mr. Dieg in Posey County.

Commissioner Schaad asked Mr. Siebeking to call Mr. Deig on this problem and in the meantime he will call Mr. Webb and explain to him that they have contacted Posey Co. to see if they can't get out there.

RE: CUTS IN

Two applications were received for cuts by the Evansville Indiana Water Department, one at 4241 Hogue Road and one at 10125 Baumgart Road.

The meeting recessed at 10:30 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

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

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COUNTY COMMISSIONERS MEETING  
JANUARY 30, 1978

The meeting of the County Commissioners was held on Monday, January 30, 1978, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg 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

AREA PLAN COMMISSION

Lynn Pitts	508 E. Gum	Receptionist	\$3.25 Hr.	Eff: 1/20/78
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CLERK OF THE CIRCUIT COURT

Janet Koester	3300 Sheridan Rd.	Sup. Crt. Dep. Clk.	\$281.96 Pay	Eff: 1/28/78
Kris Johnson	R.R.2 Schmuck Rd	Sup. Crt. Dep. Clk.	\$281.96 Pay	Eff: 1/28/78
Tina Cardin	1907 W. Michigan	Deputy Clerk	\$261.38 Pay	Eff: 1/28/78

VANDEBURGH CIRCUIT COURT

Harris Howerton	1707 Vann Ave.	Bail Bond Interviewer	\$3.50 Hr.	Eff: 1/16/78
Greg Cullison R.	4 Newburgh	Bail Bond Interviewer	\$4.00 Hr.	Eff: 1/16/78
Louise DeVoy	4915 Rollingridge	Bailiff	\$5.00 Hr.	Eff: 1/16/78

VOLUNTEER SERVICES...SUPERIOR COURT

Katherine Fuchs	Part Time Secretary	\$3.00 Hr.	Eff: 1/23/78
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RE: EMPLOYMENT CHANGES.....RELEASES

CLERK OF THE CIRCUIT COURT

Sharon Yunker	5313 Sherbrooke	Sup. Crt. Dep. Clk.	\$281.96 Pay	Eff: 1/28/78
Barbara Bruner	2915 Blossom La.	Sup. Crt. Dep. Clk.	\$281.96 Pay	Eff: 1/28/78
Susan Kirk	8302 Spry Road	Deputy Clerk	\$261.38 Pay	Eff: 1/28/78

VANDEBURGH CIRCUIT COURT

Harry Gray	1312 N. 3rd. Ave.	Work-Rel. Driver	\$8,200 Yr.	Eff: 1/16/78
Brenda Boyd (L.O.A.)	738 E. Powell	Budget-Clerk	\$7,243 Yr.	Eff: 1/30/78

VOLUNTEER SERVICES.....SUPERIOR COURT

Katherine Fuchs	Part Time Secretary	\$2.65 Hr.	Eff: 1/23/78
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RE: BIDS ON WASHERS FOR JAIL DEFERRED

Mr. Hotz said he has received no bids, to date, for the washers that are needed by the County jail, that he had promises of bids from the Econ Laboratories and from an outfit in Glenview, Illinois, but he hasn't heard from them.  
He wondered if the Purchasing Department could do any good in obtaining bids.

Commissioner Schaad said, that is what the Purchasing Department is for.

Later, Mr. Hotz said that he had just received a call from Econ Laboratories and they told him they had mailed their bid last week.

The Commissioners agreed that the bids were evidently delayed due to the bad weather, so they told Mr. Hotz to hold any bids he received until next week, after County Attorney Wendel said the Commissioners could declare it an emergency and award it to lowest bidder.

RE: MONTHLY REPORT

The monthly report was submitted by the Evansville Association for Retarded Citizens for the month of December, 1977.  
Report received and filed.



RE: CERTIFICATE OF INSURANCE ...FEIGEL CONSTRUCTION CO.

A Certificate of Insurance was received from the Hartford Insurance Group, Schultheis Insurance Agency, Inc., Authorized Representative, on insured, Feigel Construction Corporation.

Certificate received and filed.

RE: CERTIFICATE OF INSURANCE...WELBORN HOSPITAL

A Certificate of Insurance was received from the St. Paul Insurance Company, Greene & Greene Agency, Inc. Representative, on insured, Welborn Memorial Baptist Hospital, Inc. for the use of the Vanderburgh Civic Auditorium.

Certificate received and filed.

RE: CERTIFICATE OF INSURANCE...ARKLA INDUSTRIES

A Certificate of Insurance was received from the Hartford Insurance Group, Torian Agency, Inc., authorized agent, on insured, the Commissioners of Vanderburgh County, with Lessee being the Skip Talkers of America, Inc. for the use of the Vanderburgh Civic Auditorium from March 10th. to March 13th. 1978.

Certificate received and filed.

RE: MECHANIC'S LIEN

A Notice of a Mechanic's Lien was submitted by Billy Joe Bowen of Bowen Excavating Co. against a Dennis Owens and Nancy Owens.

Mr. John said this was submitted to him because of tax purposes.

Commissioner Schaad moved that this matter be referred to County Attorney Smith. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FROM COUNTY PROSECUTOR

The following letter was received by the Commissioners from Prosecutor Jeff Lantz:

Gentlemen:

The County Council provided me with additional funds to hire a full time deputy for the Vanderburgh County Prosecutor's office within the confines of the present office. Attached is a letter that I have received from Gil Ruston as to the labor and material cost that would be necessary to install such an office. Please take this letter as a request that the Commissioners authorize out of the appropriate account the expenditure of \$1,005.00 for the creation of this office. Should you have any questions please feel free to contact me.

Yours very truly, Jeffery L. Lantz  
Vand. Co. Prosecutor

The letter from Gil Ruston reads as follows:

Dear Mr. Lantz:

In accordance with your recent request we quote as follows:

Furnish labor and material to install approximately 16' vinyl wall in Room 220, with door frame, 32" solid wood door, transom, grille and hardware  
.....\$1,005.00

If you desire us to proceed, please have the County Commissioners authorize in writing.

Sincerely, C. G. Ruston  
General Manager

Mr. John said there might be money in Mr. Hotz's account to take care of this.

Commissioner Schaad moved that the Prosecutor's request be approved, subject to the availability of money needed. Commissioner Ossenbergh seconded the motion. So ordered.



RE: INSURANCE AUDIT AND INSPECTION

Commissioner Ossenberg said that the County Council in the last budget session, provided money for the study of the Liability Insurance of Vanderburgh County, and at that particular time, Anika Juras, who was the Assistant to the County Council, was handling this.

He submitted a letter addressed to Ms. Juras, from the Insurance Audit and Inspection Company, which reads as follows:

Dear Ms. Juras:

We plan to begin our audit and survey of your property and casualty insurance and exposures on Monday, February 6, 1978, if convenient with you.

Two members of our home office staff will do the field work, so we will need space and desks for two of us.

Also, please have available for our review all property and casualty insurance policies, leases, contracts, appraisals or other values information (including personal property inventories). Ready access to a copying machine would be most helpful.

Some member of your organization should be available to answer questions and to conduct one of us on an inspection tour of your major facilities.

Our survey and audit will probably consume the entire week, and a final conference to discuss highlights of our findings should be scheduled immediately after lunch time on Friday, February 10, 1978.

We look forward to working with you and your associates on this interesting and challenging assignment.

Yours truly, John W. Wall, CPCU  
Staff Consultant

Commissioner Ossenberg said that Mr. Hotz would probably have to take them out to view all of the County owned property.

He asked Mr. John if he could find room for them in the Auditor's office, and Mr. John said he would find a place in his office for them to do their work.

Commissioner Schaad asked if a contract has been prepared for this work.

Commissioner Ossenberg said that Ms. Juras thought County Attorney Smith was to draw up a contract.

After checking, it was found that a contract has been prepared and mailed to the Insurance Audit and Inspection Company for their signature, after having been signed by Commissioner Ossenberg and Commissioner Willner.

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter was received by the Commissioners, from the County Clerk, requesting a leave of absence for Velma Knight, Deputy Clerk:

Dear Sirs:

I would like to submit for your consideration and approval a request for a Leave of Absence for Velma Knight, an employee of the Clerk of the Circuit and Superior of Vanderburgh County.

She has been having intermittent back pain and now diagnosed as having Osteoarthritis of the Lumbar Spine and her physician Joseph C. McCarthy recommends some time off to rest to see if this will alleviate the problem.

The Leave would begin February 11, 1978 and continue for at least a 6 week period.

I have assured her that her Insurance benefits will be continued by the county for ninety (90) days provided she pays the premium directly to the Auditors Office and your Board approves the request for Leave.

I sincerely hope the request will be granted as she has proved to be a good employee.

Most Sincerely, Shirley Jean Cox  
County Clerk

Commissioner Schaad moved that the request made by Ms. Cox be granted. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A Claim was submitted by County Attorney Smith for his January office allowance, in the amount of \$166.67.

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

RE: COMMENTS ON HOUSE BILL 1370

Commissioner Willner said he has before him House Bill 1370 that was introduced by Representative Server and McIntyre and what House Bill 1370 does is to remove the responsibility of all railroad bridges in Vanderburgh County from the railroads to the governmental unit or agency responsible for the roads.

He said that what this means to Vanderburgh County, just off the top of his head, is that on some five bridges, they are talking about probably a quarter of a million dollars from Vanderburgh County and this is another Bill to relieve some of the responsibilities from the railroads to the general public and he, for one, is strictly against this Bill.

He said they have never kept up their bridges in Vanderburgh County as the Commissioners all know, and they just went through one on St. Joe Avenue which was very expensive to the taxpayers, over a railroad that had been abandoned and he would like to see the Commissioners take a stand in being against this Bill and that they write some letters to the House and Senate.

Commissioner Schaad said he told Mr. Server the same things that Commissioner Willner has stated here and that he couldn't see this being put on the taxpayer either and coming out of the bridge fund to do it, but he thought, in some instances, they should take each one separately because if they run into another situation like they did on Outer St. Joe Avenue, where the railroad is defunct and there is no way for them to do it, that there would be some legislation that would permit them to go in and do it, since it was drug out for a long time in getting it done, and not just a blanket deal that the County take them all over, but he thought there should be some legislation permitting the County to step in and do it if the railroad is defunct and can't do it, although he doesn't know how this could be determined, also that if some railroad is doing well and thriving, he didn't know why the County should take over that bridge. He said this was his opinion on it and he thought Mr. Server agreed, but he hasn't seen the Bill.

Commissioner Willner said the Bill even transfers the maintenance to the County immediately, on passage of the Bill, or if they were removed, it reverts back to the County.

He said he really didn't know if this Bill has been given to the Transportation Committee or not, that he just knows that the Bill has been introduced and has been given a number, but he doesn't know where it is at the present time.

He said the County even has some drainage ditch bridges on Baseline Road, that the railroad has perhaps a twenty foot wide wooden bridge just covering a drainage and this would even be the responsibility of the County and it would have even been a little more realistic if the railroad would bring them up to the County standards and then give them to us, that this would help things a little bit, but to give us a bridge that has been burnt once or twice and you can shake the side rails, like the one on Laubscher Road and to give the County something like this is utterly ridiculous.

Commissioner Schaad said he agrees with Commissioner Willner.

He then moved that the Commissioners adopt a resolution to oppose House Bill 1370 as it is now written.

Commissioner Ossenbergh said when he got the County Legislative Bulletin, he wrote to Shirl Evans, Jr. Executive Director and asked him for copies of Bills that pertain to the benefit of the Counties and those are as follows:

Senate Bill 11.....Finance - Wilson. Removes sales tax from state and federal tax on gasoline.

Senate Bill 214.....Finance - Kovach. State revenue sharing to counties and other local units.

Senate Bill 268.....Rules - McCormick. Provides \$50 million from General Fund for highway use. One-half to counties and other local units. One-half to State.

Senate Bill 283.....Finance - O'Bannon. Liberalizes use of local road and street fund; eliminates matching fund; appropriates funds to counties, cities and towns.

Senate Bill 302.....Government Affairs - Townsend. Concerns sale of property by County Commissioners.

House Bill 1023.....Roads - Wilson. Broadens usage of local road and street funds to include resurfacing and use on local roads.

House Bill 1049.....Roads and Transportation - McIntyre. Liberalizes use of State Highway Commission funds to local road and street account funds.

House Bill 1192.....Ways and Means - Goble, L. Hume. Local R & S match eliminated. Appropriates \$60 million, shared by counties, cities and public transportation.

House Bill 1221.....Roads - R. Jones, Arnold. Designates counties' responsibility for all bridges on southern and eastern boundaries, except state line bridges. Directs apportioning costs procedure.

House Bill 1263.....Ways and Means - McIntyre. Increases fuel and fuel tax rates from 8¢ to variable rate from 9¢ to 12¢.

He said this was the latest bulletin he has received, which was last week and he wrote for copies of these Bills as of January 24th. and House Bill 1370 isn't among them.

Commissioner Willner said he has a date that is written in long hand and it is 2/4/78.

Commissioner Ossenberg said it could come out on the next bulletin then, and if the Commissioners are opposed to the Bill as it is written, he would suggest that such a motion be made and he will forward a letter to them.

Commissioner Schaad said he has made such a motion and he would suggest that they get in touch with the Indiana Association of County Commissioners and ask them to lobby against the Bill as it is written.

Commissioner Schaad repeated his motion, in that the County Commissioners adopt a resolution to oppose House Bill 1370 as it is now written, adding that they contact the Indiana Association of County Commissioners and ask them to lobby against it as it is written and that if the railroad is in receiver ship, that this would give the County an automatic right to go in and do it and then bill the receivership for it, so if they have any assets, the County can recoup some of it. Commissioner Willner seconded the motion. So ordered.

RE: BOB HAMILTON CHARITABLE GOLF FOUNDATION, INC. ... FINANCIAL STATEMENTS

Commissioner Ossenberg said that Mrs. Hamilton brought in the Financial Statements on the Bob Hamilton Charitable Golf Foundation, Inc. for the years of 1975 and 1976, and she said they have misplaced the 1974 statement but they will get it to the Commissioners and also the statement for 1977, however, she said the accountant can't make the March 15th. deadline, that it would be more like May because they take the charitable organizations at the very end.

He said he didn't see any reason for the Commissioners to hold them to the date of March 15th. and he thought it would be perfectly alright if they didn't receive them until May, also that he has turned the statements for 1975 and 1976 over to the County Auditor for filing, so they will be there for inspection if the other Commissioners wish to see them.

RE: YEARLY REPORT

Mr. Crooks submitted the Yearly Report of the Building Commission on permits issued in the City and County for the year of 1977. Report received and filed.

RE: MR. HOTZ

Mr. Hotz said he has one item for consideration, that if we get into an emergency like we did this time, weatherwise, the Commissioners might keep in mind that they could use Pleasantview as a shelter, since they do have heat, light, water, cooking facilities, showers, and they have beds but no bedding, but this is something to keep in mind if they should get into a real emergency situation.

Commissioner Schaad said that Mr. Hotz would then probably notify the Red Cross, the Civil Defense and the County Sheriff.

RE: MR. SIEBEKING

Mr. Siebeking said, as the Commissioners know, the Corp of Engineers has taken over the snow detail and they said they would like for him to report to the Commissioners that the work is on schedule as far as they are concerned and they hope to have it wound up by 6:00 p.m. this evening.

He said this man has been working around the clock and has had his contractors, but that he did want this reported to the Commissioners this morning.

Commissioner Willner asked Mr. Siebeking if the County is paying one-fourth of the cost and Mr. Siebeking said not to his knowledge, that he hasn't been informed either way.

Commissioner Willner said this is the report though, and he asked if the Commissioners have any say in what is now transpiring in the County.

Mr. Siebeking said the only thing the County has any say about is that they took the maps and he wanted to thank Mr. Brenner for going all out, last Saturday, and having a bunch of maps reproduced, that all the County has is locations, that as far as people, time schedules and such, they have nothing to say about it, that contracts and everything else is handled by him.

Commissioner Willner asked what is happening in the North part of the County.

Mr. Siebeking said that John Mans is working there as well as Mulzer and Mr. Mans informed him, this morning, that he thought he would wind up with his territory this evening, that Mulzer was going North to Baseline Road and then working South again, and they felt they would have their territories finished by 6:00 p.m. this evening.

Commissioner Willner said they have some people who are still snowbound this morning because he was just on the phone, and there are farmers who are pouring milk out because tanker trucks can't get through their roads to make pickups, and the people who are working out there are opening roads wider, that have already been opened.

Mr. Siebeking said this is being done according to the Corp of Engineers.

Commissioner Willner said he didn't care who it was according to, that it is wrong, that they should make one lane of traffic for all the people before they go back and widen the roads.

Mr. Siebeking said he stood in his office while the man informed all the contractors what they were to do and his orders were that when they go through, it should be a twenty foot road, that some of them asked if they should break through and come back and the man said they should take it as they go and that if they can't get some of them twenty foot, since they aren't that wide, that they should be as wide as the road is now, that these were his orders.

Commissioner Willner said he is very disappointed with what is going on, in taking five days to get a man out.

Mr. Siebeking said he thought they have done real good because there are too many counties in this state that they haven't even started in yet.

Commissioner Willner said the County didn't even have enough equipment to handle this snow but the private contractors in Vanderburgh County have the equipment to do it. He said he hired ten private contractors on his own last Thursday after consulting with Commissioner Schaad and Mr. Siebeking, and that the contractors were making progress in opening northern county roads before the corps stepped in.

Mr. Siebeking said that all the contractors are local contractors, but as far as costs, he hasn't been informed and he doesn't even know what kind of price arrangements have been made.

Commissioner Willner said from what he read, the County is picking one-fourth of the cost, but he didn't know if this is true or not.

Commissioner Ossenbergh explained by starting at the beginning of this disaster set-up by saying that he was called at 11:45 a.m. on a Friday and was told to meet with Sheriff DeGroot who had all the responsibilities in the County and they were told by Congressman Cornwell's office that they would have a telephone number in Indianapolis and that they would be contacted by 2:00 p.m. and they were also told that they were to get any number of emergency equipment that they needed, that he called Mr. Siebeking and told him to get his priorities on the roads and they he would meet him in the Sheriff's office at 1:00 p.m. and at that time, they sat down with the Sheriff and discussed what equipment would be needed, that it included snow removal equipment, grader dozers, vehicles to remove abandoned vehicles with a winch, salt and sand spreaders, foul weather gear, ski masks, gloves, arctic suits, boots, etc, emergency coal supply, four-wheel drives at their disposal, helicopters based at Dress Regional Airport, food, clothing and medical supplies for stranded motorists, walkie talkies, heavy duty tow chains, mass transport vehicles for 8 to 20 people, funds to reimburse people for gas, food, etc. that by 3:00 p.m. they hadn't heard anything and he called Congressman Cornwell's office and he talked to a gentleman who couldn't give him any more information, other than the fact that they were to receive a telephone call from Indianapolis and they would work out of that telephone number and this was what they were to do. He said they still hadn't received any information by 3:30 p.m., so he called for any

number of state legislators and he was able to get in touch with Greg Server, that the rest had left for home in a convey of 15 automobiles, heading for Southern Indiana. He said that Greg Server had been a volunteer in the State Civil Defense Office, and he did get him, and this information was given to him by the State Civil Defense Director who was in conference with the Regional Director of the local Corp of Engineers, that they were told at that particular time, that the only thing we would receive, which he was grateful for, was the snow removal by private contractor, that there would be no equipment whatsoever, and they were told at that time, that helicopters were flying out of Fort Campbell and were surveying the entire state of Indiana by air with the Corp of Engineers.

He said they were told that any monies the County had spent up to the President's declaration of disaster and until the Corp of Engineers personnel was in contact with the Commissioners, would come out of their own budget, and they were told that it would be 100% and now he reads that it is 75% - 25%, and to his knowledge, they have yet to receive a telephone call from Congressman Cornwell's office, telling them the Indianapolis telephone number, and the next thing he knew was, that Mr. Siebeking was in touch with him at 10:00 p.m. at his home, to tell him that a gentleman from Owensboro, who is with the Corp of Engineers, would be at the County Garage at 8:00 a.m. on Saturday morning, that he was there at that time and the man from the Corp of Engineers was there and the contractors came in, and from then on, he took over.

Mr. Siebeking said that a gentleman whose name is Goodacre is in charge of the whole operation, out of Owensboro, and the gentleman who is working out of here is Kenny Haywood who is Mr. Goodacre's chief inspector.

Commissioner Willner said he has a note that was just handed him by a member of the news media which reads as follows:

People in federal emergency offices in Indianapolis, said today, local government can enter into the federal state 25% snow removal contract without the Corp of Engineers.

He said the way they explained it was that a unit such as the County Commissioners and Mayors may do so, that the Corp of Engineers, or course, is contracting on it's own at no cost to local government.

He said it looks to him like there are two plans here, that one is where the Corp of Engineers are on their own, at no cost to the County, or that they may go with the 75% - 25% with the federal government, without the Corp of Engineers.

He said he hired the ten private contractors, that he was snowed in and the Northern part of Vanderburgh County was hit much worse than any other portion of the County, that they have drifts twelve feet high, that he got a tractor and a four-wheel drive and they were just useless.

He said the way they were doing was to have people to come in to one side of the snowdrifts, unloading groceries and clothes to another vehicle on the other side of the snow drifts and go to the next one, that this was the way they were helping the people, that he had called these contractors and they were doing one hell of a job, and then when they said the Corp was coming in and they couldn't hire the contractors anymore, they left, but they would have had everyone out in another half a day, that the roads were already open to one lane, then the Corp came in and were widening the same roads while leaving the other people snowbound and he thinks this is wrong.

Commissioner Schaad said that when Commissioner Willner called, he told him that he thought Mr. Siebeking was hiring some private contractors but he didn't think that Commissioner Willner would hire any contractors, that he told him to call Mr. Siebeking.

Commissioner Willner said he did call Mr. Siebeking and he said he could hire some private contractors, so he did and then he got busy.

Commissioner Schaad said he was out yesterday all through Commissioner Willner's territory and he didn't see how the farmers could possibly break through some of those drifts out there, that he didn't think they had the equipment, in fact, the West side hasn't been taken care of yet because the man that was out there didn't have big enough equipment to do it so he couldn't handle it.

Mr. Siebeking said they are working on Bromm Road this morning, that Commissioner Willner had called him on it, and they had informed him that they thought they would get in there yesterday but when they changed shifts this morning at 6:00 a.m., he asked if they had gotten in there but they informed him they didn't get there yet, so this is where he sent them the first thing this morning, and he told them that Commissioner Willner is concerned about that road and they have to get it open, so this is where they were headed at 6:00 a.m. this morning.



Commissioner Willner said they weren't there yet at 9:00 a.m. because he just called them.

Mr. Siebeking said they are working up to it, that he just had a call and one of them is in a ditch, that he didn't know how they were working it, but they were heading toward it.

Commissioner Willner said he wasn't blaming the County Garage because they didn't have the equipment to handle it, but the private contractors in the area did.

Mr. Siebeking said that Mr. Haywood informed him, this morning, that he has been transferred out of here as of tonight, to Terre Haute to head the removal up there. He said he informed him of all the counties that haven't been started as yet, that Warrick County has never been touched, so they are hoping that Vanderburgh County will be done by 6:00 p.m. this evening, and the majority of equipment that is being used here will go to Warrick County. He said that Vanderburgh County was fortunate enough to be the first County on the priority list to come into.

Commissioner Schaad said they had to have some pictures of the equipment working and of what was actually done, as well as the seriousness of it, so they will have some photographs to take with them, that people just don't realize how bad this was.

Mr. Siebeking said he asked that a copy of everything be made for the Commissioners, one for the Corp of Engineers and one for the County Garage. He said they are hoping that by 6:00 p.m. tonight that they will be pretty well finished, also, he was informed that they would have what they call a clean-up operation, either tonight or the first think tomorrow morning, according to how things go.

Commissioner Schaad said that with an emergency like this and with no one having had any experience before, he thought they did a remarkable job, that it will be easier if they ever have another one, because they learn how to organize and how to get it done, that they learn by experience, and he thought they should be commended for doing an excellent job.

Mr. Siebeking said the County is out of salt so the County Garage is sanding some bad intersections and hills at the present time.

Commissioner Ossenbergsaid there were a lot of emergencies and it is true that we learn by experience, that he had a gentleman to call him last night who lives East of Burkhardt Road, on Oak Grove, who can't get out because of snow drifts, that he called the County Garage and the equipment couldn't even budge it, and the Corp of Engineers told them that they had to hit primary roads only and this gentleman happens to live on a secondary road, that he has no heat, no butane gas, and they were freezing, so he called the County Garage this morning and asked that they try to clear something so they could get that man some butane heat, so there are a lot of lives involved here. He said he knows that we have had problems with the Amax Coal Co. with blasting in the Northern part of the County, but at the Sheriff's request, they let him have all the equipment they needed, plus their helicopters, which they were using to drop food and supplies to people in Vanderburgh County that they couldn't get to, so all in all, it is a dreadful experience and one hell of an experience that he hopes we never see again.

RE: MR. GUILLAUM.....NURRENBERN ROAD BRIDGE

Mr. Guillaum said he took a look at Nurrenbern Road, that last week, they discussed what they could do with the head walls on the small bridge out there, that he thought they should go ahead and try to get those funds of the \$788.00 that is allocated for Vanderburgh County from the Special Bridge Replacement Funds, because this looks like a pretty good candidate for what they have been doing before with their impactor.

Commissioner Schaad said that if they can do a job with this money, he agrees that they should apply for it.

RE: COMMENTS ON AVAILABLE FUNDS

Mr. Guillaum said they have discussed the back hoe and that they may be able to get some CETA funds for that, since a letter came out of the Mayor's office as to funds available.

He said he talked to Tom Akin of Manpower on employment funds being available for this type of project, and the thing he liked about it was the fact that they are talking about a long-term project which is more desirable.

Commissioner Ossenberg asked if this is the one where there is \$35,000 available and Mr. Guillaum said that it was.

Commissioner Ossenberg said he was going to bring this up in the meeting today.

Mr. Guillaum said that Mr. Akin said this would be right in line with what they were trying to do with that money.

Commissioner Ossenberg said that is for the hard core unemployed and he asked Mr. Guillaum if he feels as though he could use it.

Mr. Guillaum said they could certainly use it, that the first thing they have to get is good operators, that the labor wouldn't be any problem, that they could probably get someone through that program that would work out okay, but the concern he had was for the operator, and Mr. Akin said there were ways they could do this. He said he hasn't gotten all the information on it yet, that a lady is in charge of the forms and could give him more information but she never did call him back. He said the money they have would be applicable for the employment of people but there is a separate thing on the machine and the County would have to fund that and he has prices from different people here in town on it and \$7,250 was the lowest price he has gotten on the machine, but he would like to get a demonstration on it and he is talking to the outfit that has it for sale, but they haven't been able to get together because of the weather, also that this money would have to be approved by the County Council, that they talked about taking it out of the Bridge Account, and if they could get this in full swing, the amount of money they would save would be astronomical over a period of a year, that they have the impactor so if they get the tractor to go with it they will be in business, that they will have to advertise for bids but they can't necessarily buy the cheapest one.

Commissioner Schaad asked if this should be bought with Federal Revenue Sharing Funds since it is for capital equipment and he asked if they could buy capital equipment out of the bridge fund.

County Attorney Wendel said he thought they could, that he would have to check it.

Mr. Guillaum said, also with the figures they have obtained for the operator and the laborer, they were going on the assumption that they would be unionized the same as the County Highway Department.

Commissioner Ossenberg said that CETA requires this.

Mr. Guillaum said, however, they have a ceiling of \$10,000 and the operator would be above this, so the County would have to pick up the additional money. He said he talked to Indianapolis about two months ago and at that time, everyone was behind on this program as far as funds were concerned, but no one would come out and say they would give out any money, that they all felt that it came under the Highway Hazard Program, that the funds would be available, but no one would come right out and say that we would be eligible for the money and as soon as they could even have applied, it would have been like February or March.

Commissioner Willner moved that Mr. Guillaum go ahead and advertise for bids and to bring it all back before the Commissioners when he sees what it is going to cost. Commissioner Schaad seconded the motion. So ordered.

Mr. John said that this is on the Council Call for February.

Commissioner Ossenberg said that Mr. Guillaum had better get with Tom Akin and with the Commissioners secretary on it, that there is \$35,000 and he didn't know how long this would last, also that if he recalls correctly, there is a February deadline on those employees.

Mr. Guillaum said that the way it was explained to him was that this is only a yearly thing, and that they would come up with this same amount every year, but he did make clear that there is a \$10,000 ceiling and that anything above this amount would have to be picked up by the County, also he learned something that he wasn't aware of, that he was told they could actually transfer employees onto this program.

Commissioner Schaad said he didn't think this could be done and he asked if a CETA person doesn't have to be an unemployed person that they are hiring, and said once they were on CETA, they could be transferred to a regular job but not from a regular job to CETA. and he thought a person must be unemployed for 60 days before he is put on CETA.

Commissioner Willner said that the operator could probably be hired out of the Bridge Fund and the laborers out of CETA.

Commissioner Ossenberg said that Mr. Guillaum had better get with Mr. Akin and with Ms. Wolf, the Commissioners secretary, since there is a February 9th. deadline.

RE: LETTER OF APPROVAL RECEIVED FROM STATE

Commissioner Ossenberg said he received a letter of approval on the Nurrenbern Road Project at the L & N Railroad crossing in Southwestern Evansville at south urban limits of Evansville.

Mr. Lochmueller said he has been looking for this, that it is authorizing money for the construction of automatic signals and gates, and that now it would be up to L & N as to when they schedule the work, that this approves the money. He also said that this means the engineering has been approved, so when the weather breaks, they can then put the lights up.

RE: MR. LOCHMUELLER

Mr. Lochmueller said he was in Indianapolis last week and he checked on projects, and on St. Joe, he wants to get with Mr. Stephen so he can finish whatever they have to do on the curb cuts, that he knows that the State Highway Commission has set down very strong policies, that in allowing streets to be built and medians to be cut through, they are saying that the developer is going to have to prove to them that they are going to do this, so in the case of the Industrial Area, Mr. Henson is getting all of the documentation together.

Commissioner Schaad said he talked with Guy Campbell and he indicated that if that developer had the project started, that the state would participate in it, but if they were only in the planning stage and hadn't started it, they would have to go along with the present way of design and they would then come along with an engineering change later if they were ready to go before the project was completed and at that point, they would have no participation in it.

Mr. Lochmueller said this is the new policy, that they don't put a dime in it to begin with, that is, a local job with federal money, but they are saying that they will let us use federal money if we don't meet their policy, that he talked to them Wednesday, and on that particular case, the rezoning is through and they will be getting a curb cut from Stephen, a street will be platted, and when all of this takes place, that will be enough proof to get that curb cut through for that case, that what he is saying is that they will be able to solve that particular cut, but there are other where they would like to have median openings, without the street being built there yet, that in the future, it could be built, and his question is, how does the state really know when it is our money or federal money and it's not bad design. He said that on individual cases when this comes up, they proceed to do what they have done before.

He also said that he wants to get on one of the cuts with Andy Easley and get with Mr. Stephen, that the third cut would be down at the Midas Muffler, South of Allens Lane, that there is a problem there.

He said he asked where the cut was to be on Lynch Road and he thought it would be wise if the Commissioners would request Leo Weiss of Engineer Associates to submit a progress report, that he called him and he was so close to being finished and yet they haven't finished, and if they don't finish a few minor things, they will end up letting that contract in October or November, that the earliest they could let it is in June and they aren't even close to June, so he would suggest that the Commissioners get their urgency stated, that it hasn't been taken care of.

He said what the state is telling him now, is that we have not yet advertised for an opportunity for a public hearing and they can't do that because the specifications aren't in, so as soon as this takes place, to be advertised, that is 30 days and lets say that they have no hearing, then they are talking about the finalization of it and they are talking about July at the earliest.

He said he also wanted to mention that he wanted the Commissioners to give him the FA-2 Forms that is for next years jobs, that would begin July 1st.



He said he would get a list for the Commissioners for next month, that probably since they don't have any construction on St. Joe or on Lynch Road, it would be again programming those monies for construction and he is kind of suggesting that they maybe get in preliminary engineering, or maybe extending Lynch Road on over to Burkhardt Road, that this would be a new job.

He said he would bring this before the Commissioners next week, that it must also go before the County Council at some stage, but they need those to be in the Federal Highway by a certain date.

Commissioner Ossenberg asked Mr. Lochmueller that he handle the project of Nurrenbern Road with the L & N Railroad Co.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

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

COUNTY COMMISSIONERS MEETING  
FEBRUARY 6, 1978

The meeting of the County Commissioners was held on Monday, February 6, 1978, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Pete Swaim opened the Commissioners 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: VANDERBURGH COUNTY HIGHWAY DEPARTMENT COMMENDED

Commissioner Ossenberg said he had received correspondence that was addressed to the Mayor's office, and reads as follows:

Mayor Lloyd:

We realize that you probably have your hands full of complaints, so this is a little different kind of letter. We the residents of the West Side of the County would like to commend the Vanderburgh County Highway Department on the excellent job they did on the county roads and lanes. We were very scared we would be trapped because of the snow but the boys were out immediately working on the streets.

Thank you for having such good men who care about us enough to do a thorough job. We can't say enough.

Letter received and filed

Thank You For Your Time  
West Side County Residents

RE: SPECIAL ANNEXATION ORDINANCE NO. 1977-2

A Special Ordinance was submitted to the Commissioners for the annexation of certain contiguous territory adjacent to the Town of Darmstadt, Vanderburgh County, Indiana. stating that it was passed by unanimous consent and adopted by unanimous vote by the Board of Trustees, Town of Darmstadt on the 3rd. day of October, 1977. Ordinance received and filed.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

ARMSTRONG TOWNSHIP ASSESSOR...REASSESSMENT

Allan Maasberg 117 Spring Haven Dr. Res. & Comm. Field Man \$20.00 Day Eff: 2/1/78

BURDETTE PARK

James Montgomery 1422 Cody Security \$3.50 Hr. Eff: 1/31/78

COUNTY ELECTION BOARD

Susan K. Kirk	8302 Spry Road	Supervisor	\$3.10 Hr.	Eff: 1/30/78
Sharon Yunker	5313 Sherbrooke Rd.	Dep. Clerk	\$2.50 Hr.	Eff: 1/30/78
Mary E. Moore	1518 Ravenswood	Dep. Clerk	\$2.50 Hr.	Eff: 1/30/78
Edward L. Knight	1113 E. Riverside	Supervisor	\$3.10 Hr.	Eff: 1/30/78
Perry A. Neale	2849 Edgewood	Ballot Assembly	\$2.50 Hr.	Eff: 1/31/78

CENTER TOWNSHIP ASSESSOR...REASSESSMENT

Robert Westenbarger 1804 N. Weinbach Res. Supervisor \$350.00 Pay Eff: 2/3/78

CIRCUIT COURT

Kay O'Malley R. 4- Box 602, Newburgh Probation Clerk \$2.65 Hr. Eff: 1/30/78

VANDERBURGH AUDITORIUM

Katherine Appuhn 201 N. Lemcke (Return from L.O.A.) Asst. Mgr. \$9,546 Yr. Eff: 1/30/78

VANDERBURGH SUPERIOR COURT

Michael Hayden	537 S. Rotherwood	Public Defender	\$319.92 Pay	Eff: 2/6/78
Marlon Lowe	2105 E. Tennessee	Court Bailiff	\$5,758.00 Yr.	Eff: 1/1/78

SUPERIOR COURT.....505.0-137 G ... NEW PROGRAM...CRIME CONTROL

Jack L. Rhinehart                  Camp Carson                  Counselor                  \$9,600 Yr. Eff: 2/1/78

RE: EMPLOYMENT CHANGES.....RELEASES

CENTER TOWNSHIP ASSESSOR .....REASSESSMENT

Virginia Parrish                  3313 N. 12th. Ave.                  Res. Supervisor                  \$350.00 Pay Eff: 2/2/78

PROSECUTORS OFFICE

Michael J. Hayden                  6519 Whetstone                  Trial Deputy                  \$9,400.00 Yr. Eff: 2/4/78

SURVEYORS OFFICE.....REQUEST FOR LEAVE OF ABSENCE

Danny Kares                  Mesker Park Drive                  Party Chief                  \$12,480.00 Yr. Eff: 2/6/78

The following letter was received by the Commissioners, from Mr. Brenner, the County Surveyor:

Dear Sirs:

I would like to submit for your consideration and approval a request for a Leave of Absence for Dan Kares, an employee of the Vanderburgh County Surveyor's Office.

Mr. Kares would like a Leave of Absence for a period of 90 days, effective February 6, 1978.

Most Sincerely,  
Robert W. Brenner  
Vanderburgh County Surveyor

RE: CONTRACT AWARDED ON WASHERS FOR COUNTY JAIL

Bids were to be opened last week for the washers that are needed by the Jail, but no bids were received, and it was found that one bid had been mailed but due to the bad weather, was delayed, so the matter was deferred until today.

Mr. Hotz received the bid during the past week and it was from Economics Laboratory, Inc. for 2-sixty pound washers, installed, at the cost of \$14,975.00. This price also includes the removal of the existing washer.

Commissioner Schaad asked Mr. Hotz if this equipment is acceptable by Sheriff DeGroote. He said he went to the Sheriff's Department the other day to see what the situation was and he found that the washer that is there now is enormous and will have to be cut apart to get it out of there, also that it isn't working properly, that they have to wring the clothes out by hand, and he suggested they defer the matter until this week when they found that the bid had been delayed, since he thought the Sheriff could take a look at the new equipment to see if it is what they need, and the price isn't out of line, and if agreeable, the Commissioners should maybe declare it an emergency and go ahead and award the contract for the washers, because they sure need them.

Mr. Hotz said he had contacted Sheriff DeGroote and Lieutenant Moers, who is in charge of the Jail, and it was agreeable with both of them, in that both these washing machines would suit their needs. He said bids were advertised for on two different occasions and several companies were contacted for bids, but the bid from Economics Laboratory, Inc. was the only one received, and they are located in St. Paul Minnesota.

The warranty and service was questioned and it was found that it covers parts and labor for six months, also, Mr. Hotz said they should start getting parts in two weeks.

Commissioner Willner moved that the washer for the Jail be declared an emergency. Commissioner Schaad seconded the motion. So ordered.

It was found that there was no performance bond enclosed with the bid and Mr. Hotz said he would inform Economics Laboratory, Inc. of this so they can furnish one. He also said he has the money in his account.

Commissioner Schaad moved that the Contract for the two 60-pound washers be awarded to Economics Laboratory, Inc. at the cost of \$14,975.00. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the Heston Insurance Agency, on insured, Whirlpool Employees Federal Credit Union, for use of the Vanderburgh County Auditorium. Certificate of Insurance received and filed.

RE: REQUEST TO TRAVEL

The following letter was received by the Commissioners from Shirley Jean Cox, the Secretary of the Election Board, requesting permission to attend a meeting in Indianapolis:

Dear Sirs:

Please find attached a copy of the letter from the State Election Board announcing a called meeting for all Clerks of the State of Indiana to be held in Indianapolis on Tuesday, February 7, 1978.

I respectfully request your permission and approval for myself and Mr. Sam Blankenship, Democrat Board Member, to attend.

Thank you for your consideration.

Most Sincerely,  
Shirley Jean Cox, Clerk  
Vanderburgh Circuit & Superior Courts  
Secretary Vanderburgh County  
Election Board

Commissioner Schaad moved that the request of Ms. Cox be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER RECEIVED ON COAL SHORTAGE

The following letter was received by all elected and appointed officials, from Mr. Ruston of the Building Authority, in reference to the coal shortage:

Southern Indiana Gas & Electric Company has asked all industrial and commercial customers to voluntarily reduce electric usage twenty-five percent (25%). This is in line with the Federal Emergency Energy Control Program.

This is all necessary because of a dwindling supply of coal.

Therefore, until further notice, we ask your cooperation in minimizing light usage in the Civic Center Complex as follows:

1. Turn off all lights and appliances when leaving at close of regular business hours or court sessions.
2. Turn off any lights not needed during the regular working hours such as wall and other decorative lights.
3. Open drapes for natural light whenever possible to reduce electric usage.
4. Permit removal of fluorescent tubes from existing ceiling fixtures where "over lighting" is apparent. Call extension 5805 for service.

We would appreciate your cooperation in an effort to reduce our electrical consumption.

C. G. Ruston  
General Manager

Letter received and filed.

RE: REQUEST TO APPLY FOR CETA MONIES

A letter was received from Shirley Jean Cox, County Clerk, requesting that the Commissioners apply for Comprehensive Employment and Training Act money to hire persons to inventory old county records stored in the basement of the Civic Center. The letter reads as follows:

Dear Sir:

I would like to request that the Vanderburgh County Commissioners consider submitting an application concerning the above encaptioned for an "Inventory of County Records and items in basement storage and some remodeling of the area.

I realize that the amount of money available is limited and the requests probably many; however, I see this as a critical need for our county. Your previous letters to the Office Holders and Department Heads covering storage have indicated such.

It would seem that utilizing wall and area space from floor to ceiling would be a necessity and a Supervisor with some background in library, cataloging or inventory and a full-time staff of four (4) could undertake and complete this project within several months.

Thank you, Most Sincerely,  
Shirley Jean Cox, Clerk

Ms. Cox said that there are many offices that use the basement storage area and the Commission on Public Records have been very concerned about the storage space that is available, as well as the County Commissioners, that they have sent letters to the officeholders, asking that they inventory what is in the area to see if any of the materials could, by law, be destroyed or turned over to a historical society.

She said that a lot of records have been inherited since the new courts were consolidated and a lot of officeholders don't know exactly what they have in storage, also there are some records at the Conrad Baker Foundation that should be turned back to the Vanderburgh County jurisdiction.

She said what she is asking the Commissioners to do, is to submit this project, that time is of the essence since February 9th. is the deadline for submitting an application for a project of this nature, that there is \$35,000 available and if the Board would choose to see this as a useful project, they should get the ball moving.

She said she isn't asking for any employees to do this, that she doesn't have the time to oversee it, but she is asking the Board to seriously consider setting up a short-termed project, using CETA funds, to get the project started.

Commissioner Schaad said there is no doubt about it, that this needs to be done, but they would need someone to be in charge that knows what they are doing.

Commissioner Schaad then moved that the Commissioners do make a request of Manpower for this project, and work out the details later, if they get the money. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said this is the same deal that came up last week, where Mr. Guillaum asked for CETA employees for the bridge improvements, etc., that the question is the priority.

He asked Ms. Cox if there has been any more talk at all of microfilming.

Ms. Cox said that there has just been talk, that nothing has really been done., also that Conrad Baker has made an inventory of all their records but Vanderburgh County doesn't have such an inventory and she thinks they need one.

Commissioner Ossenberg asked Mr. Hotz how much time he thought it would take to get these records together.

Mr. Hotz said he hasn't had this experience and he would hesitate to make a guess, but it would take a long time, also, that recently, Mr. John went through his records and disposed of about 80 boxes of materials, that the other department heads should do this, since they are the only one who knows which records can be disposed of and which should be kept, and he doesn't have this knowledge.

Commissioner Ossenberg said, essentially what Mr. Hotz is saying, is that if the Board grants this request, the department head would have to be down there with the workers at that particular time to see if certain materials can be disposed of.

Mr. Hotz said "yes" unless, as Ms. Cox said, that they can get someone that has the knowledge of the records as to what should be kept and what could be disposed of, but he would think that the department would have to be there.

Ms. Cox said that she wouldn't think the department heads would have to be down there when the inventory was taken, and they would then be given a list of what is down there and then if they need help, the department head could bring it to the Commission of Public Records to see if they need to keep them or not.

Commissioner Schaad asked Ms. Cox if she would have any idea as to who would have the expertise and would be available to do this.

Ms. Cox said she didn't know of anyone but she was sure that the Commissioners could find someone, by advertising for someone with the ability to do the job.

Commissioner Willner said that when he was trustee, he contacted the State Board and they told him what records he could destroy and what he had to keep, that they told him, that everything that was soft-bound could be destroyed and everything that was hard-bound should be kept.

Mr. John said there are guidelines to go by, also that they have trouble getting the department heads to actually go down and physically go through their materials, that it isn't bothering them so they won't take the time to see what they don't really need to keep, but if they could come up with a list of what each office had, they could go through it and pick out what they don't need, in just a few minutes, as well as to what then have to keep, and then they can submit it to the Commission on Public Records and it can be taken care of that way, but he didn't know if they could get the individual officeholders to go down there to go through the materials they have down there.

He said the area down there is divided, that there is a City inactive storage and a County inactive storage, which are two separate rooms.

Commissioner Ossenberg said that the Commissioners will make the application with Mr. Akin of Manpower Planning.

RE: LETTER ON HOUSE BILL 1370

Last week, the Commissioners adopted a resolution to oppose House Bill 1370, so Commissioner Ossenberg sent Representative Greg Server a letter stating this opposition.

The letter reads as follows:

Dear Mr. Server:

After a careful review of House Bill 1370 which was introduced by you and Representative McIntyre, I have come to the conclusion that this proposed legislation as written, should be defeated. It is not my opinion alone, but all of the Vanderburgh County Commissioners agree that House Bill 1370 should not be approved.

The proposed bill would relieve the railroad companies of significant responsibilities. The State Highway Commission and Local Authorities---the taxpayers---would be encumbered with ownership and maintenance of railroad bridges on streets and highways. No longer would the railroad companies be liable for the safety of railroad crossings---this burden would be shifted to the general public. Tax revenues are already insufficient to adequately maintain the present road systems and Bill 1370 would only serve to exacerbate this situation.

Although railroads should remain responsible for maintaining their own railway lines and equipment, I personally would welcome legislation permitting State and Local governments to step in and take over the responsibility for railroad bridges and road crossings whenever a railroad company goes defunct or a rail section is abandoned.

In closing, I wish to reaffirm that some legislative changes pertaining to railroads may be needed. However, Bill 1370 is not desirable for it would place an unnecessary burden on the taxpayers. I hope you will seriously consider withdrawing your support from this proposal.

Respectfully yours,  
Thomas L. Ossenberg, President  
Vanderburgh County Commissioners

Commissioner Ossenberg said that copies of this letter also went out to all the legislators, to the two Senators in the area, and also to the Association of Indiana Counties.

He said he heard from Mr. Shirl Evans, Jr., Executive Director of the Association

of Indiana Counties, who said that the Bill has somewhat been amended, but the only thing he reads in Section 1, is that the state highway commission may accept the transfer of title to all vehicular bridges, etc. and in Section 2, is that any city, town, or county may accept.

Commissioner Schaad said he talked to Mr. Server Saturday and he did say that it would be permissive legislation instead of mandatory. He said he told Mr. Server, that with this "may", they are no farther along than they were before, and he asked how it would be decided and who would agree on whether they do or don't take it.

He said that Mr. Server agreed with him and stated that he didn't think the Bill would fly anyway.

He suggested to Mr. Server that maybe if a railroad was defunct and in the hands of the receivers, that there be no red tape, that it just be automatic that the County or State take it over, so they wouldn't have to go through the same thing they did with Penn Central, and Mr. Server said he didn't think the Bill would go any place anyway. but the rewording of the Bill is just a matter of negotiating with the railroad as to who is going to do it.

He said he told Mr. Server that maybe some could write the bill in that if the railroad was broke and in the hand of the receivers, then it would be automatic, since they couldn't afford it anyway, so we could do it and then bill it back to the receivership, so if there was any money available after liquidating it, the County would get some money back, to where they could get something done to protect the citizens and make our roads safer.

Commissioner Ossenberg said he brought this out in the letter he wrote to Mr. Server.

#### RE: CLAIMS

A Claim was submitted by Szabo Food Service, Inc. for meals of jail inmates from December 1st. thru December 31st. 1977, in the amount of \$5,318.30.

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

A Claim was submitted by Szabo Food Service, Inc. for meals of jail deputies from December 1st. thru December 31st. 1977, in the amount of \$408.20.

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

A Claim was submitted by Szabo Food Service, Inc. for meals of jail inmates from January 1st. thru January 15th. 1978, in the amount of \$2,786.55.

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

A Claim was submitted by Szabo Food Service, Inc. for meals of jail deputies from January 1st. thru January 15th. 1978, in the amount of \$185.25.

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

#### RE: NOTICE OF HOLIDAY CLOSING

President Ossenberg announced that the next two Monday's are holidays, celebrating Lincoln's and Washington's birthday, so the next two Commissioners meetings will be held on Tuesday, February 14th. and Tuesday, February 21st. 1978.

#### RE: REPORT ON USAGE OF XEROX MACHINE

A Report on the amount of usage of the xerox machine for each office was submitted to the Commissioners for their records.

Mr. John said that each Township Assessor now has his own auditron to run copies on the xerox machine, and what happens is that the Commissioners bill them at the end of each month for the amount of copies they run and he thought it probably a little wasteful to do this, since the money comes out of the same fund, that it is all paid out of the general fund and it only causes him to pay the Commissioners, but it doesn't go back into their budget, that it just goes under a miscellaneous receipt, so we are spending the money out of the Commissioners budget and then spending it out of the Township Assessors budget and putting it back into the general fund, so all they are really doing is a lot of paper work and causing a little extra expenditure.



Commissioner Schaad said that for some time, he had thought this should be in their individual budgets instead of in the Commissioners budget, so they could determine who was using what copies and they couldn't do this before, that they never knew who was using the copies, but now we do.

Mr. John said it is still a lease with the County Commissioners and he doesn't see any way they would be able to charge each individual office.

Commissioner Willner said he thought this was done because the courts was using it but they no longer use it.

RE: ANNUAL REPORT

Mr. Judd submitted the Annual Report of the Traffic Engineering Department for 1977.

Report received and filed.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the Employees at the County Highway Department for the past week.

Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking asked if the Commissioners, about a year ago, drew up a resolution or something on railroad crossings being blocked in the County, that it seemed to him that they were having some problems out on Baseline Road and the trains were keeping the crossing blocked for long periods of time, and either a resolution was drawn up or a letter was sent to the railroad people on it.

Commissioner Ossenberg said he doesn't recall ever doing it in the County but that he was certainly part of it in the City.

Mr. Siebeking said he remembered having problems out on Baseline Road at one time, but he couldn't remember what they did on it.

He said the reason he is bringing this up is because he found that the L & N is using the Nurrenbern Road crossing as part of their switch track, and last Friday night with the river being up, this is the only way that people in Union Township have to get home and it was tied up for one hour and forty-five minutes.

He said he checked with a couple of men who are with the railroad and they said they are using it as a switch track, and if someone was trying to get into town and waiting on the other side of the track, in case of an emergency, with a heart attack or bleeding to death, they would have sat right there and died.

Commissioner Willner said he tried, unsuccessfully, to get Baseline Road open, that it is the same thing there, and sometime they even break the switch track for maybe ten feet on either side and no one can even see if there is a train on the main track. and he had no luck what-so-ever, until he called the state police, and they put a stop to it real quick, so the next time it happens they should contact the state police and they will get results.

Mr. Siebeking said they had some problems out on the Cypress-Dale crossign about six or seven years ago and his wife finally got aggravated and she personally wrote a letter to the President of the L & N and they got results, so he thought maybe if the Board would write a letter to the President of L & N, they would get results, since he doesn't like to be bothered with this type of thing, that they got results in less than five days on Cypress-Dale.

He said that the problem on Nurrenbern Road is getting to be ridiculous, that it is bad enough when the river isn't up, but when it is and it is the only way the people can get home, it's ridiculous.

Commissioner Willner said there is a law against it, that it is just a matter of getting it enforced.

Commissioner Ossenberg said that it is a mandatory state law.

Mr. Siebeking said he also found that when it is enforced, there are tickets issued, and those tickets are torn up, that they are never paid by anyone, and



the gentleman he talked to, had two tickets issued himself, that he doesn't have to come off the engine, that he said he got one ticket on Division Street by a City Policeman and tore it up and handed it back to him and said, "try to collect it", and this is where it stops.

He said that an engineer can come off of an engine, whether it is a switch engine or a road engine, and take the lock key with him and that engine can sit and no one can move it, that the man said those are their orders, that when they come off the engine, the key is in their pocket, but he sympathizes with them because he has even been late to work himself, by trains blocking Claremont, and he said they wouldn't get anything done because they do as they please, that they didn't care what kind of laws there were, and if the yard master tells them to sit, they sit.

He said he thought the Commissioners should definitely write to the President of the L & N, that he was personally going to write him a letter.

Commissioner Ossenberg said that it seems to him, back when he was on the City Council, it was pretty much true, that they ticketed the engineer, that the City Attorney, at that time, was Bob Matthews, and he thought that Bob held accountable to the yard master, and the situation soon improved, but since there is a state law governing it and since the City has it, he thought the County should have it too, so he thought the Commissioners should draw up an Ordinance on it. He asked County Attorney Paul Wendel to research the City Ordinance against obstruction of streets by railroad trains in anticipation of a similar Ordinance that may be considered by the County.

County Attorney Wendel said he would research the City Ordinance.

RE: BACKHOE BEING ADVERTISED FOR

Mr. Guillaum said they are advertising for bids on a backhoe that was previously discussed, that bids were advertised for, on February 3rd. and will again be advertised for on February 10th. with the bids to be received and opened on February 14th., and that he has already received a reply on a couple of them. He said they have the application in for CETA funds, so they should hear from this soon.

RE: MR. STEPHEN...REPORT ON MEETING

Mr. Stephen said he attended the meeting in Jasper, Indiana, and he would like to make a clarification of the amount of money on the bridge replacement funds, which listed Vanderburgh County an allotment of \$788.00, but the new letter came out January 30th. and the Federal Highway Administration said they weren't in compliance in distributing the money on that type of ratio, on any appropriation to the counties, that the money is there and it is a lump sum and is on a first come, first served, basis, for anyone that has projects that can qualify under this. He said that Indianapolis has one and out of the one-million and almost \$300,000, Indianapolis is asking for \$700,000 of it because they have the Tenth Street Bridge over White River ready to go, but they don't know how much of this they will get yet, but for anyone that has bridges ready to go, this money is there to apply for.

Commissioner Ossenberg asked if Vanderburgh County has any bridges ready to go.

Mr. Stephen said they may have, that Mr. Hartman is working on one on Kleitz Road, and they may be able to apply for funds for this one.

He said he thought there would be another meeting concerning the distribution of funds as to the 75% of funds paid, that they will have application forms available probably next week and he thought that Mr. Siebeking should be there, that the applications can then be filled out and sent in, so that the office of Civil Defense can pick up that reimbursed 75% of the monies paid to individual contractors.

Commissioner Willner said they should then ask the contractors to get their bills in immediately.

Mr. Siebeking that the first time, they heard that they were going to help pay on the overtime and this sort of thing but there will be no overtime reimbursement, no repair of parts reimbursement, that it is strictly for the contract work, and the people the County had under contract from Friday noon until noon, they will pay 75% of it, and there is no limit on the amount of money, so whatever the bill is, they will pay 75%.

He said they were going to hold the meeting last Saturday, but they found that they weren't ready for it, so they said that it would probably be next week sometime before they have everything together, and at that time, they want us to have our bills together in total, that there has to be no written contracts, that if it is

a verbal contract, all they need to do is to put it on paper, certifying that this is what they spent and have it approved by the Commissioners, so he will try to have it by next Tuesday for approval, and they it will be ready for when they have the meeting.

He said they won't need claims for this but they will need claims from each individual contractor for the 25% that will be paid by the County.

Commissioner Schaad asked who would actually pay the bills to the individual contractors.

Mr. Stephen said they kind of indicated that they prefer the County, if they have the money, to go ahead and pay it and then be reimbursed the 75%.

RE: OUTER LINCOLN AVENUE

Commissioner Schaad asked Mr. Stephen how they were doing out on Outer Lincoln Avenue where they are going to widen it.

Mr. Stephen said they have the right of way now and they are ready to proceed on the plans, that they have the preliminary plans but not the final plans.

Commissioner Schaad said they want to get everything done so they can advertise for bids as soon as possible and when spring comes, they will be ready to go.

RE: MR. STIEBEKING

Mr. Siebeking said that he didn't know until last Friday, how Vanderburgh County is hated by the other Southern Indiana Counties, except for Warrick County, that the other Counties are really jealous.

Commissioner Ossenberg said he guessed this is the reason for the problem he had in trying to convince a woman that County Line Road, at the Posey County-Vanderburgh County line is the responsibility of Posey County, that Posey County was telling her that Vanderburgh County was responsibility, that he was trying to tell her that Vanderburgh County is responsible for Warrick County at the County line.

Commissioner Schaad said that the man that called him said about the same thing, that the man said he pays taxes in Vanderburgh County and he expects Vanderburgh County to take care of his roads.

RE: LYNCH ROAD PROJECT.....M-6005 (13)

The following letter was received by Mr. Bell from Engineer Associates on the Lynch Road Project:

Dear Mr. Bell:

Under separate cover I am forwarding tracings of the final plans for the referenced projects incorporating all changes agreed upon during the final field check. I am sending also the special provisions, the information pertaining to the Railroad Crossing and the storm sewer to be put under the Railroad Crossing. We are sending the material by air, special handling, return receipt requested. If there are any questions or we may provide further information, please let us know.

Very truly yours, Engineer Assc. Inc.  
Darrell A. Veach

Mr. Lochmueller said that after this drawing has been finalized and submitted, they request that this project be scheduled for public hearing, that they probably won't have a public hearing but they won't move until this is done.

Mr. Stephen said he was in on the field inspection on this project, that they went over the plans and then there were corrections to be made but he hasn't seen the corrected plans that was updated since the field inspection.

Commissioner Willner asked what the cost is now of the total project and he was told that the cost is \$1.7 million.

Commissioner Schaad moved that the final plans for Lynch Road be signed. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner said he just wants to remind the other Commissioners that they are tying up the R & S funds for many a year, for a project that is in the annexation area that has already been filed, that it isn't a through road, and he just wants them to know what is happening.

Commissioner Ossenberg said that is one of the projects, on a through road, that Mr. Brenner has in mind.

Mr. Lochmueller said that the FA-2 forms must be turned in next Tuesday, but he didn't receive them, so he will have someone bring them in next week, since he won't be here.

Commissioner Willner asked how much R & S we are using.

Mr. Lochmueller said we are using 30% of R & S and by the time they get into construction for the second phase, there is a House Bill in now and they may possibly change the funding from 70-30 to 80-20 so it could be that it will be 80% federal and 20% local.

Commissioner Willner asked how much money the County gets per year from R & S.

Mr. Lochmueller said the County gets around \$700,000 per year, but that they have an accumulation right now, so they have the money.

Commissioner Willner said that he is going on record in not signing the plans, that as bad as Vanderburgh County needs money for roads, after two years and the least amount of money they have spent during his time on this Board has been last year, and he would hope that this year they would have a road program going, that they have some extra money from the Council and the Revenue Sharing, and he thought they could really do a job, but if they are going to spend it all on one area, he is against it, so he won't sign the plans.

Commissioner Schaad said they can always second-guess anything, that they come along and have to have a review as to what they are going to do in the future, just like St. Joe Avenue and the rest of them, and then they get started on a project and spend the money for the engineering and everything and something else comes along and after it is all done, then Commissioner Willner comes along and says they ought not do it, that they would never get anything done.

Commissioner Willner said that St. Joe Avenue was in probably six years before this job and it still hasn't been completed.

Commissioner Schaad asked whose fault was that, and said that Commissioner Willner was on the Board back then and something should have been done about it at that time, that it should have been done long ago, that they are trying to get something accomplished but every time they do something, after it is all over, Commissioner Willner criticizes it, but that he was part of it too.

Commissioner Willner said this is absolutely true.

Commissioner Ossenberg said, in all fairness, that there wasn't an Urban Mass Transportation Committee back then, and he is taking the responsibility for it, that he fought hard, being a member of that policy committee, to see that St. Joe got done, as well as Lynch Road and other projects, and the policy committee unanimously adopted these projects and kept them in the top priorities.

Commissioner Schaad said while they are on the subject of criticizing, look back at Eichoff Road, that Commissioner Willner was on the Board then, that they should look at what was spent in Mr. Biggerstaff's office, as Surveyor, that all the engineering plans were done and nothing was done with them, then the present Commissioners came along and hired an engineer so they could get it done, and now the Urban Transportation comes along and said they shouldn't do it, that they should look at how much money was spent for the engineering alone. He said the project should have been finished.

Commissioner Willner said he agrees with this, that it is a good project and he thinks it should have went and he still thinks it should go today, that someone besides him changed the plans on Eichoff Road.

Mr. Lochmueller said he didn't want to confuse the issue, but if they got into a lot of detail, since they went with a new set of numbers and re-evaluated the situation, they have a plan they hope to come before the Commissioners, that goes back out to Eichoff Road, that the plan is to cut across to Marx Road, then tying over to Mill Road, which ties into Lynch Road, that it all ties together, so the plan has definitely been revised.

RE: MR. LOCHMUELLER

Mr. Lochmueller said that he would like to meet with the Commissioners sometime today to discuss the FA-2, also on another project coming in, since they will need a project engineer, that they have construction engineering money for it, but these things won't run unless they have the proper engineering staffs. He also said they haven't used roadside obstacle money, where they can move culverts back, that the money is available, but they can't apply for it this year because they don't have the preliminary engineering, but he thought they could get some of that money next year, so these things need to be discussed.

RE: POOR RELIEF

Charles Nathaniel Reynolds...616 E. Chandler...Pigeon Twp...Ms. Vitatoe, Investigator

The Notice of Poor Relief Action from the Pigeon Township Trustee's office shows that Mr. Reynolds applied for help on his rent but was denied because his rent isn't 30 days delinquent.

Mr. Reynolds said that he was told that his rent must be 30 days delinquent before the Trustee paid anything on it, but that the last time he was in the Trustee's office, his rent wasn't 30 days delinquent and they paid it.

Ms. Vitatoe said the reason it was paid the last time was because Miss Hall is a new caseworker and she hasn't been fully on the instructions of it, that the boy was laid off from work and only had one pay coming, so to help him through that month, she went ahead and paid it, with the understanding that it would be the only time.

She said she talked to the landlord after that payment was made and told him that the Trustee couldn't pay for an 18 year old boy to set him up in an apartment and keep him going, when there are odd jobs around that he could do, but as of now, he has been to California where he was working at K-Mart, that he quit that job to come back, that his rent is \$27.00 per week and she informed that the most the Trustee could pay was \$60.00 and that only if it was 30 days delinquent.

Mr. Reynolds said his rent is 30 days delinquent and the landlord said that if the Commissioners had any questions they could call him. He said he is still looking for a job and has made several applications, that he doesn't have any unemployment compensation coming, that he was working at Cook Label last and has worked at Tri State Fabricators, that he was living with his parents in California but came back because he wants to live here, and the landlord will accept partial payment.

Ms. Vitatoe said they feel that a single person of his age could find some kind of work to help pay his way.

Commissioner Ossenberg said that Mr. Reynolds could get a chauffeur's license and get a job today driving a cab, or he could get a job as a stock boy in a grocery store. Commissioner Schaad moved that Mr. Reynolds's appeal be denied. Commissioner Willner seconded the motion. So ordered.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg

Bob Schaad

Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Paul Wendel

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
FEBRUARY 14, 1978

The meeting of the County Commissioners was held on Tuesday, February 14, 1978, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: REQUEST BY JUDGE LENSING

Judge Robert Lensing appeared before the Commissioners and said that he has a small problem, but he thinks it can be corrected very easily. He said they are in the process of destroying, revamping, and placing records in their Juvenile Court down in the record keeping department in the basement, that they not only handle juvenile delinquency in their court, but neglect cases, adoptions, guardianships, paternity actions, where men are found to be fathers of illegitimate children, which are very serious types of things. He said the problem is that a mother that gives her child up for adoption, comes back later, and finds that her name has been released or some information has been given out, and if this happens, it is a traumatic experience for her, but that the delinquency cases aren't all that important to protect, but the child out of wedlock cases, the adoption cases, and the neglect cases have to be protected. He said that recently, because of their clean-up, they have put about 3600 files away and they are going to destroy about 3,000 more files, but when he went to the basement he found that some of the files had been moved and changed, that they had been pulled out and laid on top of a file cabinet, that none of his people had done it, but he could see where a person that worked in a particular office would have a key to the court room, could go in there and check on information. He said he talked to the Assistant Building Superintendent who said there is a section down there that could be sectioned off just for these records but that he would need to buy some steel fencing to do this, and it would be kept separate. He said there is one person in his office that has a key to all the file cabinets, and he has a CETA employee that is starting today and she will have the only key to get in those files, since he thinks it is important to protect those records to protect the people involved, and they need funds to do this. He said they would provide the manpower to do the work.

Commissioner Ossenberg told Judge Lensing that the next procedure would be to get a bid from the Building Authority as to the cost and then come back.

RE: MONTHLY REPORTS

The Report from the Clerk of the Circuit Court was submitted for the month of January, 1978.

Report received and filed.

The Report of the County Treasurer was submitted for the month of December, 1977.

Report received and filed.

The Report from the Bureau of Traffic Engineering was submitted for the month of January, 1978.

Report received and filed.

The Report of permits issued by the Building Commissioners was submitted for the report period of January, 1978.

Report received and filed.

RE: NOTICE OF SALE.....PLEASANTVIEW REST HOME

County Attorney Wendel prepared another set of specifications for the sale of Pleasantview Rest Home which reads as follows:

NOTICE IS HEREBY GIVEN that the Board of Commissioners of the County of Vanderburgh (hereinafter referred to as the "Board") and the Vanderburgh County Council (hereinafter referred to as the "Council") will take bids, on the terms described below, for the sale of Pleasantview Rest Home, located at 700 Senate Avenue, Evansville, Indiana and more particularly described as follows:

Being a part of the Northeast Quarter of Section Five (5), Township 6 (6) South, Range Ten (10) West lying in Vanderburgh County, Indiana and being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter (NW  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) of said Section being also the point of beginning, thence North Zero (0) degrees Thirty-eight (38) minutes Seventeen (17) seconds West Six Hundred Sixty-two and Ninety-seven one-hundredths (662.97) feet, thence South Eighty-nine (89) degrees Sixteen (16) minutes Twenty-seven (27) seconds East One Thousand Three Hundred Seventeen and Seventy-five one-hundredths (1,317.75) feet, thence South Zero (0) degrees Three (3) minutes Seventeen (17) seconds East Six Hundred Sixty-two and Ninety-seven one-hundredths (662.97) feet, thence North Eighty-nine (89) degrees Sixteen (16) minutes Seven (7) seconds West to the point of beginning, being the South one-half ( $\frac{1}{2}$ ) of said quarter quarter ( $\frac{1}{4}$   $\frac{1}{4}$ ) Section containing Twenty (20) acres, more or less.

Said property includes all window air conditioners; emergency lighting system; fire extinguishers, hoses and fire protection equipment; heating system with three (3) boilers; two (2) stainless steel-topped kitchen work tables; two (2) wood-topped kitchen work tables; walk-in cooler; walk-in freezer; two (2) ranges; dishwasher with dish table and trays; refrigerator; steam table; serving table, serving table with display and handrail; coffeemaker with stand; water fountains; drapes; blinds; and all laundry equipment located on said real estate.

#### TERMS AND CONDITIONS

1. Bidding for the purchase of this property will be by public auction at the site of said property on the 21st day of March, 1978, beginning at 1:00 p.m., C.S.T.
2. The Board of Commissioners of the County of Vanderburgh and the Vanderburgh County Council reserve the right to reject any and all bids.
3. The successful bidder, if any, shall deposit as security a certified or cashier's check for Twenty-five Thousand and 00/100 Dollars (\$25,000.00) payable to the Board of Commissioners of the County of Vanderburgh at the site of the auction immediately upon the conclusion of the bidding, which said sum shall be subject to forfeiture by the bidder in the event the bidder fails to comply with these terms and conditions of sale.
4. The abstract of title to said real estate may be examined at the office of the Auditor of Vanderburgh County during regular office hours of said office. Costs of abstract preparation will be paid by said Board and Council.
5. Said real estate may be inspected upon the making of an appointment with Herman Hotz, who is the Superintendent of County Buildings, or Curran Miller Auction & Realty, Inc., (812) 867-2486.
6. Vanderburgh County shall be responsible for insurance and maintenance costs occurring up to the time of the date of the closing of the transaction; the successful bidder will be responsible for all insurance costs, maintenance costs, taxes and all other expenses incurred thereafter.
7. Said Board will deliver to the successful bidder a quit claim deed at the closing of the transaction upon the bidder's full compliance with the terms of these specifications. The closing shall be held within thirty (30) days of written notice of bid acceptance unless otherwise mutually agreed in writing by said Board, Council, and bidder.
8. Said Board reserves the right to enter upon said real estate within thirty (30) days from date of possession by the successful bidder for the purpose of preparing for and holding a public auction of Pleasantview Rest Home surplus personal property located on said real estate, and the bidder hereby agrees to permit said entering and the holding of such public auction on said real estate.  
At the closing of the sale, the full purchase price, less the total security deposit of Twenty-five Thousand and 00/100 Dollars (\$25,000.00) shall be paid by certified or cashier's check.  
The minimum bid that will be considered by said Board and Council is Three Hundred Thousand and 00/100 Dollars (\$300,000.00).

#### NOTE:

All bids are made subject to the provisions of these specifications; by making a bid, the bidder agrees to abide by the provisions of these specifications.

County Attorney Wendel said he has been in touch with Hugh Miller of Curran Miller Realty Co. who is present today in case anyone has any questions, and based on the time the sale must be advertised, which is once a week for four weeks, they came up with a tentative date of March 21st, on a Tuesday.

He said he submitted the specifications to the County Council last week and this date was acceptable to them, that they have the time set for 2:00 p.m. but Mr. Miller suggests that it perhaps be changed to 1:00 p.m.



He said the deposit situation is different if it meets with the Commissioners approval and rather than having a \$5,000 certified check deposited before anyone can bid, what they are considering this time, to easier sell the property, would be to let the bidders go ahead and bid and then immediately upon the conclusion of the bidding, whichever bid is accepted, that bidder would deposit \$25,000.00.

He said the abstract and title will be in the Auditors Office for inspection by anyone that wants to look at it and the County will be paying the cost to bring the abstract up to date, also the County shall be responsible for the Insurance and maintenance cost up to the time the transaction is closed, and by the closing, means at the time the cash changes hands and the deed would pass from the County to the bidder, also that at the date of closing, Insurance costs, maintenance costs and any taxes that result from the sale will be the expense of the bidder.

He also noted that he has a provision in the specifications so the County can sell the personal property that is in the rest home right now, that the successful bidder agrees that the County has 30 days from the time the bidder takes possession of the property to hold an auction to sell this personal property.

He said that there is a minimum bid stated this time which is \$300,000.00.

Commissioner Schaad said they had discussed, at one time, that the bidder agree it not be used for a non-profit organization and he asked if it was given any thought this time.

County Attorney Wendel said there is really no way they can restrict this, since they can have a successful bidder that has a tax paying enterprize and two days after he buys it, he can sell it to a non-profit organization if he wants to.

Commissioner Willner asked if the law suit that was filed has been cancelled.

County Attorney Wendel said all the agreements have been made to dismiss it, but Mr. Flowers who was the plaintiff in that case is vacationing in Florida and when he gets back, his attorney has indicated that he is going to dismiss the suit. He said the Council has approved the specifications.

Mr. Miller said he has talked with Mr. Wendel and the County Council's attorney and about the only recommended change that he can see is that Mr. Wendel was just calling for a personal check of \$25,000.00 as a deposit but the Council specified that it be a certified check or cashier's check, and he has recommended to Mr. Wendel that it be reverted back to a personal check due to the complications of all the bidders who are interested in bidding on the property, of having to arrange for a certified check, that he sees no need to create a barrier or problems for people who want to buy the property, that he has talked to Mr. Jones who is the Attorney for the Council, and he is going to approach them about this and he would like to see it changed back to a personal check if possible.

County Attorney Wendel said that the only problem in changing it, is that the Council would really have to do it at another meeting which would throw the timing off somewhat and even in changing the time of the sale would create a problem since they passed an ordinance with the time of the sale being 2:00 p.m.

Mr. Miller said he understands that they left this phase open, that they could change the date and time of the sale, since they have snow problems out there and if it doesn't clear up soon, this may cause a problem as to the date and time of the sale.

County Attorney Wendel said there is no provision in the new specifications for taking the bids under advisement since this will be decided at the time of the auction itself, as to whether they will take any of the bids or whether they will just reject them all, so the Council members will need to be there together with the County Commissioners so they can make a decision on the sale of the property, and by having the sale on March 21st. it will give them plenty of time to announce a meeting on that date. He said he supposed the certified check that is required would have to stand since that was in the Council's ordinance but he thought the idea that Mr. Miller came up with, by suggesting to move the sale up one hour was ingenious, since the successful bidder could go directly to the bank to have his check certified.

Commissioner Schaad suggested that it just be left as requiring a certified check and that the sale be moved up to 1:00 p.m. if it is agreeable with the Council.

Commissioner Ossenberg said it seems to him that it would almost have to be agreeable, that it must go this way, if they are going to have the sale on March 21st., that he doesn't really see the necessity of a certified cashiers check, but now that it has been passed by the County Council and by the time they would meet again, he thought it would throw them way off.

Mr. Miller said as he sees it, there are very few businesses today, with the interest arrangements that are available, that let money lay around in a checking account, that the money is usually invested on short termed interest and it is just going to be an inconvenience to the people that come out to bid, for them to interrupt that arrangement.

He said he didn't think they were necessarily tied in on the date of March 21st. if the Commissioners want to change the date, so they can do something about the certified check, but said they have gone this far and he would like to see the property sold as well as everyone else.

Commissioner Ossenberg asked Mr. Hotz how many months the County Council gave them money to pay for security and utilities out there.

Mr. Hotz said it was funded for three months which will be until April 1st.

Commissioner Schaad moved that the Commissioners accept the specifications but change the time of the sale to 1:00 p.m., that if the Council could legally do it differently, he would be in agreement, that otherwise, they have a motion here in their minutes that the Commissioners approved it. Commissioner Willner seconded the motion. So ordered

( The change in time of sale was made in specifications as written in these minutes.)

Commissioner Schaad then moved that the Auction for the sale of Pleasantview be advertised. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CLERK OF THE CIRCUIT COURT

Marie E. Olds	2800 Lodge	Deputy Clerk	\$261.38 Pay	Eff: 2/11/78
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COUNTY ASSESSOR...REASSESSMENT

Sara E. Barron	1763 S. Taft	Reassessment Clerk	\$30.00 Day	Eff: 2/14/78
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COUNTY SURVEYOR

Dan Kares	5220 Mesker Ph. Dr.	Party Chief	\$12,480.00 Yr.	Eff: 2/13/78
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RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

Robert Tiek	1212 S. Roosevelt	Planner	\$10,000.00 Yr.	Eff: 2/13/78
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BOARD OF COUNTY COMMISSIONERS

Marsha Smith	1035 Burdette Ave.	Exec. Asst.	\$10,914.00 Yr.	Eff: 2/11/78
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CLERK OF THE CIRCUIT COURT

Velma Knight (L.O.A.)	3701-B Stringtown	Deputy Clerk	\$261.38 Pay	Eff: 2/10/78
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COUNTY ASSESSOR...REASSESSMENT

Donald Ray Smith	409 E. Franklin	R. E. Clerk	\$30.00 Day	Eff: 2/7/78
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RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by the Pacific Employers Insurance Co.. Forrest Sherer, Inc. representative, on insured, Conren, Inc. dba Great Scot Supermarket, for the use of the Vanderburgh County Civic Auditorium. Certificate received and filed.

RE: INSURANCE BINDERS SUBMITTED

Three Insurance Binders were submitted by Torian Agency, Inc., on insured, the Commissioners of Vanderburgh County, on Workmen's Compensation, Comprehensive General Liability and on Comprehensive General Auto. Insurance Binders received and filed.



RE: BLUE CROSS MASTER POLICY

The Blue Cross Master Policy for Vanderburgh County which is in effect until 8/31/78 was submitted to the Commissioners.  
Master Policy received and filed.

RE: LETTER OF REQUEST.....BURDETTE PARK

The following letter was received by the Commissioners from Ray Wolf, Manager of Burdette Park:

Dear Commissioners:

I am requesting \$5378.20 for the difference of the increase from \$4.41 per hour to \$4.78 per hour in accordance with the salary ordinance for the union agreement at Burdette Park.

This amount was figured with the difference being 37¢ multiplied by 80 hours per day for 26 pays per year for seven employees.

If you have any questions I will be more than happy to answer them at the meeting.

Respectfully, Raymond J. Wolf  
Manager of Burdette Park

A copy of this letter was sent to each of the County Council members.  
Letter received and filed.

RE: LETTER OF REQUEST.....BURDETTE PARK

The following letter was received by the Commissioners from Ray Wolf, Manager of Burdette Park:

Dear County Commissioners:

I am requesting that you allot us \$100,000.00 to be credited to our capital improvements account (145-712 Buildings and Structures). This money is a necessary emergency appropriation to repair the damages at the pool.

The pool is now 17 years old and has never had any major repairs done, therefore, it has been deteriorating gradually more each year. Damage has been caused by weather and usage. The past two years we have had two very severe winters which has caused the pool to even decay more rapidly. The decks of the pool are very weak and could cave in at any time causing injury to someone. The heavy snows have added much weight which has caused them to crack under the pressure. The water lines have many leaks and the underground springs have begun to seep through.

These damages could be very hazardous to patrons of the park. We made some temporary repairs last year, but as I said they are temporary. I believe, without a doubt, that the pool is an emergency situation and also a very critically dangerous one. Without these repairs the pool may have to be closed permanently. I have photographs which show some of the deterioration and I will present them to you at the meeting and explain further the urgent necessity of these repairs.

Your consideration in this matter is very vital to the safety and growth of Burdette Park.

Respectfully submitted, Raymond Wolf  
Manager

Commissioner Ossenbergsaid this letter should really have gone to the County Council and he thought that the appropriation grant of this \$100,000.00 is part of that, if approved by the Council, and they are eligible for Phase 11 and Phase 111 of BOR money which is the Federal and State grants that they have received so far this year for tennis courts, improvements of roads, etc. in the park.  
He said on Phase 11 and Phase 111, if Council appropriates, it looks like BOR will put a 50% grant match to it.

RE: AUTHORIZED TO READVERTISE FOR BIDS FOR BACKHOE

Mr. Guillaum said he contracted nine different suppliers on the backhoe that is needed by the Surveyor's office, that he got four prices and received only two invitational bids, one in the amount of \$6,995.00 and the other being \$7,225.00.

County Attorney Wendel said that since this isn't an emergency and that since these prices are over the amount allowed, they will have to readvertise for sealed bids.

Commissioner Schaad moved that bids be readvertised for on February 17 & 24, with the bids to be opened on February 27, 1978. Commissioner Willner seconded the motion.  
So ordered.

RE: LETTER ON PSE PROJECT APPLICATION

The following letter was received by the Commissioners from Ms. Shirley Jean Cox, the County Clerk:

Thank you for your approval of the idea of an "Inventory of County Records" as a worthwhile project.

I am sorry to say, however, that when your Board so graciously referred the application to me for completion this could not be accomplished by the required deadline.

I sincerely hope that the Commissioners will diligently pursue funding and an inventory completed.

Thank you. Shirley Jean Cox, Clerk

Letter received and filed.

RE: PRECINCT BOUNDARY CHANGES MADE

County Attorney Wendel submitted an Order of Precinct Boundary changes for the Commissioners signatures and said that Ward 1...Precinct 20 and Ward 2...Precinct 4 have a common boundary, that this was called to his attention by the Voters Registration Office, that the name of one of the streets was wrong and he didn't know the reason for the mistake but all this does is change the name of the street from Buccaneer Avenue to Greencove Avenue, also that it must be advertised one time in both newspapers and copies sent to the Voters Registration Office, the Election Office, the Republican Party, the Democrat Party, the Auditors Office, the County Commissioners Office and to the State Election Office.

Commissioner Schaad moved that the change be advertised and that copies be sent to the above named offices. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF HOLIDAY CLOSING

Commissioner Ossenbergs announced that next Monday is a holiday celebrating Washington's Birthday, so the Commissioners meeting will be held on Tuesday, February 21st. at 9:30 a.m.

RE: COMPLAINT TO QUIET TITLE

A summons on a Complaint to Quiet Title was submitted to the Commissioners that was received by County Auditor, Curt John as defendant, with Ronald Melton as Plaintiff, Bates, Warrum & Noffsinger as Attorney's for the Plaintiff.

Mr. John said this is on a parcel of property that was sold on tax sale, that the renter was supposed to be paying the taxes and the owner lived in Chicago, but the renter didn't pay the taxes and then he bought the property on tax sale. Summons received and filed.

RE: NOTICE OF SUIT AGAINST COUNTY

A Notice of a suit being filed against the County was received from the Law Firm of Gerling, Moore & McGinn with Keith L. Baker and Debra Baker as Plaintiff and Treva K. Fortune, et al as Defendant, with an amended complaint for bodily injury in an accident on Green River Road & Millersburgh Road on June 24th. 1977, with a request of \$10,000 for Keith Baker and \$2,000 for Debra Baker.

Commissioner Schaad moved that the papers on this suit be forwarded to Torian Agency Insurance Co. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM WILLIAM MONTRASTELLE

A letter was received by Commissioner Ossenberg from William Montrastelle, the Director on Civil Defense, in reference to a Public Officials meeting to be held on the Snow Removal Reimbursement, stating that the Commissioners are invited to attend the meeting and asking that they contact his office at 426-5602 if they would like to go, since they could consolidate the personnel and go in one or two vehicles. Letter received and filed.

RE: LETTER FROM STATE DEPARTMENT OF CIVIL DEFENSE

A letter was received by the Commissioners from the State Department of Civil Defense on Snow Removal Reimbursement which reads as follows:

Dear Local Government Official:

We appreciate all the cooperation you have extended in dealing with the Indiana Snow Emergency. We realize the hardships and pressures that you have been forced to endure. To relieve some of these pressures we are setting up procedures to expedite the processing of your claims to the Federal Disaster Assistance Administration.

On January 27, 1978, at the request of Governor Bowen, M.D., President Carter declared an emergency for the State of Indiana. The purpose of this declaration is to provide Federal assistance for emergency snow removal.

The Administrator, Federal Disaster Assistance Administration (FDAA), did authorize Federal grant assistance to local governments under the following conditions:

- (1) Such grants for emergency snow removal shall be for 75% of actual costs eligible under Public Law 93-288 of snow removal performed by the local governments under contract or purchase order within five days after the declaration date, i.e. 11:45 a.m. January 27, 1978 through 11:45 a.m. February 1, 1978, inclusive. You may not be reimbursed for any such work not actually performed during this specified period.
- (2) Such grants are further limited to that emergency snow removal which the head of local government, or its authorized representative, determines is necessary to save lives or to protect public health and safety, including opening emergency access for restoration of essential public services disrupted by the snow.

Since these Federal grants are subject to the above limitations, you will have to decide whether or not your local government is eligible and should apply. Regional briefings are scheduled throughout Indiana. You must attend one of these briefings if you have eligible costs and intend to apply for the 75% grant assistance program. (See Enclosure No. 1)

Please read and follow the instructions included in this packet. (See Enclosure No. 2) Claim processing will not be conducted at the meeting therefore, it will not be necessary for you to bring claim documentation, however, you should be prepared to ask any questions necessary to prepare your claim forms.

Sincerely, Milton M. Mitnick  
State Director

Commissioner Ossenberg reviewed the itinerary for the Regional Emergency Snow Removal Briefings and said that the time for Vanderburgh County is set up for February 17th, 1978, at 2:30 p.m. in Jasper, Indiana at 15th & Bartley Streets and that they sent an outline as to what the County Highway Superintendent must do in order to get their grant of 75%.

Mr. Siebeking said the County paid private contractors \$11,859.38 in the five-day period after the emergency was declared and if they get 75% of this back they will get \$8,894.54, that he has all the bills in except for maybe one small one. He said they won't be reimbursed for the rest of the work that was done in that period of time, but they spent something like \$2,124.00 in overtime to the County Highway employees, about \$427.00 for gasoline, about \$392.00 for diesel fuel, about \$260.00 for sand and \$747.00 for repair parts which totals to a little more than \$4,000.00.

Commissioner Willner said it would probably be advantageous to the County if they keep the contractors listed in groups as to their territories for future information and then talk to them next fall to see if they are available in case they are needed.

Mr. Siebeking said he would like to do sometime is to get a total as to what it cost the Corp of Engineers plus what it cost the County, to get a total figure.

Commissioner Schaad said it wouldn't hurt for them to have it all documented in book form for future reference.

He said he thought they learned a lot this year through experience and if this should happen in the future, they will know more what to do.

Mr. Siebeking asked the Commissioners if they wanted him to go ahead and process the claims so they can pay these people or if he should hold the claims up until after Friday, since the County will have to pay the entire bill and then be reimbursed the 75%.

Commissioner Schaad moved that the claims be processed and paid right away, since they did the work and shouldn't have to wait for their money. Commissioner Willner seconded the motion. So ordered.

RE: ROAD SCHOOL TO BE HELD

Mr. Siebeking said he wanted to ask the permission of the County Commissioners to attend Road School this year that will be held on March 7th thru March 9th, since he wants to talk to Gene Hittle and he hopes Mr. Hittle will be there, also he would like to talk to some people from the Northern part of the state to get their ideas on the way they handle the roads and equipment during such an emergency. He said he thought this would be a good thing to inject at the Road School.

Commissioner Schaad said he was sure they would, but that if they don't, it would be a good thing to suggest it.

RE: DISTRICT MEETING SET

Commissioner Ossenberrg said that the Commissioners Southwest District Meeting will be held in Mt. Vernon on Thursday, February 23rd, at 5:00 p.m. and the items of discussion are the Legislation of Highway Funds in County Government, Federal Aid for County Bridge Replacements, Intergovernmental Cooperative Purchasing, Commissioners minutes and records and the 1978 Purdue Road School Program.

He said he had written to the Indiana Association of County Government for several bills a couple of weeks ago and he received and read those bills, that none are in the form they were when they went in, that they are so amended now that he is going to have to write for additional information.

He said he thought it would be well for them all to go to the meeting including someone from the Surveyors office, the County Engineer and the County Auditor, and that he would send a card in for reservations when he knows how many from Vanderburgh County are going.

RE: CLAIMS

A Claim was submitted by the Indiana Assessors Association for the 1978 dues of Robert T. Dorsey, the Pigeon Township Assessor, in the amount of \$40.05.

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

A Claim was submitted by Lukens & Sons Insurance, Inc. for a Public Official Bond on Sheriff DeGroote for policy period of 1/1/78 to 1/1/79, in the amount of \$75.00.

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

A Claim was submitted by Brink's Incorporated for services to be rendered to the Clerk of the Circuit Court for the month of February, which is by contract, in the amount of \$94.80.

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

A Claim was submitted by Brinks Incorporated for services to be rendered to the Vanderburgh County Treasurer for the month of February, which is by contract, in the amount of \$253.20.

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

A Claim was submitted by the Vanderburgh Christian Home which is to be paid from the Commissioners budget, authorized and given by the County Council, in the amount of \$5,000.00.

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

A Claim was submitted by Torian Insurance Agency for a \$10,000 Public Employees Blanket Bond of the Area Plan Commission employees but excludes the Area Plan Commission and Zoning Appeals Board Members, policy period of 1/31/78 to 1/31/79, in the amount of \$205.00.

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

A Claim was submitted by Shirley Jean Cox, the Secretary of the Vanderburgh County Election Board, for travel expenses, per diem at \$25.00 and Mileage of 340 miles @ 15¢ per mile at \$51.00, in attending the State Election Board called meeting, making the total of the claim to be \$76.00.

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

A Claim was submitted by Hearne Brothers for one map of Vanderburgh County, to be paid by the Vanderburgh County Highway Department, in the amount of \$127.50.

Mr. Siebeking said he got his map and paid for it.

Commissioner Ossenberg said the Commissioners okayed this, that the one map went to the County Highway Department and the other to the Commissioners office, but billed to the County Highway Department, that this was the way they decided to buy these maps, but he wasn't sure which account this was to be paid from. This will be checked out with the bookkeeping department.

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

A Claim for reimbursement back to the County Highway Department was received from STECO in the amount of \$742.40, but Mr. Stephen said he is keeping track of the claims from them and he would like to have this one so he can see that they go ahead and bill the reimbursement.

This claim was referred to Mr. Stephen.

A Claim was submitted by Monarch Insurance, Inc. for Mr. Louis Stephen's Bond as County Highway Engineer, in the amount of \$20.00.

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

#### RE: PROBLEM OF RAILROAD CROSSINGS BEING BLOCKED

In discussing an Ordinance on the blocking of railroad crossings, Commissioner Schaad asked County Attorney Wendel if they were going to adopt the same Ordinance as the City has.

County Attorney Wendel said there is a catch to this, that there is a State Statute on it, then under the Home Rule it says the County can't pass a law providing a penalty if the same conduct violates the State Statute.

Commissioner Willner asked why they need a County law if there is a State Law, since it is exactly the same.

County Attorney Wendel said they don't need one, that it is illegal to have two anyway and one is unenforceable.

Commissioner Willner asked if the Sheriff isn't duty-bound to uphold the state law.

Commissioner Schaad said that the state law is that it is unlawful for a railroad corporation to permit any train, railroad car or engine to obstruct public travel on a railroad highway grade crossing for a period in excess of ten minutes except where such train, railroad car or engine cannot be moved by reason of circumstances over which the railroad corporation has no control and the penalty for violation shall be fined not less than \$100.00 or more than \$500.00, however no conductor or engineer, acting under the rules or orders of their own corporation or it's advisory of personnel, may be prosecuted for such violation.

Commissioner Schaad moved that County Attorney Wendel make the Sheriff aware of this Ordinance so he can enforce the law. Commissioner Willner seconded the motion. So ordered.

#### RE: NEWS RELEASE.....HEARING SET

The following News Release was submitted for a Public Hearing that is scheduled to be held on the spending of Federal Revenue Sharing Funds:

The Board of County Commissioners of Vanderburgh County today set 9:30 a.m. February 27, 1978 for a public hearing in the Commissioners Hearing Room, Room 307, Administration Building, Civic Center Complex, on a proposal to spend \$52,650.00 of Federal Revenue Sharing Funds for ...

1. Liability Insurance for Reserve Deputies, and...
2. Communications Recorder for the Sheriff's Department.

Any citizen, including senior citizens, can comment verbally or in writing on the proposal at the hearing.

Following the hearing, the Commissioners will then present the original or modified proposal to the County Council for consideration at a date to be set by that appropriating body.

Thomas L. Ossenberg, President  
Board of County Commissioners

Mr. John said that notices were also sent to the Evansville Courier, the Evansville Press, the Evansville Public Library and the Southwestern Indiana Regional Council on Aging.

Commissioner Schaad said that over \$50,000 of this is for the Communications Recording which is the one he has been working for because of Insurance.

He said they had another meeting a week or so ago and that if they can bring the Communication System of the Sheriff working with the Volunteer Fire Department it should qualify Vanderburgh County for much more fire rate in the County, that it will save the County taxpayers anywhere from \$200,000 to \$400,000 per year on their fire insurance rate, so it will make a lot of difference in the amount of fire insurance they pay in the County if they can get it, that this is the only thing that is lacking now to qualify us for a better rate.

RE: OLD BILLS SUBMITTED

Commissioner Ossenberg said that several months ago, Ms. Jane Vincent of the Evansville Printing Corporation called him and explained she was going through some old bills and was trying to straighten them out.

He said some of the bills were based on advertisement as far back as 1970 and she wanted to know if it was possible for the Commissioners to pay these bills, and he explained to her that he didn't think the present Board of County Commissioners would have the authority, nor would the State Board of Accounts permit them to pay bills that were that old, when the present Board wasn't even in office, so at that particular time, she did her homework and she wrote to the State Board of Tax Commissioners and she received a letter back from them on January 16th. 1978, which reads as follows:

Dear Ms. Vincent:

As far as I can tell from the enclosed material, the legal notices in question are notices of budget hearings and property assessment hearings. These notices and payments are the responsibility of the County Auditor and not our agency. Please bill the Vanderburgh County Auditor.

He said that on January 24th. she then wrote a letter to Peggy Powless in the Auditor's office which reads as follows:

Dear Ms. Powless:

I am forwarding to you a letter from the Indiana Board of Tax Commissioners office regarding their legal advertising account #1106, also enclosed is the work sheet and billing for the account. They have advised that the Auditors office should have been billed for these publications. Amount due is \$236.92.

Very truly yours, Evansville Printing Corp.  
Assistant Credit Manager

Commissioner Ossenberg said that along with this and all the claims, she has sent proof of publication, but everyone of them are sealed State Board of Tax Commissioners, Carl L. Phillippi, Chairman, and we are guided by them.

The Commissioners referred this matter to County Attorney Wendel, for him to check with the County Auditor to see if we do owe these bills and if so, the Commissioners feel that they are justified in being paid.



RE: ABSENTEE REPORT

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

RE: MR. GUILLAUM.....MARX ROAD STRUCTURES

Mr. Guillaum said they have two structures on Marx Road and he would like permission to go before the County Council, that they received a phone call last week on them and he went out to look at the structure and found that one is in pretty bad condition so he thought they should plan on the replacement of the one and on the second one that is about one-quarter mile down the road, west of the new one they built out there, which is within a mile of Copperline Road.

He said it isn't anything that has happened over night and the bridge has settled about six to eight inches, and the sooner they can get in there the better, that he has a survey crew out there this morning getting the preliminary information to get the engineering on it, but he can't give them any figures on it right now.  
He said he doesn't feel that there is any danger of failure on the bridge at the present time but he had the County Highway Department crew put some flashers out there to keep anyone from hitting the bump at a high rate of speed, since if they did, they could lose control.

Commissioner Schaad moved that Mr. Guillaum be given permission to get with Curt and get on the March Council Call right away for both these bridges. Commissioner Willner seconded the motion. So ordered.

RE: MR. STEPHEN

Mr. Stephen submitted a copy of a letter that he sent to the State Plan Commission concerning our County roads in getting them updated as far as the gas tax is concerned, and said if they accept all the recommendations it will add about 14 miles of road.

RE: CHAL INDUSTRIAL PARK

Mr. Stephen said that Mr. Moreley brought in plans for a new Industrial area called Chal Industrial Park and he wants to know what to do about the roads since he wants to do them a little differently and he thought this would mean that we deviate from the Subdivision Ordinance and he will supply us with some information on his design and we will review it for approval.

He said this is on the South side of Mill Road between the railroad tracks, and he is asking the Commissioners if they have any input since they will eventually want the roads taken over by the County, so they will need to meet the County specifications and he just wanted to call this to the attention of the Commissioners.

Commissioner Ossenberg said that if Mr. Stephen wants to approve the plans it is okay with him.

RE: COMMENTS ON INDUSTRIAL PARK

Commissioner Ossenberg said that Mr. Lochmueller is in Indianapolis today, however, he did receive a call from Guy Cantwell yesterday and that there is apparently a letter that must be answered this week, but it hasn't arrived as yet, that there was quite a snow storm there yesterday and he mailed the letter Friday, that there are some adjustments to be made and then they could probably get started on this thing by spring.

Commissioner Schaad said that the one was the Industrial Park on Mill Road and St. Joe, that they wanted a median cut and if it was started now, the State would share in the cost, but if the Industrial Park wasn't started and when the road was being built, if we had to do an engineering change to give them that median cut, then the state wouldn't share in the expense of it at all and he thought Mr. Kempf had been together with their attorney, Ed Johnson, and he thinks they are started on it, so there shouldn't be any problem.

Commissioner Ossenberg said he told Mr. Cantwell that Mr. Lochmueller would be in Indianapolis and he called Mr. Lochmueller's office and told them that if Mr. Lochmueller called his office or if they could get in touch with him, to tell him to get in touch with Mr. Cantwell.

RE: YEARLY REPORT FOR COUNTY HIGHWAY DEPARTMENT

Mr. Siebeking submitted the 1977 Annual Operational Report of the County Highway Department for the Commissioners signatures.

He said that a copy of the Report must be sent to the State Board of Accounts, State Highway Commission...Planning Section, and to Herpic at Purdue University.

Commissioner Schaad moved that the County Highway Annual Reports be signed and mailed to designated places. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 11:45 a.m.

PRESENTCOUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Robert L. Willner  
BOARD OF COUNTY COMMISSIONERS



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COUNTY COMMISSIONERS MEETING  
FEBRUARY 21, 1978

The meeting of the County Commissioners was held on Tuesday, February 21, 1978, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding, since President Ossenberrg is absent due to illness.

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

CIRCUIT COURT

Willard Walls	1556-A S. Kentucky	Asst. Prob. Officer	\$14,500 Yr.	Eff: 1/1/78
John Harl, Jr.	501 N. Wabash	Chief Prob. Officer	\$17,126.00 Yr.	Eff: 1/1/78
Michael Mattingly	918 Allens Lane	Prob. Officer	\$11,409.00 Yr.	Eff: 1/1/78
Brenda Boyd	738 E. Powell	Budget Clerk	\$7,600.00 Yr.	Eff: 1/1/78
Norman Hooe	1100 W. Florida	Bailiff	\$4.00 Hr.	Eff: 2/7/78
Cindy Poti	2010 Lincoln Apt.9	Court Bailiff	\$3.00 Hr.	Eff: 1/30/78

PIGEON TOWNSHIP ASSESSOR REASSESSMENT

Dominic Celletti	4418 Kensington	Fieldman	\$30.00 Day	Eff: 2/21/78
Cherokee Culp	2906 Carolina	Clerk	\$20.00 Day	Eff: 2/21/78

PROSECUTORS OFFICE

Nancy Hankins	112 Montclair Ct.	Trial Deputy	\$8,500.00 Yr.	Eff: 2/7/78
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VANDEBURGH SUPERIOR COURT

Joy Brinkmeyer	Probation Officer	\$6,845.28 Yr.	Eff: 2/14/78
Stephen Owens	Bailiff	\$221.46 Pay	Eff: 2/13/78

VANDEBURGH COUNTY SURVEYOR

Patrick John	821 S.E. Riverside	Rodman	\$8,840.00 Yr.	Eff: 2/20/78
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COUNTY TREASURER...C.E.T.A. EMPLOYEES

Sandra K. Vandever	515 E. Michigan	Clerk	\$6,597.00 Yr.	Eff: 2/14/78
Peola Y. Case	469 S. Governor	Clerk	\$6,597.00 Yr.	Eff: 2/14/78
Joe A. Benton	721 E. Riverside	Clerk	\$6,597.00 Yr.	Eff: 2/14/78
Georgetta Fluty	729 E. Iowa St.	Clerk	\$6,597.00 Yr.	Eff: 2/14/78

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITORIUM

Judy Sumner	Ft. Branch In.	Office	\$2.50 Hr.	Eff: 2/20/78
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CENTER TOWNSHIP ASSESSOR

Joyce A. Fields	7200 Sweet Gum Rd.	2nd. Deputy	\$262.92 Pay	Eff: 2/24/78
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VANDEBURGH CIRCUIT COURT

Willard Walls	1556-A S. Kentucky	Asst. Chief Prob. Off.	\$12,592.00 Yr.	Eff: 12/31/77
John Harl, Jr.	501 N. Wabash	Prob. Officer	\$16,865.00 Yr.	Eff: 12/31/77
Brenda Boyd	738 E. Powell	Budget Clerk	\$7,243.00 Yr.	Eff: 12/31/77
Michael Mattingly	918 Allens La.	Prob. Officer	\$11,478.00 Yr.	Eff: 12/31/77
Cindy Poti	1010 Lincoln Apt.9	Court Bailiff	\$3.00 Hr.	Eff: 2/10/78

R.E.S.C.U.E., INC.

Roger J. Kiefer	2008 Vann Avenue	Pt. Time Counselor	\$3.00 Hr.	Eff: 2/15/78
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VANDEBURGH COUNTY SURVEYOR.....CUMULATIVE BRIDGE

Al Holtz	1613 Washington Ave.	Proj. Engineer	\$12,480.00 Yr.	Eff: 2/13/78
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RE: COUNTY EMPLOYEES FOR 1978

Below is a list of employees for 1978 that should have been in the minutes of January 3rd. 1978, but weren't turned in. This should complete the list.

WELFARE DEPARTMENT

R. Dale Work	Bonnie S. Greenfield	Robert D. O'Tain
George Holmes	Fred A. Haton, Jr.	Susan J. Rundblad
Mary Ahles	Robert A. Hay	Jane Scott
Dorothy Sells	J. Kathleen Hirsch	Debra M. Smock
Frank L. Staton	Leanne S. Hudson	Debi W. Glick
Clifford Higgason	Mary L. Hudspeth	Pamula D. Kaatz
James Baxter	Cathleen S. Jochim	Pamela K. Kiser
Armitta Hahn	Lynda S. Kendall	Roger L. McDonald
Devin Hunsucker	Judith A. Koby	Nancy J. Mart
Joann Lang	Marxha K. Leistner	Carolyn R. Spillman
Rubylee Lowe	Barbara E. Lipper	Lionel L. Koehler
Ruth Metz	Catherine M. Lovelace	Faye A. Wilson
Mary Reitz	Elbert A. Lynch	Hilda M. Schatz
Patsy A. Sproatt	Marilyn S. McClain	Wanna D. Dean
Courtney L. Thomas	Diane S. McCool	Irene M. Frakes
Jean R. Van Hoy	Betty L. McGlone	Frances Hyatt
Mary Walch	Karen S. Markham	Jean Newman
William Igleheart	Janet G. Miller	Alberta M. Wolf
Michael Hazen	Jennifer C. Miller	Roberta L. Brewer
Alan D. Hert	Robert C. Mills	Veronica J. Chittenden
Susan J. Hudson	Mary E. Nelson	Helen M. Cook
George M. Barton	Jean M. O'Daniel	Virginia C. Cox
Teresa A. Rizen	Deegee Painter	Mary L. Daniels
Janella L. Wirth	Carol S. Parmenter	Jennifer J. Elbrink
Maury Anthony	Wilhelmina M. Perkins	Virginia M. Hall
John F. Appuhn	Stephen M. Pitt	Phyllis A. Heise
Gary C. Barnett	Patricia A. Rager	Shirley S. Hopple
Alayne H. Bartelt	Barbara J. Reheman	Anna G. Mueller
N. Wayne Baumgartner	Janice F. Reutter	Marie A. Nelson
Ruth A. Baumgartner	Nancy C. Rhoades	Louisa F. Paris
Mildred J. Beeler	Daniel L. Riordan	Carolyn J. Prior
Jeannette E. Bey	Donald R. Roberts	Janice M. Scheessele
Judith K. Boettger	Susan E. Rogers	Jan E. Oliver
Glenda M. Bott	Emily W. Sanderson	Mildred C. Ross
Barbara L. Bridwell	Donald A. Schuld	Janis L. Schlimmer
Nan E. Britton	Thomas W. Sergesketter	Peggy L. White
Joseph L. Burch	Anna M. Skelton	Willie M. Word
Norman C. Butler	Vickie M. Small	Beverly A. Hester
Mary N. Carroll	Jeffrey W. Smith	Frank M. Fish
Susan E. Carson	Joyce E. Spayd	Phillip L. Kiely
Thomas N. Coe	Paul M. Stofleth	
Virginia L. Combs	Elizabeth M. Sutton	<u>PERRY TWP. ASSESSOR</u>
Marcia A. Coomes	Dorothy J. Thomas	Ben Bockstege
Deborah J. Denton	Trent C. Tucker	Lee Taylor
Lindy L. Deusner	Mary E. Werner	
Elizabeth M. Dick	Marina L. Will	<u>PERRY TOWNSHIP REASSESSMENT</u>
Phyllis A. Donahue	Thelma M. Williams	Glen Kolb
Ethel A. Elkins	Timothy B. Wirtz	Orville Woehler
Denise A. Elvestrom	Robert E. Young	Rose Marie Owen
Terry S. Fehd	Debra A. Boger	June Hamilton
Sydney L. Finney	Steven W. Carpenter	
Gerald L. Flick	Dawn K. Dauble	<u>COUNTY COUNCIL</u>
Dionna L. Garrison	Carolyn S. Hopkins	Anika Juras (for 1 week)
Patrick J. Graham	Walter M. Julian	

RE: COMMISSION ON TOURISM.....OFFICE SPACE

Commissioner Schaad said that sometime ago, the Commissioners were approached by the Commission on Tourism, wanting office space in the Vanderburgh County Auditorium, that they decided not to go along with the Chamber of Commerce to operate the tourism office that managed their affairs and they would like to do it themselves this year.

He said there is space in the Auditorium that is available, that the Commissioners have talked to Mr. Dewes, Manager of the Auditorium, about it and the cloak room over there has more space than they need and they were going to use it for storage anyway, so they thought it might be a good idea to let the Commission have their office there, that they have agreed to remodel it at their expense but the County will supply the heat, air conditioning and the lights while the Commission will supply the telephone, the office equipment and whatever else they want.

He said there is roughly 519 square feet there and it was suggested that they try for a one-year lease with an option on either part to cancel within 60 days, that they have been debating about how much to charge, that they don't think it should be free because the Commissioners always had a policy that no one use the Auditorium, regardless of who it is, at no cost, so the Commissioners made a proposal and the Commission made a counter proposal, with option, that they would pay \$200.00 per month for a period of one year.

He said that Commissioner Ossenberg isn't here today but he and Commissioner Willner have agreed that they will accept this proposal so the County Attorney will have to draw up a lease on a one-year trial basis, that it will be strictly a trial basis, since they don't know how it will work, but they want to co-operate to show their intent so they are going along with their counter offer of \$200.00 per month.

Commissioner Willner moved that the agreement be accepted and that the County Attorney be instructed to draw up the lease. Commissioner Schaad seconded the motion. So ordered.

RE: CONTRACT TO BE SIGNED.....COUNTY HIGHWAY DEPT.

Commissioner Schaad said the County Attorney has had an opportunity to look over the contracts between the Teamsters Union and the County Highway Department and that of the County Auditorium & Convention Center, that the Commissioners have had a meeting or two with the Teamsters and have come to an agreement and he understands that the contracts reflect their agreement.

Commissioner moved that the contract be approved and that it be held for Commissioner Ossenberg's signature.

RE: CONTRACT TO BE SIGNED.....AUDITORIUM CONVENTION CENTER

Commissioner Schaad said that Mr. Dewes, the Manager of the Auditorium is in the hospital and hasn't had a chance to look over this agreement and he wondered if the signing of this contract shouldn't be delayed until Mr. Dewes has seen it.

Commissioner Willner said he thought they should since Mr. Dewes has been in on the agreement.

The Commissioners agreed to hold this matter up until after Mr. Dewes has seen it and Commissioner Schaad said that Ms. Appuhn took a copy of the contract to give to Mr. Dewes.

RE: NEWS RELEASE FROM S.I.G. & E.CO. ... ENERGY CRISIS

The following News Release was received from the Southern Indiana Gas & Electric Company in regard to the energy crisis: Dated 2/16/78

An improved coal stockpile to an excess of a 40-day supply has enabled Southern Indiana Gas & Electric Company today to announce that further mandatory cutbacks of electric power are not necessary at this time. Additional cutbacks will not become necessary unless SIGECO's coal supply falls below the 40-day level set forth by the Public Service Commission of Indiana.

A warming trend in temperatures and voluntary reduction of power usage, as requested of customers earlier by SIGECO, have been successful in decreasing the Company's daily burn used for the generation of power, stretching coal inventories on hand. A firm commitment of power to ALCOA by SIGECO has been released by ALCOA for the duration of the emergency further decreasing load. Also of importance, increased oil-fired generation of electricity continues to stretch coal supply. With daily shipments of coal augmenting coal supply, the Company anticipates being able to maintain a stockpile of coal in excess of a 40-day supply.

The Public Service Commission previously had ordered the following mandatory cutbacks throughout the State which continue to be in effect in SIGECO's area.

1.) Curtailment of outdoor flood and advertising lighting except for the minimum level necessary to protect life and property and except for a single illuminated sign identifying commercial facilities that are open after dark.

- 2.) Curtailment of general lighting in stores and offices to a level no greater than minimally functional.
- 3.) Curtailment of parking lot lighting to minimum functional levels.
- 4.) Total curtailment of show window and display lighting.

Since voluntary cutbacks have been a major factor in achieving a decreased level of power usage, reduction of power consumption continues to be imperative. The Company requested major users of power to voluntarily cut back electric consumption by 25 percent at a meeting on January 31. At that time and in the intervening period, SIGECO has urged and re-emphasized voluntary conservation of up to 25 percent by all classes of customers.

Commissioner Schaad said he read in the morning paper that this is now up to 45 or 46 days supply, but in talking to Commissioner Willner, they have decided that as far as the County is concerned, they are going to continue with the voluntary cut-back in energy consumption, including the Auditorium that is cut off and is on stand by, in case of a function over there and it is also cut back at the County garage, that they are going to continue to voluntarily conserve energy.

RE: LETTER OF THANKS.....UNITED WAY CAMPAIGN

A letter was submitted that was addressed to Commissioner Ossenberg from the United Way of Southwestern Indiana and reads as follows:

February 3, 1978

Dear Tom:

Now that the Campaign and final report are behind, I would like to take this opportunity to thank you for the financial support that you and your employees gave us during the 1977 United Way Campaign. Any effort on the scale of a United Way Campaign is only as successful as the dedication of its workers and support of its businesses and citizenry.

We are very pleased with our success this past year with a total of \$1,554,112.82 which is \$152,830.00 more than was raised last year and puts us at 97.1% of our goal. The Campaign leadership is still convinced that our decision to strive for a goal which was almost \$200,000 more than was raised last year was the correct decision. It was a goal based on need, and it made everyone try a bit harder than they perhaps would have if the goal had not been as ambitious.

Enclosed is a thank you note that we hope you will post on your bulletin board for your employees. For without their support we would not have been as successful.

Sincerely, Susanne R. Emge,  
1977 Campaign General Chairman  
United Way of S.W. Indiana, Inc.

Commissioner Schaad asked the Commissioners secretary to post the note of thanks.

RE: NOTE OF APPRECIATION.....IN SYMPATHY

Commissioner Schaad said that Danny Kares has worked in the Surveyor's office for some time and he had a little boy that had been ill for several years with an illness of which there was no cure, and Danny has written the following note of appreciation following the death of his son:

To the Commissioners of Vanderburgh County:

I am asking you, as the ruling body of county government, to convey my feelings to the employees of all of the county offices. I am asking you to do this for me because I don't think I am capable of writing to each office. This letter alone is hard to write.

I wish to thank my fellow county workers for their prayers and kindness to me at the death of my son. The money they generously gave will be used to pay for the flowers atop my little son's casket. I am grateful for their prayers which I need so much to get through this darkest hour of my life. I have so much more that I would like to say, but my heart won't let me go on. I hope you will understand.

Danny Kares

Rest assured, our thoughts and prayers are with Danny at this time of sorrow, in the loss of his son.

RE: REQUEST TO TRAVEL.....RAY WOLF

The following letter, dated February 20, 1978, was received from the Manager of Burdette Park:

## Commissioners:

I request permission to go to a workshop in Angola, Indiana at the Pokegon Park for park planning with the Bureau of Outdoor Recreation. We are scheduled to give a speech on the bicycle motocross. I am also taking along my assistant manager, Kenneth Mitz.

We will leave on the 21st of February and return on the 24th of February. We will be driving my personal car.

Thank you, Raymond J. Wolf  
Burdette Park Manager

Commissioner Willner moved that the request of Mr. Wolf be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....MIKE CRADDOCK

The following letter of request was received from the Vanderburgh County Sheriff's office, that was dated February 15th. 1978:

Request permission for the following officers, Lt. Mike Craddock and Sgt. John Lancaster, to attend an Armed Robbery Seminar in Lake Charles, La. on March 15, 16, 17 and 18.

The officers will be attending this school with Capt. Tenbarger and Det. Ray Hamner of Evansville Police Department.

The officers from E.P.D. are going to drive a vehicle so our officers will ride with them, saving \$400.00 air fare.

We are requesting a double room for four (4) nights @ \$30.75 a night, for a total of \$123.00.

Meals will be for four (4) nights @ \$12.00 a day for each officer for a total of \$96.00.

Registration fee is \$35.00 for each officer, total \$70.00.

Total expenditures would total \$289.00.

Respectfully,  
Lt. Mike Craddock

Commissioner Willner moved that the Deputy Sheriff's request be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM FOR REGISTRATION

A claim accompanied the travel request from the Sheriff's office in the amount of \$70.00 since the deputies will need this money for their registration fees.

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

RE: REZONING PETITION...FIRST READING...VC-1-78

Petitioner and Owner of Record...Alfred Bauer of 3100 Ridgewood Drive

Premises affected are lot 10 of Section A and lot 21 of Section B of Ridgewood Estates, more commonly known as 2815 Ridgewood Drive and 4813 Tanglewood Drive.

The requested change is from R-1 to R-2.

The proposed land is for one duplex on each lot.

There was no one present to speak for or against this petition.

Commissioner Willner moved that petition VC-1-78 be referred to the Area Plan Commission on first reading. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Monarch Insurance, Inc. for a public Official Bond for Shirley Jean Cox, the Clerk of the Circuit Court in the amount of \$25,000 at a cost of \$88.00, and an Indiana Insurance Company Public Employees Blanket Bond at a cost of \$528.00, a total of \$616.00.

Commissioner Willner moved that this claim be approved, subject to Ms. Cox's signature. Commissioner Schaad seconded the motion. So ordered.

A Claim was submitted by the Evansville-Vanderburgh County Building Authority, to furnish labor and material to install vinyl wall, aluminum door frame, solid wood door, wood transom, aluminum grille, lockset, stain and varnish, in room 200 of the Courts Building, as per approval letter of Commissioner Ossenbergs dated 2/1/78, at the total cost of \$1,005.00.

Commissioner Willner asked if this was the figure approved by the Commissioners or if it was slightly higher.

Mr. Hotz said as far as he knew this was the amount that was approved.

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

A Claim was submitted by Szabo Food Service, Inc. for meals served to the inmates and deputies for the period of January 15 thru January 31st. in the amount of \$3,476.20.

There was a question of whether there should be separate claims but Mr. John said that was the way it was done in the past but he thought one claim to be sufficient as long as it is broken down on the attached sheet. the amount due for the inmates for this period of time is \$3,274.70 and the amount due for the deputies is \$201.50.

Commissioner Schaad said the Council came back and approved the money for the deputies so they may be paid from different budgets and County Attorney Wendel said it is a separate line item.

Mr. John said he would get another claim and straighten it out.

Commissioner Willner moved that the amount of \$3,476.20 be paid to Szabo Food Service, Inc. subject to another claim being filled out, each in the proper amounts. Commissioner Schaad seconded the motion. So ordered. It was later found that the money for the food this year is all in one account.

RE: MR. CROOKS

Mr. Crooks said he attended the meeting that was held on the energy crisis and he didn't think there was more to be covered other than the letter received from the Gas Company, except that we do have to convey our surveillance in keeping down the consumption of energy and even though the Gas Company has said the situation is improving temporarily, they still have to have the voluntary cut back in order to maintain that position, that this is what it amounts to and anyone that can reduce consumption are requested to do so, which includes all the County offices. He said he does have a summary that he hopes to get ready today or tomorrow, as to what everyone has done to date and what plans are in the works in case they have to cut back more.

Commissioner Willner asked Mr. Crooks, if at that meeting, they got into the fuel adjustment costs.

Mr. Crooks said they didn't and to be real honest about it, he didn't think they really knew themselves, what it was going to amount to yet, but he could almost guarantee that it would be substantial, that they are using oil and gas down at the Ohio station and this automatically runs it up, but how much they are adjusting on coal costs, he didn't have any idea but he believes this will be higher too.

Commissioner Willner said it is hard for a layman to understand what is going on, that he knows they are burning some fuel oil but he is wondering how much since they aren't telling anyone.

Mr. Crooks said they may not even know how much, but that the cost has gone up.

RE: ANNUAL REPORT

Mr. Crooks submitted the Annual Report of the Building Commission for the year of 1977. Report received and filed.

RE: COMMENTS ON PLEASANTVIEW PROPERTY

Mr. Hotz said in talking with Mr. Jones yesterday, who is the attorney for the County Council, he reported that he has been researching the law in regard to using the highway equipment on the removal of snow at Pleasantview and he said he had found nothing at this point and it looked very much like it would be possible to do that, however he wanted to check with the State Board of Accounts and the Attorney General today and he would



give him an answer tomorrow.

He said that if it is approved, he would like the permission of the Commissioners to use the highway equipment to clear the property and get it ready.

Commissioner Willner moved that permission be granted if it is approved. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said he would like to be advised if this is the ruling, since if it is, it is certainly different from what they have ever been told before.

Mr. Hotz said that he was told by Mr. Jones, that in his research, to this point, he has found nothing to that effect, however he wanted to double check with the State Board of Accounts and the Attorney General.

Commissioner Schaad wondered if the Commissioners might have a written opinion from him, so they might be guided by it in the future, because in the past, that unless they worked on a county accepted road, the County highway equipment, man power, or anything couldn't be used on it.

Commissioner Willner said they wouldn't let them use the county equipment at Burdette Park.

Mr. Hotz said he also contacted the City garage and the County Surveyor, and one of the men who made the survey out at Pleasantview, said that their feeling and belief was that the road where Weaver intersects with Senate, is a continuation of Senate on down to approximately the gates they had installed, so he called the City garage yesterday and they are to give him an answer this morning.

He said if it does belong to the City and it is a City street, it will be a City maintenance job.

#### RE: LAUNDRY EQUIPMENT AT THE JAIL

Commissioner Schaad asked Mr. Hotz how they are getting along with the installation of the laundry equipment in the Sheriff's Department and Mr. Hotz said he is going to check on it this morning.

#### RE: MR. JUDD .....STOP SIGNS RECOMMENDED

Mr. Judd submitted a list of STOP signs that he recommended for passage and that they be added to the County Ordinance. They are recommended at the following intersections:

Heather Court to STOP for Pine Place  
 Caranza Avenue and Pinehurst Drive - 3 way STOP  
 Dusseldorf Drive to STOP for Twickingham Drive  
 Schmitt Lane to STOP for St. Joe - St. Wendel Road  
 Ridgecrest Drive to STOP for O'Hara Drive  
 Buena Vista to STOP for Detroy Road  
 Reising Lane to STOP for Boonville-New Harmony Road  
 Venitian Drive to STOP for Twickingham Crive  
 Heritage to STOP for Twickingham Drive  
 Rose Avenue to STOP for Harmony Way  
 Bagby Court to STOP for Mt. Pleasant Road  
 Vista View to STOP for Elmhurst Drive  
 Pruitt Road to STOP for Nesbitt Road  
 Grace Lane to STOP for Burgdolt Road  
 O'Hara Drive to STOP for Dusseldorf Drive

Commissioner Willner moved that these stop signs be approved at designated intersections and that the County Attorney be instructed to draw up an ordinance. Commissioner Schaad seconded the motion. So ordered.

#### RE: MR. SIEBEKING...REIMBURSEMENT FOR SNOW REMOVAL REQUESTED

Mr. Siebeking said he had quite a few things to report on the meeting he attended last Friday in Jasper, that the first thing the Commissioners will have to do is to adopt a resolution so the County is eligible to make application for the money for snow removal and after it is adopted all they will have to do is to fill it in. He said he has to turn it in with all other material, that this resolution means the Commissioners are requesting that they apply for this money.

Commissioner Willner moved, on the recommendation of the County Attorney, that this resolution be adopted. Commissioner Schaad seconded the motion. So ordered.

RE: CONTRACT TO BE DRAWN UP FOR CONTRACTORS ON SNOW REMOVAL

Mr. Siebeking said they also have to have a contract with each individual contractor, since all agreements were verbal, and this is okay, but they will have to transform it over to a written contract.

He said he asked the gentleman from the State Board of Accounts if it was possible for him to type up a standard form contract and leave the blanks for the individual contractor to fill in and he said this would be fine, so with the permission of the Commissioners he will draw up this contract form and get one to each contractor, as to agreement on price per hour and type of equipment.

Commissioner Willner moved that Mr. Siebeking draw up a contract. Commissioner Schaad seconded the motion. So ordered.

Mr. Siebeking said he thought Vanderburgh County would be reimbursed 100%, that on anything under \$25,000 they are hoping to be able to reimburse 100%, but over that, it is then 75%, that there are a lot of if's, and's, and but's, that it will take a lot of time and he hopes they will be able to do it.

He said the next meeting will be in Jasper also, that he has all the maps finished, also that they said he should emphasize with Mr. John that he has to turn in the cancelled checks, so as quick as he can get the contracts taken care of, which he wants to do in the next day or two, he has all the bills in from all the people and has all their blue claims signed.

He asked Mr. John if it would be possible for him to process the claims and write checks on them as soon as he can get them to him.

Mr. John said he will get this done as fast as he can.

Mr. Siebeking said that the man from the State Board of Accounts told him this is what he doesn't like but that they must have the original cancelled check, that it can't be a copy, but they will get them back to us, that he has to turn them in with each individual bill from each individual contractor, with the contract, to show that he has been paid, that he has cashed the check and that it is back in the Auditor's office, also that he realizes we might have some problems in Evansville since we may not get the cancelled checks back too fast from the banks, that in the smaller communities they can go to the banks and have them pulled, but he didn't know if our banks would do this or not.

Mr. John said all the checks are written on one bank and they will pull them.

Mr. Siebeking said then, as soon as he can get the contracts signed, the sooner he can get the blue claims and everything turned in to Mr. John and the sooner he can get them paid, the sooner we will get our money back.

Commissioner Willner said it would probably faster if the contractors are asked to cash their checks at the bank they are written on, also the checks could be mailed to them instead of them having to pick them up.

Mr. Siebeking said it would be faster if the checks are mailed to them, since some of them aren't in any hurry to pick them up, and when he has them sign the contracts, he will ask them to please cash the checks as soon as they can so we can get them back. He said they will probably have their first meeting around March 10th and they are hoping that a lot of final payments can be made at that time, so it is up to each individual county to get the job done.

He said the total figure he came up with on the contracts is \$11,383.75, and as he said, hopefully, we will be reimbursed 100% of this amount.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the County Highway employees for the past week.

Report received and filed.

RE: EASTVIEW DRIVE

Mr. Siebeking said that the gentleman who is in charge of security at the airport called him last week and he met with him. He said that on the night of the plane crash, Eastview Drive which is our county road is their only entrance to the airport from the west and they couldn't get any fire trucks in there nor any of their big equipment because of the cars being parked on both sides of the street.

He said a man who lives at the end of Eastview has either some type of a body shop or garage and has cars parked everywhere and they were wondering if there was any possible way that parking could be eliminated at least on one side of that street, since a lot of times the gate is completely blocked off and they can't get in, and since it is a county accepted street, they have no authority to do anything.



He said he told the gentleman that he would bring this matter before the Commissioners this morning and see what their ideas would be on it.

The gentleman said, hopefully, that it will never be used again for something like it was that night, but then you never know.  
He wondered if the Commissioners thought he should contact Mr. Judd and have him go out and look the situation over.

Commissioner Willner said they will definitely have to stop the parking in front of the gate and he asked how wide the road is.

Mr. Siebeking said he didn't know but when cars are parked on both sides of Eastview they can get down the road with a car or a pickup truck and that's it, that anything wider can't get through there.

Commissioner Willner moved to ask Bill Judd to make a study of it and to come back with a recommendation next week.

Mr. Siebeking said that he would contact Mr. Judd and inform him of this.

RE: SNOW EQUIPMENT RECEIVED

Mr. Siebeking said they have received their new salt spreader and snow plow so they are in the process of putting them on the truck.

RE: COLUMBIA & DELAWARE BRIDGE.....GUARD RAIL DOWN

Mr. Guillaum said that about two months ago there was an accident on the Columbia & Delaware bridge that knocked the rail down, that he has been trying to get with the Police Department and he finally got an accident report on it, and it appears that a Patricia Tuley was the driver of the vehicle that skidded on the icy road and hit the guard rail, and that she had no insurance.

He said the last guard rail they replaced out there which was two or three years ago cost around \$1,200 but they hit a concrete post, but this is just a aluminum rail section that is between the posts.

He said they had been holding off on this until they got all the details, since they thought there would be an insurance company involved.

County Attorney said the Bureau of Motor Vehicles should be notified and they will require that she post a bond.

Commissioner Willner moved that the County go ahead and repair the damage, take some pictures of it and turn it over to the County Attorney. Commissioner Schaad seconded the motion. So ordered.

RE: PRELIMINARY PLATS ...CHAL INDUSTRIAL PARK

Mr. Stephen said there are three of the Preliminary Subdivision plats that the Commissioners should have some information on and some input into them, from their standpoint, before they get into the drainage part.

He said one of them is the Chal Industrial Park which he brought up last week, where two fellows from Morley & Associates are wanting approval on the street part of it. He presented a drawing that showed a cross-section of the road and said that due to the fact that there is very little curbing on this, they wanted to know if they could possibly get this plat plan approved today. He said that the actual thickness of the concrete hasn't been specified as yet but that they will have before the street is approved for construction.

He said what they are asking for at the present time is approval of the concept, which is deleting the curb so that the water can go directly into the drainage, that the purpose of this really goes along with the Chal Industrial Park which will come before the Drainage Board where they have to actually store the water on the site, since they thought it would be better to get it off the roadway as soon as possible, that this would make the road last longer.

Mr. Morley said that the subsoil out there doesn't have a very good bearing ratio so they have designed the road three different ways, concrete, asphalt, asphalt over stone and right now they have asked the owner to go back and take a look at his cost to determine which of the three approaches he would like to go, that it looks like he is leaning toward concrete with asphalt shoulders which they know will have greater depth than the county standards but that is because it is subsoil.

Mr. Stephen explained the location of the streets and the storage ponds which will be in front of every lot.

He said they will have to come back with their street design for approval before building.

Commissioner Willner asked if Mill Road will be the only access then.

Mr. Morley said yes for right now, but they are looking into the possibility of coming out onto Allens Lane, that there is an easement there but due to the closeness of the railroad tracks and the possible hazard that could be developed with the traffic going in and out, but when Chal Corporation bought this land they required that easement, and are looking at it right now but this is something they are going to have to come back with.

He said they do have declaration lanes on the side of the road adjacent to their property and the reason the passing lanes aren't shown on the North side is due to the right of way, that there is only a 40-foot right of way along there, therefore, they cannot encroach on this owners property in putting in passing zones.

Commissioner Willner moved that the preliminary plans be on the street design be approved. Commissioner Schaad seconded the motion. So ordered.

County Attorney Wendel said that since Commissioner Ossenberg isn't here today, it is perfectly okay for Commissioner Schaad to sign it.

#### KUHLENSCHMIDT PROPERTY

Mr. Stephen said the Kuhlenschmidt property has been re-designed, that it is located at Oak Hill Road and Lynch Road, and they objected to this the first time because one of the streets went in on the curve, so they re-designed it, that those properties will have to come out with their drives on this turn also which he kind of objects to, that it would be his recommendation that they come out on a street rather than on a curve on Oak Hill Road and he wants to point out that they have enough depth on these lots to have a minimum of 40 feet to 50 feet maximum if Lynch Road is extended on through, that the building should be restricted back there, that it could be taken off the back of the lots.

Commissioner Willner said he didn't think they could put a restriction on it if someone buys the lot, unless they put an easement on it before he buys it.

Mr. Osterhold said that it has been done in the past, that it could be put on the plat, that it has been provided for right of way for Lynch Road, that it is an easement through the piece of property, that it has been done on Covert Avenue from Green River Road, east, in Audubon Terrace and others.

He said they aren't asking for a dedication, that all they are asking for is providing for the right of way.

Mr. Stephen said he just wanted to point out to the Commissioners that they know if those lots are sold that way, they are going to have to come back for entrance permits onto that road and right at that curve isn't the place to put it, that if it could be designed where they could get frontage and outlet to a road within the development it might work.

Mr. Stephen said he just wanted the Commissioners to see this, so when the final comes up for approval, they will have an idea of some of the problems.

#### RE: EMPIRE DEVELOPMENT, INC.

Mr. Stephen said this is located on the corner of Mill Road and St. Joe Avenue where they are coming with an access onto St. Joe and it is one that they will have to re-design.

Commissioner Schaad said that he believed that their attorney has already been in contact with Guy Cantwell since he called him and said that this project has been started and it could be re-designed and the state could share in the cost of it but if they go ahead and have an engineering change later, the state or federal government will have no part of it so he thinks they have moved on it already to re-design it.

#### RE: ST. JOSEPH AVENUE PROJECT

Commissioner Ossenberg wrote the following letter to Mr. Bell who is the Chief of the Division of State Aid concerning the St. Joseph Avenue Project:

Dear Mr. Bell:

The Board of County Commissioners of Vanderburgh County received a letter on February 10, 1978 from Mr. Guy E. Cantwell of Fink, Roberts & Petrie, Incorporated concerning the St. Joseph Avenue Project M-E 560 (1).

Mr. Cantwell's comments included the following:

1. A letter dated December 28, 1977 from R. Stephen LaPlant representing Denman Automotive Corporation (Midas Muffler) stated objection to the present proposed plans because of the inability of southbound traffic to turn left into business located on the east side of St. Joseph Avenue.

In response to Mr. LaPlants letter it should be pointed out that the situation to which he refers is common place wherever a divided thoroughfare is constructed. Generally in such cases, with the additional traffic generated by development adjacent to such a thoroughfare, the number of passing vehicles with direct access to his client's place of business should increase. Furthermore, in his clients particular case, it is doubtful that his business will be seriously affected since most customers going to his client's business are in fact interested in obtaining his particular product and not that of a competitor. In a telephone conversation with the manager of a Car-X muffler shop located at 4706 N. Keystone Avenue, Indianapolis, the manager indicated that although Keystone Avenue has 16'-0 median it has little if any affect on his business.

In considering the physical features in the area of Mr. LaPlants client's location, it would be impossible to change the proposed roadway without seriously impairing the safety of traffic on St. Joseph Avenue. Therefore we recommend that no change in proposed plans be made.

2. A letter dated January 5, 1978 from R. Stephen LaPlant representing Sunair Corp. (Amoco Auto Service Center) at 2803 N. St. Joseph Avenue immediately south of the Midas Muffler Shop referred to in the letter of December 28, 1977, stated the same objection as the previous letter.

Response to this letter is the same as for the letter dated December 28, 1977.

3. A letter dated December 20, 1977 from Barry L. Standley representing Sterling L. and Ollie M. Whitledge who own a residence at 2815 N. St. Joseph Avenue stated objection to the present proposed plans because only one private drive is provided to his clients property where two drives presently exist, and his clients wish to have the property rezoned as commercial in the future.

In response to Mr. Standleys letter it should be noted that the northly drive to which he refers appears to have been installed without permission for the curb cut which is presently in place. Generally only one private drive is provided for each property along the roadway unless a commercial drive is presently in place. Since this particular property is anticipated to be rezoned commercial, it would be at the time of development, eligible for a 30 foot wide commercial drive approach with approval of the county.

After reviewing the comments made by Mr. Cantwell, the Vanderburgh County Commissioners are submitting the following statements to the Indiana State Highway Commission:

1. Denman Automotive Corporation's (Midas Muffler) request is denied and no change in proposed plans will be made.
2. Sunair Corporation's (Amoco Auto Service Center) request is denied and no change in proposed plans will be made.
3. Sterling L. and Ollie M. Whitledge's request will be considered when this property is rezoned for commercial use.

If you have any questions please contact me.

Sincerely,  
Tom Ossenberg

RE: COUNTY PAVEMENT MARKING PROGRAM ... CONTRACT SIGNED

A representative of the Urban Transportation Study submitted the contract for the Pavement Marking Program and copies of three letters, two of which Commissioner Ossenberg had written Mr. Bell of the Division of State Aid concerning the project. They read as follows:

To Whom It May Concern:

The Counties of Vanderburgh, Warrick, and Daviess hereby request that the Indiana State Highway Commission assign a Project Engineer to coordinate the work of the

contractor and to assist in the construction engineering services in accordance with the construction contract, plans and specifications for Project Nos. PMS-000S (63), (94) and (84). It is understood that the counties will not be assessed for costs incurred by the Indiana State Highway Commission involving construction engineering by ISHC because Federal funds cover this cost. The counties hereby request that Federal funds (100%-PMS) be provided for the cost of this service.

The project engineer will be assisted by personnel from SIECO, Inc., Consulting Engineers, in the layout and inspection of the pavement markings. An agreement for these engineering services has been executed and approved.

This is to advise that no additional right of way is required for this project. Furthermore, please be advised there are no utilities involved in this project.

Very truly yours,  
Thomas L. Ossenberg, President  
Vanderburgh Board of Commissioners

Dear Mr. Bell:

The following items are transmitted in conjunction with the above project:

1. Plans
2. Special Provisions
3. PS & E Letter
4. Engineer's Estimate
5. Itemized Proposal
6. Engineer Assignment, Right of way, and Utility Clearance Letter
7. Report to Accompany Plans to FHWA

On behalf of the Vanderburgh County Board of County Commissioners, please review the above and schedule for letting by contract at your earliest convenience.

Sincerely,  
Thomas L. Ossenberg, President  
Vand. Co. Board of Commissioners

The third letter was written to Commissioner Ossenberg by Mr. James Rice of SIECO, Inc. on the Vanderburgh County Pavement Marking Demonstration Program, PMS-000S (63), which reads as follows:

Dear Mr. Ossenberg:

Please sign the enclosed documents and forward to the address shown on documents (ISHC at Indianapolis). These are needed to process the final plans which have already been submitted to the ISHC.

Daviess, Vanderburgh, and Warrick Counties have been submitted together as one contract in order to obtain lower unit costs on materials. This does not in any way alter the plans which your Board of Commissioners recently approved.

If you have any questions, please contact me, since any significant delay in submitting these documents to Indianapolis could present delays in painting this summer.

Sincerely, James S. Rice E.I.T.  
Transportation Department

Commissioner Schaad said that the contract will have to be signed, that the Pavement Marking Project will be 100% financed by the federal government, the cost of which is \$77,563.07.

Commissioner Willner moved that the contract be approved. Commissioner Schaad seconded the motion. So ordered.

RE: POOR RELIEF

Evetta Smith.....1411 Shanklin Ave...Pigeon Township.....Mr. Olsen, Deputy Trustee

The Notice of Poor Relief action from the Pigeon Township Trustee's Office shows that Ms. Smith made application for rent but was denied because of the income factor.

Ms. Smith said she is asking for her rent since she is one month behind on it, that her rent is \$63.00 per month and she is disabled.

Mr. Olsen said that Ms. Smith's income is Social Security disability and S.S.I. and it is \$177.80, that she had a penalty put in effect which took off \$20.00 per month and then she went over to file for mediation and they reduced the reduction to \$10.00 per month.

He said the Trustee has agreed to pay for all medical and he said that is as far as he can go, either before, during or after the penalty period.

Commissioner Willner asked Ms. Smith how many were in her family and she said that she is alone, that she had to return her food stamps because she wasn't able to pay for them, that they wanted \$40.00 for them.

Ms. Smith said that her check from Social Security is \$114.30 and her check from S.S.I. is \$63.00 but they are taking \$20.00 out of this and she was told that they would continue this until somewhere around June and she just can't live on this.

Commissioner Schaad said that food stamps will get her food at much less cost and he couldn't see how she couldn't pay for food stamps, that it seemed to him that she would buy her food stamps before anything else.

Ms. Smith said she was able to make it before they started taking out the \$20.00 but now she doesn't have enough income.

Mr. Olsen said they are making the \$20.00 deduction because of overpayment. He then submitted a budget that was signed by Ms. Smith and said that they talked to the manager of the housing project where Ms. Smith lives and to the Chief of food stamps about lowering the costs in both cases and they say that \$20.00 less per month isn't sufficient cause to lower either one. He said she pays no utilities.

Ms. Smith said that she has two phones, that she needs them since her bedroom is upstairs and she needs to find a one-bedroom home, since she had surgery on her back. She said she pays her insurance and \$20.00 on furniture, that her insurance is \$17.87 and she has a 1968 Chevrolet, also that she is still under the doctor's care and has a permanent disability, so she couldn't keep a job.

Mr. Olsen said even with these deductions there is no deficit in her budget, with the \$20.00 deduction from overpayment and this should be changed to \$10.00 in probably March and this will probably be continued until probably September or October. He said she has been turned down for medicaid three times so this leaves the Trustee to pay her medical bills.

Commissioner Schaad said that Ms. Smith is going to have to get her expenses more accurate since her budget doesn't show all of them and it shows that she has money left, and because of the information they have, the Commissioners can't do anything for her.

Commissioner Willner moved that this case be referred back to the Trustee's office. Commissioner Schaad seconded the motion. So ordered.

Arthur Sparks.....16 W. Missouri St.....Pigeon Township.....Ms. Walters, Investigator

The Notice of Poor Relief action from the Pigeon Township Trustee's Office shows that Mr. Sparks made application for Book Rental Payment but was denied because of sufficient income to meet basic needs.

Ms. Sparks appeared for her son and said she is asking for \$10.85 for her son, Keith, for his book rental.

She said there are four in the household, but the two children are sick, that one has diabetes and the other one has a salt deficiency.

Commissioner Willner asked how old the children were and if the book rental is paid for the other child.

Ms. Walters said that the other child is under Title 1, that the children are 11 and 12 years of age, that the income is \$400.00 per month whether he works or not and if he works, he makes more, but he is guaranteed \$100.00 per week.

Ms. Sparks said this is if he calls in or if he is sick, but if he has car trouble or something like that, he doesn't get paid. She said he works at Englebrecht's Orchard.

Ms. Walters said that last month, for two weeks, he received \$138.00, that the food stamps are \$104.00 per month, the rent is \$70.00 per month, that last month the Trustee paid half on their food stamps and they gave her a \$12.00 non food order, so they should have enough left to pay the book rental out of their income.

Commissioner Willner asked if Mr. Sparks is disabled.

Ms. Sparks said that he isn't disabled but that he can't hear and has two hearing aids, that he has been hard of hearing for a long time but just got his hearing aid.

She said that Mr. Spark's sister bought the hearing aids for him.

Ms. Walther said that Mr. Sparks came in and was intoxicated and she had to ask him to leave and told him he should come back another time.

Ms. Sparks said that her husband couldn't hear without his hearing aid and she thinks the people in the Trustee's office took this for being intoxicated, and she doesn't think anyone should say anyone else is intoxicated unless they are a doctor and can prove it.

Mr. Walther said she ran a budget on them and finds that they can pay the book rental, also that if the money they have to spend out would be higher, they wouldn't have to pay so much for their food stamps, so if they are paying their rent and their utilities like they should, the cost of the food stamps would be cut down, since the cost of the food stamps is based on the income and how much is being paid out. She said all they pay out is \$120.00 and then their food stamps cost \$104.00.

Commissioner Willner asked Ms. Sparks if they had an automobile and Ms. Sparks said they have a 1960 Pontiac.

Commissioner Schaad asked if her husband worked pretty regularly, since she indicated that if he couldn't work he called in.

Ms. Sparks said that last week he hurt his eye while cutting branches off the tree and he had to go to the doctor, that he is assured of \$100.00 per week but if he didn't call in or if something happened and he had no way to get there, he wouldn't get paid anything, that he is off sometimes, that it is just up to what Mr. Englebrecht wants, but he always goes to work when he is needed.

Commissioner Schaad said he thinks they ought to be able to work it out, since the book rental is only \$10.85.

Ms. Sparks said her one child is on insulin but all of his medical isn't being taken care of.

Ms. Walther said that one time Ms. Sparks came in and wanted her boy to go to the doctor, so she was writing up a purchase order for this and was asking Ms. Sparks the questions she had to ask and Ms. Sparks got upset and left.

Commissioner Willner said he thought what they have here is a lack of cooperation between Ms. Sparks and the Trustee, that it takes two people and they have to get along.

Ms. Sparks said she tried but she isn't going to get down on her knees and crawl to nobody.

Commissioner Willner said she doesn't have to do this, but she does have to get along with people, and asked if she came in so she could take her son to the doctor, why did she leave, since he can't understand a mother that wants her child to see a doctor and had the job almost done and then says forget about it and walks out.

Ms. Sparks said she didn't say that, but Ms. Walther kept asking all the questions over and over and she finally got angry, that she didn't need to keep asking them, since she had the book right in front of her.

Commissioner Willner moved that this case be referred back to the Trustee. Commissioner Schaad seconded the motion. So ordered.

RE: RESOLUTION FOR SNOW REMOVAL

County Attorney Wendel said that Mr. Siebeking presented a proposed resolution for passage on the snow removal, in regard to the federal money, that he will prepare it and present it next week, since Mr. Siebeking said this would meet the deadline.

The meeting recessed at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Paul Wendel

Secretary: Margie Meoos

Bob Schaad  
Robert L. Willner  
BOARD OF COUNTY COMMISSIONERS



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COUNTY COMMISSIONERS MEETING  
FEBRUARY 27, 1978

The meeting of the County Commissioners was held on Monday, February 27, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg 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

AREA PLAN COMMISSION

Marilyn Friedman 1217 Burdette Ave. Planner 1 \$10,000.00 Yr. Eff: 2/27/78

COUNTY COUNCIL

Vicki R. Bailey 907 E. Mulberry Executive Asst. \$12,307.00 Yr. Eff: 3/7/78

BURDETTE PARK

William G. Zentmyer 3420 Austin Ave. Rink Guard \$3.50 Hr. Eff: 1/15/78

CLERK OF THE CIRCUIT COURT

Mary Lee Methena 708 S. Bosse Deputy Clerk \$130.69 Pay Eff: 2/25/78

HIGHWAY DEPARTMENT

June Hamilton 1030½ Harmony Way Clerk \$243.58 Pay Eff: 2/27/78

SUPERIOR COURT

Michael Cain 734 E. Broadway, Princeton Pt. Time Couns. \$4,800.00 Yr. Eff: 2/7/78

UNION TOWNSHIP ASSESSOR

Evelyn Bernard Rte.2 Box 152 Deputy \$1,512.00 Yr. Eff: 2/1/78

VOTERS REGISTRATION

Virginia Robinson	909 Meyer	Clerk	\$20.00 Day	Eff: 2/27/78
Tonya Hooper	1329 W. Maryland	Clerk	\$20.00 Day	Eff: 2/27/78
Marie Lurker	2100 Schutte Rd.	Clerk	\$20.00 Day	Eff: 2/27/78
Edna Henry	3904 Clement	Clerk	\$20.00 Day	Eff: 2/27/78

RE: EMPLOYMENT CHANGES.....RELEASES

Anika Juras 1119 Parrett Executive Asst. \$12,307 Yr. Eff: 1/7/78

CLERK OF THE CIRCUIT COURT

Lucille Becking 706½ Court St. Deputy Clerk \$130.00 Pay Eff: 2/25/78

UNION TOWNSHIP ASSESSOR.....REASSESSMENT

Evelyn Bernard Rte.2 Box 152 Clerk \$20.00 Day Eff: 1/31/78

RE: PUBLIC HEARING.....FEDERAL REVENUE SHARING FUNDS

Commissioner Ossenberg said that the Public Hearing on Federal Revenue Sharing Funds was set for today, for the Liability Insurance for Reserved Deputies and for the Communications Recorder for the Sheriff's Department, and that notices were sent out and notices were posted for the amount of \$52,650.00 of Federal Revenue Sharing Funds.

He asked if there was anyone in the audience that would like to speak pro or con on these funds, but no one cared to speak.

He said this will be passed on to the County Council, that it will be heard by them on the first Tuesday in April, since there wasn't enough time to get it on their March Council Call.

Commissioner Schaad said that by updating the communication in the Sheriff's Department, it will qualify them for a lower fire insurance rate and this is why it is needed.

Commissioner Schaad moved that the spending of these federal revenue sharing funds for the items as stated be approved. Commissioner Willner seconded the motion. So ordered.

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 a backhoe that is needed by the Surveyor's office.

RE: MONTHLY REPORTS

The Report from the Evansville Association for Retarded Citizens was submitted for the month of January, 1978.  
Report received and filed.

The County Treasurer's Report was submitted for the month of January, 1978.  
Report received and filed.

RE: LETTER ON SNOW REMOVAL AT PLEASANTVIEW PROPERTY

The following letter was received by the Commissioners from David L. Jones, the Attorney to the Vanderburgh County Council:

Gentlemen:

Pursuant to inquiry by Mr. Herman Hotz at a recent County Council meeting, I have attempted to research the question of whether or not the County Garage may be utilized to effect snow removal from the roadways of the county property known as Pleasantview Rest Home. As you know it has become necessary that the property be made suitable for viewing by prospective bidders prior to sale of the property previously authorized by the County Council and the Board of County Commissioners.

I have found no statute nor has one been called to my attention which would prohibit the County Garage from cleaning snow from the roadways within county owned property. However any roads or streets abounding or leading into the county property are the responsibility of the City of Evansville. As such the county may not be used to clear city streets.

In further support of this opinion I have contacted the State Board of Accounts. I was advised by them that they knew of no statute or regulation which would prohibit or penalize the action contemplated.

Should exception be taken to this opinion legal means are available for the appropriate parties to file a claim. In the event such claim were to be filed and ultimately allowed, it could be treated as an expense of sale i.e. an administrative cost, and offset against proceeds.

Should the Board have any further questions please feel free to contact me at your earliest convenience.

Very truly yours, David L. Jones, Attorney  
Vand. County Council

Commissioner Schaad said that the Commissioners have always been of the opinion that unless it was an accepted county road, the county highway funds could not be used to clean or do any work on any that weren't county authorized roads, in which they were getting gasoline tax, so he was wondering, since they own the Auditorium, if they could use county equipment to clear the Vanderburgh County Auditorium lot.

Mr. John said that even if the County did this and then found out that the State Board of Accounts say that they shouldn't pay it out of the General Fund instead of the Highway Fund, it would just be a transfer from one fund to another.

Commissioner Ossenberg said they checked Burdette Park out and that it is on the County Road System, so we are receiving gas tax money from the Burdette Park roads, so as far as these roads are concerned, they are County accepted roads, therefore they could go out and clean them if they had to.

He said, however, according to Mr. Jones, as far as he is concerned, there is no statute that says the County can't clean the roads at Pleasantview.

Letter received and filed.



RE: CONTRACT WITH TEAMSTERS SIGNED.....COUNTY HIGHWAY DEPT.

Last week the contract between the Teamsters Union and the County Highway Department was approved by Commissioner Schaad and Commissioner Willner, but they held it up until Commissioner Ossenberg was present to sign it. Commissioner Ossenberg signed the contract at this time.

RE: CONTRACT WITH TEAMSTERS....APPROVED AND SIGNED...AUDITORIUM

Last week the contract between the Teamsters Union and the County Auditorium was submitted, but was held up since Mr. Dewes was in the hospital and hadn't had a chance to look it over, which he has now done and said it is agreeable with him.

Commissioner Schaad moved that the Contract between the Teamsters Union and the Vanderburgh County Auditorium be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: PAYMENT REQUESTED FOR TRAVEL

The following letter of request was received by the Commissioners from Mr. Alvin Stucki, the Center Township Assessor:

Honorable Commissioners:

I am respectfully requesting you to pay for the trip I took to Indianapolis, Indiana, for the Assessor's meeting there.

The meeting was for February 20, 21, and 22, 1978.

I request payment for \$20.00 per day per diem and also \$.15 per mile, to and from Indianapolis.

This is for both, myself and my deputy.

I am sorry I have not presented this claim before now. Please accept my apology. (There was no claim)

Sincerely yours, Alvin E. Stucki  
Center Assessor

Commissioner Schaad moved that the travel be approved and that Mr. Stucki fill out a claim and present it. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM HARTFORD INSURANCE CO. ....KEITH BAKER CLAIM

Commissioner Ossenberg said a letter was received from the Hartford Insurance Co. with claimant being Keith Baker...Location: Green River Road...D/L: 6/24/77. The letter reads as follows:

Dear Sirs:

We are in receipt of the Summons and Complaint in the above entitled suit. Attorney Larry Daly of Wright & Daly, 301 Evansville Federal Bldg., Evansville, In. will appear for you in keeping with the terms of your policy of insurance.

Since the amount of damages demanded is in excess of your policy limits, you may, if you wish, at your own expense, retain personal counsel to further protect your interests. We will be glad to cooperate with whomever you select.

We will notify you if it becomes necessary for you to appear in court. In order to best serve your interests, please refer promptly to this office any correspondence received by you, or inquiries made of you, for information in regard to the accident in this lawsuit.

If you intend to claim damages against any of the parties who have filed suit, it may be necessary for you to file a counter-claim, and our suggestion is that you consult your own attorney for advice as respects your own damage.

Yours very truly, Ralph W. Jones, Jr.  
Manager

Commissioner Willner moved that County Attorney Wendel and David Jones, Attorney for the County Council, to follow this law suit through and make arrangements with them for additional payment. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM HARTFORD INSURANCE CO....DAVID J. & PAMELA A. ZWIESLER CLAIM

Commissioner Ossenberg said that a letter was received from the Hartford Insurance Co. with claimant being David J. & Pamela A. Zwiesler... The letter reads as follows:

Dear Sirs:

Please be advised that the summons complaint entitled David J. Zwiesler and Pamela A. Zwiesler, Plaintiffs vs Vanderburgh County, Indiana, have been forwarded to us. We are returning the correspondence back to you, as your policy of Insurance does not cover personal injury liability as the allegations in the complaint are of false arrest and personal injuries therefrom. There is no coverage under your policy for this incident. If you have any further questions concerning this matter please contact me.

Signed, Ralph W. Jones

Commissioner Willner said the Commissioners just passed a liability from the revenue sharing for the deputies, so surely the original police have liability insurance.

County Attorney Smith said it is according to Torian, who is our agent, that he said we do not have liability coverage on false arrest.

Mr. John said he believed the Insurance Auditors mentioned this and it will be included in their report when they send it down but when they left they said it may be up to 90 days before we receive their final report.

County Attorney Smith said he entered his appearance on this sometime ago so they wouldn't be in default and he is glad he did because they are protected and as it stands, according to Torian, it is our responsibility.

Commissioner Willner moved that this matter be referred to County Attorney Smith since he already has a file on it, and that additional money be approved for defense if needed. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM AGAINST VANDERBURGH COUNTY

Craig Fortune, by his best friend Treva K. Fortune VS Joseph L. Edwards, Joseph Greg Edwards, Evansville Engineering Co., Elmo Dockery, Elmer Culp, Dorris and Edwards, Inc., Phillip Heston and Edna Heston and Commissioners of Vanderburgh County Indiana.

Commissioner Ossenberg said this is on Green River Road and Millersburg Road that they have had a number of suits on.

Commissioner Schaad moved that this be referred to Torian Insurance Company. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF CLAIM

A Notice of Claim against the City of Evansville Indiana and Vanderburgh County, Indiana was submitted to the Commissioners and reads as follows:

You are hereby notified that Lonnie J. Fluty, and his mother and father, Betty J. Fluty and Willie Fluty have a claim against you, and each of you, for false arrest and imprisonment.

Heretofore, Lonnie J. Fluty was charged with the offense of failure to yield right of way, which he was informed and believed, had been dismissed. That he believes said charge was laid against him on or about the 1st day of May, 1977.

That he was arrested on or about September 30, 1977 after said charge had been dismissed.

That he was wrongfully imprisoned in the Vanderburgh County Jail for about one hour.

That he does not know the names of the arresting officers.

That he claims damages in the sum of Two Thousand Five Hundred Dollars (\$2,500)

That at said time and at the present time his residence was 1325 Uhlhorn, Evansville, Indiana.

Signed John D. Clouse, Attorney for Claimants

Commissioner Ossenberg said he supposed they were including the County because the Sheriff is in charge of the jail.

County Attorney Smith said that the view on this is probably that they used the jail facilities, that initially the deputy made the application and the City picked it up from there, so this could be the reason.

County Attorney Wendel said that some people don't know if it is the City Policeman or a Deputy Sheriff who arrests them and maybe this is why it is worded that way.

Commissioner Willner moved that this matter be referred to County Attorney Smith. Commissioner Schaad seconded the motion. So ordered.

#### RE: CLAIMS

The following claims were received from various contractors for the snow removal on the various County roads, the money of which is 100% reimbursable:

<u>CONTRACTORS</u>	<u>ROADS</u>	<u>AMOUNT</u>
Kenneth Martin	Buente Road	\$240.00
C. F. Blesch	Victoria Lane	\$ 60.00
Milton Goebel	Lutterbach Road	\$ 70.00
Harold Hartman	Owensville, Newman & Mann Roads	\$635.63
Blankenberger Bros. Inc.	Scott Road	\$263.25
Eugene Forney	Baseline Road	\$160.00
Arthur Paul & Son	Nesbit, Bixler, Wallenmeier & Baehl Roads	\$705.00
Dorris Taylor	Owensville & Mann Roads	\$315.00
Ziliak Backhoe Service	N. Green River Rd. & Baseline Rd.	\$500.00
Victory Asbury	Felstead Rd. Rosser Dr. & Cliftwood Dr.	\$ 96.00
Richard Will	Buente Road	\$ 50.00
Carl Schillinger	Schillinger & Princeton Roads	\$120.00
Wilfred G. Schmitt	Volkman Road	\$130.00
Jim Elpers Farms	Schroeder Road	\$262.50
Dennis Tenhumberg	Buente & Weiss Roads	\$315.00
George Ryan Co.	Baseline & Bender Roads	\$432.00
John Mans Inc.	Old State Road	\$375.00
Kenneth Adler	Adler, Newman, Buente, St. Joe, Owensville, Old Princeton & Mosquito Roads	\$1,505.00
Clyde Winiger Farms	Cypress-Dale, Red Bank, Roesner, Hoppe, Roth and Old Henderson Roads	\$1,400.00
Durchholz Bros.	Burkhardt, Hirsch, Telephone, Old Boonville Hwy. Green River Rd. Theater Dr. Keeneland Crt and Valley Downs	\$3,750.00
Total amount of claims		\$11,384.38

Commissioner Schaad moved that these claims be approved and that the Commissioners signature stamps be used on all of them. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by SIECO, Inc. for professional engineering Services provided in conjunction with the Pavement Marking Demonstration Program as per Agreement from 12/1/77 thru 12/31/77, in the amount of \$742.40.

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

In regard to the claims for the snow removal, Mr. John said they made out the checks to the individual contractors and then took them to National City Bank and they are going to change them into cashier's checks which will be mailed to the contractors, that this way, they won't have to rely on them getting their checks cashed right away. He said he will pick up the cancelled checks this afternoon.

A Claim was submitted by Don Ice of the Pigeon Township Assessor's office for expenses incurred when traveling to Indianapolis for the Assessor's meeting, in the amount of \$114.30.

Mr. John said that on their mileage, he told them to do it the way they wanted to, that Mr. Dorsey and Mr. Ice went by their meter readings while the others went by map reading, so two were a little higher than the others.

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

A Claim was submitted by Robert Dorsey, the Pigeon Township Assessor, for travel incurred when traveling to Indianapolis for the Assessor's meeting, in the amount of \$115.50.

A Claim was submitted by Alvin Stucki, the Center Township Assessor for expenses in traveling to Indianapolis to attend the Assessor's meeting, in the amount of \$108.60.

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

A Claim was submitted by Shirley Stucki of the Center Township Assessor's office for expense in traveling to Indianapolis to attend the Assessor's meeting, in the amount of \$108.60.

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

A Claim was submitted by James L. Angermeier for expenses in traveling to Indianapolis to attend the Assessor's meeting, in the amount of \$60.00.

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

A Claim was submitted by James Kornblum, the Knight Township Deputy Assessor, for expense in traveling to Indianapolis to attend the Assessor's meeting, in the amount of \$108.60.

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

A Claim was submitted by Roman Gehlhausen, the Knight Township Assessor, for expenses in traveling to Indianapolis to attend the Assessor's meeting, in the amount of \$108.60.

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

RE: CONTRACT AWARDED ON BACKHOE

There was only one bid received on the backhoe that is needed by the County Surveyor and it was from Diamond Construction Equipment Sales, Inc. for a Ford Tractor Wonder Backhoe, Model 4500, in the amount of \$6,950.00. The bid was in proper form.

Mr. Guillaum said this particular machine appears to be in pretty good condition and he would like to get a decision on it today since two others were sold that he looked at and this one will be gone pretty quick, that they were pretty specific on what they wanted and that is about the only machine around.

He said he recommended they purchase it so he can contact the man today because other people have been looking at it.

He said the money to pay for it will come out of the bridge fund.

Commissioner Ossenberg said, by way of information, he did receive the CETA people.

Commissioner Willner moved that the purchase of this backhoe be approved. Commissioner Schaad seconded the motion. So ordered.

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....ROADS NEED PATCHING

Mr. Siebeking said he has had several calls on railroad crossings and he would like permission to patch some holes at the crossings rather than to wait for the railroads to do it, that there is a bad one on Lynch Road and another in Daylight where Conrail goes across Green River Road, that the patching wouldn't be that much and they might save someone from tearing up their car.

Commissioner Ossenberg said he had a call this morning from a woman who tore up a front tire and wheel on Lynch Road.

Mr. Siebeking said that most of these holes are holes that just developed by the track itself and he could patch them out, even though he didn't think it to be the responsibility of the Highway Department but if they wait for Conrail or someone else to repair it, they might be waiting for six months.

Commissioner Schaad moved that the County Highway Department patch these holes. Commissioner Willner seconded the motion. So ordered.

RE: BURKHARDT ROAD

Mr. Siebeking said he has had several calls this past week on Burkhardt Road on the ditch they are doing out there, that the banks have caved in and they are right up to the edge of the pavement. He said he didn't know if it was the responsibility of the contractors to build that thing up or not, but that it is really bad.

Commissioner Willner said he has to go back and seed it anyhow.

Commissioner Schaad said, in the meantime, they had better notify the contractor.

Mr. Guillaum said the contractor had it dug out and sloped in pretty well but by now, he would have come back and dressed that up but by stopping like he did, they more or less said they weren't going to do anymore until they have a chance to look this thing over to see how they are going. He said the contractor didn't have a chance to come back in and dress those banks up and compact them.

Commissioner Ossenbergsaid the only thing is, that if it is that dangerous, something should be done, that they should attempt to do something.

Mr. Guillaum said he is temporarily pulled off out there and he can't blame him, since he doesn't know which direction they are going to take right now.

Commissioner Schaad moved that this matter be referred to Mr. Stephen and Mr. Guillaum so they can go out and see the seriousness of it and get together with the contractor on it. Commissioner Willner seconded the motion. So ordered.

RE: RESOLUTION TO REQUEST FEDERAL MONEY APPROVED

The Resolution for the County to get the money back for the snow removal from the federal government was submitted for the Commissioners approval.

Commissioner Schaad moved that the Resolution be approved and signed. Commissioner Willner seconded the motion. So ordered.

Mr. Siebeking said he will take the original and a copy since he has to take the original to state with him.

RE: MR. GUILLAUM.....RAIL REPAIR PROGRAM

Mr. Guillaum said they did get their money from CETA for their rail program, that he has been interviewing people all week and they have to hire seven people to this program, that he would have preferred to go with maybe three or four people, but it is either this or not at all, also they have to be signed up by March 2nd. He said he told them that it is pretty tough to get anything done with the weather as it is, so he wanted to delay it until we get better weather but by March 13th, they have to have the program into effect and be doing the work. He said the backhoe is now taken care of but for moving the guard rails back and forth, to the job, he will have it set up with two different crews, one doing the bridge work itself and the other one being the guard rail crew and on this crew, they will have to have a truck since the rail sections are 12½ feet long and there wouldn't be any way they could put them in the van, so they will probably have to do some planning and maybe try to advertise for a truck.

Commissioner Schaad asked Mr. Siebeking if he had anything at the garage that Mr. Guillaum could use.

Mr. Siebeking said there is a school bus at the Pleasantview garage and he believed that with a little work they could get it in working order.

Commissioner Willner moved that Mr. Guillaum be authorized to use the bus. Commissioner Ossenbergsaid seconded the motion. So ordered.

Commissioner Ossenbergsaid asked if the bus is still under our Insurance coverage and Mr. Siebeking said he would imagine it was since it is listed on his inventory.

Commissioner Ossenbergsaid told Mr. Guillaum to be sure and check on this to see that it is covered.

RE: MR. STEPHEN

Mr. Stephen said he was asked to look over the water main that is going in from Boonville-New Harmony Road on out North to the interstate. He submitted a small map of the area and explained what they plan to do and said that they asked for road cuts and because of the right of way limitations, they are going right up the middle of the road through Inglefield and Baseline. He said this happens to be in Darmstadt up to a point, before it gets into Vanderburgh County, that the State hasn't taken it off our list.

Commissioner Willner said it may still be on the list but when Darmstadt incorporated, the state came down with their vehicle and took the mileage for Darmstadt, but whether they took it out of Vanderburgh County or not he didn't know.

Commissioner Ossenberg asked if Darmstadt didn't make some kind of agreement where they would forfeit their gasoline money on some of their roads if Vanderburgh County maintained them.

Commissioner Willner said this was Inglefield Road and we get gas tax on that one but not on Martin Road.

Mr. Stephen said there could be a lot more houses built out there and when they make a tap-in, they will have to go to the middle of the road and it will be torn up.

Mr. Boyd of Ohio Valley Engineer's said they wouldn't, that they would go to the property line with it.

Mr. Stephen said if someone subdivides or adds on, they will have to tear up the road. He said he wanted to bring this to the Commissioners attention, also that the right of way is pretty narrow.

Commissioner Ossenberg said he would be hesitant to act on the one road, not knowing if it is in Darmstadt or not.

Mr. Stephen said he pointed this out to them and Mr. Boyd said they were also going to ask permission of the Darmstadt Town Board. He said it was optional as to materials used but he thought concrete would be better.

Commissioner Ossenberg said the only way they were going to get his approval on it is to fill it back with concrete, that he would like to see them use sand, rock, concrete and asphalt. He said he wants it in writing as to what they plan to use, because he has seen this same thing elsewhere, that they were suppose to put concrete in there but they didn't.

Commissioner Willner moved that it be approved, subject to the approval of the Darmstadt Town Board, and if they put it in writing and use 6 inches of concrete and 2 inches of asphalt, they will forego the bond. Commissioner Schaad second the motion. So ordered.

RE: ACCEPTANCE OF ROAD...TENNIS LANE

Mr. Stephen submitted a copy of a request from George Ryan, dated January 21, 1977, where he asked that the Commissioners to accept Tennis Lane from Plaza East to its northern terminus for county maintenance. He said he ran across some amendments and found that there were two numbered 17 and two numbered 19 and they were for different roads, so he made one 17-A and one 19-A, also that in January and February of 1977, Tennis Lane was accepted by the Commissioners but there was no information ever put together on an amendment, so he made up amendment #34 to cover this, since he would like to see it completed so it can be put in the record.

Commissioner Schaad moved that Tennis Lane be accepted and the amendment be signed. Commissioner Willner seconded the motion. So ordered.

RE: ACCEPTANCE OF ROADS...OLD STATE SUBDIVISION

Mr. Stephen submitted the following request from Guthrie May & Co. Inc. as to the acceptance of the following roads:

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:



Strawberry Hill Road from Old State Road east to the east line of Lot 27

Rock Creek Lane from Strawberry Hill Road to Old Cannon Way

Dry Branch Road from Strawberry Hill Road to Old Cannon Way

Old Cannon Way from Rock Creek Lane to Dry Branch Road.

The plans for the construction of the streets in Old State "One" were approved November 10, 1976 by the County Commissioners. The plat was recorded April 22, 1977.

The plans for the construction of the streets in Old State "Two" were approved July 14, 1977 by the County Commissioners. The plat was recorded on September 14, 1977.

Sincerely, Guthrie May & Co. Inc.  
Donald J. Blume, Vice President

Mr. Stephen said that Strawberry Hill was accepted in 1976, that there are these other streets in the subdivision and he made a recommendation that they be accepted with a stipulation that as long as nothing is going on out there the developer and/or builders will be responsible for keeping these roads clean of dirt, mud and debris until all lots are built upon and lawns established.

Commissioner Ossenberg said he didn't know why the Commissioners don't adopt an ordinance so stating this.

Commissioner Willner moved that these streets be accepted, with the stipulation, as stated. Commissioner Schaad seconded the motion. So ordered.

Mr. Stephen said if the Commissioners want an ordinance that they will not accept the roads unless this is done, he supposed they would have to put a percentage of completion because probably some of them won't be built on to for maybe ten years.

Commissioner Willner asked what would keep them from adopting an ordinance that went through the Area Plan Commission stating that the developer must sign this agreement, relieving the County of liability and promising to keep the mud off the streets and adjacent roads and any subsequent roads caused by the building, until it is sold or until it is seeded.

After some discussion, Commissioner Willner moved that they do this. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenberg asked Mr. Stephen to work with the County Attorney on this and said a good example for this is Green River Road & Millersburg Road.

#### RE: ASPEN RIDGE SUBDIVISION

Mr. Stephen said he also has this Walnut Lane & Eastbrook Lane in Aspen Ridge Subdivision, Section D, that this presents a problem since there is no place in the records where Aspen Drive in Aspen Ridge has been accepted by the County.

Commissioner Willner moved that any action on this be held up until the Commissioners get their ordinance in force and that the roads leading to this one be accepted at the same time. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenberg said he is sure that Aspen Drive has been accepted, but Mr. Stephens said he found a couple of letters asking that it be accepted but was held up because of deficiencies, that he went out and checked it and has written in his report that it was badly broken up.

Commissioner Ossenberg said when Aspen Drive was being built, Cloverdale got all the mud that was coming down Oak Hill which was a county accepted road and the County had to clean that road up. He suggested that Mr. Stephen call Myron Cannon who is with Citizen's Realty and he might suggest to him that they are going to have to put Aspen Drive up to standards.

Commissioner Willner said the Commissioners should have them sign the agreement too, and the other Commissioners agreed.

#### RE: VALLEY DOWNS SUBDIVISION

Mr. Stephen said that in Valley Downs Subdivision, Guthrie May had asked for Deer Trail and Autumnwood Way to be accepted also and he wrote him a letter, to the

effect that the area was not acceptable since there is a low spot in Autumnwood Way where the water stands, and he received a letter back from his saying that they will correct the problem, so he won't send through on the acceptance until it is taken care of.

RE: HOUSE BILL 1370...ROADS & TRANSPORTATION

House Bill 1370 as stated in the County Legislative Bulletin, reads as follows:

Transfers responsibility for bridges over railroad tracks from railroads to responsible governmental agency.

Commissioner Ossenberg said this Bill has passed the house, that Shirl Evans, Jr. the Executive Director, called him on this and said that it has been amended, that the government would not be responsible for the railroads on this particular deal. He said that the only one who voted against it in the Evansville-Vanderburgh County delegation was Dennis Avery and he voted against it because of the Commissioner's letter, but he understands that it has been amended a great deal, but he doesn't know just what all is involved in it.

RE: FEDERAL MONIES DISCUSSED.....DRAFTSMEN NEEDED

Commissioner Ossenberg said that he attended the meeting of the Indiana Association of County Commissioners in Posey County last Thursday night and according to Jean Hittle of Purdue University, there is \$82,000,000.00 in federal monies in Indianapolis that originally was pro-rated on a county-wide basis for bridges but it appears as though two things happened, that they thought the pro-rating of counties was unfair, as Vanderburgh County's share was \$778.00, that it is a 75% federal, 25% local deal, so they have now changed this to a first-come first-served basis and apparently no one in this state is taking advantage of it, so consequently, the federal government is saying, "if they aren't going to take advantage of it, they are going to lose it." He said that Dan Hartman and Mr. Stephen was there and he doesn't know to what extent or how many bridges Dan has on design and he asked Mr. Stephen if he knew.

Mr. Stephen said none that are ready to send for approval by the state or federal people, since it would take some time to get them to that point. He said the bridge replacement is \$1.2 million and Indianapolis happens to have one they are applying against that in the amount of \$700,000.00 but what they were stressing was that they need plans on the shelf that are all drawn, which they really don't have, and they need drafting and engineering work done to bring them up to this point, so they couldn't get any plans in to take advantage of any of the \$1.2 million on bridge replacement.

Commissioner Ossenberg said what he don't want to happen is that there is a strong possibility that the federal government may take over the bridge money and allocate it to states and if this happens, then the State General Assembly or Highway Commission is going to control where we will have bridges built and it is a bad deal, and he doesn't want to see it taken out of local control, so what he is saying, in effect, is that he would like to see the engineering going ahead even if it can't be done this year, but applying and getting something up there, since the federal government will think if the local governments don't take any interest in it, they will just give it to the states.

Mr. Stephen said they just need more staff such as draftsmen to get the work up to the point so they can be submitted.

Commissioner Ossenberg asked if they could reap any benefits out of it, would it be feasible to contract drafting and he asked if the government includes engineering in this particular deal that they document their time.

Mr. Stephen said they do and if they are going for a particular project and get it in, they get an engineering agreement with them, in which the state will participate. He said if they could get the qualified draftsmen it would be the most economical way.

Commissioner Ossenberg said he just don't want to see this go out of local control by the federal government allocating the money to the state and the state government taking over the bridge programs and this is happening in some states and he knows what it will be, that Northern Indiana will get everything and Southern Indiana will be sitting in the rear end.



Commissioner Willner asked if our next two bridge projects will be on First Avenue and on Fifth Avenue & Fulton Avenue.

Commissioner Ossenbergsaid this is correct and Ohio Street is ready to go if the City is ready to go, that he doesn't know why they don't go, since all the ground and everything else has been donated to them.

He said, as a matter of fact, he knows there is criticism on Lynch Road from Hwy. 41 to Oak Hill, that he is in favor of building Lynch Road all the way to Telephone Road but he would like to do it in phases, that he told Mr. Hartman the other night, that if we could use our share of building a 200 foot span bridge and 1500 feet, meeting at 30%, with the federal government paying 70% to build the first phase of that over to Green River Road at four-lanes, and then it isn't going to be a dead-end road and he understands that Mr. Stephen is working with Sam Biggerstaff on that Subdivision, that Mr. Hartman more than wants to build it, Mr. Brenner is in favor of extending the road, as is the County Council, and he is in favor of it since he doesn't want to dead-end that road.

Mr. Stephen said they need to get it drawn up and they need a couple of good draftsmen.

Commissioner Ossenbergsaid he feels that if they can get two more qualified draftsmen, they could be paid from the bridge fund and they could get a lot of money from the federal government and they could get the bridges built in this County.

Commissioner Schaad asked why Mr. Guillaum and Mr. Stephen couldn't get with Mr. Hartman and Mr. Brenner this next week and find a couple of qualified draftsmen, and then tell them which bridges to get started on and come back next week with a recommendation.

Mr. Stephen said the \$1.2 million for bridge replacement is going to be used up by people that have their plans in, that we aren't going to be able to get into that and not only that, since we have another bad situation there, that someplace along the way, not enough bridges were certified as deficient in this County and we only had one that this kind of money is qualified to be used on.

Commissioner Ossenbergsaid he told Mr. Hittle, on the side, that if he looked at some of the bridges underneath, as he has, that he wouldn't drive over them.

Mr. Guillaum said he can't understand that, because the report the County put out in about 1973 and the update, they recommended replacement of 50% to 60% of the bridges so he couldn't see how they could say that.

Commissioner Schaad said this needs to be checked into by the County Surveyor's office to see what the problem is.

Mr. Stephen said the money available is first-come first-served and we aren't far enough along to get in on it but as the various fiscal funding comes out of congress, there is going to be a lot more bridge money available and if they want to get in on it, they will have to have their plans ready to go.

Commissioner Ossenbergsaid this is true, that he has read this and he has followed Congress' concern about bridges throughout this country and he thinks if it takes two more qualified draftsmen in Vanderburgh County, let's get them and let the bridge fund pay them and let's get the plans up there, that he hates to see anything taken over by the state.

Commissioner Schaad moved that this matter be referred back to Mr. Stephen, Mr. Guillaum and the County Surveyor's office, so they can look for the draftsmen, and then they are to come back with a recommendation next week. Commissioner Willner seconded the motion. So ordered.

#### RE: ROAD SCHOOL CANCELLED

Commissioner Ossenbergsaid the Road School has been cancelled, at least temporarily, that they are now hoping to have it in April, possibly in Indianapolis, that they had a very good program set up and if the time comes, the topics will be Land Use, Drainage in Subdivisions, Roads, Streets and Subdivisions.

#### RE: COMMENT ON SALT

Commissioner Ossenbergsaid it was brought to the Commissioner's attention that in the future, if they are having trouble obtaining salt, that they could now work through the Purchasing Agent of the Department of Administration of the State of Indiana, who can obtain salt for the entire state and by working state-wide, he can get better deals on it, so Mr. Siebeking has made note of this and he is going to inform the Purchasing Department.

RE: MR. HOTZ .....LAW BOOKS

Mr. Hotz said they have approximately 115 cartons of law books in the inactive storage room in the basement that came from the Law Library from when they put in the new Superior Courts.

He said that Mr. Wendel, Mr. Gaiser and Mr. Evans went down there with him Friday and their suggestion was, since they are owned by the County, that they either donate them to someone or lease them to the Baker Foundation.

County Attorney Wendel said he thought it would be better to lease them rather than to donate them to someone, since they are the County's property, and in effect, we would be getting free storage.

Commissioner Ossenberg said this is a situation that will have to go before the Commission on Public Records.

Mr. Hotz said he was told that these aren't public records, that they are merely law books and record books.

Commissioner Ossenberg said that the Law Library is considered a part of government and two people from the Law Library sit on the Board of the Commission on Public Records and they might just ask for the books to be donated or leased to them.

County Attorney Wendel said this is possible and he will check into it. He said the books are old but not worthless, and maybe someone will want to look at them once in maybe ten years.

Commissioner Ossenberg asked Mr. Hotz to work with County Attorney Wendel on this.

RE: MR. HOTZ .....NEED FOR STORAGE

Mr. Hotz said in reference to Mr. Lensing's request for storage of records, the space he is wanting is now being used for the storage of the Justice of the Peace records that they brought in a couple of years ago, and Shirley Cox just doesn't know where she can put these records, and they thought they could put Judge Lensing's records in this space.

He said that Shirley's suggestion was that they wait until they could get some CETA employees so they could inventory the books and do something with them.

Commissioner Ossenberg asked if Ms. Cox got any CETA employees, that she sent the Commissioners a letter saying that she didn't have time to make application.

Mr. Hotz said he didn't know but that there isn't any space down there to put these records and he just thought he would pass this information on to the Commissioners in case anything is said to them about it.

Commissioner Ossenberg wondered if there might possibly be any room over in the old courthouse that is under lock and key where some of these records could be kept.

Mr. Hotz said he didn't know, but if they do, the County will have to pay rent for it.

Commissioner Ossenberg said he is sure they could work out a deal with the Conrad Baker Foundation if they have room.

Commissioner Schaad wondered if there is any extra space in the Auditorium.

Commissioner Ossenberg said he didn't know, that they might check, but it would have to be under lock and key, that Mr. Hotz should check with Mr. Brenner.

Commissioner Willner said they have preserved the Judge's chambers in the old Court-house and he asked if the law books wouldn't fit into the same decor.

Mr. Hotz said that this may be something that Mr. Wendel had in mind, that if they were leased to the Conrad Baker Foundation, they would maybe put them in some of the court rooms over there.

Commissioner Ossenberg told Mr. Wendel that he might pursue this, because they also have a member of that Board and if they say they aren't interested in them, the library may be interested in them.

RE: POOR RELIEF

Farestine Cooper ...1836 S. Garvin St. ...Pigeon Township...Ms. Vitatoe, Investigator

The Notice of Poor Relief Action that was submitted by the Trustee stated that Ms. Cooper had applied for rent but was denied because she had sufficient income and that she would start on ADC in March.

Ms. Cooper didn't appear today, but Ms. Vitatoe said that the Trustee paid her rent.

Freddie Allen...700 E. Chandler Ave...Pigeon Township...Ms. Vitatoe, Investigator

The Notice of Poor Relief Action that was submitted by the Trustee stated that Mr. Allen applied for utilities but was denied because the meter is covering two apartments and he must have it in his name for his apartment only.

Ms. Vitatoe explained that the utility meter is for two apartments and she told Mr. Allen that the Trustee wouldn't consider his utilities until the meter was for his apartment only and in his name.

Mr. Allen said he talked to the landlord about this, but what it is, is that it is for one heating system and covers the whole building, and his landlord said it would cost a lot of money to change it and he doesn't have the money to do this, so he and the tenant upstairs split the cost but he hasn't been able to pay his utility bill since he hasn't been working, that he had been working in construction but the weather has been too bad.

Ms. Vitatoe said that he hasn't been working for some time, that she has had him in before for rent, that she has tried to get him to certify for food stamps and as of Friday, it hasn't been done yet, that his rent is \$140.00 per month and all they can pay is \$60.00, that it just isn't kosher, that there is something there that she can't get out of him, that he said the landlord will let him work off the rest of the rent, then he is earning some money somewhere and she isn't getting any report of any money and neither he or his wife are working.

She said she has offered him to go to Area Training School but he doesn't want to do that, that she has suggested that they move into a cheaper place but he doesn't want to do that, but there is something within this house, that he does not want to leave it, & she doesn't feel that the Trustee is obligated to pay the utility bill, that they may split the utility bill but his share may not be half of the bill.

Commissioner Willner asked Mr. Allen how much his utility bill is, and Mr. Allen said he has a two month bill that is \$297.00, that the other tenant paid part of hers but he didn't have any money to pay his.

Ms. Vitatoe said the only solution to this problem is for Mr. Allen to find a different place to live, that if he wants the Trustee to maintain him, he is going to have to do what they ask.

Commissioner Willner asked Ms. Vitatoe how much his food stamps would be and Ms. Vitatoe said they would get food stamps for two and with no income, the food stamps would probably be free, so he would be saving \$96.00 per month.

Commissioner Willner said if he was on food stamps, he could then save this money and pay the utility bill.

Mr. Allen said he went down Friday and applied for food stamps.

Commissioner Willner asked Ms. Vitatoe how long it would be before they would let him know about the food stamps and Ms. Vitatoe said it could be done the day he applied.

Commissioner Willner asked Ms. Vitatoe to take Mr. Allen down to see if he has been accepted or denied for food stamps.

Ms. Vitatoe said the request is pending, since he hasn't turned in all the information they need.

Commissioner Willner then asked that they all go down to get this information settled, that he go down and talk to his caseworker and then let Ms. Vitatoe know what he finds out.

He then moved that this case be referred back to the Pigeon Township Trustee. Commissioner Schaad seconded the motion. So ordered.

Roger Martinez...821 Judson St. Apt. D..Pigeon Township...Ms. Hall, Investigator

The Notice of Poor Relief Action that was submitted by the Trustee stated that Mr. Martinez applied for rent but was denied because of Public Transportation previously provided.

Ms. Hall said that in September of 1977 Mr. Martinez was in for transportation to Madisonville, that he said he was working for a program in Kentucky and he was making \$521.00 per month, that he had come here with some friends, that they were drinking and left him here, or something, so he wanted to go back there and he stated to his previous investigator that once he went back there he wouldn't come back here anymore.

Commissioner Willner asked how much the trip to Madisonville cost and Ms. Hall said it cost \$4.95 for him to go back by bus.

She said he came in and said he isn't working, that he is doing odd jobs, that she didn't know when he got here but she noticed that on January 30th. he was disallowed because he made application but then didn't return.

She said that since he had a job in Madisonville, she couldn't see why he didn't stay there where he had a job, rather than to come back here and not have a job.

Commissioner Schaad asked Mr. Martinez how long he has been living at this address and Mr. Martinez said he has been living there going on two years, but was working in Madisonville on a federal program, that he was going back and forth then, but since then he has been working at Evansville Veneer but he had the flu and was laid off and this was why he was asking assistance, that he went to the employment office and they told him that the Evansville Plating Co. is going to do some hiring and he is going down there in the morning, also that his job in Madisonville ran out. He said his rent was \$16.50 per week but his landlady is now asking for \$20.00 per week because of the raise in electricity, that he is now behind in his utilities for one month.

Commissioner Ossenberg asked Mr. Martinez how much he was drawing at Evansville Veneer and he said this was on piece work and he made about \$120.00 per week, but that he was sick and when he went back, they had no report on it.

Commissioner Willner moved that this case be deferred for one week, until the Investigator can check with Evansville Veneer to see what happened, also that he go the Evansville Plating Co. tomorrow and if he still needs help, he should come back next week. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenberg said he wanted to advise the investigators that there are CETA openings for the hard core unemployed, that he knows they are even having trouble in filling those jobs and they must be filled by March 2nd.

Mr. Olsen said he would like to add a word in the case of Evetta Smith that appeared before the Commissioners last week and that is, that she was in this morning and the Trustee paid five old office calls to Dr. Newsome for her, but she forgot to mention it, that he talked to Dr. Newsome, also she said she was coming back with a letter showing that she was disabled, that he welcomed her to do this, but she told him this morning that she just wasn't going to bother.

He also said that there is a free standing bulletin board, that he donated, in the Trustee's office, with two giant size posters on it about the CETA program.

He said they are very happy with Sarah Dean of the CETA program and he is sorry that she is in the hospital for surgery at the present time.

#### RE: REASSESSMENT

Commissioner Ossenberg said that he had an opportunity to talk with Senator Dick Harris Friday and he was going to call the Bill for vote on Thursday night and Senator Fair apparently is fighting the issue, that he threatened to go into a caucus until midnight and that would be the end of that legislative day, so he didn't call the Bill up, that he has plans to call the Bill today, in the Senate, and as it now stands, it looks like his recommendation will be that reassessment be put back a year and head-count, as he described it, on each side of the aisle, he has what he calls 21 on his side of the aisle and 9 on the other side of the aisle, so apparently it will pass the senate, but he didn't know about the house. He said he read in the paper where Senator Fair did threaten a caucus and he thinks that any number of his party would join Senator Harris's recommendation and delay the reassessment, so hopefully, it will be delayed a year.

Commissioner Willner said the consensus of opinion as he understands it, is to relieve the Assessor's from their responsibility during the election year, but then the Mayor's election is the following year, so he doesn't understand it.

He said they are now saying that the assessment will raise about 35% and and they are arguing whether they should limit it to 8% and he asked why do we do a reassessment since we then legislate to cut it down, that we spend millions of dollars over the state of Indiana to do the job and we then go legislate to curb it, that it just doesn't make sense, but he doesn't care if it is delayed or not, but he does have some feelings on the percentage they are going to raise, that this is more important than when.

PRESENTCOUNTY COMMISSIONERS

Tom Ossenber  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

Tom Ossenber

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
MARCH 6, 1978

The meeting of the County Commissioners was held on Monday, March 6, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Pete Swaim 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

CIRCUIT COURT

Karen Stewart                      311 Rotherwood    Bailiff & Asst. Crt. Rep. \$8,831 Yr    Eff: 1/1/78

COUNTY AUDITOR...MORTGAGE EXEMPTIONS

Dorothy Rogers	306 Reis Ave.	Part Time	\$20.00 Day	Eff: 2/27/78
Esther Shrote	1005 Cullen Ave.	Part Time	\$20.00 Day	Eff: 2/27/78
Edna Castrup	426 Richardt Ave.	Part Time	\$20.00 Day	Eff: 2/27/78
Paula Mitchell	769 S. Governor St.	Part Time	\$20.00 Day	Eff: 2/27/78
Mary Switzer	1700 N. Ruston Ave.	Part Time	\$20.00 Day	Eff: 2/27/78
Willette Freihaut	3507 Washington	Part Time	\$20.00 Day	Eff: 2/27/78
Louise Conley	713 Thornberry	Part Time	\$20.00 Day	Eff: 2/28/78
Flora Rose	1105 Putnam	Part Time	\$20.00 Day	Eff: 2/27/78

PIGEON TOWNSHIP ASSESSOR...REASSESSMENT

Pamela G. Collins    4513 Koressel Rd.    Clerk    \$20.00 Day    Eff: 2/27/78

R.E.S.C.U.E., INC.

Jeff Dixon	3901 Kratzville Rd.	Driver/Counselor	\$8,700 Yr.	Eff: 2/27/78
Lana Goffinet	718 Rheinlander	Emp. Training Dev.	\$9,000 Yr.	Eff: 2/27/78
David Steele	2216 W. Delaware	Employment Counselor	\$9,500 Yr.	Eff: 2/27/78
Tom Shoat	3901 Kratzville Rd.	Social Act. Co-ord.	\$8,000 Yr.	Eff: 2/27/78
Donna Deig	7401 Mahrenholz	Sec./Bookkeeper	\$7,200 Yr.	Eff: 3/2/78

SCOTT TOWNSHIP ASSESSOR...TO REGULAR BUDGET

Norma M. Miller	R. R. #6 Box 320	Deputy	\$20.00 Day	Eff: 2/27/78
Leona M. Hudson	R. R. 5	Deputy	\$20.00 Day	Eff: 2/27/78
W. Marvin Lundy	R. R. 6	Deputy	\$20.00 Day	Eff: 2/27/78
Harley Seybold Sr.	R. R. 5	Field Deputy	\$20.00 Day	Eff: 2/27/78

VANDERBURGH AUDITORIUM

Michael Glover    1120 Lincoln    Maintenance    \$3.00 Hr.    Eff: 3/2/78

VANDERBURGH SUPERIOR COURT

Edith Rosenblum    Director, Children In Placement Program    \$19.00 Day    Eff: 2/27/78

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Norman Hooe	1100 W. Florida	Bailiff	\$4.00 Hr.	Eff: 2/22/78
Karen Stewart	311 Rotherwood	Bailiff & Asst. Crt. Rep.	\$7,440 Yr.	Eff: 1/1/78

GERMAN TOWNSHIP ASSESSOR

James Smith    R.4 Kleitz Rd.    Residential Rate Setter    \$25.00 Day    Eff: 1/31/78

SCOTT TOWNSHIP ASSESSOR...TAKEN FROM REASSESSMENT

Norma M. Miller    R.R. 6 Box 320    Deputy    \$20.00 Day    Eff: 2/24/78

Leona M. Hudson	R. 5 Hoing Rd.	Deputy	\$20.00 Day	Eff: 2/24/78
W. Marvin Lundy	R.R. 6	Deputy	\$20.00 Day	Eff: 2/24/78
Harley Seybold Sr.	R.R. 5 Hoing Rd.	Field Deputy	\$20.00 Day	Eff: 2/24/78

RE: MR. VOLPE.....REQUEST

Mr. Volpe appeared and requested the approval of the Commissioners for \$30.00 to renew the first class pre-sort mailing permit that allows him to mail letters for 12¢ instead of 13¢.

He said the amount on this for last year was something like \$800 or \$900.

Commissioner Schaad moved that Mr. Volpe's request be granted. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by the Citizens Realty & Insurance Co. on insured, the Jaycee's of Evansville, Inc., dated 2/24/78 and expires on 1/6/80, for the use of the Auditorium for their flea market which was for the benefit of the Bobby Watson scholarship

A Certificate of Insurance was submitted by McReynolds & Associates, Inc. on insured, the Hadi Shrine Temple, dated 2/13/78 and expires on 9/11/78, for the use of the Auditorium on April 14, 1978, when they will hold their dance.

Certificates received and filed.

RE: AGREEMENT SIGNED

An agreement between the Vanderburgh County Coroner and Dr. Venables, the Pathologist, was submitted to the Commissioners for their approval.

Commissioner Ossenberg said that County Attorney Wendel looked this over and agreed with it, also that the County Council budgeted the money for this.

Commissioner Schaad moved that the agreement be approved and signed and referred to the County Council, which meets tomorrow, for their approval. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM GENERAL SERVICES ADMINISTRATION

The following letter was received by Commissioner Ossenberg from the General Services Administration, Region 5, on Surplus Government Property:

Dear Mr. Ossenberg:

The former Naval and Marine Corps Reserve Center, 2700 W. Illinois St., Evansville, Indiana has been determined to be surplus Government property and available for disposal.

Included in the attached notice are a description of the property and procedural instructions to be followed if any public agency desires to submit an application for the property. Please note particularly the name and address given for filing written notice if any public agency desires to submit such application, the time limitation within which written notices must be filed, and the required content of such notices. Additional instructions are provided for the submission of comments regarding any incompatibility of the disposal with any public agency's development plans and programs.

In order to ensure that all interested parties are informed of the availability of this property, please post the additional copies of the attached notice in appropriate conspicuous places.

A notice of surplus determination also is being mailed to the Honorable Otis R. Bowen, Governor of Indiana, the Honorable Russell G. Lloyd, Mayor of Evansville, the Clearinghouse Review Officer, Indiana Budget Agency, Indianapolis, and the South-western Indiana and Kentucky Regional Council of Governments, Evansville.

Sincerely, William B. Morrison  
Acting Regional Administrator

Commissioner Ossenberg said that the property consists of 10.175 acres of land and is improved with 9 structures.



These structures include 2 brick buildings, 2 wood buildings, 1 heating plant, 1 auto vehicle garage, 1 small arms range, 1 water distribution plant, and 1 open face storage shed.

He said this will have to be posted.

RE: TELEPHONE REQUEST BY PROSECUTOR

The following letter was received by the Commissioners from the Prosecutor, in requesting the installation of new telephones:

Gentlemen:

Please be advised that the Prosecutor's office is in need of having one telephone moved from one office to a new office within the department and also the rental of two station extension telephones. These station extension telephones carry the code number RX7, should be green call directors and have the ability to pick up the same numbers that we have in the present office as well as the local number. A reference to the type of telephone that we have at the present time is our code number 17B. These phones will be installed in the Prosecutor's Office in Room 222, City-County Building. These station extension phones should have a common ring. I am also requesting the telephone company to change one of the telephones that we presently have in the office from one location to another location.

Your consideration of this matter is appreciated.

Yours very truly, Jeffery L. Lantz

Vand. County Prosecutor

It was also notated on the letter, that Sally Boughton from the Telephone Company has informed them that the service connection charge would be \$91.00 with an additional increase monthly of \$26.70.

Commissioner Schaad moved that the request of the Prosecutor be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Kaiser Aluminum & Chemical Corp. for bridge materials in the amount of \$6,678.00 which has been approved by Mr. Stephen and Mr. Guillaum.

Mr. Stephen said that this claim and the next one are for two of the four projects they let bids for on St. Joe, Nurrenbern, Inglefield and Cypress Dale, that these are for St. Joe and Nurrenbern Roads, that the other two haven't been delivered as yet.

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

A Claim was submitted by Kaiser Aluminum & Chemical Corp. for bridge materials in the amount of \$9,238.60 which has been approved by Mr. Stephen and Mr. Guillaum.

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

A Claim was submitted by Kenneth A. Mitz, Assistant Manager at Burdette Park, for travel expenses when attending the Great Lakes Park Institute on February 21st. thru the 23rd. 1978, in the amount of \$104.44.

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

A Claim was submitted by Ray Wolf, Burdette Park Manager, for travel expenses when attending the Great Lakes Park Institute on February 21st. thru the 23rd. 1978, in the amount of \$132.45 for mileage and \$16.00 for two registrations, a total of \$148.45.

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

A Claim was submitted by Southwest Engineering, Inc. for the Seminary Road Bridge, #129, in the amount of \$4,137.25 and was approved by Mr. Guillaum.

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



A Claim was submitted by Diamond Construction Equipment Sales, Inc. for the Ford Tractor Backhoe in the amount of \$6,950.00, and has been approved by Mr. Guillaum. This is a used 4500 Ford Tractor...Loader and Backhoe.

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

RE: MONTHLY REPORT

The Building Commission Report of Permits Issued was submitted for the month of February, 1978.  
Report received and filed.

RE: PROBLEM AT PLEASANTVIEW

Commissioner Ossenberg said that Mr. Hotz is in the hospital but that they have a situation at Pleasantview where they have a leak in the condensation pump in the boiler and Mr. Hotz called Evansville Wet Heat to go out and give him an estimate at to how much it would be and they said it would run between \$400 and \$500. He said that Mr. Hotz is asking that this be declared an emergency and then that he go back in front of the County Council for the money. He said that he supposed maybe Mr. Hotz doesn't have a budget for Pleasantview and he would say this could come out of the account of Buildings & Grounds, since the County still owns Pleasantview.

Mr. John said it could be paid for from this account.

Commissioner Schaad said that since Mr. Hotz is in the hospital, he would suggest that Mr. Stephen take a look at it and then get in touch with Evansville Wet Heat and get the work done since it must be done quickly.

RE: RESOLUTION AMENDING THE MASTER TRAFFIC CONTROL CODE ...AMENDMENT #22

Commissioner Ossenberg said they have a Resolution on the Master Traffic Control of Vanderburgh County which has been changed by County Attorney Smith, that the Commissioners had previously approved it, but it must now be signed.

The Resolution is for stop signs to be placed at the following intersections:

- (aaaa) HEATHER COURT AND PINE PLACE: In that all vehicles proceeding upon and along Heather Court shall stop before entering said intersection.
- (bbbb) CARANZA AVENUE AND PINEHURST DRIVE: In that all vehicles proceeding upon and along Caranza Avenue and Pinehurst Drive shall stop before entering said intersection.
- (cccc) DUSSELDORF DRIVE AND TWICKINGHAM DRIVE: In that all vehicles proceeding upon and along Dusseldorf Drive shall stop before entering said intersection.
- (dddd) SCHMITT LANE AND ST. JOE - ST. WENDEL ROAD: In that all vehicles proceeding upon and along Schmitt Lane shall stop before entering said intersection.
- (eeee) RIDGECREST DRIVE AND O'HARA DRIVE: In that all vehicles proceeding upon and along Ridgcrest Drive shall stop before entering said intersection.
- (ffff) BUENA VISTA AND DETROY ROAD: In that all vehicles proceeding upon and along Buena Vista shall stop before entering said intersection.
- (gggg) REISING LANE AND BOONVILLE-- NEW HARMONY ROAD: In that all vehicles proceeding upon and along Reising Lane shall stop before entering said intersection.
- (hhhh) VENETIAN DRIVE AND TWICKINGHAM DRIVE: In that all vehicles proceeding upon and along Venetian Drive shall stop before entering said intersection.
- (iiii) HERITAGE AND TWICKINGHAM DRIVE: In that all vehicles proceeding upon and along Heritage shall stop before entering said intersection.
- (jjjj) ROSE AVENUE AND HARMONY WAY: In that all vehicles proceeding upon and along Rose Avenue shall stop before entering said intersection.
- (kkkk) BAGBY COURT AND MT. PLEASANT ROAD: In that all vehicles proceeding upon and along Bagby Court shall stop before entering said intersection.
- (llll) VISTA VIEW AND ELMHURST DRIVE: In that all vehicles proceeding upon and along Vista View shall stop before entering said intersection.
- (mmmm) PRUITT ROAD AND NESBITT ROAD: In that all vehicles proceeding upon and along Pruitt Road shall stop before entering said intersection.
- (nnnn) GRACE LANE AND BURGDOLT ROAD: In that all vehicles proceeding upon and along Grace Lane shall stop before entering said intersection.
- (oooo) O'HARA DRIVE AND DUSSELDORF DRIVE: In that all vehicles proceeding upon and along O'Hara Drive shall stop before entering said intersection.

Commissioner Schaad moved that the Resolution be signed at this time. Commissioner Willner seconded the motion. So ordered.

RE: MR. JUDD.....RECOMMENDATIONS ON STOP SIGNS

The following recommendations were made by Mr. Judd on stop signs to be posted at the intersections of Ridgecrest - Twickingham Drive - Twickingham Court - Swinging Way and O'Hara:

After checking the area my recommendation is to place STOP signs as follows:

Install Stop Sign at Ridgecrest to stop for Twickingham Drive.  
 Install Stop Sign at Twickingham Court to stop for Twickingham Drive.  
 Install Stop Sign at Swinging Way to stop for Twickingham Drive.  
 Install Dead End Street sign at Twickingham and O'Hara.

I ask that the Board of County Commissioners approve these signs as listed.

Signed William T. Judd, Traffic Director

Commissioner Schaad moved that these signs be approved as recommended by Mr. Judd and that County Attorney Smith prepare a Resolution to include these signs. Commissioner Willner seconded the motion. So ordered.

RE: EASTVIEW DRIVE

Mr. Judd said he checked Eastview Drive but that he will have to wait until the weather gets better, since there are ditches out there and he will have to see which side of the road they can get the most parking on, but that parking will definitely have to come off of one side of the road.

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: MR. SIEBEKING.....SNOW REMOVAL CONTRACTS

Mr. Siebeking said he was in Jasper last week and that the instructions they received in the previous meeting in applying for reimbursement of federal money for the snow removal conflicted a little with what they were to do, but they got it taken care of. He said they take all the invoices and the State Board of Accounts audits them first, and after they okay them, they go to the Corp of Engineers who audits them and then, they go to the Chief Inspector for Civil Defense who audits them and takes care of the final payment.

He said there were some hours conflicting in some of their invoices so they disallowed those and they came up with \$9,977.88 and of this they will receive 75% or \$7,483.41. He said the different forms that had been filled out and he had taken along, were signed by Commissioner Ossenberg so therefore, he was designated as the official representative of this County, so the lady was gracious enough to call Mr. Mitnick, the State Director on Civil Defense, in Indianapolis, to see if he could sign them and he said that he could but they would have to have a letter from the Commissioners showing that they had designated him as official representative. He submitted a letter which he had drafted whereby the Commissioners designated him as the official representative of Vanderburgh County and giving him permission to sign all official documents pertaining to the snow removal contracts during the emergency from January 27th thru February 1st. 1978.

Commissioner Ossenberg said this should be re-written on the Commissioners stationery.

Commissioner Schaad moved that it be re-written on the Commissioners stationery and that the Commissioners sign it and send it in. Commissioner Willner seconded the motion. So ordered.

Mr. Siebeking said they emphatically emphasized that the original copies be brought, which he took with him, but they also wanted copies of everything, which he didn't have, but Mr. John ran copies of all of them and they are to be mailed to Mr. Mitnick's office, so they can accompany this letter designating him as official representative, that after this is all received by them, he thinks this will wind up everything for the snow removal emergency.

RE: AIR COMPRESSOR AND MOTOR

Mr. Siebeking said he thought Mr. Hotz asked the permission of the Commissioners,

several weeks ago, about the Air Compressor and motor that was at Pleasantview, that he has received it and he submitted a letter to the Commissioners on it. The letter reads as follows:

Gentlemen:

We have received on February 28, 1978, the following items from Pleasantview Rest Home:

- 1-Ingersol Rand (Type 30T-185909) Air Compressor.
- 1-Westinghouse Electric motor (1.5 h.p.) Model No. ABDP.

These items are now in our possession at the County Garage.

Very truly yours, Jack Siebeking  
Superintendent

Letter received and filed.

RE: BURKHARDT ROAD

Mr. Siebeking said they went out and checked the cave-in out on Burkhardt Road, just South of Oak Grove Road, where they are digging a ditch and he thinks about the only thing they can do with it is to maybe dump some riprap in it and slush it over the concrete, that it is a dangerous situation and if they put dirt in there, it will just wash back down into the ditch, that it is pretty steep and he didn't think anything else will hold it. He also said he thought that after the freezing and thawing, there will probably be other places that will slide in. He said if the Commissioners want him to do this work, they will get to it.

Commissioner Schaad moved that this work be done by the County crew. Commissioner Willner seconded the motion. So ordered.

RE: MR. GUILLAUM

Mr. Guillaum said they are now in the process of trying to modify the bus that was used by Boehne Camp, that Mr. Siebeking towed it out to the garage and is now doing some mechanical work on it.

He said he is going to have a couple of men from the office to go out there and remove the seats so they can use it to haul the guard rail, also that from the appearance of the bus, it isn't in very bad shape and the tires on it seem to be pretty good, so they should be ready to use it soon.

He said all the people who will work on this program will be in Monday.

The Commissioners agreed that the name of Boehne Camp should be removed from the side of the bus and that it should read, "Property of Vanderburgh County."

Mr. Siebeking said it is covered by Insurance since it is still on his inventory list of trucks.

Mr. Guillaum said he is going to get with Manpower today to go over the mechanics of putting the people on CETA since he hasn't been involved in it before.

Commissioner Ossenberrg said they are paid through the Controllars office who is over the City, that it is a separate payroll sheet and he has to go over there and sign those papers but he wants Mr. Guillaum to make out the payroll sheets and initial them before he signs them so he knows they have been approved by him.

RE: CERTIFICATE OF APPROVAL...CONSTRUCTION IN FLOODWAY

Mr. Stephen submitted a Certificate of Approval of Construction in a Floodway that was received from the State of Indiana Department of Natural Resources, Natural Resources Commission, that was filed by Mr. Guy Cantwell of Fink, Roberts & Petrie, Inc., for St. Joseph Avenue Bridge over Locust Creek near Evansville, Indiana.

He said they sent him the complete set of plans for St. Joe that was reviewed by them at the hearing, that some corrections have been made and they incorporated the Empire Development on the corner of St. Joe and Mill Road, and also he has an engineer's estimate and the special provisions for the project.

He said the estimate is almost exactly what what was appropriated some time ago which is about \$900,000.00.

He also said that last week Mr. Biggerstaff had the Empire Development Corp. which kind of ties in with this and he wants to bring the Commissioners up to date on it since Mr. Cantwell informed Commissioner Schaad that they are going to have to document this development from when it started, but at the present time, they do not have a permit to come in on this development to get in on either Mill Road or St. Joe Road, and that Mr. Biggerstaff turned it over to another engineering outfit and Mr. Nicholson

said he was going to be in with some additional information since the Commissioners turned it down last week and said they would have to have more information on the drainage part of it.

He said he did a little checking on his own and if they increase the run-off at all on this, those pipe sizes are too small, and he thought he read that they did the design on the pipes with a ten-year rainfall which is really not enough.

He said when these plans come before the Commissioners again, they had better think about having some retention on the property to keep the water from running off faster and they should consider something in the fifty to one hundred year conditions which means a design change and these plans are going for approval now, so he hates to do this.

Commissioner Schaad said they have two problems here, first, that they don't hold up the St. Hoe Avenue project, that as he has said before, when he talked to Mr. Cantwell, he said they would need approval that the project was going through and it would have to be incorporated in the initial plans, but if it wasn't and there was an engineering change, that the federal government would stand no part of it and someone else would have to stand the cost, that he thought it had been incorporated.

He said he talked to Mr. Lochmueller and he told him that Mr. Cantwell said they wanted documentation that this Industrial Subdivision had been started by building permits, that they need proof to show it has been started and the federal government will pay 70% of the cost.

Mr. Stephen said he didn't think there were any building permits as yet, that they just moved some ground out there, that the plat hasn't even been approved yet because the drainage hasn't been approved and this must be done first.

He said he told Mr. Nicholson that things must be passed in the record so they can be documented.

Commissioner Schaad suggested to Mr. Stephen that he tell Mr. Hansen if he don't get on the ball and get this done, they are going to wind up paying for the median cut if there is an engineering change.

He said they can't give him a curb cut either until this has been approved.

Commissioner Ossenberg said he thought, in a discussion before, they had agreed to give him a curb cut directly across from Kem Farm or something. He asked who Mr. Nicholson is.

Mr. Stephen said Mr. Nicholson is with Engineering Associates, that Mr. Biggerstaff carried it up to this point, that he was here last week and said this has all been turned over to Mr. Nicholson, but he hasn't done anything.

Commissioner Ossenberg said that Kem Farm hasn't agreed to the curb cut, that he said he probably would, but he wants to see all of this in writing and he thought Mr. Stephen should get in touch with Mr. Hansen at Empire so he can get a letter from Kem Farm giving them re-assurance that it will be let out on bid soon.

Mr. Stephen said he thought when this comes before the Drainage Board for approval, they are going to have to ask them for retention.

Commissioner Ossenberg said Mr. Stephen might as well tell them this too, since if this is his recommendation, the Commissioners will stand by it.

#### RE: CONTRACTS SIGNED FOR BRIDGE MATERIALS FOR 1978

Mr. Stephen said that when the yearly bids were received on bridge materials for 1978, there was apparently a slight mix up, that they should all have been approved but that only two contracts for culvert material were signed by the Board and the rest had been referred to him for recommendation and they were acceptable but haven't been officially approved and signed.

They are as follows:

Orbie of Illiana, Inc. of Crawfordsville, Inc. for Liquid Calcium.

American Timber & Culvert, Inc. of Fort Wayne, Ind. for Timber lengths, Bridge Decks, etc.

James Drew of Evansville who had low bid on Guard Rails.

P & H Construction Co. of Evansville on Equipment Rental

Commissioner Schaad moved that these contracts be approved and signed. Commissioner Willner seconded the motion. So ordered.

#### RE: JASPER INDUSTRIAL PARK...REQUEST FOR STREET ACCEPTANCE

Mr. Stephen submitted a request for the acceptance of Kentucky Avenue in Jasper Industrial Park. He said the approach is asphalt and because of the weather they still

have the surface to put on along the deceleration lane and the passing lane which is in the County right of way and this will be done when the weather permits. He said he didn't know why the contractor got himself into a bind, that they did that with the understanding that it would be accepted by the County and he didn't know why they would sign anything like that.

He said he talked to County Attorney Wendel last week about the modification of the ordinance here, that they do have a seven inch concrete street there and they really need a different classification on these streets, since the ordinance doesn't even mention streets of concrete.

He said there are things in the ordinance that aren't being followed and haven't been followed for some time, and that is that these plans for the streets should come before the Commissioners for approval, and he thinks that they should make revisions and update the ordinance of 1972 and ask people to abide by it.

He said that the Jasper Industrial Park is located at Mt. Pleasant Road and Hwy. 41 and that Kentucky Avenue runs into a deadend, that they went ahead and built it and when this came through, nothing else was ever presented in the way of them wanting the County to take the street over, but now that they have it built, they want the County to take it over, but if they wanted the County to ever take it over, they should have had the plans submitted for approval, since we never saw the plans or knew what they were going to do.

Commissioner Ossenberg asked Mr. Stephen what his recommendation on this is.

Mr. Stephen said that if the Commissioners follow up as they have in the past, he would say go ahead and accept it, but that some place along the way, they are going to have to tighten down.

Commissioner Ossenberg said he thought Mr. Stephen should get with County Attorney Paul Wendel and re-write that ordinance.

Mr. Stephen said this again, is one of those deals where nothing is built out there so the people, as they build, the County doesn't want to keep the street clean for them.

Commissioner Ossenberg said if the Commissioners accept it, with Mr. Stephen's recommendation, they will accept Kentucky Avenue in Jasper Industrial Foundation, a distance of 1,140 feet be accepted for county maintenance with the following restrictions; that the developer and/or builder will be responsible for keeping the road clean of dirt, mud and debris until all lots are built up and all lawns are ground covered and established.

Commissioner Willner said he thought they should see the plans for the streets so they have a chance to approve them, in the planning stage.

Mr. Stephen said that each time they come in with plat plans, they should attach a note stating that if these roads are ever going to be county accepted, the plans have to be submitted as per the ordinance.

He said he has looked at the roads and that it follows the plans except that it falls into the classification of flexible pavements, not rigid pavements, so what he wants to do is to change the ordinance.

Commissioner Willner moved that this street be tentatively accepted and that when the project is done, they are requested to give the County Engineer a set of plans for any other streets that are built.

He said the Commissioners aren't really going to accept this street until it is done, and then if it meets the County Engineer's and the Commissioners approval, when all the building lots are done, if approved, they will accept the streets.

Commissioner Ossenberg seconded the motion. So ordered.

Co. Att. Smith said if the Commissioners and Mr. Stephen know what they want in the way of an amendment to the Building Requirement, he can get with Mr. Stephen this week and they could have an ordinance ready next Monday.

Mr. Stephen said he has in mind what he wants in the ordinance, that he wants a revision to these plans, so they will get together on it.

Commissioner Willner said that the Commissioners approved an ordinance, last week, for the contractors and/or builders to be responsible in keeping mud off the roads, and they asked Mr. Stephen to work with the County Attorney on it.

Mr. Stephen said this will be incorporated into the Building requirements.

County Attorney Smith said he wasn't aware of the Commissioners wanting this ordinance but that he will also get with Mr. Stephen on this.



RE: MR. STEPHEN

Mr. Stephen said the Commissioners might think about using calcium chloride on sand which would be more effective than sand by itself, if they ran out of salt, and even using some calcium chloride with salt makes salt more effective, since it lowers the freezing point even more, that this is something to think about if it is needed.

RE: REQUEST TO ATTEND MEETING

Mr. Stephen said that at an earlier meeting in Jasper that he attended, there was a Mr. Gibson of the Federal Highway Administration who said that federal aid jobs could be speeded up if there was a standard contract between the Engineer's and the Counties for the County work, and he pointed that the Engineer's will send in an engineering agreement and they will send it back for changes and for the next job, from that same company, they send the same thing back in again, not corrected, etc. so there is a meeting this Friday afternoon between the Highway Administration, the State Highway, County Engineer, City Engineer and all the Engineer Associations and consultants are going to have a meeting concerning this, next Friday in Indianapolis and he would like to attend this meeting at no cost to the County.

Commissioner Willner moved that Mr. Stephen be permitted to attend this meeting. Commissioner Schaad seconded the motion. So ordered.

RE: COMMENTS ON PROJECTS

Mr. Stephen said they were talking about what they could do to get projects on the shelf in the future, that the County has this kind of money on account which is kind of ear-marked for St. Joe & Lynch Road, primarily, and as of the end of December we had that much more in Indianapolis and this was added to it in January and the total of R & S monies is still in their account in Indianapolis and it is growing and they really don't have enough projects started in this area.

Commissioner Ossenberg said he received a call from Senator Dick Harris in Indianapolis Friday and they finally ironed out, in a conference committee, the \$90,000,000.00, \$40,000,000.00 to the State Highway Commission and \$50,000,000.00 back to local governments, that 50% of that money goes to R & S and 50% of it goes to Motor Vehicle Highway Fund.

He said he didn't know how much it amounts to, that he heard a figure of one-half million, that it is a total 50-50 split with the City and the County, that this is the way it is set out and the whole conglomerate is that we get \$250,000.00 and the City gets \$250,000.00 but \$125,000.00 of that goes into the Motor Vehicle Funding and \$125,000.00 to R & S, that he didn't know if this was it or if the half-million comes back to the City and the County just in their Highway Garage and then R & S gets that additional amount of money too.

Mr. Stephen asked what happened to the matched money for R & S, if that has dropped 10%, that this was on the Bill.

Commissioner Ossenberg said he didn't think it has dropped, that he thinks it is still 90-10, that it was in the Bill but there was one person that made an amendment to that but he didn't know how it came out of conference.

Mr. Stephen and Mr. Lochmueller then discussed the various monies in different funds and the various programs it could be used for.

RE: KELITZ ROAD BRIDGE

Mr. Guillaum said there is a bridge on Kleitz Road, that the engineering is completed and the design is done and it looks like they could get in and take care of it if they had \$70,000.00.

He said they would like to tear it out and relocate it, that they will actually be pulling the road over slightly and increasing the radius on the curve and taking the hairpin effect out of it and moving the bridge over.

He asked if it would be possible to go with R & S money rather than bridge money on this.

The Commissioners agreed that this is what got them in trouble, that they should go with bridge funds.

Commissioner Schaad asked about the right of way on this and Mr. Guillaum said he thought the right of way would be okay, that they feel they have this donated, that they have met with people involved and they got the agreement on this last week, so he doesn't believe they are talking about any money for the right of way, so they are going to get something done on the thing.

RE: COMMERCIAL COURT

Mr. Lochmueller said he thought they have resolved all the complaints on the St. Joe plans with one concern which is the road that Andy Easley is talking about that was developed and opened after they developed the plans.

Mr. Stephen said this is on St. Joe to the East and 275 feet N. of Hobart, that they have the concrete poured and this street shouldn't have even been allowed.

Mr. Lochmueller asked if they should try to take care of it now, that he has made a verbal request of a median cut, or should they deny it like they did the others.

Mr. Stephen said it hasn't come up for acceptance yet either. He asked if the Commissioners wanted the plans to remain the same then and the Commissioners agreed that they be left as they are and just deny it.

RE: ST. JOE PROJECT

Mr. Lochmueller said they have a lot of jobs that are starting to move and they are going to be sitting if they don't push them and he wanted to mention that on St. Joe, he just received back information from McGillem and the State Highway Commission on their approval which means the environmental and natural resources are not now a problem so he will call Mr. Cantwell and see where the project is because the next step is purchasing the right of way and use the right federal grants and the next step will be the construction engineering, so now is the time to start on a utility agreement.

Mr. Stephen said he thought they would have to buy approximately five parcels and Commissioner Willner asked if there was any reason they couldn't hire someone right now to buy them.

Mr. Lochmueller said they can't hire anyone until they have a letter from the state authorizing that they can go through that process, meaning they have to follow up to get that letter, which he will do. He said he was told that if they could negotiate the agreement with the utility, even if it isn't the exact form the state has, to go ahead and send it out.

Commissioner Willner said he was worried about getting someone appointed to do that job.

The Commissioners agreed that Mr. Stephen do this and that it be started immediately.

Mr. Lochmueller said even if they are going to get anything done late this year, they are going to have to move rapidly and they will have to get the letter back so they can buy the parcels and they will have to get someone to first appraise them and then follow up with the rest of the requirements.

RE: LYNCH ROAD

Mr. Lochmueller said while the engineer has agreed that he has problems with the design study on Lynch Road, that as soon as it is back, then they can request an opportunity for a public meeting but in the meantime, it isn't too early to start with the utility agreement.

RE: ST. JOE & MEIER ROAD

Mr. Lochmueller said they have finished the environmental on St. Joe and Meier Road, that it has been approved and they are waiting for the engineering.

Mr. Stephen said the engineering wasn't drafted correctly and in order for it to be accepted they have to have it done correctly so it is in the process of being re-drafted at the present time, but again, they are short one good draftsman.

Commissioner Schaad said when this is done it will possibly conform with what could happen as far as the Extension of St. Joe beyond what they are doing now, on the next phase.

Mr. Lochmueller said he just wanted to mention these problems, since if they are going to get the jobs completed, they are going to have to systematically get these areas taken care of.

RE: COMMENTS ON OTHER PROJECTS

Commissioner Willner asked if the Commissioners are going to do anything with St. Joe, North of Mill Road.

Commissioner Ossenberg said this will be the second phase of the St. Joe Extension but they have to get St. Joe and Meier Road done first.

Mr. Lochmueller said he didn't program the second phase for this year, that what they did program for this year is Lynch Road Extension, Covert Extension, a series of railroad crossings and to complete other jobs.

Commissioner Willner asked what the status is on First Avenue and the bridge.

Mr. Lochmueller said they haven't reported back to the Board of Safety on this, since the study isn't done, but they will get on it.

Mr. Stephen told the Commissioners that Mr. Brenner said the Corp of Engineer's plans showed another bridge on along side but before they do anything he thought the Department of Natural Resources should be asked if they can put another bridge at the same elevation, as to if it would be permitted or not.

Commissioner Ossenberg said he believed he was told that the Department of Natural Resources said that they could put a bridge at the same elevation.

Commissioner Schaad asked if this isn't really a City project other than the fact that the County has to build a bridge.

Mr. Stephen said this is correct and this is the one that Mr. Brenner said he didn't want to go ahead with unless the City moved all parking all the way down to Pennsylvania.

Mr. Lochmueller said that as far as the First Avenue and Division Project, they have to get the engineering agreement finalized and drawings and get the right of way certified and as soon as this is done they will let a contract.

Mr. Hartman said there is a lot that will have to be solved before that bridge gets crossed there, that there is about a month's work there. He said his concern is, what happens to First Avenue once the City approved the four lanes, since the plan at Diamond Avenue and First Avenue was squashed, that widening isn't going to correct that thing, that they will still have a problem there.

Mr. Lochmueller said it will solve a lot of problems and the statistics show they will have more capacity there than they presently have at the bridge and this is all he can tell him, that it isn't perfect and the traffic will still be lined up but it isn't going to be as bad as it was, that to solve it completely, they will have to have a grade separation but this is out of the picture, that it was designed to what they could afford.

RE: PLANS APPROVED FOR KLEITZ ROAD

Mr. Hartman submitted the plans for Kleitz Road and said they are eliminating a bridge and putting in a culvert, that he checked the run-off several different ways and decided that the culvert will satisfy the area for a fifty-year run-off and they can build it for about \$14,000 so this cuts the cost considerably and they are talking about roughly \$70,000.00 overall.

Commissioner Willner moved that the plans for Kleitz Road be approved. Commissioner Schaad seconded the motion. So ordered.

Mr. Hartman then asked permission to go ahead and seek the right of way on the parcels needed for this at no cost.

Commissioner Schaad moved that Mr. Hartman go ahead and acquire the right of way. Commissioner Willner seconded the motion. So ordered.

RE: LOCUST CREEK INDUSTRIAL PARK

Mr. Stephen said he has prepared a couple of curb requests for road driveway permits so if this is dated, it will give some indication for certification of the drainage in the Locust Creek Industrial Park.

He said they probably need to look at a pipe size above the ten-year run-off and as he had said before, they should probably have some retention.



Commissioner Schaad wondered if the Commissioners could okay the median cut without the drainage problem being settled. He said that it has been rezoned but the layout hasn't been approved and they don't have any building permits yet, that Mr. Cantwell called him last week and said they need some proof as to starting it since the federal government doesn't want to participate in the 70% if they don't have proof that it has been started.

Mr. Stephen said there isn't any reason they can't modify the form to approve street permits as well as a driveway permit and the Commissioners could sign and date it, so this would be some certification that it is a go project, that this would be Empire Development's request.

Commissioner Willner wondered what would happen if Chem Far doesn't agree to the location, that they would have to do the whole thing over.

Mr. Nicholson said he was furnished a map showing the curb cuts and the median and he was under the impression that these details had already been worked out.

Commissioner Ossenberg said the Commissioners did too, that they were told, verbally, by Mr. Hansen that Chem Farm agreed to this, but in the meantime, Commissioner Willner talked to the President of Chem Farm and he hasn't, even though it would be to his advantage, but the thing of it is, the Commissioners want to see something in writing.

Commissioner Schaad said the thing for Mr. Nicholson to do then is to get together with the President of Chem Farm and get something in writing showing his approval and then come back with a request for approval.

Mr. Nicholson said that the subdivision plat that has to go before the Plan Commission was submitted but he understands it was denied a hearing because of the drainage problems, so he is kind of picking up loose ends and he thinks he has tentatively satisfied the drainage calculations so it will work and it looks to him like when the plat is approved, that the roads are approved, as such.

Commissioner Schaad asked Mr. Stephen to give Mr. Nicholson, Guy Cantwell's name, address and phone number, who is the engineer with Fink Roberts & Petrie, who the County hired to do St. Joe Avenue. He said the building permit would be documentation that he has started on it, that if they don't have it now the federal government won't pay the 70% on the median cut and he will have to pay for it then if he wants it.

Mr. Nicholson said that before he gets a building permit this thing must be platted and zoned.

Mr. Stephen said it has been zoned but the plat has not been okayed because the drainage wasn't correct and the Drainage Board turned it down and tabled it for more information. He said the Drainage Board could pass on it today and then they can go before the Plan Commission for approval.

Mr. Nicholson said he would do whatever is necessary, that he has a meeting with Ken Hansen after lunch today and they are going over it and he can have him go ahead and apply for a building permit.

Commissioner Ossenberg said he didn't think a building permit would be allowable, that he thought they would have to document it with something else and he didn't know what this was going to be, that they were talking about a federal highway project here.

Mr. Lochmueller said they are going to have to come to this agreement in writing, where the cut through the median is going to be, that this is the only thing they are worried about.

He said what has happened is that a policy has been made by a certain individual in the State Highway Commission that says what Cantwell will furnish, that they are starting to tell the local people how to do their design but he is saying that if they show that the man is going to put in a cut and the guy on the other side is going to put in a cut and they have a written documentation on it and they want a median break, he thinks this suffices.

Commissioner Schaad said that Mr. Nicholson could call Mr. Cantwell and see what will suffice as documentation on the project.

After further discussion, Mr. Nicholson said he will get with Mr. Hansen this afternoon and they will attempt to talk to Chem Farm and get it worked out right away. He asked, as far as the driveway or road cut permit, could he get tentative approval.

The Commissioners agreed that they had no objection to this if they could get Chem Farm to agree, and the Commissioners agree to where it is going to be and as far as the curb cuts on St. Joe is concerned, Mr. Stephen could do it.

Commissioner Schaad then moved that the Commissioners give Empire Development Corporation approval for the development in the Locust Creek Industrial Park for a curb cut off St. Joe Avenue, West, as spelled out on the map, providing Mr. Nicholson gets the agreement from Chem Farm in writing that this location is satisfactory. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg asked Mr. Nicholson if this can be worked out satisfactorily so the Drainage Board can give tentative approval today, on his sanction.

Mr. Osterholt said there will be a hearing of the preliminary plat at the next Area Plan meeting which will be the first week in April but the Commissioners can give tentative approval of the drainage plans, as long as they get the drainage problems worked out by the first week in April.

Commissioner Ossenberg said if they get this thing worked out and get to Cantwell and Chem Farm today and the Drainage Board gives their tentative approval today, and then Area Plan can work with it, okay, because he doesn't want to hesitate on this thing any longer and he can see they are going to be in trouble enough because the utility agreement isn't all that easy, that the City is having a hard time, and he thinks right now that Mr. Stephen will get into it and he will probably have to get into it with Mr. Vaughn but he wants to get it on the road since he knows what these things mean, so he thinks the Drainage Board should give tentative approval today if they can work out the drainage so they can get it to the Area Plan and agree to work with that.

The meeting recessed at 11:55 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Ed Smith, Jr.

Secretary: Margie Meeks

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

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COUNTY COMMISSIONERS MEETING  
MARCH 13, 1978

The meeting of the County Commissioners was held on Monday, March 13, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg 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 Ossenberg introduced Ms. Vicki Bailey who is the new Executive Assistant to the County Council, effective March 7th. 1978.  
Welcome aboard Vicki.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BOARD OF COUNTY COMMISSIONERS

Lee Crow                      R.R. 6 Box 9   Pt. Time Secretary      \$3.17 Hr.                      E66: 3/13/78

CENTER TOWNSHIP ASSESSOR

Helen Middleton      510 Pfeiffer Rd.                      2nd. Deputy      \$262.92 Pay                      E66: 3/11/78

CENTER TOWNSHIP ASSESSOR...REASSESSMENT

Deborah I. Harrison      1101 E. Virginia      Rate Setter Dep.      \$250.00 Pay                      E66: 3/11/78

HIGHWAY DEPARTMENT

Ella Mae Sheets              3307 Bayard Pk. Dr.      Bkpr. Payroll Clk.      \$225.60 Pay                      E66: 3/13/78  
Mark A. Montgomery      1913 New Hampshire      Mechanic Asst.      \$5.14 Hr.                      E66: 3/13/78  
Darryl W. Chamberlain      4355 Maxwell Ave.      Laborer                      \$4.78 Hr.                      E66: 3/13/78

SURVEYOR...CETA APPOINTMENTS

John Keown                      1302 Marshal                      Laborer                      \$4.78 Hr.                      E66: 3/13/78  
Theodore Matthews              800 Line                      Laborer                      \$4.78 Hr.                      E66: 3/13/78

SURVEYOR...BRIDGE FUND

Dave Guillaum                      1610 Hicks Dr.      Deputy Surveyor      \$2,000.00 Yr.                      E66: 3/13/78

SURVEYOR

ACT:203-3850..Paul Mindrup      2105 Hercules Superintendant      \$10,920.00 Yr.                      E66: 3/13/78  
106-113..Dave Guillaum              1610 Hicks Dr.      Dep. Surveyor      \$13,100.00 Yr.                      E66: 3/13/78

SURVEYOR...CETA APPOINTMENTS...CON'T.

Larry Lupfer                      4513 N. Fulton                      Operator                      \$5.26 Hr.                      E66: 3/13/78  
Calvin Dillard                      704 E. Blackford                      Laborer                      \$4.78 Hr.                      E66: 3/13/78  
Clark Newman                      4998 E. Sycamore                      Laborer                      \$4.78 Hr.                      E66: 3/13/78  
Paul Carnahan                      1424 Delmar                      Laborer                      \$4.78 Hr.                      E66: 3/13/78

RE: EMPLOYMENT CHANGES.....RELEASES

CENTER TOWNSHIP ASSESSOR...REASSESSMENT

Helen Middleton      510 Pfeiffer Rd.      Rate Setter Dep.      \$250.00 Pay                      E66: 3/10/78  
Deborah Harrison      1101 E. Virginia      Deputy                      \$20.00 Day                      E66: 3/10/78

HIGHWAY DEPARTMENT

June Hamilton      1030½ Harmony Way      Bkpr. Payroll Clk.      \$243.58 Pay                      E66: 3/3/78  
Ella Mae Sheets      3307 Bayard Pk.      Bkpr. Payroll Clk.      \$281.96 Pay                      E66: 3/13/78  
Mark A. Montgomery      1913 New Hampshire      Truck Driver                      \$4.87 Hr.                      E66: 3/13/78

RE: RELEASES.....CON'T.

PIGEON TOWNSHIP ASSESSOR...REASSESSMENT

Robert Kollker	Fieldman	\$30.00 Day	E66: 3/13/78
Alvin Walther	Fieldman	\$30.00 Day	E66: 3/13/78
Thomas Toon	Fieldman	\$30.00 Day	E66: 3/13/78
Cathy Dormeier	Clerk	\$20.00 Day	E66: 3/13/78

SURVEYOR

Paul Mindrup	2105 Hercules	Chainman	\$9,360.00 Yr.	E66" 3/13/78
Dave Guillaum	1610 Hicks Dr.	Chief Draftsman	\$13,500.00 Yr.	E66: 3/13/78

RE: CERTIFICATES OF INSURANCE

The following Certificates of Insurance were submitted for use of the Auditorium for filing, some of which are for past performances:

From Phil Heston & Sons, Inc. for the Christian Fellowship Church...1/14/77 to 11/14/80  
 American Motorists Insurance Co. for General Foods Corporation.....4/1/75 to 4/1/79  
 Citizens Realty & Insurance Inc. for the South Central Broadcasting Corp. 3/1/77 to 4/30/77  
 Nationwide Mutual Insurance Co. for Fundamental Christian Church, Revival..2/25/77-2/25/78  
 Citizens Realty & Insurance, Inc. for the Evansville-Vand. School Corp...1/7/77 -7/1/79  
 Citizens Realty & Insurance, Inc. for the Evansville Coin Club, Inc...8/13/76-2/13/77  
 Hartford Accident & Indemnity Co. for KDM Corp, Ind. Restaurant Assn..3/28/74-3/28/77  
 Hartford Accident & Indemnity Co. for Watchtower Bible & Tract Society..5/22/76-5/22/77  
 Insurance Co. of N. America for Shar-Pa Promotion, Champaign, Ill.....6/26/76-6/26/77  
 St. Paul Insurance Co. for Welborn Baptist Hospital Foundation, Inc....7/1/76-7/1/77  
 Bayer Agency, Inc. Mt. Vernon for Employees' Activity Assoc.-General Elec. 5/24/77-8/11/77  
 Fireman's Fund American Ins. Co. for Orion Broadcasting, Inc.....9/20/77-1/1/78  
 Citizens Realty & Insurance, Inc. for Evansville Coin Club, Ind.....2/24/77-2/13/78  
 Citizens Realty & Insurance, Inc. for Trawets Enterprise-Style Show....9/15/77-6/7/78  
 Torian Agency, Inc. for Mike Jeremiah of Alto Pass, Ill.....4/1/78-4/3/78  
 American States Insurance for Clarence Phairas & Phairas Ministries, Inc..2/22/78-8/2/79  
 Heston Insurance Agency for Whirlpool Emp. Fed. Credit Union.....2/2/78-6/20/78  
 Southwestern Agency, Inc. on Larry Aiken d/b/a/ Aiken Management.....10/24/77-10/24/78  
 Citizens Realty & Insurance Inc. for the Evansville Coin Club.....2/13/78-2/13/79  
 Federated Mutual Ins. Co. for Midwest Equipment & Supply Co. Inc.&Form-A-Tag.Exp.12/14/78  
 Rosemeyer Agency of Ft. Branch for South Gibson School Corp...Jr.-Sr.Prom..3/2/78-11/5/78  
 Citizens Realty & Insurance, Inc. for Evansville-Vand School Corp...Prom...3/6/78-7/1/79  
 Aetna Insurance Co. for the Daughters of Charity of St. Vincent De Paul Inc..7/1/77-7/1/78  
 Toaian Agency, Inc. for Ellis Abshire Evangelistic Crusade Assn.....3/9/78-3/12/78  
 All Certificates received and filed.

Commissioner Ossenberg said in reference to the Ellis Abshire Evangelistic Crusade Assn., that on Friday Afternoon about 3:30 p.m. he received a call from Mr. Volpe, the Treasurer of Vanderburgh County, that, in fact, this organization had sent a check to the Auditorium which was passed over to Mr. Volpe after the quietus was made out by the County Auditor and the check bounced, so Mr. Volpe called him and he, in turn, discussed the situation with Mr. Volpe and Mr. Dewes and the decision was made that either the gentleman come up with a certified or cashier's check or cash, or the show would not go on and consequently the show did not go on for Friday or Saturday. He said he talked to County Attorney Smith who thought about the possibility of impounding the door receipts but evidently the door receipts weren't that great, so he discussed this with the Commissioners this morning and he doesn't think they will offend anyone that intends to rent the Auditorium in good faith, and it was his suggestion along with the County Treasurer, that anyone wanting to rent the Auditorium or the Gold Room, to either produce a certified check, a cashier's check or cash, and in talking to the County Attorney on the contract, they will simply have to amend it, and as he understands, this isn't the first time they have had a check to bounce, that fortunately they have been able to collect for the others. He said this is a situation whereby, if that check had been submitted on Friday, the show could have gone on and the Commissioners could have been without funds for them using the facility and in the discussion with the Commissioners this morning, he thought it was generally agreed that this was the avenue to take.

Commissioner Schaad moved that the Commissioners adopt a new policy for the Auditorium in accordance with what Commissioner Ossenberg has suggested, that anyone who wants to lease any part of the Auditorium to either provide a certified check, cashier's check or cash. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORTS

The Report from the Clerk of the Circuit Court was submitted for the month of February, 1978.

Report received and filed.

The Report from the Bureau of Traffic Engineering was submitted for the month of February, 1978.

Report received and filed.

RE: HOUSE BILL 1370

Commissioner Ossenberg received the following letter from State Representative, Greg Server:

Dear Mr. Ossenberg:

Thank you for your letter urging my opposition to House Bill 1370. I am glad to become familiar with the Vanderburgh County Commissioners views of this bill.

H. B. 1370 passed the House Representatives this session. However, you will be happy to know that it died in the Senate Governmental Affairs Committee, while waiting to be considered by the Senate.

Again, thank you for writing. If I can be of further assistance to you, please feel free to contact me.

Sincerely, Greg Server  
State Representative

RE: APPOINTMENT TO THE ALCOHOLIC BEVERAGE BOARD

Commissioner Schaad moved that Mr. John Rueger be re-appointed to the Alcoholic Beverage Board for another term. Commissioner Ossenberg seconded the motion. So ordered.

RE: RELEASE AGREEMENT AND CHECK

A Release Agreement to be signed and a check to be endorsed by the Commissioners was submitted for full and final settlement from the American Fire and Indemnity Co. on a Sheriff's vehicle that was repaired by Krause Body Works, after being wrecked in an accident on St. Joe and Allens Lane with a Karen S. Boyer. The check is in the amount of \$1,770.93.

The Release Agreement was signed and the check was endorsed at this time.

RE: REQUEST TO TRAVEL

The following letter of request was received by the Commissioners from the Executive Director of the Area Plan Commission:

Gentlemen:

I am requesting travel for Denise Reeb and Brenda Goldbach to Remington, Indiana by car leaving Sunday, March 12, 1978 returning on the afternoon of March 14, 1978 to attend the Third Annual Sign Conference on March 13, 1978.

Sincerely, Charles G. Osterholt  
Executive Director

Commissioner Schaad moved that the request of Mr. Osterholt be approved. Commissioner Willner seconded the motion. So ordered.

RE: TELEPHONE REQUEST...JUDGE DIETSCH

The following letter of request was received by the Commissioners from Judge Dietsch:

Dear Commissioners:

I am requesting an additional phone line for Volunteer Services, Vanderburgh Superior Court. At present, there is only one line serving this office (5176) which has been sufficient. Recently we have added a secretary to this office and, with the increased phone usage, a second line now becomes necessary.

Should you have any questions regarding this request, please feel free to contact me.

Sincerely, Terry D. Dietsch  
Judge, Vand. Superior Court

It was noted that Mrs. Boughton from the Phone Company quoted an installation price of \$36.00 and an additional monthly charge of \$24.70.

Commissioner Schaad moved that the phone request of Judge Dietsch be approved. Commissioner Willner seconded the motion. So ordered.

RE: TELEPHONE REQUEST...JUDGE DIETSCH

The following letter of request for Telephone Extension Service of the Vanderburgh Superior Court was received by the Commissioners from Judge Dietsch:

Gentlemen:

I am requesting the installation of a six-button key phone with back-up rotary line for the office of Mrs. Mildred Morgan. This will be at a monthly cost of \$25.00 and there will be an installation charge of \$40.00.

As you know, Mrs. Morgan is in charge of coordinating all aspects of Court procedure relating to mental commitments. At present there is only one line available in the office and as a consequence, many important incoming calls, especially long distance calls, are delayed for inordinate periods of time. On many occasions it is necessary for Mrs. Morgan to coordinate available services immediately and this is nearly impossible because of the one line.

I have talked with Mr. Vowels of Indiana Bell and he feels this service would be the most practical solution to the problem.

Your immediate consideration of this request will be appreciated.

Very truly yours, Terry D. Dietsch  
Judge, Vand. Superior Crt.

Commissioner Schaad moved that this phone request from Judge Dietsch be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM BUILDING AUTHORITY ON DRAPERIES

The following letter that was received by Mr. Brenner from Mr. Ruston of the Building Authority was submitted to the Commissioners:

Dear Mr. Brenner:

In accordance with your inquiry, we quote as follows:

Labor and material to fabricate and hang one (1) set of side window drapes for your office will cost \$125.00.

If you desire us to proceed, please give us authorization through the County Commissioners.

Sincerely, C. G. Ruston  
General Manager

Mr. Guillaum said that Mr. Brenner would like these draperies put on his side windows, with the Commissioners approval.

Commissioner Willner moved that the request of Mr. Brenner be approved. Commissioner Schaad seconded the motion. So ordered.

RE: AUDITORIUM...ROOF AND SIDEWALK DAMAGE

The following letter was received by Mr. Crooks, the Building Commissioner, from Mr. Dewes, the Manager of the Vanderburgh Auditorium, and submitted to the Commissioners:

Dear Mr. Crooks:

We are confronted with a problem that requires the advice and direction of your office.

Age, ten years, and the severe winter weather have taken their toll at the Vanderburgh Auditorium. The winters of 1977 and 1978 have caused severe damage to the building and areas around the building.

The entire roof has been damaged to a point where we are experiencing leaks in the Auditorium, Gold Room, the Walnut Canopy and the Locust Canopy. The Auditorium has the most damage with at least ten to eleven leaks. This is most critical in that the water cannot be diverted by catching in containers and the plaster ceiling has had about all the moisture it will take without some failure. Likewise, the canopy areas are being deteriorated by the melting snow coming through the leaks.

The sidewalk area immediately in front of the Locust St. entrance has cracked due to the extreme cold. The sidewalk leading from the building to the parking lot



has also cracked to a point where a definite hazard exists. These cracks were there prior to the winter, but have been magnified by the cold.

We are asking your examination of the problems and a recommended set of specifications to present to bidders for the repairs we need.

I would appreciate any assistance that your office can provide in this matter.

Very truly yours, Fred G. Dewes  
Vanderburgh Auditorium

Mr. Crooks said they were over there to look at it and the roof is in pretty bad shape, that with all the bad weather, it wasn't as bad as he expected, since there was never any gravel put on it when it was constructed, that he has gotten some information on it and his initial thought is that they are just going to have to re-roof it and whether they can just remove the cover over the existing roof and fix the soft spots or completely re-do it, that they haven't fully determined as yet. He said he did try to contact an architect but was unable to, so he hopes to come up with what they think is the right approach this week and then he will prepare the specifications on what is needed to be done. He said he didn't think they could do much with the sidewalk until after it thaws out and settles down, but the roof is bad and he agrees with Mr. Dewes 100%, that something will have to be done right away, but they need to get some figures together, that Mr. Dewes was talking about going before Council next month, so this is where they stand.

Commissioner Ossenberg asked Mr. John when the ad needs to be in and Mr. John said in order to get it on the April Council Call, the letter must be in his office by March 15th, which is the day after tomorrow.

Commissioner Ossenberg asked Mr. Hotz if he had any money in his account to go ahead with this work but Mr. Hotz said he didn't have the money in his account.

Commissioner Schaad said if they don't get it fixed, there is going to be so much damage to the inside of the building and the cost of repairs will be much greater.

Commissioner Ossenberg suggested that they go ahead and get some bids and if nothing else, declare it an emergency.

Mr. Crooks asked if they wanted to declare it an emergency, if not, they would have to advertise for bids, that the only thing of it is, if they can get the letter in by the 15th of March, they will have to get some idea of how much they have to ask Council for.

Mr. Crooks said the figure they gave for patching the roof was around \$12,000 and for re-roofing approximately \$18,000.

Commissioner Ossenberg asked Mr. Crooks to get with Mr. Dewes and see if they can't get something by Wednesday so they can get a letter to Mr. John, that they should get the bids both ways, to repair the roof and to re-roof it.

#### RE: POSTAGE REQUEST AND CLAIM

The following letter of request was received by the Commissioners from Mr. Dorsey, with claim attached:

Gentlemen:

This is a formal request for \$24.25 to be paid to the United States Post Office, reason being "Request For Address Change" on property schedules mailed.

The Post Office charges .25 each on "Address Correction Requested."

Please notify this office of your approval or disapproval.

The claim is in the amount of the \$24.25.

Sincerely, Robert T. Dorsey,  
Pigeon Township Assessor

Commissioner Schaad moved that the request of Mr. Dorsey and the claim be approved. Commissioner Willner seconded the motion. So ordered.

#### RE: CROSS COMPLAINT FOR PROPERTY DAMAGE AND BODILY INJURY

A Cross Complaint for Property and Bodily Injury was received from a Keith & Debra Baker VS. Treva K. Fortune VS. Joseph L. Edwards, et al. County Attorney Wendel requested that this matter be referred to him.

Commissioner Schaad moved that it be referred to County Attorney Wendel. Commissioner Willner seconded the motion. So ordered.

RE: COMPLAINT FOR APPROPRIATION OF REAL ESTATE

A Complaint for the Appropriation of Real Estate was received by the Commissioners on the estate of Arlene Bronstein, et al, which is an appropriation for right of way.

Commissioner Schaad moved that this matter be referred to County Attorney Smith. Commissioner Willner seconded the motion. So ordered.

RE: RESOLUTION AMENDING THE MASTER TRAFFIC CONTROL CODE ...STOP SIGNS

County Attorney Smith said he has drawn up this Amendment #23 on the Resolution, amending the Master Traffic Control Code of Vanderburgh County, by designating certain intersections as preferential, pursuant to the request of Bill Judd, as follows:

(pppp) RIDGECREST AND TWICKINGHAM DRIVE: In that all vehicles proceeding upon and along Ridgcrest shall Stop before entering said intersection.

(qqqq) TWICKINGHAM COURT AND TWICKINGHAM DRIVE: In that all vehicles proceeding upon and along Twickingham Court shall Stop before entering said intersection.

(rrrr) SWINGING WAY AND TWICKINGHAM DRIVE: In that all vehicles proceeding upon and along Swinging Way shall Stop before entering said intersection.

It is also determined that at the intersection of Twickingham Drive and O'Hara Drive a DEAD END STREET sign be erected.

RE: AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR THE CONTROL OF THE SUBDIVISION OF LAND AND THE APPROVAL OF PLATS AND REPLATS OF LAND WITHIN THE JURISDICTION OF THE AREA PLAN COMMISSION OF EVANSVILLE AND VANDERBURGH COUNTY, INDIANA.

The Ordinance reads as follows:

WHEREAS, The Board of County Commissioners of the County of Vanderburgh, Indiana has heretofore adopted "An Ordinance Amending An Ordinance Providing For The Control Of The Subdivision of Land And The Approval Of Plats And Replats of Land Within The Jurisdiction Of The Area Plan Commission Of Evansville And Vanderburgh County, Indiana" duly approved on December 29, 1976; and

WHEREAS, said Board of County Commissioners deems it necessary to amend Section 9, Paragraph 9.02(a), Section 11, Paragraph 11.02, Paragraph 11.04, Paragraph 11.05 and by adding Paragraph's 11.06 and 11.07 thereto, and by adding Section 15; in order to improve the regulatory provision of the Ordinance so that the terms and provisions contained therein will be more effective in protecting the health, safety and welfare of the citizens of Vanderburgh County, Indiana.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Vanderburgh County, Indiana, as follows, to-wit:

Section 1. Section 9, Paragraph 9.02(a) is amended to read as follows:

repealed 7/7/80  
 "(a) Streets - Streets and alleys shall be constructed to grades shown on plans, profiles and cross-sections prepared by a registered Engineer or Land Surveyor and shall be approved by the County Engineer for the County Commissioners. Two (2) sets of approved plans shall be supplied to the County Engineer. The preparer of the plans shall supervise the construction of the streets and alley improvements according to the approved plans."

Section 2. Section 11, Paragraph 11.02 is amended by adding the following subparagraph (d) to read as follows:

"(d) Industrial or Commercial Streets: All streets located in commercial or industrial areas shall be treated in a separate classification. The construction of any such street shall comply with standards and specifications established by the Board of County Commissioners, and no such street shall be constructed until the plans and specifications for same shall have been approved by said Board of County Commissioners."

Section 3. Section 11, Paragraph 11.04 is amended to read as follows:

"Construction Plans: After receipt of preliminary approval of the plat, the applicant shall prepare and submit construction plans for streets, roads, erosion and sediment control and sanitary sewers within the subdivision for approval by the Board of County Commissioners. They shall contain all necessary details as determined by the County Commissioners."



- (a) Plans shall conform to the latest design standards of the County, as dictated by the location of the subdivision, except when the subdivision is located wholly or in part within one (1) mile outside of the corporate limits, the City Standards shall prevail.
- (b) Plans and cost estimates shall be approved or disapproved by the Board of County Commissioners, and the Vanderburgh County Drainage Board when required by the State Drainage Laws, within thirty (3) days after receipt thereof.
- (c) Upon approval by the proper authorities, a written agreement shall be executed by the applicant and the proper authorities in which it is set out:
  - (a) The permit to proceed with work in public rights-of-way and easements.
  - (b) The owner's responsibility for payment of inspection fees.
- (d) If the plans and cost estimates are disapproved, the proper authority shall express its reasons therefore in writing to the applicant and the Plan Commission.
- (e) Prior to the construction of any entrance, driveway, roadway or roadway cut connecting with any Vanderburgh County highway right-of-way, a standard permit application must be filed and approved by the Vanderburgh County Commissioners. A registered Engineer shall certify that all plans and specifications for the designated project are in compliance with the I.S.H.A. Standards, Vanderburgh County Ordinances, Standards and such other provisions pertaining to this type work. The Registered Engineer will perform the necessary inspection of this project during construction to insure all materials and method of construction are in accordance with the Plans and Specifications for this project as released for construction by the Vanderburgh County Commissioners."

Section 4. Section 11, Paragraph 11.05 is amended to read as follows:

"Geometrics. Set out on the following pages are drawings and charts of minimum standards for geometric design which shall be used for the various highway systems as shown on the "Arterial Road and Street Classification Map for Subdivision Control." The subdividers Engineer or Land Surveyor shall furnish the proper authorities with the California Bearing Ratio number or other suitable classification of the sub-grade soils that will be encountered during construction and the Engineer or Land Surveyor shall design the roads and streets accordingly, keeping in mind the drainage and traffic volumes."

Section 5. Section 11 is amended by adding Paragraph 11.06 thereto, so as to read as follows:

*repealed 7/7/80*  
 "County acceptance of roads and streets. Roads and streets that are constructed according to Vanderburgh County plans and specifications will be accepted for County maintenance after 50 % of the lots within the development are built upon and the balance of lots seeded to ground cover, provided however, that the Board of County Commissioners retains the right and power to determine compliance with this paragraph."

Section 6. Section 11 is amended by adding Paragraph 11.07 thereto, so as to read as follows:

*repealed 7/7/80*  
 "Indemnification of County by Developer. Before any applicant shall obtain a permit or approval as provided elsewhere in this Ordinance, he, she or it shall first sign an indemnification agreement releasing Vanderburgh County from all liability in connection with such project until such time as the streets and roads therein shall be accepted by the County for County maintenance. Such agreement shall also include a provision whereby such applicant agrees to keep said streets and roads free and clear of all mud and other obstacles during construction and until such time as said streets and roads have been accepted for County maintenance. Such agreement shall further provide that the applicant agrees to indemnify the County from all liability as a result of any occurrence attributable to the applicants activity in and on the approved project."

Section 7. There is hereby added a new Section 15 to read as follows:

"Penalty. Any applicant, his agent, employee or authorized representative who violates any provision of this Ordinance shall upon conviction

thereof, be subject to a fine of \$1.00 to \$500.00 and/or imprisonment in the Vanderburgh County jail for any determinate period of up to 180 days. Each day such violation shall constitute a separate offense. In addition thereto, the Board of County Commissioners shall have the right to revoke the permit of any such applicant who violates this Ordinance as aforesaid."

Section 8. 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 13 day of March, 1978, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

Mr. Stephen explained the changes he had made in the Ordinance and the Commissioners discussed it.

County Attorney Smith said he left the percentage open, that it would be whatever percentage the Commissioners decided on.

Commissioner Ossenberg suggested that it be 50%.

Commissioner Willner asked why put a percentage figure in, that they could go about it by saying after they build and seed, the lots that are unsold will have to be seeded, or something like that instead of a percentage.

Mr. Stephen said it was so they were covered a little bit by the amount of heavy traffic getting in there such as concrete trucks.

Commissioner Schaad said they could tear up the road and say it is an accepted road and they will want the County to fix it.

County Attorney Smith said the percentage will not only have to be completed but the balance has to be seeded.

Commissioner Willner said this is a step in the right direction, that he just got a copy of the Ordinance this morning and he would like to look it over.

Commissioner Ossenberg said that the Ordinance must be advertised twice before the Commissioners pass on it.

He said he sees nothing objectionable in the Ordinance and can't see where they aren't covered by it, even with the 50%, with the other lots having to be seeded, when we have control.

Commissioner Schaad said what if an individual slips on the mud from a subdivision and sues the County.

County Attorney Smith said there is an indemnification agreement in the Ordinance where where in their liability, the Commissioners should require that their coverage would extend to the County, on the project they are working on, and the County would be an additional insured.

Mr. Osterholt of Area Plan said his recommendation to the Commissioners would be that in all aspects, he thought what Mr. Stephen has done is tried to improve the quality of the subdivision process, that he would, however, look at the impacts to the developer during the time of growth in Vanderburgh County, that they want quality design, but they also want something reasonable so the County will continue to grow and he thought a full assessment of be necessary.

Commissioner Ossenberg said he wholeheartedly agrees with Mr. Osterholt but he doesn't want the County in any more \$10,000,000.00 law suits due to a builder.

Commissioner Schaad questioned the liability as to if, on a road that has been a County road for years and years where someone builds a house, and causes mud to go across the road that makes it slippery and someone falls, or if it causes someone to have an accident.

County Attorney Smith said that if this builder has to come in and get a permit and comply with the zoning code, that he would come under in terms of this Ordinance, but if the Commissioners don't think it covers it, he will put in as much detail as they want.

Commissioner Ossenberg said the only thing he questions is, what if a subdivision comes through and Green River Road is not even mentioned as a possible road in this particular subdivision, but yet the soil filters down in a rain storm and hits Green River Road.

County Attorney Smith said he would then rely on the sentence in the Ordinance that states that the applicant agrees to indemnify the County from all liability, and he asked the Commissioners if they didn't think this would cover it.

Commissioner Ossenberg said he thought it would cover it but there is some gray area about the third party being involved.

County Attorney Smith said it is very difficult to try to anticipate every possible contingency so what they did was try to anticipate everything they can reasonably foresee and provide for it.

He said what he had in mind when drafting this Ordinance is that when they prepare the form on the indemnification agreements, that they would sign, it can be made in much more detail than he has here, where they could refer to specific things, pursuant to the authority that is granted here, so they would be held accountable for anything that might occur on a certain road from the building being done on another road.

Commissioner Schaad wondered what would happen on the law suits the County has now if this Ordinance were in effect.

County Attorney Smith said he would think that before the project was commenced, that an agreement would have been signed by the contractor, when he got his permit, for an X amount of dollars coverage, an indemnification, an umbrella clause, or whatever, or even have a rider attached to his insurance policy, extending coverage to the satisfaction of the County Commissioners, completely absolving the County from any liability and if that had been done, when this came up, it would have simply been referred to him and his liability carrier.

He said the key to this thing is that the indemnification agreement that he signs should be very carefully drafted to be sure that there would be an unlimited amount of coverage.

Commissioner Willner wondered if a road had already been accepted and someone is building, that he doesn't need a zoning or a plat plan, that all he would have to do is to get a building permit.

Mr. Stephen said he would have to get the permit and if he wanted to put a drive in, he would have to get a driveway permit, but he would have to have some type of form, so they would have to change the process of getting the building permit so the County is sure that he is insured so the County will be protected.

Commissioner Ossenberg said if they had a form, a contractor or builder would have to sign that form before he could get a permit.

Commissioner Willner said this Ordinance speaks mainly to subdivisions and he thought they need one more paragraph to cover individual building.

County Attorney Smith asked Mr. Stephen asked if the example that Commissioner Willner gave, would come under the terms of this Ordinance.

Commissioner Willner said it wouldn't come under Area Plan at all.

Mr. Osterholt said they first have to get a zoning permit, whether it is a single family, residential, or whatever, then a building permit, a driveway permit and if they have to tap on to the sanitary sewer system they have to get a sewer permit, etc.

Commissioner Willner asked who signs the driveway permits and Mr. Stephen said that he, for one, must sign it, also it goes to the Area Plan Commission and the Urban Transportation System, but if it is something he thinks the Commissioners should have some input on, it will also come to them.

County Attorney Smith asked if they could have a similar indemnification agreement that would be applicable in the situations on what Commissioner Willner was talking about.

Mr. Stephen said he would think they could get it in there some place, also that it isn't very often when someone builds, that they don't take land off and subdivide so anytime they do this, he would think it would come under this Ordinance.

Commissioner Schaad said suppose someone subdivided and he agreed to all of this, but later, he sells a lot to an individual and that individual builds a home on this lot and permits mud to come across the street, that it is obvious that the original subdivider isn't going to be liable in this case, so he wondered if this builder would be required to furnish insurance and be responsible for any mud that gets on the County road.

Mr. Stephen said if they were going to call him the developer of that land, he supposed he would fall under this classification.

County Attorney Smith said this leads them into another area, as to what the liability of the County is, for obstacles, mud or any hazard on the County road, that as he understands it, the common law and the case law on this, there is authority to the effect that the County is not liable for such conditions, since they cannot look out for every road twenty-four hours per day, that if the County was held responsible for everything on every road in the County, it would be an impossibility.

Commissioner Willner asked Mr. Osterholt how many lots he could purchase off a tract of land without subdividing.

Mr. Osterholt said if he subdivided any parcel of ground from one parcel of ground to two parcels, this would be a subdivision, that it controls any division on a piece of ground, that if he wanted to break off one acre out of a five acre lot, that would be a subdivision, and what they do in this case is to consider a subdivision waiver so they don't have to completely go through the engineering process. He said they have all kind of problems when people subdivide land such as the assessor having to assess that ground for tax assessment, also where they have to have easements for right of access to the parcel of ground, that it has been a nightmare.

Commissioner Ossenbergs said that very problem arose when he was on the Plan Commission, that there was a woman who called him that had ten acres and she gave one son an acre and wanted to give a daughter an acre and she couldn't understand why she had to subdivide, but in the end, this was the only way she could do it. He said that a builder or developer is incorporated in this Ordinance and he don't necessarily claim a developer of a subdivision and a developer of one piece of ground the same, that he calls a developer of one piece of ground a builder, since he didn't develop the subdivision.

County Attorney Smith suggested, as a possible solution, that the County Commissioners go on record, by resolution, directing the County Engineer or the Plan Commission, or the responsible body that controls the issuance of permits, in individual cases, to, as a part of that application, that they require an indemnification agreement from that applicant, insuring that the County would not be held liable for any occurrence that might occur as a result of that project.

Mr. Stephen asked how much of a bond would they require, and County Attorney Smith said that in most instances a person would have some kind of liability coverage, either under his home owners policy or if he gets a contractor to do the job, the contractor should have liability coverage, and what they would do would be to extend that coverage to the County, that they could make this a requirement as part of getting the permit.

Commissioner Ossenbergs said that as far as he is concerned, he wants to do it, that the County was indeed fortunate when Aspen Subdivision was being developed, since the mud came down over Oak Hill Road, down to Cloverdale and they were in a situation where the County Highway Department had to continually had to go out there and we were indeed fortunate in not having any accidents, where they were being sued, but now they are in a situation on Green River Road, where they have some \$10,000,000.00 worth of law suits and there's just got to be some teeth put into this, that the contractor is going to have to be responsible.

Commissioner Willner said he agrees wholeheartedly, that he just wants to close all the loopholes, not just those of the subdivisions.

Commissioner Schaad said this is why he questioned it, just to be sure that the County is covered on everything and they are touching all bases.

Mr. Osterholt said he would like to add one comment and that is land, it's ownership and the rights of responsibility on ownership, that if the obligation runs to the owner of the land, whether it be single ownership or divided ownership, then the liabilities and responsibilities for the construction rests in the agreements between the owner and the construction company or the developer, so if the responsibility in the Ordinance is to the owner of the property, then he must come up with the necessary agreements before the builder or developer, to take on the liability, that this is only a suggestion.

Commissioner Ossenberg said that out on Green River Road, the owner of the property sold the property to a builder and the builder subdivided part of it, that the County crew was out there constantly cleaning up and he was sent registered letters to clean it up and nothing was done, and yet today, there is nothing out there in the line of seeding or anything because he has had complaints about it.

Mr. Osterholt said the responsibilities are transferred from owner to owner and he thought this was where the Commissioners could get the control they need, to address the ownership of the land and their responsibilities to the County, that he thought this the direction to take rather than to insure whether the builder has an insurance policy to cover the liability, but he didn't know if this was the answer or not.

County Attorney Smith said that what Mr. Osterholt is talking about is a general legal proposition which is correct, that a owner of land is generally held responsible for anything that occurs on his land.

He said it is impossible to put everything in the Ordinance, that there would be no end to it, but he was thinking, why couldn't they incorporate to allow for the proper parties to be again identified in the indemnification agreement, that this seems to him that this might be the key, and they can make it as detailed as they wish. He said there is no more input that he can put into the Ordinance other than he already has, that he thought the agreement is the key to it.

Commissioner Ossenberg said this Ordinance is on subdivisions and he asked County Attorney Smith if he intends to incorporate and individual builder or if it would be done separately.

County Attorney Smith said he thought this could be done separately, by resolution and by the Commissioners minutes, that they establish that as a requirement in connection with their obtaining a building permit.

The Commissioners agreed that the percentage to be filled in should be 50%, in Section 5, Paragraph 11.06 of the Ordinance.

Commissioner Schaad asked if this Ordinance would have taken care of the problems that the County now has law suits on.

County Attorney Smith said if this Ordinance had been in effect at the time, then Heston or whoever who was out there, that they had to come in to get the permit, and would have had to have indemnified the County on that project and then when this law suit came up, they would then have had adequate coverage on that. He said that when they get ready to draft the indemnification form, he thought they need to give this a lot of very detailed thought.

Commissioner Schaad moved that they put in the 50% in Section 5, Paragraph 11.06 and that the Ordinance be advertised two time. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg asked Mr. Stephen to work with County Attorney Smith, that he didn't want any verbal approval aimed for the meeting, that he wants a direct resolution, in writing, that pertains to single or individual builders.

County Attorney Smith said he will prepare the resolution.

#### RE: CLAIMS

A Claim was submitted by the Vanderburgh Abstract Corporation for the new abstract on Pleasantview Rest Home in the amount of \$304.00.

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

A Claim was submitted by County Attorney Ed Smith for his office expenses for February of 1978 in the amount of \$166.67.

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

A Claim was submitted by County Attorney Paul Wendel for his office expenses for February of 1978 in the amount of \$166.67.

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



A Claim was submitted by Torian Agency, Inc. for Burglary Coverage - Loss Inside & Outside Premises, \$60,000 Total, Bond #BND1788149, in the amount of \$285.00 for the Civic Center.

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

A Claim was submitted by Torian Agency, Inc. for \$5,000 Public Official Bond on the Assistant Manager and Secretary of the County Auditorium at \$20.00 and a \$1,000 Public Official Bond on the County Highway Supervisor at \$20.00, making the total of the claim to be \$40.00.

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

A Claim was submitted by Brink's Inc. for services rendered to the County Treasurer's office, by contract, in the amount of \$253.20 for the month of March.

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

A Claim was submitted by Brink's Inc. for services rendered to the County Clerk's office, by contract, in the amount of \$94.80, for the month of March.

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

A Claim was submitted by William Hepler, the Armstrong Township Assessor, for expenses in traveling to Indianapolis to attend the Annual Conference of Assessors, mileage claim at \$52.50 and per diem at \$20.00, a total amount of \$72.50.

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

A Claim was submitted by the Ohio Valley Engineers, Inc. for Aerial Photography Work & Field Mapping Control Work for Burdette Park, in the amount of \$975.00, which has been approved by Ray Wolf.

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

A Claim was submitted by the Ohio Valley Engineers, Inc. for Engineering Specifications on Roadway Improvements on Nurrenbern Road at Burdette Park at 90% or \$2,006.42, for Engineering Design Plans & Specifications on Tennis Court Improvements at Burdette Park at 90% or \$5,812.41, making the total of the claim to be \$7,818.82, approved by Ray Wolf.

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

A Claim was submitted by Szabo Food Services, Inc. for meals served the inmates for the period of February 1 thru February 15th. @ \$3,210.35 and for the meals served the deputies for the same period at \$200.85, making the total of the claim to be \$3,411.20. This has been approved by Sheriff DeGroot.

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

A Claim was submitted by D. E. McGillem & Assc. for final payment for work completed to date as covered by Section 4.1, part A & B of our agreement dated 4/30/75, on the environmental study for St. Joe Ave. from the Franklin Street Intersection to just North of the Mill Road intersection, in the amount of \$3,658.95, as approved by Keith Lochmueller.

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

#### RE: AUTHORIZED TO ADVERTISE...ATTIC INSULATION FOR HILLCREST

Mr. Hotz said he received two invitational bids on the attic insulation for Hillcrest home, that after discussing this, he, Mr. Stephen and Evansville Wet Heat agreed that this would be the answer to the freezing and thawing in the sprinkle system at Hillcrest. He said the bids are both over the amount allowed and asked the Commissioners if he would have to advertise for sealed bids.

The Commissioners agreed that sealed bids would have to be advertised for, that they have no other choice.

He said he would prepare the specifications and the Notice to bidders.

Commissioner Schaad moved that Mr. Hotz prepare the proper papers and that he be authorized to advertise for bids on attic insulation for the Hillcrest Children's Home. Commissioner Willner seconded the motion. So ordered.

The bids will be advertised for on March 16th and 23rd. with the bids to be opened on March 27th. 1978.

RE: MR. HOTZ.....PROBLEM AT PLEASANTVIEW

Mr. Hotz said that the hospital part of Pleasantview has developed several leaks and he thought his men could take care of it for approximately \$200.00, that it should be taken care of, so he would like permission, in the event they can't put a cold process on it, that they could get someone to put hot patch on it.

Commissioner Willner moved that this work be done. Commissioner Schaad 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: REPORT...MR. SIEBEKING

Mr. Siebeking submitted a report on the roads that they drove last week. He said they assessed them of what is going to have to be done, the mileage on each particular road and their recommendation as to if it could be done by the County or if it should be done by contract and an estimated cost of doing this work. He said he found out, this morning, from Mr. Feigel, that the top figure he used on contract work is about \$2,000 off and he said that it looked as though it would run closer to \$27,000 rather than the \$25,000 which is for 250 pound and that is only for 1½ or 2 inches of material and with the County crew doing the patching and shoulder work before they even come in with the resurfacing. He said the Commissioners will notice the \$15,000 this year, that this is due to their prices, that they have increased from labor to oil to rock in the whole bit, that he is sure the Commissioners are familiar with all these roads and something has to be done with them, that this is just an estimated figure, but they are recommending that it just has to be done, that roads such as Oak Hill and Darmstadt Road, he recommended be done by contract for the simple reason that they are the heavily traveled roads in the County, and said that he doesn't have Cypress-Dale Road on the list because he lives on it, that it is on there because they are getting a lot of truck traffic from dog-town over to the new power plant on West Franklin Street. He said this is just a general overall picture of the county roads, right now, that no one knows what may happen within the next few weeks on road, with the condition they are getting in, that they stopped patching ten days ago with patching material, that they were only putting rock in the road because of the moisture, that the patching material was just coming back out and he couldn't see throwing money away by using it.

Commissioner Schaad said they always worked on the roads according to their formula, as to traffic count, road conditions, etc, but this is more or less an emergency and he didn't know if they could consider any of these things now or not, since he didn't know if the people could drive on the roads or not, so he told Mr. Lochmueller he didn't know whether they needed to go through the full procedure that they did before or not, as to which roads should be repaired or repaved first.

Mr. Siebeking and Mr. Lochmueller will get together to see what needs to be done.

Commissioner Willner said of the 6.9 miles on St. Joe Avenue from Mill Road to Baseline Road that Jack has listed with recommendation to be surfaced by the County Highway Department, that probably two miles of that is Darmstadt, beginning a couple hundred feet south of Orchard Road, since recently Darmstadt annexed all of Fleener Road and St. Joe Avenue and his second recommendation is that they put that highway up in the roads to be surfaced on contract.

Mr. Siebeking said that road should be right up with the top three, traffic-wise, that the only reason he didn't put it there was, that if there is a possibility that the road could get into the federal plan through Mr. Lochmueller in the next three or four years, did they want to spend that much money or whatever, but something is going to have to be done to that stretch of St. Joe Avenue, there is no doubt about it.

RE: MEIER ROAD

Commissioner Ossenberg asked where they stood on cutting the hill down on Meier Road.

Mr. Guillaum said they have all the engineering completed on that and he thought they had the figures on it, so the only thing that would be necessary would be to get some federal funding on it.

Mr. Lochmueller said that the federal funding is approved, the environmental is approved, but the last report he had heard was that they were totally re-doing the drawing. He said what they have to realize on federal jobs, is when they start any engineering, the state wants the engineer to sit down with them first, but what has been happening is that the engineer goes out and does the work but it isn't what the state wants.

Mr. Stephen said they are re-drawing it so the drawing standards will be acceptable according to the state standards.

Commissioner Ossenberg wondered how much delay they were talking about and Mr. Lochmueller said that until they sit down at the first meeting with the state, he doesn't know what shape it is in, that until the plans are at the stage of field inspection which hasn't been submitted as yet, that he doesn't know, that this will be the next step.

Commissioner Ossenberg said he thought a unnecessary evil to go out and spend a lot of money on a road that they know is going to have to be torn up shortly, if it is going to be shortly.

Commissioner Schaad asked when the next phase of extending the four-lane beyond Mill Road is scheduled for and Mr. Lochmueller said that it hasn't been scheduled at all yet.

RE: CLAIM

Mr. Guillaum submitted a claim from the City of Evansville in the amount of \$15,000 for the County's portion of the East Side Drainage Project that was approved earlier. He said this is a portion of it and that \$11,532.95 is still owed the city, and that he has written a letter to Mr. John in order to get on the Council Call for April to request that this amount be transferred from the bridge fund.

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

RE: AUTHORIZED TO ADVERTISE ...KLEITZ ROAD BRIDGE

Mr. Guillaum said that Kleitz Road had previously been discussed but he needed authorization to advertise for bids for the bridge, that this is the one where they are widening the curve and actually relocating the bridge.

Commissioner Willner moved that Mr. Guillaum prepare the Notice to Bidders and that he be authorized to advertise for bids. Commissioner Schaad seconded the motion. So ordered.

RE: MR. GUILLAUM

Mr. Guillaum said they have their CETA crew, that they started today, and until they can get their backhoe lined out, they will have the people putting up guard rails and removing ice from the bridges, that they have several places picked for guard rails.

Mr. Guillaum said he contacted the Hirsch family and they are tentatively planning to have a meeting next Monday following the Commissioners meeting. He said that one problem they had out there that wouldn't have occurred is that the banks, he feels, that if they had gone in and compacted those slopes as they normally do, it would have eliminated the breaking away and scouring of the water through there, but he would see what they could do.

Commissioner Ossenberg asked if they did Burkhardt Road yet, that the reason he asked is because he got a call this morning from Kight Lumber Co. who said that it is very serious now, that it is just a question of any car going down there caving that thing in.

Mr. Siebeking said they went out and looked at it and when anyone runs off the road, they hit the bridge abutment at the same time, unless another one has went in over the weekend.

Commissioner Ossenberg said Bob Bernhardt called him and he was very much concerned and anyone that comes down that road could cave in.

Mr. Guillaum said if that is the case, they will go ahead and put some riprap in there and grout it in, since this is probably the only way they can hold the banks.



RE: MR. STEPHEN

Mr. Stephen said that when he went to Indianapolis to attend a meeting he stopped in at the Division of State Aid and the Account of Local Roads and Streets is so big that they have decided to distribute 100% on it. He said the distribution as of right now is \$818,584.53 and they are going to send that down to us, that it can be used with no match and can be used on any road or bridge and it can apply to the 3-R, Restoration, Reconstruction and Resurface, that when they spend that money they need to document it. He said the Highway is going to get out of two different accounts, the total of which is \$433,300.00 and will come down at 1/12 per month for the next twelve months, but the \$818,584.53 will come down as a lump sum distribution, and as the other money comes down each month, it will start accumulating again. He said they borrowed some money from the account up there to complete the interstate and there was some hassle as to if they should even replace it or not, so he thinks what they are doing is, that they aren't going to have that account for anyone to look at, that it is going to get out to the counties. He said they will make a distribution of the R & S money and reduce it to zero and then will start over again, that they no longer have to apply for it, that there is no match and the certain classification of roads that they previously had to be under has been waived, as well as for bridges and the only thing they said was that they should be sure to document where they spend it, because it will eventually be audited. He said the lump sum payment will be made April 1st. and monthly payments start May 1st. Mr. Stephen said he also checked about the utility agreement, that the City is having a problem and he contacted the Gas Company and they will not sign that County Utility Agreement, that they completely refused, so he asked about it at that meeting and talked to Mr. Hallock but he didn't know if what they proposed would suffice or not, and he said they will agree to move the utility back to the property line at their expense and such as that, but they won't sign the Utility Agreement and they will give us a letter to that effect, so we should send the letter along and see what happens. He said that the state has had some problems with the Gas Co. down here, but he just wanted to bring the Commissioners on what is happening.

RE: RIDGEWAY AVENUE IMPROVEMENT

Mr. Stephen submitted plans on the Ridgeway Avenue Improvement as to the profile of the street layout and the sewer line, which is the one along Fuquay Road and where Mr. Biggerstaff wanted to bring the ditch down, but they finally agreed to keep it as originally planned, that they eliminated one lot as per agreement, and it looks like it is acceptable, so all they can do now is to wait for the complete street design so they can approve it.

RE: MR. LOCHMUELLER

Mr. Lochmueller said in reference to the discussion of funding, he wanted to leave with the Commissioners, a copy of the Bill pertaining to it. He said after they clear out that R & S Account, they are going back and start a new account and he thought they were going to change it a little, and they will have to make application for it. He said the amount in the MVH to Vanderburgh County is \$215,800.00 and the R & S Account is in the amount of \$217,500.00 and this is what will come down over twelve months and can be used in any fashion. He said the new distribution formula will be different, that in a County of over 50,000, 60% is by population and 40% by roads, so he didn't think it would change much for us. He said his recommendation would be minimize the amount of 100% jobs because they don't have that much Local Road & Street funds to begin with and they are able to match it with 70% federal monies, so it would be beneficial for them to do this.

He said there is another little problem that will probably be discussed at a later date, that he has a copy of each job and they are going to have it on milar, that he would hope to give it to the engineer and they should sit down and discuss this, like the utility agreement, they could be working on it now, but they have run into problems, that they need co-ordination and each step must take place, that each engineering job requires a meeting with the Division of State Aid and the Design department, which will save a lot of problems, so what he is trying to do it to streamline it a little better so they can get some jobs ready. He said he will follow up on St. Joe, but for each job he would like to get a target date, that he would like to sit down with the Commissioners on this because they do need communication since they are doing environmental statements now.

RE: POOR RELIEF

Vicki Williams...217 Mary Street....Pigeon Township....Bob Olsen, Deputy Trustee

The Notice of Poor Relief Action from the Trustee's office showed that Ms. Williams requested help on utilities but was refused because the utility bill is in another

persons name who resides in the household.

Mr. Olsen explained that Ms. Williams isn't here, that she was helped by two groups of C.A.P.E.

Marjorie Thornton.....117 Jefferson Ave....Pigeon Township....Bob Olsen, Deputy Trustee

The Notice of Poor Relief Action from the Trustee's office showed that Ms. Thornton requested help on her utilities but was refused because they thought she had sufficient income to meet her basic needs.

The report showed that the amount owed on her utilities was \$307.98. Ms. Thornton said her expenses are \$360.56 and her income is \$190.70 which is disability social security, that she has no other monthly income and that she also has a medical bill.

Mr. Olsen said that on March 9th. the Trustee paid \$102.51 on her utilities which would haven't been removed from the billing as yet.

Ms. Thornton said she also has a bill from Ridgeway's for her glasses, which they are going to turn in to the credit bureau, that she owns her home which has twelve rooms, that she has two apartments to rent but no one is in them at the present time.

Mr. Olsen said that her tenant came in the other day and asked about the Trustee paying rent but Ms. Thornton said he has moved, that the Trustee issued a rent order of \$90.00.

Mr. Olsen said part of this property is rental property on the same premises and in the past, Ms. Thornton has brought both set of bills, one for a rental units and one for her own unit and the Trustee has consistently refused to pay the rental units because it isn't proper, and lately, they issued rent to the gentleman, but the Trustee said that you cannot be an indigent on one end and a landperson on the other end, and after the Trustee paid the \$102.51, he told Mrs. Sallee to tell Ms. Thornton that this was the end of the line.

Commissioner Schaad asked Ms. Thornton if her taxes were paid up on the property and Ms. Thornton said that it is, that she has kept all her bills paid until this winter when it was so cold and the utility bills are terrible.

Mr. Olsen said that they have helped Ms. Thornton all during 1974 and 1975 and at that time Ms. Thornton was told that an involvement with rental premises was a dangerous precedent for this or any other Trustee, the case was closed on 11/10/75 and following that, in the matter of her utilities, there was a disallowance on 2/4/76 and on 3/22/77 and upon Ms. Thornton's insistance, had Ms. Sallee over there three times investigating it, and on 2/9/78, the Trustee told Ms. Sallee to advise Ms. Thornton that the Trustee would pay on her own account one more time, \$102.51, so they did. He asked Ms. Thornton if she was trying to rent the apartments and she said she is trying to.

She said that she has had tenants who tore her property up until it wasn't presentable to rent.

Mr. Olsen asked Ms. Thornton where the rental voucher was on the tenant and she said he has it and that he still owes her \$35.00 & also said that each unit has a separate meter.

Commissioner Schaad said that Ms. Thornton needs someone to manage her apartments for her, since if someone tears up her property, she isn't strong enough to throw them out so they live there for awhile and tear up the property and don't pay their rent. He said she needs someone like legal aid to guide her and help her get straightened out. Ms. Thornton said that she is now getting food stamps, that she can't borrow money on her home at the bank because of her low income.

Commissioner Schaad moved that this matter be referred to legal aid and that Mr. Olsen take her and suggest to them that the energy fund help in her utility bills. Commissioner Willner seconded the motion. So ordered.

#### RE: CUTS IN

The following water cuts were submitted for filing;

- 3912 Upper Mt. Vernon Road...Emergency to repair a water main break.
- 3612 Hogue Road to repair a water main
- 4916 O'Hara Drive to install a six inch water pipe

Little Schaffer & Brockdale to repair a water main.  
Brookshire Drive & Briarwood Drive to lay a water line to provide water service.  
Mt. Pleasant Road to lay water line for AUTUMN WINDS SUBDIVISION.

The meeting recessed at 11:35 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenber  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Ed Smith, Jr.

Secretary: Margie Meeks

Tom Ossenber  
Bob Schaad  
Robert L. Willner  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
MARCH 20, 1978

The meeting of the County Commissioners was held on Monday, March 20, 1978, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg 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

PIGEON TOWNSHIP TRUSTEE

Connie Johns 6823 New Harmony Investigator \$7,168.00 Yr. Eff: 3/13/78

SHERIFF'S DEPARTMENT

Mark A. Holsapple 1763 S. Boeke Intern (for 12 weeks only) at \$75.00 Wk. Eff: 3/13/78

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Stephen Scott R.R.4, Mt. Vernon, Ind. Probation Intern \$3.50 Hr. Eff: 3/10/78

KNIGHT TOWNSHIP ASSESSOR.....REASSESSMENT

Eleanor Crowe	214 E. Maryland St.	Deputy	\$20.00 Day	Eff: 3/16/78
Naomi Kreisle	4107 E. Morgan Ave.	Deputy	\$20.00 Day	Eff: 3/16/78
Betty Sapp	1401 N. Villa Dr.	Deputy	\$20.00 Day	Eff: 3/16/78

Temp. Leave..Nancy Walters 1051 E. Chandler Investigator \$7,168.00 Yr. Eff: 3/13/78

RE: MONTHLY REPORT

The Report for the Evansville Association for Retarded Citizens, Inc. was submitted for the month of February, 1978.  
Report received and filed.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by the Hartford Accident & Indemnity Co., on insured, the Watchtower Bible & Tract Society of New York, Inc. and Watch Tower Bible and Tract Society of Pennsylvania, etc. for the use of the Vanderburgh County Auditorium, for the period of 5/22/77 to 5/22/78.  
Certificate received and filed.

A Certificate of Insurance was submitted by Walter P. Dolle, Inc. of the Home Indemnity Company on insured, the Evansville Printing Corporation for leasing the County Auditorium for a performance by the United States Air Force Band, the policy issued 2/10/78 and expires 7/1/80.  
Certificate received and filed.

RE: LETTER FROM HEALTH DEPARTMENT...ST. LOUIS ENCEPHALITIS SURVEILLANCE

The following letter was received from Dr. Hoopes of the Evansville-Vanderburgh County Department of Health:

The Evansville-Vanderburgh County Health Department, in cooperation with the Indiana State Board of Health, is conducting a study to determine the possible human exposure to St. Louis Encephalitis in Vanderburgh County.

To conduct the study it will be necessary to collect a small amount of blood from 300 Vanderburgh County residents. The samples will then be sent to Notre Dame University for viral studies.

The Health Department is requesting the cooperation of all City and County employees, and the general public, in obtaining these samples.

Samples will be taken in Room 127 of the City-County Administration Building. Please call 426-5692 for an appointment.

Your help is needed to make this program a success.

Sincerely, Jane M. Hoopes, N.D.  
Health Officer

Letter received and filed

RE: REQUEST FROM ELECTION BOARD...VOTING PLACES

The following letter was submitted by Ms. Shirley Jean Cox:

Gentlemen:

This is to serve as a reminder that Saturday, April 22, 1978 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 2, 1978 and give then (10) days' notice thereof by one (1) publication in (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 change in voting places can be made within two (2) days of the primary election. (3/1/8/5' 3/1/8/6).

Sincerely, Shirley Jean Cox  
Secretary of Vanderburgh  
County Election Board

Commissioner Ossenberg said that the voting places will need to be advertised.  
Letter received and filed.

RE: REQUEST FROM ELECTION BOARD...ELECTION PRECINCT BOARD PAYMENT

The following letter of request was received from Shirley Jean Cox:

Gentlemen:

We would hereby request that your Board make proper record and ruling regarding the payment of Election Precinct Board in the 167 precincts for the Primary Election to be held May 2nd. 1978, as follows:

Inspectors.....\$55.00      Republican Judge.....\$30.00 Democratic Judge....\$25.00  
Clerks, Sheriff's and Assistant Clerks.....\$25.00

Thank you, Sincerely,  
Shirley Jean Cox

Commissioner Schaad moved that these salaries for the Election Precinct Boards be adopted for the Primary Election to be held on May 2nd. 1978, but later rescinded it.

Commissioner Willner said he understands that we are \$5.00 under the legal limit in payment to the Election Precinct Boards, and asked if this is correct. He wondered, if this is the case, if they shouldn't be paid the limit, since it is hard to get good people in there for all day at that price.

Commissioner Ossenberg suggested that this matter be held up until County Attorney Wendel checks into it to see what the County Council allowed, that if the Council only allowed this much, they will have to go through with this amount for the Primary and then, for the General Election, they will have to go before Council for the full amount. The other Commissioners agreed that County Attorney Wendel check this out.

RE: REQUEST FROM ELECTION BOARD...USE OF GOLD ROOM

The following letter of request was received 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:

April 18, 1978.....10:00 a.m. - 12:00 and 6:30 - 8:30 p.m.....Gold Room  
April 19, 1978.....10:00 a.m. - 12:00 and 2:00 - 4:00 p.m.....Gold Room  
April 30, 1978..... 2:00 p.m. - 4:00 p.m..... Auditorium

These dates are open on the Convention Center calendar.

Thank you for your consideration,

Sincerely yours, Shirley Jean Cox, Secretary  
Vanderburgh County Election Brd.

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

RE: REQUEST FOR USE OF COUNCIL CHAMBERS AND COMMISSIONERS CAUCUS ROOM

The following letter of request was received 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, May 2, 1978 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 as in the past 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 Brd.

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

RE: QUIETUS' SUBMITTED ON PLEASANTVIEW

Commissioner Ossenberg said that Mr. Hotz was going through Pleasantview and found a roll of 8¢ stamps and some cash, so one quietus was for petty cash in the amount of \$3.26 and the other was for the stamps and converted to cash in the amount of \$8.80. Both amounts were deposited into County Revenue with the Auditors office.

RE: LETTER AND FORM 96-A SUBMITTED BY FEIGEL

The following letter was submitted by Feigel Construction Corp.:

Gentlemen:

We are enclosing for your review, General Form No. 96-A "Standard Questionnaire and Financial Statement for Bidders" for the period ended December 31, 1977, which will be required for any work we may bid during the year of 1978.

If you have questions on the enclosed, please contact me at 423-5834.

Thank you.

Sincerely, Joseph C. Hess  
Corporate Secretary

After being reviewed by County Attorney Wendel and found to be complete, the Form 96-A was ordered received and filed.

RE: LETTER FROM THE FREEDOM FESTIVAL FOUNDATION, INC.

The following letter was received by the Commissioners, to the attention of Commissioner Willner, from Ms. Wilson of the Freedom Festival Foundation, Inc.:

Gentlemen:

On July 8, 1976, George Gossard, representing the Freedom Festival signed a lease agreement for the July 11th use of the Vanderburgh County Auditorium for the Inter-Faith Religious Council.

There was no charge for admission and the free will offering wasn't sufficient to cover the costs involved. The Freedom Festival Foundation has paid out \$500.00 for expenses incurred in this event. We have now received a letter from Fred Dewes stating that an additional \$300.00 is owing for rental of the Auditorium.

We would be most grateful if the County Commissioners could see fit to forgive this indebtedness. We are a non-profit organization and your cooperation would help us this year because of the financial implications involved.

Thanking you in advance, I am

Sincerely yours, Mary Jane Wilson  
Executive Director

Commissioner Ossenberg said that Mr. Gossard was in his office this morning and told him that they have now turned a check over to the Auditorium for \$120.00 and there are two gentlemen who stated that they would make up the difference, so therefore, hopefully, this bill will be paid in a couple of weeks.

He said he would like to bring attention to this and to any unit that requests the use of the Auditorium, that there are many organizations that are non-profit and if they let every non-profit organization use that building, at no cost, they would never get it paid for, that the Freedom Festival as well as the Black Expo, as well as the



Tourism people, etc. have gone forth in front of the County Council and have requested money, that they request it of the Commissioners and the Commissioners, in turn, tell them to make a request to the County Council, that Council has granted this money so far and in many cases, the money is spent and the Auditorium is never paid, so therefore, he hasn't talked to the Commissioners about this, but in the event this occurs again, and he is quite sure that it will, he is going to request of the County Council that in the future, they make the check out to the Vanderburgh County Auditorium and then he is quite sure they will get paid.

He said this is an unfortunate situation and he feels sorry for these people, but by the same token, that building isn't paid for and must be paid for and the Council is good enough to give them the money and then they spend it elsewhere, so if it is agreeable with the other Commissioners, they will request this.

Commissioner Schaad moved that when they go before the Council and their request for money is approved, that the check be made out to both, the applicant and the County Commissioners, so the applicant can't cash the check without the Commissioner's endorsement, and they will then have a record that it was paid by the applicant. Commissioner Willner seconded the motion. So ordered.

RE: RENTAL OWED BY CITY FOR USE OF THE AUDITORIUM

Commissioner Ossenberg said that Mike Jones took him by surprise the other day because Commissioner Willner had asked him if he had seen the letter, which he hadn't. He said the day before that, he was also told about a bill from the Human Relations Department, that they had rented the Auditorium back in 1976 and Mr. Dewes has a contract on that and is trying to collect \$500.00, and on his instructions to Mr. Dewes, he told him to bill the City of Evansville for the \$500.00, so he read in the paper where Mr. McGary said they were going to try to raise the money or ask for a special appropriation. This matter was referred to County Attorney Wendel.

Commissioner Willner said he would like to add, that on the Auditorium, the Freedom Festival did give the religious group \$500.00 for general use, not specifically for the rental of the Auditorium.

RE: GARNISHMENT OF WAGES SUBMITTED

The Commissioners received a Notice on Garnishment of wages on a Jesse Byers, who is an employee at the Auditorium.

Commissioner Schaad moved that this matter be referred to County Attorney Wendel. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....MR. DEWES

The following letter of request was received by Commissioner Ossenberg from Mr. Dewes, the manager of the Auditorium:

Dear Mr. Ossenberg:

Confirming our phone conversation this date: Please consider this my request to attend the Spring Workshop of the International Association of Auditorium Managers on Sunday, Monday and Tuesday, March 19, 20 and 21.

The workshop will be held in the Athletic and Convocation Center at the University of Notre Dame in South Bend.

I have budgeted funds for this trip.

Very truly yours, Vanderburgh Auditorium  
Fred G. Dewes, Manager

Commissioner Schaad moved that the trip be approved. Commissioner Willner seconded the motion. So ordered.

RE: RESOLUTION CONCERNING INDEMNIFICATION ...BUILDING PERMITS

The following Resolution was submitted for the Commissioners approval:

WHEREAS, the Board of Commissioners of Vanderburgh County have the responsibility and the authority acting by and through their duly authorized agencies and representatives, to supervise and regulate the issuance of building permits in Vanderburgh County; and

WHEREAS, the Board of Commissioners of Vanderburgh County have made a determination that certain hazardous conditions with potential liability risks have occurred as a result of certain construction projects within the County; and

WHEREAS, the Board of Commissioners desire to protect the County from any potential liability exposure as a result of any such conditions that might occur;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the County of Vanderburgh, State of Indiana:

SECTION 1. Henceforth, any applicant applying for a building permit application in Vanderburgh County shall, as a condition for the granting of said permit, agree to hold Vanderburgh County harmless from any and all claims, law suits, damages and/or liabilities as a result of any occurrence attributable to the building project for which said application is made and for which a permit is obtained.

SECTION 11. The standard building permit application presently in use in Vanderburgh County shall be amended to contain the following language to-wit:

*Indemnification.* The applicant, his or its agents, employees or authorized representatives covenants and agrees to protect and indemnify Vanderburgh County, its officers and agents against all damage which may arise from the construction or doing of any work or furnishing of materials provided for in this application, or any part thereof. The applicant further agrees to defend any suits or actions at law, or in equity, which may be brought against the County of Vanderburgh, its officers or agents to recover damages for accidents occurring, growing out of, or arising from, the doing of said work as above specified, or furnishing of said materials, or from any other cause, or any proceedings that may be taken against the County of Vanderburgh as a result of any occurrence attributable to the work specified in this application, and to save said County harmless therefrom. The applicant further agrees to furnish proof of financial responsibility, if requested to do so by the Board of Commissioners of Vanderburgh County acting through its duly authorized representative.

SECTION 111. The Board of Commissioners direct that a copy of this resolution be forwarded to all necessary agencies and/or offices within Vanderburgh County who are responsible for the issuance of building permits in Vanderburgh County.

PASSED by the Board of Commissioners of the County of Vanderburgh on the day of March, 1978, and upon said day signed and executed by members of said Board and attested to by the Vanderburgh County Auditor.

Mr. Stephen said this doesn't supercede or take the place of the Subdivision Ordinance, which still goes, that this is to cover those individual lots, other than subdivisions, that they may have a lapsing of the same thing, since this same thing is covered in the Subdivision Ordinance.

Commissioner Ossenberg said he hasn't had any repercussions from any of the builders as yet, but this is a control problem and he thinks the Ordinance will take care of it.

Commissioner Schaad moved that the Commissioners adopt this Resolution. Commissioner Willner seconded the motion. So ordered.

RE: RED BANK ROAD & HWY. 62

Commissioner Schaad said they have a problem out on Red Bank Road and Hwy. 62, since all the people that got four-wheelers are trying them out at this location and there is mud all over the place and they are getting a lot of complaints, that this isn't the builders, so he asked Mr. Siebeking and Mr. Stephen about it.

Mr. Stephen said that Mr. Siebeking told him that the City actually maintains the street parts but where they are doing this is outside the City, in the County, so he will have them cut a side ditch out there today and he told him to cut it wide enough and deep enough so the people couldn't get across it with their four-wheelers.

RE: SALE OF PLEASANTVIEW SET FOR TOMORROW

Commissioner Ossenberg announced that the auction of the Pleasantview property will be held on the property tomorrow at 1:00 p.m. and the meeting today will be recessed until that time.

RE: HOLY WEEK HOLIDAY SET

Commissioner Ossenberg announced that this Friday is Good Friday and that all City and County offices will be closed.



RE: REZONING PETITION...THIRD READING...VC-92-77

Petitioner...Wayne Johnson of Bloomington, Indiana

Owner of Record...Alvin & Helen Franzman of R.R. 13, 384 Miller Rd. Evansville, Ind.

Premises affected are situated on the West side of Boehne Camp Road, a distance of 1200 feet North of the intersection of Ind. State Road 62 and Boehne Camp Road. The commonly known address is Boehne Camp Road. R.R. #13.

The requested change is from A-1 to R-3.

The present existing land use is agricultural and the proposed land use is for Multi-family apartments.

This petition was approved by the Area Plan Commission with 12 affirmative votes.

Mr. Barry Standley, Attorney for the petitioner said this is a 30 acre tract of land on Boehne Camp Road on the west side and the petition has presented plans to build two phases of apartments, 152 efficiency apartments, one bed rooms, two bed rooms and townhouses in each of two phases and he has agreed to present the plan for two additional phases in the future for approval by the Area Plan executive staff, in the event that he does sell them and whether he builds the two additional phases will depend on the degree of acceptance.

He said there are some problems that he thinks they have dealt with, that they have presented a covenant to the Area Plan Commission and they have agreed on a modified drainage plan subject to the approval of the Drainage Board and the petitioner has also agreed to widen Boehne Camp Road from a point 300 feet South of the entrance to his property to a point 300 feet North or a total of 600 feet which will allow for an acceleration and deceleration lane on the westerly side and a passing lane on the easterly side of Boehne Camp Road, where they would have some congestion when this thing is constructed.

He said they did have some people come to the Area Plan meeting that had some concern, but he believed that Mr. Johnson met with those people and he believed that they are as satisfied as they can be at this point and time, also they have agreed to screen off the adjoining properties with trees and other foliage, from the complex.

He said he thought this to be something Evansville needs, particularly in the West side and that Mr. Johnson is an experienced contractor and developer and he will put up a quality complex, and as far as he knows, they have satisfied the executive staff of the Area Plan Commission.

Ms. Rosemary Carr appeared as a remonstrator and said she couldn't see how Boehne Camp or Hogue Road could handle more traffic of maybe 150 to 500 more people coming in and out of there, also that one part of Boehne Camp road is a single lane now because of the condition of the road that is deteriorating.

Mr. Standley said this isn't near Hogue Road and he would suppose that most of the people would use S. R. 62 as an ingress and egress to this property and the traffic out there is the reason for them widening the road and Mr. Johnson has agreed to do this at his own expense.

He said they worked directly with Mr. Lochmueller in developing this solution.

Commissioner Schaad said they will have developments and will get a wider tax base to the County, that these developments and improvements are needed, especially on the West side and perhaps, someday, they will have a light at Hwy. 62 and Boehne Camp Road, that they are going to have to look forward to improvements such as the shopping centers, that they will have problems and they have to solve them, but he wondered which comes first, if they should build the roads and streets and then the developments or if they should build the developments first and then the streets, that all developments bring problems but they can all be solved.

Later, Mr. Johnson signed the covenant and County Attorney Wendel checked it over and found it to be in order. He said that Mr. & Mrs. Franzman has also signed it.

Commissioner Schaad moved that the application for petition VC-92-77 be approved. Commissioner Ossenbergh seconded the motion.

Commissioner Willner said that he would like the covenant explained to him.

Mr. Standley explained that what they have done in the covenant is that they have agreed to conform to the drainage plan as modified previously and approved by the Drainage Board, and also agreed to widen Boehne Camp Road at a point of 300 feet South of the entrance he proposed to construct, to a point of 300 feet North of this which will be a total of 600 feet of widening and providing for a deceleration and acceleration lane on the West and a passing lane on the East, also to bring, at his own expense, the city sewer out to the property line which will be a side benefit to other residences in the area who don't have a sewer.

The vote was then taken and was unanimous in the affirmative. The motion carried.

RE: REZONING PETITION...THIRD READING...VC-93-77

Petitioners and Owners of Record....John R. Jr. & Margie J. Richards of Route 4, Kleitz Road of Evansville, Indiana.

Premises affected are situated on the South side of Kleitz Road, a distance of approximately 120 feet West of Meier Road.

The requested change is from A to R-2.

The real estate contains a two-family dwelling with an unfinished lower floor, that was originally planned for two additional family units.

The owners propose to finish the inside of the lower floor in order to be able to rent two additional small apartments. The building was originally planned to contain four apartments.

This petition was denied by Area Plan with nine negative votes and three affirmative votes.

Mr. Andy Easley who helped Mr. Richards with his maps, appeared and presented the plat plan and said it has information concerning distances to the adjacent properties. He said that Mr. Richards problems was in getting a building permit to build the structure goes back to the spring of 1976 when Mr. Richards and his wife came to him and they were advised, since there were two houses on a nine-acre parcel and they wanted a third structure, they had to sub-divide it, so they went through the subdivision procedure and subdivided it into four parcels, and for parcel #4 which is a duplex, he obtained a building permit for this in May of 1976 and he showed the Building Commission office, plans for the structure that had two units upstairs and two units downstairs that would be finished at a later date and either through a misunderstanding or something else, the building permit was issued and he started the building and then someone questioned whether this was a duplex or a fourplex, so he had to apply for a special use permit that was granted on October 6, 1976, and at that time, the head of the Plan Commission was ready to compromise to get the structure finished and Mr. Richards had stated, at some time, he wanted to finish the last two units and they said he would have to get it rezoned, that Mr. Richards didn't mean to accept the fact that he could never get it rezoned and someone said that this was the position the Area Plan intended. He explained the distances from other properties the intended project is, as well as the parking facilities and the sewer system.

Mr. Richards said there will be no additional buildings, that they will just be finishing the two lower units in the existing building, but he can't do it without it being rezoned, that this has him in a financial burden, to say the least and he plans no further development there, also, that he lives out there and doesn't intend to let it get run down, that he has had no problems with the present septic system nor with his septic system, that he feels there is ample parking now but more area could be made available.

Mr. Easley said there is 774 square feet in each unit which is above what the minimum is, that there are three families presently living on the nine acres and he is asking permission to put two more families in the lower level of this structure, also they did reduce the area that was rezoned, at the request of Commissioner Willner during the first reading, so they amended it, also that this is the only structure of this type that can go on this parcel without having to get it zoned to a higher zoning.

Mr. Johnson appeared and said he represents a Mr. Acker who is here but he also understands there is another gentleman in the audience who wishes to remonstrate against this petition and he asked that the other gentleman be permitted to speak. He said on behalf of Mr. Acker who lives across the street and North of the property, they have four or five different areas for which they ask this rezoning be denied, that they are spot zoning, the traffic problem because of the narrow roads, Kleitz and Meier Road, the parking area, the property can be utilized as it exists because there is a special use permit and that it is just bad zoning by virtue of the Area Plan Commission's vote against the rezoning and the fact that when they came for the special use permit, the remonstrators, at that time, thought they had a compromise worked out that everyone could live with and now they find that they are back again, trying to get a fourplex in an R-2 zoning. He then explained their reasoning for these objections, after which he said he was sympathetic with Mr. Richards if there was a misunderstanding, but he has a structure there which can be used as a double story duplex or use the lower level for storage.

He asked the Commissioners to consider the arguments he raised as well as the vote of the Area Plan Commission and that they deny this petition.

Mr. Dave Castle objected to this rezoning by saying he has property to the East, that he is speaking for himself and for Mr. Schmitt who has property to the South, that basically, they feel that this is unfair use of the property, that it is characteristically agricultural and a fourplex would be out of character and inappropriate for the area, that there seems to have been a promise made by Mr. Richards to remain with a duplex and this is another reason they object, that they could live with this. He said Mr. Johnson has covered most of the other reasons, also that he is going to build out there and he wants it to be basically a one-family residence, that he certainly wouldn't build more than a duplex.

He asked what the actual footage was between his property and that house, since it showed it was 25 feet along the South side of their property and being parallel to his in the original plan, but it isn't that way, that the 200 feet is his assumption as to where he wants to build and this isn't necessarily where he would put it, also he concurs that the traffic would be terrible out there and they feel that it basically shouldn't be changed from a rural area, that this is the way they feel about it.

Mr. Easley said the question has been raised about the parking and there is an adequate space for parking 7 or 8 cars, and there will be a density of five families on nine acres, that there were misunderstandings all the way around on this and he didn't think that Mr. Richards was aware that Mr. Gerling was obligating him forever, not to complete the building, that he built the structure, borrowed a considerable amount of money and needs the cash flow to take care of it. He said in regard to the comment made by Mr. Castle about he may want to build closer to the property line, that there is a canyon there and it would be virtually impossible to build any closer to the property line.

Commissioner Schaad asked Mr. Richards if Mr. Gerling got his approval before he assured them that he would stick to a two-family.

Mr. Richards said he didn't get his approval, that he told Mr. Wilson in the beginning that he wanted to finish two at a time and asked if he would have a problem getting the four and he said no, also he was issued a building permit wrong, that instead of for a duplex, the permit said single family dwelling and the zoning said agricultural.

Commissioner Schaad said he just wondered because, with all due respect to the attorney's sometime they make a statement to ease something off.

Mr. Easley said that he didn't believe there was any misrepresentation at any point on this, that at one time, Mr. Richard's wife came to him with tears, because she was so frustrated in trying to resolve their problems, that this was when they had to subdivide their property and he has been involved in this for almost three years.

Mr. Acker said his family has lived out there since 1940 and he has a barn out there, that his brother-in-law put up so they could go in the hog business and when he goes up that road with all the trucks parked up there, it is really dangerous to go through there and if Mr. Richards completes this, there will be five families, that they can live with a duplex and would like for it to remain agricultural.

Mr. Johnson said that Mr. Schmitt has appeared in remonstrance of this petition at both Area Plan meetings and he would have been here today but he has pneumonia.

Commissioner Schaad moved that the application for petition VC-93-77 be approved. Commissioner Ossenbergh seconded the motion. The vote was in the affirmative by majority, with Commissioner Willner voting "no". The motion carried.

RE: REZONING PETITION.....THIRD READING....VC-1-78

Petitioner and Owner of Record....Alfred Bauer of 3100 Ridgewood Drive, Evansville, Ind.

Premises affected are lot 10 of Section A and lot 21 of Section B of Ridgewood Estates, a recorded subdivision in Vanderburgh County, Indiana, more commonly known as 2815 Ridgewood Drive and 4813 Tanglewood Drive.

The requested change is from R-1 to R-2.

The present existing land use is vacant and the proposed land use is for one duplex on each lot.

This petition was approved by the Area Plan Commission with eleven affirmative votes.

Mr. Johnson, Attorney for the petitioner submitted a plat of the subdivision, showing the Commissioners the area that Mr. Bauer wants rezoned.

He said that a large portion of the area is already zoned R-2, so they simply want to

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extend the R-2 zoning to an adjoined lot and one across the street, that one question the Area Plan has was if they intend to spread the R-2 and some day have it all the way across, but the answer is that these are the last two undeveloped lots in the subdivision, that the rest of them are constructed and they don't feel that extending the R-2 to these two lots will cause any problems and apparently the neighbors don't either because they did not remonstrate against it in the Area Plan Commission. There were no remonstrators present.

Commissioner Schaad moved that petition VC-1-78 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried. This petition was approved as amended.

RE: REZONING PETITION.....FIRST READING.....VC-2-78

Petitioner and Owner of Record....Georganna Thurmond of Inglefield, Indiana.

Premises affected are situated on the North side of Inglefield Road, formed by the intersection of Inglefield Road and the C & E I Railroad, with the commonly known address to be 200 Inglefield Road.

The requested change is from A to M-2.

The land is presently vacant and the proposed land use is for a machine shop.

Commissioner Willner asked permission to be excused from the voting, since he and his brother have an option to buy this property for the purpose of a machine shop which he now operates in the Town of Darmstadt. He said he has outgrown his present quarters and they wish to rezone this parcel of property.

Commissioner Schaad moved that petition VC-2-78 be referred to the Area Plan Commission on first reading. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Comaier Services, Inc. for the services of the security police at Pleasantview from December 5, 1977, to March 5, 1978 for 91 days at \$10.00 per day, at a total of \$910.00.

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

A Claim was submitted by the American United Life Insurance Co. for Life Insurance Premium on employees of the Sheriff's Department for the year of 1978, in the amount of \$10,000.00.

The total premium due is \$12,426.61 but the claim is for \$10,000.00 since this is all they have in their account.

Commissioner Ossenberg wondered if they have their separate account, that he would like to hold up on this until the Commissioners get some sort of explanation. This claim will be held up until next week.

A Claim was submitted by Thomas Hufnagel for refund of \$153.00 for three house permits that will not be built on Bohanon Drive, which was approved by Mr. Crooks.

Commissioner Schaad moved that this refund of \$153.00 be approved. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by Szabo Food Service, Inc. for meals of inmates for the period of February 16 thru February 28, 1978 in the amount of \$2,820.35 and for the meals of the deputies for the same period in the amount of \$159.25, or a total of \$2,979.60.

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

RE: LETTER FROM STATE SENATOR TOWNSEND

The following letter was received by Commissioner Ossenberg from State Senator Townsend:

Dear Tom:

After this winter of discontent, the Legislature has acted to thaw the restrictions on monies which have accumulated in the Local Road and Street Account. The account totaled \$39.6 million as of February of this year, and the balance in each unit's account will be automatically distributed by the Auditor of State between April 1 and June 1 of this year.

This is not new money, but it may be used with more flexibility than present Local Road and Street Fund allocations. It can be used not only for construction, engineering and land acquisition, but also for reconstruction, resurfacing, rehabilitation, and snow removal. The 10% local match is not required and the funds are not restricted to use on arterial roads and streets.

In addition, the Legislature took \$44 million of state general fund surplus and appropriated it to local units of government for streets and roads. Twenty-two million dollars will be distributed in accordance with the Local Road and Street Account distribution, and \$22 million will be distributed in accordance with the way the local portion of the Motor Vehicle Highway Account is distributed.

This distribution of general fund surplus is essentially new money, over and above regular distributions from dedicated state gasoline taxes, and will be made in twelve monthly installments beginning in May of this year.

The attached data for your area indicates the amount available in each governmental unit's Local Road and Street Account on February 1, as well as the amounts to be distributed to that unit from the \$44 million general fund transfer.

If you have any questions, please feel free to call me or David Dreyer, of the Senate Staff, on the WATTS toll-free number, 1-800-382-9491, ext. 3659.

Regards, W. Wayne Townsend  
State Senator

RE: HERMAN HOTZ....SPECIFICATIONS FOR HILLCREST INSULATION

Mr. Hotz submitted the specifications for Insulation of the under side of the roof at the Hillcrest Childrens Home, for the Commissioners approval and said that the Notice to Bidders was previously approved and bids are being advertised for and will be opened next week. He said they are required to start the work within 30 days after the contract is signed, but there is a shortage of materials so it may be about six weeks. Commissioner Schaad moved that the specifications be approved. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON SALE OF SURPLUS PERSONAL PROPERTY

Mr. Hotz he has talked with Mr. Schaefer of the Kurtz Auction Co. and they do have an available date of April 14th. for an auction of the personal property at Pleasantview. He said he has the necessary papers made up for it, that if the Commissioners wanted to wait and have the auction on a Saturday, they would have to wait until May 6th.

Commissioner Schaad said it seemed to him that there would be more interest if they had it on a Saturday and he thought they would have a large enough staff so they could have it on a Saturday earlier than that.

Mr. Hotz said they told him that the earliest they could have it on a Saturday would be on May 6th.

Commissioner Ossenberg said the only thing is that if they sell Pleasantview tomorrow, they may want to take possession of that building before then.

Commissioner Schaad wondered if the building is sold tomorrow, if it would be April 6th before they could close the deal, since if the sale were held on May 6th. they would be allowed the thirty days.

County Attorney Wendel said he didn't think it would be closed before April 6th. and the closing is 30 days from the date of the closing and not 30 days from the date of the sale, so he thought this would be okay.

The Commissioners agreed that if Mr. Hotz can't work it out for an earlier Saturday, that May 6th. will then be the date of the sale, and they asked Mr. Hotz to check this out.

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: REQUEST TO MOVE HOUSE

Commissioner said that Mr. Crooks left a letter of request for the Commissioners which reads as follows:

Request has been received from Elmer Buchta to move a house from Warrick County down Old Boonville Road to Green River, north to Fairfield tennis club land and east on lane to site.



The house is a small brick veneer, approximately 24' x 38', one story. Move date is planned for the first week in April 1978.

The route has been checked and request is recommended contingent on obtaining necessary permits and notification to utilities and sheriff's office on date of move.

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

RE: DAVE GUILLAUM .....NURRENBERN ROAD

Mr. Guillaum said that Mr. Siebeking talked about the train blocking problem they had on Nurrenbern Road, several weeks ago.

He said he has a petition that has 339 signatures, trying to get some kind of improvement, either in the way of an overpass or an underpass.

Commissioner Schaad said they just improved this crossing.

Mr. Guillaum said that is correct, that they had a terrible visibility problem there earlier, that they built the fill up to the track so they had adequate visibility to get across there, but apparently the big problem they have now is that the train is blocking the road for a long period of time, and the petitioners are trying to get something done, to remedy the problem.

Commissioner Ossenberg said this is all well and good but asked if the Railroad didn't generally do this.

Mr. Guillaum said he thought they had something here that is comparable to what they had on Old State Road and in that situation, he thought the railroad paid for the bridge and the County paid for all of the approach work, so he would think that the railroad would have the majority of the expense.

Commissioner Schaad said he didn't see how they could build an overpass, since this would be just as bad as the railroad tracks, and asked if an underpass wouldn't be under water all the time.

Mr. Guillaum said this is correct, that an overpass would be as bad as the railroad tracks, but he didn't think they would have much of a problem with an underpass, in terms of elevation, but what he was wondering about was that they have to have a certain amount of clearance for trucks and they would have to have a minimum amount of cover for pipes or whatever, so he thought the only thing they could do would be to feel the railroad out or investigate it a little bit further, that it will be a problem to come up with a solution.

Commissioner Ossenberg said he didn't think they had the length, going west, for an overpass.

Mr. Guillaum said this is correct, that it would have to be extended and then they would be running into Red Bank Road and they have problems down there, that maybe they should work something out with the railroad to try to prevent the blocking of the road as much as they have been doing it.

Commissioner Ossenberg said what he thought they would do, is that they will write to the railroad and ask them for their cooperation, since he couldn't see how they could possibly build an overpass or an underpass.

Commissioner Schaad moved that this matter be referred to the County Surveyor's office and let them negotiate with the railroad by telling them we have a problem and see if they will be able to work it out together. Commissioner Willner seconded the motion. So ordered.

RE: MR. GUILLAUM.....CETA PROGRAM

Mr. Guillaum said he is very pleased with the way the CETA program has been going so far, that they have been putting up guard rail in different parts of the County such as Schutte Road and Graffe Road, that totally they have put up 456 lineal feet of guard rail in the past week, and with the weather being bad and the bus being broke down one day, he thought this to be pretty good for one week.

RE: COAL TRUCKS

Mr. Guillaum said that the coal trucks are today supposedly back on Warrick County roads, that they were running on Boonville-New Harmony Road, that he gave them a kind of temporary permit, since they had a problem with the road they had been on, that it was washed out and covered with water, so they were given permission to run on Boonville-New Harmony, that he talked to Mr. Wathan with the coal company so they should be back

on Warrick County Roads today, that he will check it out, and if not, he will have to take another look at it and if they have to do something different, they will do it, but Mr. Wathan guaranteed him that he would have their road up to par by today.

RE: MR. STEPHEN .....PAVEMENT STRIPING

Mr. Stephen said he ended up with supplemental agreements for pavement striping, that Mr. Lochmueller was gone but he does know about it, that they came about because of the more eligible mileage and the increase in cost. He said there is no cost to the County, that there are three copies which needs to be signed and sent back to the state for approval, and then we will get one signed copy back.

Commissioner Schaad moved that the supplemental agreements for the pavement striping be signed. Commissioner Willner seconded the motion. So ordered

RE: ROAD APPLICATION.....ST. JOE & MILL ROAD

Mr. Stephen said he changed the Driveway Application to cover a road permit so they could get some verification of documentation of dates when this happened at the St. Joe - Mill Road intersection and adjacent land, that this is for bringing Locust Creek Drive in on St. Joe Avenue, that this is a drive that is now designed in and he has a place for the Commissioners to also sign the form.

He said that the drainage plan will be coming up in the Drainage Board and he thinks they have a solution that will satisfy everyone for up through the ten period for the development of Locust Creek.

He said they used the ten year storm for designing what the roadway can handle and anytime they pass that, the area is going to be in trouble, that the designers know that it is, and this is one of those things that they probably shouldn't be trying to incorporate in the road designs.

He said this is primarily to show documentation of things as they happen and he would welcome any suggestions the Commissioners may have.

He said they also have one on Mill Road which is normal procedure, so they will use the regular permit on that one.

Commissioner Schaad moved that the Road Application Permit be signed. Commissioner Willner seconded the motion. So ordered.

RE: APPLICATION FOR PERMIT...ST. JOE

Mr. Stephen said he also has an application for a permit, that this is on the Industrial Park, South of Locust Creek, and they are wanting to start construction and they want to put in a temporary pipe in the existing ditch, so he told them he couldn't give them a regular permit because it will be changed, that he refused to discuss it any further before he brought it up because he wondered how this should be handled, that for one thing, they are designing the new road and they don't have this inlet in there.

Commissioner Ossenberrg asked if this was the Empire Development deal, and Mr. Stephen said it is, that they have this down as R & S Equipment and it is being handled by Empire's Development, that he told them he would let them know about the location.

Commissioner Ossenberrg said this would be another cut on St. Joe and they can't do that, that they got their okay on the rezoning on a specific cut, one cut only. He said that as far as he is concerned, there is no further reason to discuss this until Guy Cantwell gets hold of it, so they can go back to him in Indianapolis and get it resolved.

Mr. Osterholt said the cuts were cut from three to one.

Commissioner Schaad said he thought they need to know more about it.

RE: DRAINAGE PROBLEM

Mrs. Whittinghill appeared and said she lived on Crowley Drive down toward the creek, that they have four apartments and their home, that they have been there for 25 years and have always had a water problem but it is getting worse. She said that the field that stands between them and St. Joe stands with water, that they need some sort of drainage, that in 1975 Mr. Willner had it surveyed.

She said that after a time, that she and her husband sort of gave up on it and did their own drainage work and took it to the creek but they don't feel that the problem across the road is one for them to solve, that it needs to be solved by someone else.

Mr. Stephen said he would have to study the plans to see if they have provided for any drainage along Allens Lane, west to the new construction and handle it that way, that he didn't know, but he would have to look at it. He explained that there is construction involved on St. Joe and they are in the midst of getting the plans okayed by the state, that they were finalized before being sent to the state and they will have some bearing on what has happened there and he doesn't know just how the engineer, who is from Indianapolis, has designed in for handling any water in that vicinity but he can study the plans and see if what they have done is going to help or hinder these people.

Mr. Crooks said these people live east and south of the intersection of Allens Lane and St. Joe and the area basically drains to the Southeast which really shouldn't be affected by anything on St. Joe.

Mrs. Whittinghill said that what happened is that Luther Clark put in Westbrook Court and years ago there was a natural ditch through there behind their house and they filled their ditch in order to have a bigger back yard, therefore everyone on the east of Crowley Drive have had a problem.

She said she and her husband ran their own four-inch tile to the creek and they were supposed to get an easement at the end but the lady backed down but said they could have the tile along the edge of her property as long as they wanted to, that this is what drains their apartments and their home that they rebuilt two years ago after their other one burnt down, but they still have the problem across the road, where years ago, they had an auction of heavy equipment and instead of taking it out the other way, they took it out Crowley Drive and it is all tracked down and this is why it is so low, that this ground belongs to Davis Ind. and she has tried to contact him but hasn't been able to reach him, since there are wrecked cars and trucks parked on his property, but anyway, she wants something done about the drainage problem, that there are other problems but no one can do anything about it.

Mr. Stephen said this is a problem that needs to be looked into, since they may have to take recourse against the people who filled in the original ditch.

The Commissioners asked Mr. Stephen to go out and look at it and report back next week.

Mrs. Whittinghill said the man who drives in and out of there doesn't have enough gumption to put any gravel down and he tracks even more mud onto Crowley Drive and she is sure the Commissioners are concerned about that.

Commissioner Willner said the Commissioners are very much concerned and that an ordinance is in the making right now on this very thing.

Commissioner Ossenberg said if there are junked cars there, they can do something about that.

Commissioner Willner said if the man's property is zoned residential, he can't leave cars there, that it is against the zoning laws and they can do something there.

Mrs. Whittinghill said she has talked to the man that lives at 3013 Crowley Drive but he just makes promises but never keeps them.

Mr. Osterholt said he will check into the matter.

RE: RIDGEWAY AVENUE IMPROVEMENT

Mr. Stephen said that Mr. Biggerstaff brought the plans for the Ridgeway Avenue Improvement to him for approval, that it has been in before, that he has to make two changes on it, because when he brought it up before, he was figuring that he was going to carry this water down one way, because he didn't show a pipe there, but he isn't, so he has to put a pipe under it so he will see that it is done right. He said that Mr. Biggerstaff has to get other signatures and he would like to have it signed today, that he told him if they do this, he must show the plans and he has to have a copy of the changes and he will tell them what size pipe to put in there.

Commissioner Schaad moved that the Commissioners sign it but that he shouldn't let it out of his hands until the changes are made. Commissioner Willner seconded the motion. So ordered.

RE: ST. JOE

Commissioner Schaad said he was wondering, since it looks like the development along St. Joe is going four-lane, with the industrial development coming faster than they anticipated, if Fink Roberts & Petrie designed the drainage to take care of future drainage, that he thought this should be looked into because they might as well do



it now rather than to put it off, since if they haven't made any plans for continued development out there as far as Industrial Parks are concerned, they should, because they are going to come.

He said he talked to Mr. Stephen and to Mr. Lochmueller who said he was going to call Guy Cantwell about it.

Mr. Lochmueller said he did call him and this looks like an age old problem, that when they are designing the highway project, they aren't going to do the drainage plans for the whole area, that he asked Mr. Cantwell what he did on future growth and he said future growth on assumption was made and the assumption was that each parcel that grows, when changed into use, he would then have to provide for his own drainage and he asked Mr. Cantwell why he didn't take another approach and enlarge the ditch, but at this point, Mr. Cantwell started saying that when they bring the ditch down to Locust Creek, the Creek backs up and he said he has had to talk to people out there and it started getting back to the old drainage plans, that he thinks they almost have to have in each growth area, so he didn't think Mr. Cantwell's answer is the only answer as to putting it all on the developer to have the drainage swails, that part of it has got to be to maybe the ditch.

He said when he asked him a question as to why he tied in on the culvert when they stayed on the left side of the road, that the answer was to the right of way, but what he got out of the conversation, as to his solution, was that the developer would provide for drainage.

Commissioner Schaad said in the case of St. Joe and Mill Road, they can't expect the developer to take care of the drainage problems all the way to the creek if it is one-half mile away.

Mr. Lochmueller said there are problems and what could they do in resolving Locust Creek, that making the ditch wider is one thing but if the Creek is backing up, does this solve the problem, so should a plan of attack be, not just with the roadway corridor, but isn't it a much larger area, but when he started pushing this he said if he did the ditch, he would have to go down to Locust Creek and the problem would get much larger.

Commissioner Ossenberg said the only thing of it is, that they are making the developers on the east side retain their own water.

Mr. Lochmueller said he thought what the problem is sometime, is that it goes back to a lack of a comprehensive drainage plan, that he remembered, out on Green River Road, that the locals thought the highway would go in there and they were going to solve all the drainage problems and have the 70% state monies solve the problems, that he is talking about all the development out there in the apartment areas and all of it draining down into the roadway and the highway people will go along and put so much money in it but they aren't going to solve all the drainage problems, that they will only go so far, but of course if they want that ditch larger, then an additional expense would have to be paid.

RE: COMPLAINT OF HOLE IN THE ROAD...REFERRED TO CITY

The following letter was received by County Attorney Wendel from a Mr. James Allen:

On February 28, at 7:30 p.m. I was traveling east on Ohio Street while crossing the steel bridge that spans Pigeon Creek. I hit a very rough spot in the road at the east end of the bridge where the bridge and road connect. This caused all five lug studs to break off at the brake hub of the left front wheel, the wheel then went under his 1967 ElCamino which bent the left front fender and caused the brake hub and the front end alignment damages that warrant repair. My speed was between 20 and 25 mph when I hit the chuck hole and 4 mph when the wheel came off. There were no warning signs on lights or street lights around the area at all. Your help in getting my car repaired and that hole fixed would be appreciated a great deal.

Thanks, James Allen.

A bill in the amount of \$200.69 was attached from Mills Body Shop.

Commissioner Ossenberg said that Mr. Allen also sent a letter to the City Attorney's office.

Mr. Guillaum said he was sure this wasn't related to the County's construction out there.

Commissioner Willner said this didn't have anything to do with the bridge, that it is on the approach so it is a City problem.

Commissioner Ossenberg asked County Attorney Wendel to see that the City Attorney's office gets this letter and bill.

RE: CUTS IN

The following cuts were submitted for filing:

The Evansville Indiana Water Department to make a cut at 720 N. Boehne Camp Road to repair a water main

The Indiana Bell Telephone Company, Inc. to make a cut on Mt. Pleasant Road at the S.E. corner of Autumn Winds Subdivision.

RE: POOR RELIEF:

Betty Roll....603 Read Street....Pigeon Township.....Mr. Olsen, Deputy Trustee

The Notice of Poor Relief Action from the Pigeon Trustee showed that Ms. Roll made application for help on glasses but was refused because she has sufficient income to meet her basic needs, that her income is \$184.00 but that she has no expenses.

Ms. Roll said she was told by one doctor Scaggs that she had cataracts so he ordered some bifocals for her, that the exam was \$40.00 and the glasses were \$77.00 so she went to the Trustee's office for help and the lady there had her sign a form stating that she had no other expenses but she said she had told the lady, all along, that she did have expenses and that she has to pay out \$40.00 every month for medicine since she had a mental breakdown and she has tried to continue working, that she is presently working as a housekeeper.

She said she made \$180.00 last month but she has receipts showing that she paid her doctor bills which was over \$183.00 last month, so now Dr. Hoover said she must have a bladder suspension operation, that it was caused by lifting, so it needs repaired and the doctor told her that unless she could get some help she shouldn't make another hospital bill because of the pressure on her, so she asked to see the Trustee and the lady told her to file an appeal before the Commissioners so she then called and tried to talk to the Trustee because she wanted to settle the matter, but she was unable to, so she wondered if she could get the \$117.00 for her glasses and she would like to get some help so Dr. Hoover can repair her bladder and she can go back to work.

She said she also has to see the doctor for her hands every two weeks since she has psoriasis on them, so this is another expense, and then she had a growth taken off her rectum and she also owes this bill.

Mr. Olsen said the bill for her eyes and glasses incurred prior to any knowledge of it by the Trustee and as the Trustee understands it, Ms. Roll has \$184.00 income per month and when they say she had no expenses, they meant no living expenses, since she lives in a home with a Mrs. Bertha Eisenhower and pays no rent, etc.

He said that her bladder repair would be in-hospital which would then be referred to the Welfare Department or if not applicable there, in order to restore her to work, it would be referred to the Indiana Vocational Rehabilitation on the recommendation of her surgeon and they would pay for it 100%, if approved by them.

He said they have a semi-contractual with an oculist whereby if they had been notified in advance on the \$117.00 cost, it would probably be approximately from \$67.00 to \$72.00 for frames, exam and all, so he thought an exception was taken to that, however, it may be true that Ms. Roll is paying out a heavy medical and now she is talking about the removal of the mass on the rectum, that if this was an in-hospital matter, it could be routed through for payment to the Welfare Department very easily.

He said that one of Ms. Roll's problems is, so to speak, that she goes off and does things and then brings in the bills which is the cart before the horse.

Commissioner Schaad said it seems to him that Ms. Roll needs some guidance.

Mr. Olsen asked Ms. Roll if the mass removed from her rectum was an in-hospital matter.

Ms. Roll said that she had it done in the doctors office so she wouldn't have a hospital bill.

Mr. Olsen said that cataract removal is also paid for when called for by the doctor, so if one goes in the right direction they can get things done but Ms. Roll entered into a contract voluntarily with a doctor and it was pre-planned ahead of the Trustee.

Ms. Roll said she wasn't on the Trustee's help at the time, that about six or seven months ago, when she had the problem with her nerves, she did have to go to the Trustee to get help on prescriptions, which is all she did, because she lived with her son. She said she went to the Social Security office to see if she could draw Social Security but they said she couldn't because it wasn't permanent, that she also went to the

Welfare office to try to get a Medicaid card to help her, that it was turned down, so this is why she went to the Trustee, that she did live with her son, but she had to quit her job because of her hands and she had no money for rent or groceries, so two ladies asked her to come take care of their mother and she stays with her 24 hours per day, and by the time her Social Security is taken out she has \$46.00 and she has all kind of expenses for doctors and medicine, also that her children are married and unable to care for her.

Mr. Olsen said the Indiana Vocational Rehabilitation is in the business of restoring people to as much workability as possible so Doctor Hoover doesn't have to worry about his money, since when he sends them a letter, followed up by their approval, as to what she needs to have done, they will pay for it.

Mr. Olsen asked Ms. Roll when she entered into the contract with Dr. Pavlick for her glasses and Ms. Roll said it was ten days ago.

Mr. Olsen said that Ms. Roll didn't advise the Trustee's office of this, and Ms. Roll said no, because she wasn't getting help from the Trustee and she thought she would have enough money for her glasses, also that she tried to talk to him but they wouldn't let her.

Commissioner Schaad moved that this case be referred back to the Trustee's office for proper guidance. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said that Ms. Roll should go back to the Trustee and they will get her the money for the bladder repair and that maybe she can scrape up the money for her glasses.

Charles C. Carroll....1420 Fountain Ave.....Pigeon Township....Ms. Bowling, Investigator

The Notice of Poor Relief Action from the Pigeon Trustee showed that Mr. Carroll asked for help of a non-food order, but was denied because he must have purchased the food stamps on the same day to be eligible for non-food, and that he will be eligible on April 3, 1978.

Mr. Carroll failed to appear before the Commissioners today, so no action could be taken by them at this time.

RE: COMPLAINT ON MARTINS LANE

Mr. Olsen said that he and his wife almost got killed on Martins Lane where there is a great big gap in the road, where a quarter section of the road is missing.

Commissioner Ossenberg said they have been involved in this for a long time, that there is an argument between two developers, that it is a private road, and the Commissioners have no control over it.

Mr. Olsen said he realized this but that perhaps the Commissioners could, in the future, stop the developers from doing things like this because someone is going to get killed.

Commissioner Ossenberg said the Commissioners have control over that now, but Joe Edwards and Mr. Jacobs both say the other owns it, that they have even threatened to hold back permits, but they don't get to do any more building out there.

The meeting recessed at 12:20 p.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

Secretary: Margie Meeks

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Paul Wendel

*Tom Ossenberg*  
*Bob Schaad*  
*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS  
MARCH 21, 1978

RE: AUCTION FOR SALE OF PLEASANTVIEW REST HOME PROPERTY

The Vanderburgh County Commissioners were in session today for the purpose of disposing of the real estate at Pleasantview Rest Home, by outright sale only.

Mr. Hugh Miller conducted the auction for Curran Miller Auction & Realty Co. which began at 1:00 p.m. at the site of the Pleasantview Rest Home.

Introductions were made and Mr. Miller distributed copies of the specifications to those interested parties and then proceeded to conduct the auction. He explained that the property consists of 20 acres, more or less, that the bidding is for the sale of the property only.

He said the property includes all window air conditioners; emergency lighting system; fire extinguishers, hoses and fire protection equipment; heating system with three boilers; two stainless steel-topped kitchen work tables; two wood-topped nice kitchen work tables; walk-in cooler; walk-in freezer; two ranges; dishwasher with dish table and trays; refrigerator; steam table; serving table; serving table with display and handrail; coffeemaker with stand; water fountains; drapes; blinds; and all laundry equipment located on said real estate will be included in the sale.

He said the printed terms of the sale read that the Commissioners of Vanderburgh and the Vanderburgh County Council reserve the right to reject any and all bids. The successful bidder, if any, shall deposit as security, a certified check or cashiers check for \$25,000.00, payable to the Board of Commissioners of Vanderburgh County at the site of the auction immediately after the conclusion of the bidding, which said sum shall be subject to forfeiture by the bidder in the event the bidder fails to comply with these terms and conditions of sale.

The abstract of title of said real estate may be examined at the office of the Auditor of Vanderburgh County during regular hours of said office.

Cost of the Abstract preparation will be paid by said Board and Council.

He said this is a change from the last sale which he thought to be in a positive direction.

Vanderburgh County shall be responsible for Insurance and maintenance cost occurring up to the time of the date of the closing of the transaction; the successful bidder will be responsible for all insurance costs, maintenance costs, taxes and all other expenses incurred thereafter.

He said, therefore, they will expect that the purchaser will assume the taxes as of the date of closing.

Said Board will deliver to the successful bidder a quit claim deed at the closing of the transaction upon the bidder's full compliance with the terms of these specifications. The closing shall be held within thirty days of written notice of bid acceptance unless otherwise mutually agreed in writing by said Board, Council, and bidder.

He said he wanted to clarify that the closing date shall be the date of possession. Said Board reserves the right to enter upon said real estate within thirty days from date of possession by the successful bidder for the purpose of preparing for and holding a public auction of Pleasantview Rest Home surplus personal property located on said real estate, and the bidder hereby agrees to permit said entering and the holding of such public auction on said real estate.

At the closing of the sale, the full purchase price, less the total security deposit of Twenty-five Thousand and 00/100 Dollars (\$25,000.00) shall be paid by certified or cashier's check.

The minimum bid that will be considered by said Board and Council is Three Hundred Thousand and 00/100 Dollars (\$300,000.00.)

All bids are made subject to the provisions of these specifications; by making a bid, the bidder agrees to abide by the provisions of these specifications.

Mr. Newcomb said the specifications read that the County will maintain the property up to the date of sale and he asked the County Attorney to clarify this and asked to what extent the County would take care of the roof damage.

County Attorney Wendel said that the County has all the maintenance obligations up to the date of the closing and this would include the patching of the roof if there are leaks.

Mr. Miller said he is now ready to conduct the sale but he wants to express his appreciation to those who have taken the time to prepare themselves to bid on the property, since he realizes that it takes time and energy to prepare themselves to bid and he wants to express his appreciation on behalf of Vanderburgh County.

He said the minimum bid, as specified in the specifications, is \$300,000.00 and he has had a gentleman who has been kind enough to give him a bid of that amount as a starting bid.

There were only two bidders and they were Mr. Newcomb and Mr. Flowers.

The highest bid was offered by Mr. Flowers at \$355,000.00.

Mr. Miller said they have been about two years getting to this point, so they don't have to get in too big a rush, so as to give everyone a fair and equal opportunity to bid on the property, that when the people are through bidding, they are ready to sell.

There were no more bids so the property was tentatively sold to Mr. Flowers, subject to the approval of the County Commissioners and the County Council.

Mr. Miller said with the property sold, the next appropriate action would be for the County Commissioners and the Council to get their heads together and say nay or yea to this bid.  
He again said that he wanted to express his appreciation to the bidders who have come out to participate in the auction.

After the Commissioners discussed the sale, Commissioner Schaad moved that the bid of Mr. Flowers be accepted in the amount of \$355,000.00, as far as the County Commissioners are concerned, on the adoption of the sale. Commissioner Willner seconded the motion. The vote was unanimous in the affirmative. The motion carried.

RE: DATE SET FOR AUCTION OF SURPLUS PERSONAL PROPERTY

Commissioner Ossenberg said the personal items at Pleasantview will be auctioned off on May 6th. at 10:00 a.m. by Kurtz Auction and Realty Co.

Commissioner Schaad then moved that May 6th. be the date for the sale of the personal items that have been declared as surplus by the County Commissioners, that the sale will be held at 10:00 a.m. at Pleasantview. Commissioner Willner seconded the motion. So ordered.

The Commissioners meeting recessed at 1:20 p.m.

RE: MEETING OF COUNTY COUNCIL

President Kollker then called the meeting of the County Council to order. He asked for a motion for the acceptance of the sale on Pleasantview.

Councilman Taylor moved that the \$355,000.00 bid of Mr. Flowers be accepted. Councilman Lutz seconded the motion. The vote being unanimous in the affirmative, the motion carried.

The meeting of the County Council adjourned at 1:25 p.m.

Mr. Flowers then submitted a cashiers check as a security deposit in the amount of \$25,000.00, as required and he was furnished with a Memorandum of Sale that was signed by both, the County Commissioners and the County Council members that were present.

Those present at the auction of Pleasantview Rest Home were as follows:

<u>COUNTY COMMISSIONERS</u>	<u>COUNTY COUNCIL</u>	<u>COUNTY AUDITOR</u>	<u>COUNTY ATTORNEY</u>
Tom Ossenberg	Harold Buck	Curt John	Paul Wendel
Bob Schaad	Dan Kollker	Margie Meeks, Sec'y.	
Robert L. Willner	Bob Lutz		
Doris Wolf, Sec'y.	Bill Taylor		
	Otto Niethammer		
	Vicki Bailey, Exec. Sec'y.		
Herman Hotz...	Superintendent of County Buildings		
Bob Brenner...	County Surveyor		
Jack Siebeking...	Superintendent of County Highway Dept.		
Ole J. Olsen...	Mr. Flowers Attorney		
Mr. Schaefer of Kurtz Auction & Realty			
Mr. Flowers....bidder			
Mr. Newcomb....bidder			
Mr. Miller and assistant of Curren Miller Auction and Realty			
Other interested parties			

\* Purchaser should read as Condo Enterprises of Evansville, Inc., of which Mr. Flowers is President.

*Tom Ossenberg*  
*Bob Schaad*  
*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
MARCH 27, 1978

The meeting of the County Commissioners was held on Monday, March 27, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

The minutes of the previous meeting were approved, as well as the minutes of the special meeting that was held on March 21st. for the sale of Pleasantview, both as engrossed by the Auditor. The reading of the minutes on both meetings were dispensed with.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CLERK OF THE CIRCUIT COURT & SUPERIOR COURT

Lucille Becking      5233 Carriage Dr.      Deputy Clerk      \$130.69 Pay      Eff: 3/25/78

LEGAL AID SOCIETY OF EVANSVILLE, INC.

Connie S. Jenkins      1242 Negley Ave.      Intern      \$130.00 Wk.      Eff: 3/21/78

SURVEYOR.....106

William Willis      P. O. Box 741      Project Engineer      \$12,480.00 Yr.      Eff: 3/27/78

Dennis Mosby      1631 S. Red Bank      Foreman      \$ 9,888.00 Yr.      Eff: 3/23/78

RE: EMPLOYMENT CHANGES.....RELEASE ... CLERK OF CIRCUIT AND SUPERIOR COURT

Mary Lee Methena      708 S. Bosse      Deputy Clerk      \$130.69 Pay      Eff: 3/25/78

RE: AUTHORIZED TO OPEN BIDS

County Attorney Wendel was authorized to proceed with the opening of the bids that were received for the Insulation of the under side of the roof at the Hillcrest Childrens Home.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by Heston Insurance Agency on Insured, the Morgan Avenue Church of Christ, for the use of the County Auditorium, dated 3/20/78 with the expiration date being 10/11/78.

A Certificate of Insurance was submitted by Carter Salisbury Insurance Co. on Insured, the Ambassador College/Worldwide Church of God for the use of the Vanderburgh Auditorium on 4/20/78 for Special Religious Services, which was issued 3/10/78 with expiration date being 7/1/80.

A Certificate of Insurance was submitted by Torian Insurance Agency, Inc. on Insured, George Clements, for the use of the Auditorium for a dance, the effective dates being from 3/25/78 to 3/27/78.

Certificates of Insurance received and filed.

RE: CERTIFICATES OF INSURANCE FOR PAST PERFORMANCES

A Certificate of Insurance was submitted by Greene & Greene Agency, Inc. on Insured, the Welborn Memorial Baptist Hospital, Inc. for the use of the Auditorium, effective from 7/1/77 to 7/1/78.

A Certificate of Insurance was submitted by Arthur J. Gallagher & Co. Insurance on Insured, the Catholic Diocese of Evansville, for the use of the Vanderburgh Auditorium, effective from 8/15/75 to 8/15/78.

A Certificate of Insurance was submitted by the Hartford Accident & Indemnity Co. on Insured, Watchtower Bible & Tract Society of New York, Inc. and Watch Tower Bible & Tract Society of Pennsylvania, etc. for the use fo the Auditorium, effective date being from 5/22/76 to 5/22/77.

A Certificate of Insurance was received from The American Insurance Co. on Insured, the Hodgini Dance School, for the use of the Vanderburgh Auditorium, dated 5/18/77 with the expiration date being 12/05/77. All Certificates received and filed.

RE: CERTIFICATE OF INSURANCE ON VAN FOR SHERIFF'S DEPT.

A Certificate of Insurance was submitted by Torian Agency, Inc. on a van that was purchased by the Kiwanis Clubs for the Sheriff's Department Youth Development and Assistance Program, which comes under the County Insurance, and expires 1/1/79. Certificate of Insurance received and filed.



RE: RE: VACATION OF ALLEY - ATTORNEY ED JOHNSON, JR.

Mr. Ed Johnson said they filed a Petition this morning, with the Auditor's office, to vacate a portion of an alley. He submitted a copy of the Petition and said that it is his understanding that if the Petition is in order, what they do this morning when they present it is to set a time for a final hearing so they can advertise, and to appoint three disinterested persons to be viewers of this particular property. He said this particular property is located between Court Street and the L & N Right of Way and this alley-way isn't developed at all.

County Attorney Wendel said this vacation needs to be advertised once and that it is the petitioner's responsibility.

Mr. Johnson said he has a Notice on the Petition and asked for the Auditor's signature on it, so he could set a time for the final hearing, that he also has another petition for the appointment of three disinterested viewers. He said if they set the meeting for three weeks from today which is April 17, 1978, that this would give them enough time to get it advertised. The Commissioners agreed that April 17th. be the date for final hearing on the vacation of this alley.

Mr. Johnson suggested they use Jim Helfrich, Earl Daum and Francis Miller as viewers, since they used these men as viewers before and he asked if they would be acceptable.

The Commissioners agreed that these men be acceptable as viewers.

RE: REQUEST TO TRAVEL....VETERAN SERVICE OFFICER

The following letter of request was received by Commissioner Ossenberg from Mr. Moran:

Dear Sir:

Per our telephone conversation this date, I request travel pay to and from Indianapolis, Indiana on March 22, 1978.

Thank you, Robert J. Moran  
Service Officer

Commissioner Ossenberg said that Mr. Moran had an emergency to take a veteran to Indianapolis.

Commissioner Schaad moved that the request of Mr. Moran be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....EXECUTIVE ASSISTANT TO COUNTY COUNCIL

Ms. Vicki Bailey appeared and said that she is requesting travel by plane to the Negotiating and Administering Federal Grant Programs which will be held in Chicago on May 25th and 26th at the Sheraton Plaza Hotel and explained that it involves seeking and managing federal grants, and that it will be very beneficial to the County as well as to her, that the course costs \$265.00, that the plane fare is \$90.00, so the approximate figure needed will be \$440.00 which will include her food and lodging.

Commissioner Ossenberg said this is a federal grant program and he thought that Ms. Bailey should attend. He asked Mr. John if Mr. Kollker had said anything to him about Ms. Bailey taking this trip.

Mr. John said no, that he told Ms. Bailey that she should first come before the Commissioners and if they grant her permission to go, then they can either take the money from the Commissioner's budget or they can request that she go before the Council to get the money, that she must also get Council's approval to take this trip. He said it is a good program and will more than pay for itself.

Commissioner Willner moved that Ms. Bailey be permitted to go, subject to Council's approval. Commissioner Schaad seconded the motion. So ordered.

Mr. John said that Council approved about \$40,000.00 in a Property Account under the Council's budget and it would probably be easier to transfer that and have a Travel Account in their budget, which wouldn't need state approval.

Commissioner Ossenberg said this is probably the proper thing to do because he knows that County Council was taking money out of the Commissioner's Advertising Account and transferring it over to a Travel Account.

Mr. John said this is the way they will do it then.

RE: OPENING OF BIDS

There were two bids received on the Insulation of the underside of the roof at the Hillcrest Children's Home. They are as follows:

Peyronnin Construction Co., Inc.  
Base Bid.....\$6,925.00  
Alternate....\$2,720.00  
Total.....\$9,645.00

Baker, Inc.  
Base Bid.....\$6,651.00  
Alternate....\$3,579.00  
Total.....\$10,230.00

Subject to availability of material

Commissioner Schaad moved that these bids be referred to Mr. Hotz for one week, so he and Mr. Stephen can get together and look them over so a recommendation can be made. Commissioner Willner seconded the motion. So ordered.

RE: GARNISHMENT OF WAGES

A Notice of Garnishment of wages was received on a Peola Cage a/k/a Janice Sue Boyd, who is a CETA employee in the County Treasurer's office.

Mr. John said he made an appearance on this last week with the Treasurer in the Small Claims Court and they said they had worked out some deal with this woman, whereby she would start paying what she owes. He said she had been unemployed for some time and it was in the newspaper that she had gone on the CETA program, so all her creditors made their presence known. He also said he told them that she was a CETA worker and the amount of pay she received, since this is usually the only purpose for the order to appear, that he believed there were about five different creditors, but he didn't know that she had two names.

RE: LETTER ON COST ESTIMATE FOR BASEMENT STORAGE

The following letter was received by Judge Lensing from Mr. Ruston of the Building Authority on the cost estimate for basement storage that Judge Lensing requested:

Dear Judge Lensing:

About a week ago, you asked us to get prices together on enclosing an area in the County storage room in the basement.

We have estimated a space of approximately 12x9x9 close to a column as you enter into the rear County Courts storage area.

The necessary steel wire paneling and accompanying 3-ft. door, installed, would approximate \$980.00. This price is guaranteed through March 30, 1978.

Before we could proceed with this area, however, we should have a clearance on the actual space you desire from the County Commissioners as well as the authorization for the money to do the construction mentioned above.

Sincerely, C. G. Ruston  
General Manager

PS: The above steel fencing to be 7-ft. high.

Commissioner Ossenberg asked Mr. John if they have money for this or if they would have to appear before the County Council.

Mr. John said he didn't know of any money unless it would be in Mr. Hotz's budget.

Mr. Hotz said they have a problem here and asked what they would do with the records of the Justice of the Peace that are in that area now.

Commissioner Ossenberg asked what they ever found out about the Conrad Baker Foundation, in storing records over there.

Mr. Hotz said that Conrad Baker has some storage area available on a short term basis, that they didn't want any long term storage, but they didn't say why.

Commissioner Schaad said they have talked about this before and he thinks the whole area down there needs to be looked at, that someone should be put in charge and be responsible for it, or to get the various officeholders to go through whatever they have stored down there to see what can be destroyed and what must be kept and get it organized, since he is sure it isn't now and it is going to have to be done sooner or later, because there is more and more down there all the time and there are more and more problems.



Commissioner Ossenberg said what he thought he would do then is to write a letter to the different officeholders, asking them to go through their spaces down there, but they will still have to go before the Board of Public Records to see if they can actually be destroyed.

He asked them, what they should do about the request of Judge Lensing, since the quoted price is only guaranteed thru March 30th. He said he thought Mr. Hotz could work out something with the Conrad Baker Foundation for a short time deal, that he didn't know how anyone ever entered into a contract with an organization that only pays the County a dollar and the County owns the building and can't use it. He said that sometimes he is getting sick of some of the past contracts.

Commissioner Willner asked Mr. Hotz if he had the money to do this remodeling and Mr. Hotz said that he did.

Commissioner Schaad moved that the remodeling be approved in the amount of \$980.00. Commissioner Willner seconded the motion. So ordered.

RE: LETTER ON REMODELING IN JUVENILE COURT AREA

The following letter was received by Judge Lensing from Mr. Ruston of the Building Authority on a cost estimate for remodeling in Juvenile Court area:

Dear Judge Lensing:

Several weeks ago, you inquired about possible remodeling of the entrance to the Probate Division Office which would eventually serve as a reception office for the Juvenile Court area.

We quote as follows:

Approximately 18-ft. of vinyl wall with one (1) 32" door frame, no door.  
One (1) information window to be cut through plastered wall and fitted with proper size glass.

.....\$1530.00

Price guaranteed only through March 30, 1978.

If you desire us to go ahead with this, we would need authorization from the County Commissioners for the following:

- (1) Reallocation of space.
- (2) Expenditure.

Sincerely, C. G. Ruston  
General Manager

Commissioner Ossenberg said that Judge Lensing didn't talk to him about this and he didn't think he had talked to either of the other Commissioners either.

Commissioner Schaad asked Mr. Hotz if he had enough money to cover this.

Mr. Hotz said he has some money, but with the insulation coming for Hillcrest, he may need to go before Council to get more money for other maintenance.

Commissioner Ossenberg said he believed the procedure in the past has been that if these Judges request things, that it has been necessary for them to go before the County Council to ask for their approval, but of course, they are giving a March 30th. deadline on the quoted prices which is only three days away. He asked Mr. Hotz if they are coming up for a new contract or something, by March 30th. being the deadline for these prices.

Mr. Hotz said he thought that after March 30th. there is a general overall price increase on materials.

He asked if the contract for the insulation can be approved, subject to financing.

Commissioner Ossenberg said they can't let a contract that way, that the money has to be available.

He recommended to the other Commissioners that this request be denied and in the future, he will talk to head Judge, Terry Dietsch, since if the Judges want money continually in this building, then the Council will have to give Mr. Hotz more money in his account, that he didn't think that much of his money was spent in this particular building but he has come to find out that it was, and the installation of insulation for Hillcrest has been a problem for sometime and that is more important than this, so he is asking that the Commissioners deny this request and he is going to talk to Judge Dietsch and ask that any requests they have coming from the Courts and also from Judge Miller, that they have approval of the County Council before they come

to the Commissioners, since they can't deplete Mr. Hotz's account for other things, and they may have an emergency at any one of the County buildings that will have to be taken care of.

Commissioner Schaad moved that this request be denied and that Commissioner Ossenbergh talk to Judge Dietsch about the procedure in the future. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT FOR OFFICE SPACE IN AUDITORIUM...TOURIST & CONVENTION CENTER

County Attorney Wendel submitted the contract for the rental of space in the Auditorium for the Tourist and Convention Center.

He said it is for a one-year period, with the starting and expiration period left blank, which is yet to be determined, the rent being \$200.00 per month for a total of \$2,400.00 for the year and it provides that either party can cancel the lease on a sixty-day notice and there is another part in there that hasn't been discussed and this is parking and what provisions they have for access to their office.

Mr. Dewes said he can't see any problems on either.

County Attorney Wendel said it also provides that the Commissioners will provide the air conditioning and heating, but the period of time for these hasn't been discussed, that the Commissioners will also furnish the water, but any remodeling that needs to be done, will be done by the Convention Commission or they will do it with the Commissioners consent, that they will also supply their own telephone.

The tentative date set for the contract to go into effect is April 10th, 1978 and will be in force for one year.

Mr. Leonhardt said he reviewed the contract and he doesn't have any questions on it but that he will take it before the Tourist and Convention Commission.

Commissioner Ossenbergh said he thought the Commissioners would hold up on this since he hasn't read it, but that the Commissioners will let Mr. Leonhardt sign it before the Commissioners sign it and they will sign it after they get the appropriation that is necessary.

He asked County Attorney Wendel to bring this matter back up.

RE: CLAIMS

A Claim was submitted by the American United Life Insurance Co. for Life Insurance Premium on employees of the Sheriff's Department for the year of 1978, in the amount of \$10,000.00.

The total premium due is \$12,426.61 but the claim is for \$10,000 since this is all they have in their account.

This claim was presented to the Commissioners last week but was held up for an explanation.

Mr. John explained that this was a policy the Sheriff's Department had before the County had a Life Insurance policy and the difference of the \$10,000.00 and the \$12,426.61 is paid out of a retirement account they had administered at Citizen's National Bank, that this is done every year.

Commissioner Schaad moved that this claim be approved in the amount of \$10,000.00. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by Robert Moran, the Veteran Service Officer, for a round trip to and from Indianapolis, plus meals, while on Veteran's business, in the amount of \$56.64.

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

A Claim was submitted by County Attorney Ed Smith for his office allowance for the month of March, 1978, in the amount of \$166.67.

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

A Claim was submitted by County Attorney Paul Wendel for his office allowance for the month of March, 1978, in the amount of \$166.67.

Commissioner Schaad moved that the claim of County Attorney Wendel be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FROM ELECTION BOARD...ELECTION PRECINCT BOARD PAYMENT

The following letter of request was received by the Commissioners from Shirley Jean Cox, last week:

Gentlemen:

We would hereby request that your Board make proper record and ruling regarding the payment of Election Precinct Board in the 167 precincts for the Primary Election to be held May 2nd. 1978, as follows:

Inspectors.....\$55.00      Republican Judge.....\$30.00      Democratic Judge...\$25.00  
Clerks, Sheriff's and Assistant Clerks.....\$25.00

This matter was deferred last week, since Commissioner Willner thought these amounts to be \$5.00 under the legal limit, so it was held until County Attorney Wendel could check on it.

Commissioner Ossenbergs said that according to a new law, 3-1-5-15, they can request that the pay for the fall election be \$60.00 for the Inspector and \$30.00 for the Judges, Sheriff's, Clerk's and Assistant Clerks.

Commissioner Willner moved that the set amounts be approved for the Primary Election, with the request to be made, raising the pay for the Fall Election, as allowed. Commissioner Schaad seconded the motion. So ordered.

RE: NOTICE OF SALE FOR SURPLUS ITEMS

Mr. Hotz submitted a Notice for the sale of the Surplus items that is stored in the Pleasantview building, and said that it is to be advertised on March 30th. April 6th. 13th. and 20th., 1978, and they have agreed that the sale will be held on Saturday, May 6th. at Pleasantview, starting at 10:00 a.m.

Commissioner Schaad moved that this Notice of Sale be approved and that the Auditor be authorized to advertise for the sale. Commissioner Willner seconded the motion. So ordered.

RE: MR. JUDD

The following letter of recommendation was received by the Commissioners, from Mr. Judd, on the Airport Emergency Entrance on East view Drive:

Board of County Commissioners:

It has been requested that parking be removed from one side of Eastview Drive to facilitate easy access to the emergency entrance of Evansville Dress Regional Airport.

Upon investigating it is my recommendation, as a safety precaution, the parking be removed from the NORTH side of Eastview Drive from Oakhill Road to the emergency entrance.

The Board of County Commissioners approval is requested.

William T. Judd  
Traffic Director

Commissioner Willner moved that Mr. Judd's recommendation be approved. Commissioner Schaad seconded the motion. So ordered.

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: MR. SIEBEKING....COMMENT ON ROADS

Mr. Siebeking said, as everyone knows, they have had a lot of problems with the roads that are deteriorated, that they had to close two of them over the weekend and they were on them the first thing this morning, trying to get them opened up. He said they have more or less let other things go for the time being, because they are trying to get these roads so they are passable, so hopefully, they will have this done in a day or two.

He said that Burkhart Road, Old State Road and St. Joseph Avenue are in bad need of repair, that he never saw roads to go to pot as fast in his life, as they are right now.

RE: NEW PICK UP TRUCK RECEIVED

Mr. Siebeking said they have received the new pick up truck this past week that was ordered in January and he wondered what the Commissioners wanted to do with the old pick up truck that they had from Pleasantview.

RE: REQUEST FOR ROAD PAVING MACHINE

Mr. Siebeking said he needs a road paving machine so they can work on the County roads.

Commissioner Ossenberg said the Commissioners had discussed this and they are all in agreement, that he talked to Mr. John who said they can take it out of that Capital Improvement Account made up of the proceeds of the sale of both the old Boehne Hospital and the Pleasantview Rest Home, so he told Mr. Siebeking to make his request so the Commissioners can make a motion.

Mr. Siebeking requested permission to write a letter to Mr. John, to go before Council, requesting funds of approximately \$80,000.00 for a new road paver that would handle either hot or cold mix and that this money be taken from the Cumulative Capital Improvement Fund.

Commissioner Willner moved that permission be granted. Commissioner Schaad seconded the motion. So ordered.

RE: WAR DECLARED ON POTHOLE

Commissioner Willner said they really have an emergency out in the County and that they should declare war on potholes, that a week ago he became a P.H.D., that this isn't a physician, that it is a Pot Hole Dodger, and today, there is no use dodging them because they are all over the place.

He said he wondered, as soon as the weather gets right, if they couldn't even use the Surveyor's CETA people and get out there and patch those roads, because they have to do something and they may as well face it.

Commissioner Ossenberg said he wanted to request of Mr. Guillaum, that when the weather breaks, that his crews work with the County Highway on the pot holes for a week or two, whatever it takes to get them repaired.

Mr. Guillaum said they will help in doing whatever is necessary.

Commissioner Ossenberg said it was particularly called to his attention this week, where a man had a \$3,400 wreck in a head-on collision and fortunately no one was hurt, on Burkhart Road between Division Street and Morgan Avenue, because of the condition of the shoulder, so something is also going to have to be done on the side of those roads, even if it is a temporary thing, so he thought they would have to declare an emergency.

Commissioner Willner said if the County Highway doesn't have enough trucks, he would suggest that they rent a couple more.

Mr. Siebeking said if they can use some of the County Surveyor's CETA employees, he can put one of his truck drivers in a truck and one or two of the CETA people and they can get a lot done, since if they have the manpower, they can put them all to patching the roads.

He said due to the condition of the roads, they have been having to back in to the holes, put the rock down and hand-work it out, since this is the only way they can do it.

Commissioner Willner said he had a call on Schroeder Road and Kirchoff Road this morning, that the water is now going under the road.

Mr. Siebeking said this past Friday night, St. Joe was under six inches of water, that this is the problem and cold mix comes right out, so they have been using rock, but with it as wet as it is, this comes out too, so it has really been a losing battle, so they have been doing the best they could.

RE: MR. GUILLAUM...REPORT ON GUARD RAIL

Mr. Guillaum said that with his CETA crew, in the past four days, they have put in

523 lineal feet of guard rail, so what this amounts to is approximately 1,000 feet in the past eight days, so their supply is about wiped out, that he put in an order, last week, for about \$13,000.00 worth of rail which will be one-half of the order for posts and rails, so they will have 5,000 lineal feet all together, which should hold them for awhile, that they are going at approximately 100 feet per day. He said they got this at a pretty good price and they also got a discount on it, that it comes under the bridge account and he can keep pretty good track on it because he has a weekly rundown on it and he is keeping a tally on it, so he knows where it goes.

Commissioner Willner said he would like for it all to come out of the bridge account, because they need every penny they have, on the roads.

Mr. Guillaum asked Mr. Siebeking if he anticipated that maybe they would get on the backhoe next week.

Mr. Siebeking said it is being worked on this morning, that they have it off his equipment and are now putting it on Mr. Guillaum's equipment, so he should have it done tomorrow, if they don't run into any problems.

RE: KLEITZ ROAD

Mr. Guillaum said they ran into a snag while working on Kleitz Road, with one of the property owners who said he was supposedly representing all the people out there, but he wasn't, that he talked to the other people, but never-the-less, if they can't get any right of way from this man, what would be the channel to take. He said they thought about just shelving the project, rather than to go through condemnation, but he feels that maybe the German Township Booster Club may be able to talk to him and encourage him to go along and give them the right of way that they need, that it is the man right on the curve whose name is Schmitt.

Commissioner Ossenberg asked Mr. Guillaum if he has tried this yet.

Mr. Guillaum said they are working on that right now, that the bad thing about it is that all the people out there on that curve are in favor of it, except for him.

Commissioner Ossenberg said that Mr. Schmitt came in last week, after saying okay, that he would give the County the right of way, and then came in and said he was representing everyone, which they found out wasn't true.

Mr. Guillaum said that he talked to everyone out there that he had any right of way from, and also a Dr. Wallace who owns some land out there, and he said that he would try to talk to Mr. Schmitt, but never-the-less the people were 100% in favor of the new project, that Mr. Schmitt appeared more concerned about the cars speeding out there and running off the curb, than he did about the money.

RE: REQUEST TO ATTEND ROAD SCHOOL

Mr. Stephen said that Road School has been re-scheduled in Indianapolis and he presumed that he would attend.

He also said that there is a Traffic School being put on at Purdue on signing, such as the one Mr. Siebeking attended two years ago, that it will be held from April 10th. thru April 13th., that the City had gotten information on this, that the cost per person is \$190.00, all picked up by a Safety Foundation, along with the food and lodging, for this four-day school, that about four are going from the City. He said that the City had to have the applications in, so he told them he wasn't sure and put down for two from his department, subject to the Commissioners approval, that if the Commissioners didn't want anyone to attend, they could cancel their reservations, but they did have to have the applications in, but the \$190.00 will be paid for by the State Highway, along with the food and lodging, so there will be no cost to the County.

Mr. Judd said he has had no notification of the school, that maybe Mr. Lochmueller has received it.

Mr. Stephen said that he actually put down himself and his new draftsman, but he didn't really think the draftsman was the one to attend the school, so the other reservation can be for Mr. Judd or whoever the Commissioners want to go.

Mr. Judd said that he would check to see if reservations have been made for him or not.

Commissioner Ossenberg asked when the Road School has been re-scheduled for, that he received a notification on it.

Mr. Stephen said that the Road School will now be held on April 18th. & 19th. and that it is up to the Commissioners as to if they want someone from the Engineering Department to attend.

Commissioner Ossenberg said he thought that Mr. Stephen should attend the Road School.

Commissioner Schaad moved that Mr. Stephen be permitted to attend the Road School that will be held in Indianapolis on April 18th. & 19th. Commissioner Willner seconded the motion. So ordered.

RE: PROBLEM WITH SURFACE DRAINAGE

Mr. Stephen said they have a problem of surface drainage within the streets and that Mr. Siebeking should be involved in this along with the City, that he would like to get it resolved and find out what way they are going to go on it in South-view Park which is unrecorded.

He said this happens to be the same area where the alley is being vacated, and they have a couple of problems, that about five or six years ago, the County did grade some side ditching, that before that time, a man on the South side of Walcott, East of Vanness, had water coming across the road and running under his house, that the County graded the side ditches and resolved the problem, and since then, he is back with the same condition existing, because a man on the one side built a pole building on one side and another man put two drives in, not to the County specifications, by not even putting a tube under there, that the side ditch was graded out to keep the water from running under the other man's house.

He said the water also comes down the alley and a man has built in the ditch under there and filled the ditch back in without the benefit of a tube, so it ends up again that they have water running across the road.

He said he called the man and told him that he must have tubes under his drives, but he got no cooperation what-so-ever.

Commissioner Schaad said if he doesn't fix it as it should be, then they will just go out and dig it out.

Mr. Stephen said this is what he is recommending, but that he would call him again.

Commissioner Schaad said that Mr. Stephen should tell him that if he will supply the pipe, the County will put it in, but if not, the County will just dig the ditch and leave it, since they do have to get the water to go down the side of the road.

Mr. Stephen said the other problem is on the corner that the City has been involved in, that he and Mr. Siebeking went out there and one man isn't hooked to the sewer, that one of his men called him this morning and he has made arrangements to get hooked into the sewer.

He said he doesn't know what has happened there but that they have water just oozing out of the ground and laying there, which is because something is full, so someone is going to have to dig down there and find out what happened, but they want to get the man hooked on to the sewer before they start disturbing anything.

He said that the City has looked at this and they need some kind of a ditch along there, they asked Mr. Koch who owns one of the buildings, to let the water get dumped over there to a ditch but he will not permit it, and they have all kind of problems out there.

After further discussion, Commissioner Schaad said this isn't a legal drain and it isn't along a County road right of way, that it isn't the County's baby, but he supposed they would have to live with it, since if it is going to damage the County roads, they are going to have to do something about it.

Commissioner Ossenberg said what he wanted right now is for Mr. Stephen to get Eifler and go out there and see how that sewer is set in there. He said the man's name is Bill Harty who lives at 4112 Cort, at Vanness, who built the new apartments out there and he has called him several times but the Commissioners aren't involved in sewers and he told him that the Commissioners aren't going to get involved with any expense on something they lay out there, that the City of Evansville is going to share that expense. He said the way this is going to get resolved as far as he is concerned, that he had his attorney here today and they are going to end up in court, that he actually knows this because he has been out there, so they better get Mr. Eifler to get with Mr. Stephen and get out there on that sewer, because that sanitary sewer was laid wrong in there and they've never had problems and he bets they cut some tile, that the contractor should be involved.



He said he is telling Mr. Harty constantly that the sewer isn't the Commissioners problem, that the drainage is in a certain respect, but when it comes to a sewer, it is the contractors, the City of Evansville and the property owner's problem. He told Mr. Stephen that when he goes out to look at it, he thinks he will find that where the water is coming up, there has been some tile.

RE: PROBLEM ON EISSLER ROAD

Mr. Stephen said that Joe Mattingly wanted to size a pipe, that the pipe to his drive deteriorated and he wants to put a new one in, so they went out to take a look at it and he informed them, that on up the road, East, there was a pipe under the road at one time that conducted some of the water under there. He said that Mr. Siebeking has the material and will put the pipe back in, but he wanted to point out that they only had a total of about 15 acres draining under these drives before they took the pipe out and this dumped another 23 acres down there, making it a total of about 39 acres and he didn't think the people there should be penalized to handle that kind of water so if he puts the pipe back, then they can use a smaller pipe under there, but he wanted to be sure that the Commissioners knew about the situation before they went out there.

Commissioner Willner said that the man already has his pipe laying there and Mr. Stephen said yes, but it is too small, that an 18 inch pipe isn't big enough and if he is putting a new one in, how can they tell him that it should be larger, since he should use a 24 inch pipe.

Commissioner Willner said he should check on this before they put the pipe in.

RE: PROBLEM ON WEISS ROAD

Mr. Stephen said that a lady called, stating that two new houses are being built out on Weiss Road on the North side and he is going to have to ask Mr. Siebeking to do some side ditching, that they have two new homes going in side by side but neither has made application for a driveway permit, nor have they put a pipe in the ditch, that he hasn't had a chance to follow up on it but he is going to find out who they are, so he can call them and tell them they need to have driveway pipe put in and that they need to do some trenching when this is done. He also said the one house has three tubes sticking out at the side ditch, that he presumed one to be an overflow from a filter pad, another could be a drain from the basement and the other probably from the gutters, but this isn't a very good situation, that there is an existing tube farther down the hill under the road that the water should get to, but as it is, the water is running across the top of the road, but he will follow up on this matter.

RE: MR. GUILLAUM ...COMMENT ON CHUCK HOLES

Mr. Guillaum asked the Commissioners if any consideration been given to maybe some help from private contractors on any repairs of the chuck holes and such.

Commissioner Ossenbergs said they may do that, since it depends on how far they get, that they may also have to go this route.

Mr. Guillaum said he wondered because he knows that it is really an extensive problem on any road traveled, that the roads are as bad as he has ever seen them, but this is something the Commissioners may want to think about.

RE: ST. JOE AVENUE PROJECT

Commissioner Schaad asked Mr. Stephen if everything has been resolved on the St. Joe Avenue Project and if he has written a letter to them that will satisfy them.

Mr. Stephen said he is writing the letter today, since he now has the information needed, so he will mail it today. He said they sent him down a plan that had the various parcels that will have to be obtained, that most of them are nothing more than temporary right of ways back on the people's property to construct the drives, but there are five in which purchases will probably have to be made. He said he thinks this will resolve everything and they can go ahead with it.

RE: LYNCH ROAD PROJECT

Commissioner Schaad wondered if Mr. Stephen had heard of any scheduled hearings on Lynch Road, but Mr. Stephen said he hadn't heard anything as yet.



Commissioner Ossenberg said he believed that Mr. Lochmueller told him that they found some kind of settlement so he thought they have everything straightened out to their satisfaction, so the hearing will be sometime soon.

RE: POOR RELIEF

James Alan Day...412 W. Mill Road....Center Township....Ms. Winiger, Investigator

The Notice of Poor Relief Action from Mr. Schmitt, the Center Township Trustee, read that Mr. Day made application for medical help but was denied because of Over Income. It stated that the reason Mr. Day has requested a hearing is because Welborn Clinic is requesting \$140.00 per month payment and with his present obligations, he can afford only \$40.00 per month, that his income with present obligations and seven dependents, it doesn't afford him that kind of allotment to pay Welborn all or most of the \$3,000 bill, that most of it should be paid by the Trustee in light of these circumstances.

Mrs. Day appeared for her husband and stated that they have five children and are expecting another one in the fall, that they are still paying for their last baby and they have to pay for the next one, that right now they are paying \$50.00 on medical expenses and they expect this to go to \$75.00 in the fall when they have the baby. She said that her husband works at George Koch & Sons and has been there for about six months now and their insurance went into effect four days after the child was released from the hospital, that it had spinal meningitis, that the \$3,300 bill which was incurred, is one-fourth of their income for a year's time and they have no savings. She submitted a budget and said that it shows there is just no place they can draw any money from and they are charging them \$42.00 per month interest, that it is at a 18% annual percentage rate and they want them to pay \$140.00 per month to the hospital, and the doctor bill at the Clinic is \$481.00 and he is demanding this amount in full right away, that this can't be made on payments, and the hospital bill is \$2800.00 and they want the \$140.00 per month and \$42.00 of it would go for finance charges and they can't so this since they don't have the money. She said her husband's take home pay is \$196.00 per week, also that the baby that is coming won't be covered by Insurance because the baby will be born before the ten month period as required by the Insurance Plan. She said that she is going through St. Mary's Clinic so the doctor bill will be free and there will be a discount on the hospital bill, based on his income at the time the baby is born, but they do require that \$25.00 is paid per month per child, plus another \$25.00 for doctor and dental expenses which are not covered, that this doesn't include immunizations or physicals because she goes through the Health Clinic with the three small children and the two older ones got their physicals at school upon entering.

Ms. Winiger said that the Trustee figures that anyone who is on a \$14,218.80 income per year, that they can't figure that it is the taxpayers responsibility to add anything to this sort of amount. She said that the people want to know everything before there is even an investigation, but they can't really answer them since they don't really know until after an investigation is made.

Commissioner Ossenberg asked Ms. Winiger if Council didn't put the money into the Welfare Department for the hospitalization.

Ms. Winiger said they did but the Trustee must do all the investigating before they even consider it. She explained that this family is on the WIC program where they get milk and cheese and the children get free lunches at school, that is the two older children that are in school.

Commissioner Ossenberg asked what the income is for seven people on the Welfare Department's formula that is allowed.

Ms. Anslinger called the Trustee and found that the amount allowed for seven people to be \$625.00 per month.

The Commissioners wondered if they couldn't get the hospital to waive the interest charge.

Commissioner Willner moved that this case be referred back to the Trustee and ask the Trustee to call the hospital to see if the interest can't be waived and if they can't get this straightened out, that if they can't, she should come back next week, since he thinks it is awful that they charge interest. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said if they are going to have to pay interest plus what they owe, they aren't going to be able to get their heads above water.

Commissioner Ossenberg said he would also suggest that the Trustee call Welborn Clinic because he has never known them not to work with people, that he was sure if the Trustee called the two institutions, that they would work it out, but if not, Ms. Day should come back. He said if Mr. Day agrees to pay so much and the hospital agrees to drop the interest, they can work it out, also that Ms. Day should tell Welborn Clinic that she has come before the Commissioners and they are going to have to work with them, that this is all there is to it. He also said the Day's may possibly be eligible for food stamps.

Ms. Winiger said they could get a subsidy on their house rent, but they would have to go to public housing with utilities furnished, that they have facilities for this size family, but they must get their application in, that they will pay \$203.00 for a family of seven if the utilities are furnished.

The Commissioners asked Ms. Winiger to take Mrs. Day downstairs now to see if she is eligible for food stamps.

Carole Page...1214 Edgar Street....Pigeon Township....Ms. Anslinger, Investigator

The Notice of Poor Relief Action from the Pigeon Trustee read that Ms. Page made application for help on hospital bill but was denied because her income exceeds limitation allowed by the Department of Public Welfare. It stated that the reason Ms. Page requested a hearing is because she recently incurred a \$700.00 hospital bill which she is unable to pay due to her low income, that she works in the NYC Program which limits her to only 27 hours per week at a rate of \$2.65 per hour and that this program offers no insurance benefits.

Ms. Page submitted her bills to the Commissioners. She said she wasn't married and has no other dependents and they told her that if she made over \$175.00 per month, no one could help her, that with utilities, rent, food and bus fare, she can't pay it.

Commissioner Ossenberg said this is a federal law, that this is the amount allowed.

Ms. Page said she is waiting to get in at the Area Industrial Institute, that she is on the waiting list, that her take home pay is \$134.44 every two weeks, that she has been on the NYC Program for ten months and before that she worked at a Food Vending Corporation, that she left there because she didn't like the work, that she now works in the City Clerk's office for the NYC Program, also that she shares the rent with another girl and her share is \$30.00 per month, and that they haven't received a utility bill as yet, that they have lived there for almost two months. She said what she is doing is waiting to get in the Area Industrial Institute to get her high school diploma and to get secretarial training, that the pay is only \$2.65 per hour also, but yet it is training, so she can get a better job, that her counselor told her that her name is on the waiting list and it is just a matter of time. She said she was in the hospital for four days with a staff blood infection.

Commissioner Ossenberg said unfortunately, there isn't anything the Commissioners can do about it, since her income exceeds the \$175.00 per month, that about all he knew to do would be to refer it back to the Trustee and ask Ms. Anslinger to call the hospital and ask them if she can pay if off a little at a time.

Ms. Anslinger said she could talk to the Board of Health, so Commissioner Ossenberg asked her to talk to Mildred Knodel at the Board of Health, since they may have a program where they could help her.

Commissioner Willner moved that this case be referred back to the Trustee and asked Ms. Page to work with Ms. Anslinger, that maybe they can work something out. Commissioner Schaad seconded the motion. So ordered.

Lester Douglas.....416 Chandler Avenue...Pigeon Township...Ms. Vitatoe, Investigator

The Notice of Poor Relief Action from the Trustee read that Mr. Douglas made application for rent but was denied because he must pay his rent if the Trustee pays his utility bills.

It stated that the reason Mr. Douglas requested a hearing was because he is unemployed and can't pay his rent.

Mr. Douglas failed to appear before the Commissioners, so not further action could be taken today.

RE: LYNCH ROAD PROJECT

Commissioner Schaad asked Mr. Lochmueller what the status is on the Lynch Road project as far as the hearing is concerned.

Mr. Lochmueller said it is strictly in the state's hands, that they now have all the information they need, that he will be in touch with them today, that they will have to start obligating the money, that it has been through the finance committee, but he will have to re-submit the application.

RE: STATUS OF AMENDMENTS TO SUBDIVISION ORDINANCE

Mr. Moreley asked what the status of the Amendments to the Subdivision Ordinance is, as to exactly where it stands. He said it stated in the newspaper that it was adopted and passed but yet, he asked Mr. Stephen a couple of things about the wording and he said that it was going to be brought up.

Commissioner Ossenberg said it was passed to be set for public hearing but they don't really have to have a public hearing, but all due respect, the home builders have asked to meet with the Commissioners, so if it can be arranged, he is going to have the Commissioners meet with the engineers and the home builders but this date has not been set.

Mr. Moreley said he would like to have some input into this, that he read through it and there are a few things in there that seemed not to be quite possible to enforce it exactly as it is written and it seemed to him that they should work out the wording first, rather than to kind of twist the meaning and go ahead with it, that he doesn't have any big objections to anything in it, but he has some problems with some of the wording.

Commissioner Ossenberg said that when he gets this thing set up, he will have Ms. Wolf advise him as to the time and place of the meeting.

Mr. Moreley said that in the meantime, he will go ahead write up some of these things and give them to Mr. Stephen so he can go over them.

The meeting recessed at 11:40 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Paul Wendel

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

165

COUNTY COMMISSIONERS MEETING  
APRIL 3, 1978

The meeting of the County Commissioners was held on Monday, April 3rd. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Pete Swaim opened the meeting, this being the first meeting of the month.

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

RE: CONTRACT AWARDED...INSULATION AT HILLCREST

Two bids were received last week for the Insulation of the underside of the roof at the Hillcrest Children's Home, which were referred to Mr. Hotz for one week so he and Mr. Stephen could study them and make a recommendation.

The bids were from Peyronnin Construction Co., Inc. for Base Bid in the amount of \$6,925.00 and alternate at \$2,720.00 or a total of \$9,645.00, and from Baker, Inc. for Base Bid of \$6,651.00 and alternate at \$3,579.00 or a total of \$10,230.00.

Mr. Hotz said they have studied the bids and would recommend that the contract be awarded to Peyronnin Construction Co. on the six inch insulation in the amount of \$9,645.00, and that Mr. Stephen concurs with this.

Commissioner Schaad moved that the Contract on Insulation for the Hillcrest Children's Home be awarded to Peyronnin Construction Co. in the amount of \$9,645.00. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Marilyn S. Friedman	1217 Burdette	Planner	\$10,662.00 Yr.	E66: 3/27/78
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BURDETTE PARK

Robert S. Myer	3725 Waggoner Rd.	Ground Crew	\$3.50 Hr.	E66: 3/27/78
Jennifer Oberhausen	4218 Tremont Rd.	Ground Crew	\$3.50 Hr.	E66: 3/27/78
Eric T. Evans	1369 E. Chandler	Ground Crew	\$3.50 Hr.	E66: 3/27/78

GERMAN TOWNSHIP ASSESSOR...112-113

Margaret Effinger	Buente Road	Deputy	\$20.00 Day	E66: 3/23/78
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HIGHWAY DEPARTMENT

Cecil Sills	708 N. Eleventh Ave.	Truck Driver	\$4.87 Hr.	E66: 4/3/78
Charles Gee	700 Rheinlander Ave.	Truck Driver	\$4.87 Hr.	E66: 4/3/78

LEGAL AID.....JOINT DEPARTMENT OF LEGAL SERVICES

Connie S. Jenkins	1242 Negley Ave.	Bookkeeper-Receptionist	\$1,286.00 Yr.	E66: 4/3/78
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PIGEON TOWNSHIP ASSESSOR

Vicki Helfert	R.R. 7 Box 246	Clerk	\$20.00 Day	E66: 3/27/78
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SHERIFF'S DEPARTMENT

Betty J. Hermann	7307 Bayard Park	Civilian Sec.	\$8,079.00 Yr.	E66: 4/3/78
Sandra H. Shuler	1413 Venice	Probationary Police	\$11,000.00 Yr.	E66: 3/25/78

SURVEYOR

John Koch	R.R. 8 Browning Rd.	Inspector	\$8,840.00 Yr.	E66: 4/3/78
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RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Greg Smith	1035 Burdette Ave.	Ground Crew	\$3.50 Hr.	E66: 3/27/78
William G. Zentmyer	3420 Austin Ave.	Rink Guard	\$3.50 Hr.	E66: 3/27/78
Maria Huffman	213 E. Michigan	Rink Cashier	\$4.78 Hr.	E66: 3/27/78

RELEASES.....CON'T.GERMAN TOWNSHIP ASSESSOR... 112.1-112

Margaret Effinger Buente Road Field Man \$20.00 Day Eff: 3/22/78

HIGHWAY DEPARTMENT

Cecil Sills 708 N. Eleventh Ave. Laborer \$4.78 Hr. Eff: 4/3/78  
Charles Gee 700 Rheinlander Ave. Laborer \$4.78 Hr. Eff: 4/3/78

LEGAL AID.....JOINT DEPARTMENT OF LEGAL SERVICES

Margaret S. Ruedlinger 6731 Old State Rd. Bkpr.-Recept. \$1,286.00 Yr. Eff: 3/31/78  
Connie S. Jenkins 1242 Negley Ave. Intern \$130.00 Wk. Eff: 3/31/78

SHERIFF'S DEPARTMENT

Sandra H. Shuler 1413 Venice Civilian Secretary \$8,079.00 Yr. Eff: 3/25/78  
Otis Bell 1530 E. Indiana Policeman \$12,192.00 Yr. Eff: 3/25/78

SUPERIOR COURT (Released from full-time)

Susan Muensterman Assistant Chief Clerk \$8,526.00 Yr. Eff: 3/31/78

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the Southwestern Agency, Inc. on Larry Aiken, d/b/a, Aiken Management, for the use of the Auditorium. issued March 29, 1978, and expires 10/24/78.  
Certificate received and filed.

RE: STORAGE AREA IN BASEMENT

Commissioner Ossenberg said that the basement storage area was discussed at last week's Commissioners meeting, so he sent the following letter to all County Officeholders:

Once again we are appealing to each officeholder to have someone from your office go through the files currently stored in the basement of the Civic Center Complex.

As soon as it is determined what files are no longer needed, the Commission on Public Records should be informed so that a hearing can be set to dispose of such records.

The inactive storage space has become very critical and we would appreciate your going through these files as soon as possible. If you have any questions about getting into the area, please contact Herman Hotz, Superintendent of County Buildings, Phone No. 5172.

Signed...Thomas L. Ossenberg, President  
Board of County Commissioners

RE: TELEPHONE REQUEST.....SHERIFF DEGROOTE

The following letter of request was received by the Commissioners from Sheriff DeGroot:

Gentlemen:

We are requesting an extension phone, to be used by the Youth Development and Assistance Bureau. They presently have one phone in the basement that will continue to be used by the Vanderburgh County Sheriff's Department Reserves, the additional extension will be used on the second floor of the Auto Club building, because the Youth Development and Assistance Bureau is moving it's location to the second floor.

There will be no change of new phone number, and the monthly charge will be \$24.70.  
Thank you for your consideration in this matter.

Respectfully, James A. DeGroot, Sheriff

It was noted that Sally Boughton from the Phone Company said there would be a maximum installation charge of \$35.00.

Commissioner Ossenberg said there will be a change though, but what this is, that the Auto Club is letting them have the space, rent free, and they need a phone for the Youth Development and Assistance Bureau, so the cost isn't right and there will be a new phone number.

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

RE: REQUEST TO LEASE ADDITIONAL VEHICLE...SHERIFF DEGROOTE

The following letter of request was received by Commissioner Ossenberg, from Sheriff James DeGroot:

Mr. Tom Ossenberg, President:

I do formally request permission to lease one (1) additional vehicle for front-line pursuit driving. The special Police-package vehicles we now lease have proven to be truly outstanding emergency vehicles. The Lease Company, Cooke Chevrolet, inadvertently ordered one extra car, and I feel we should certainly take advantage of their mistake.

The total yearly lease price for an additional vehicle is presently in our Sheriff's Department budget for 1978, and will come from there if approved.

Respectfully submitted, Sheriff James DeGroot

Commissioner Schaad moved that the Sheriff be permitted to lease the additional car. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....SHERIFF DEGROOTE

The following letter of request was received by Commissioner Ossenberg, from Sheriff DeGroot:

Dear Sir:

I would appreciate Board approval of my attending the 1978 National Conference and Exhibition on Control of Hazardous Material Spills, April 10 thru 13, 1978, Deauville Hotel, Miami Beach, Fla.

I will be representing the Sheriff's classification during the Spill Simulation exercises, being held on Monday, April 10th.

I apologize for the late request, but I was just advised yesterday, by Mr. Bill Staff of the local Environmental Protection Agency, of the seminar and considering the critical importance of handling these accidental spills in accordance with specific safety precautions, based on Nation-wide Experts criteria, I have made all the necessary arrangements to attend and participate.

All expenses incurred will be taken from our Training and Travel Accounts.

Respectfully submitted:

Jim DeGroot, Sheriff  
Vanderburgh County, Ind.

Commissioner Schaad moved that Sheriff DeGroot be permitted to travel. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST AND CLAIM.....PIGEON TOWNSHIP ASSESSOR

The following letter of request, with claim attached, was received by the Commissioners, from Robert T. Dorsey, the Pigeon Township Assessor:

To County Commissioners:

This is a formal request for \$51.86 to be paid to James Gard, Postmaster on mail being held on "Request for Address Correction" on property schedules mailed.

Please notify this office of your approval or disapproval.

Respectfully, Robert T. Dorsey  
Pigeon Township Assessor

The claim attached for total due on Mail on Request for Address correction was in the amount of \$51.86.

Commissioner Schaad moved that the request and claim be approved. Commissioner Willner seconded the motion. So ordered.

Mr. John explained that the Post Office charges so much for each one, if they are to locate the people at the new address, that he gets the addresses from the phone book in mailing out the business forms and if the business has moved, the Post Office tries to locate their new location, and they find quite a few of them that wouldn't otherwise receive an assessment.



RE: CLAIM

A Claim was submitted by Fred Dewes, the Manager of the Auditorium, for expenses incurred on lodging, registration and travel expense in attending the International Association of Auditorium Manager's in South Bend, Indiana March 19 thru March 21, which had been approved by the Commissioners, in the amount of \$152.22.

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

RE: MR. HOTZ...APPLIANCES AT PLEASANTVIEW

Mr. Hotz said they expect to turn the freezers and the refrigeration back on at Pleasantview today or tomorrow to see if they need any repairs and he would like permission to call Wesselman's Refrigeration, who has worked on the units previously.

Commissioner Schaad said he wondered if Mr. Flowers intends to use them.

Mr. Hotz said that Mr. Flowers said he was planning on selling them.

Commissioner Schaad said if they are going to be moved from the building, there isn't any point in repairing them then, since they would lose their charge anyway, so they might as well just put a charge in them when they move them.

Commissioner Willner asked Mr. Hotz if Mr. Flowers is requesting that this be done.

Mr. Hotz said he hasn't requested it, that they talked about it, but he had told Mr. Flowers that they would be in operable condition so he anticipated turning them all on today or tomorrow, since they had been sitting for almost a year and some of them may need some repairs.

He said he could discuss this with him, but of course, if he wants to sell them and has a prospective buyer out there, they should be in operable condition. He said he isn't sure that a charge is all they need.

Commissioner Ossenberg told Mr. Hotz to turn them all on to see what happens and to let the Commissioners know.

RE: MR. HOTZ...LOCKS AT PLEASANTVIEW

Mr. Hotz said that Mr. Flowers also discussed with him about changing the locks on the doors of the Pleasantview building, that he has the locks and everything, since there are a lot of keys out to the building at this time, and it would be alright if he had a key to get into the building for the sale of the personal items, that they are going to have out there.

The Commissioners said they didn't see anything wrong with this, that he should just get one key from them and keep it in his hands.

RE: PROPOSAL FROM HONEYWELL, INC.

The following Proposal was received from Honeywell, Inc. as a Time and Material Job, on the controls at the Hillcrest Children's Home:

To inspect the pneumatic temperature control system, calibrate all controls, and replace parts authorized by the Superintendent of County Buildings.

This work will be billed at the following rates: \$29.50 per hour, including travel time and plus \$.35 per mile from and back to our Evansville office. Material will be billed at Honeywell's user/dealer net price.

Honeywell Inc. is located at 1906 Goldsmith Lane in Louisville, Ky. 40218, Bob Chesher, Representative.

Mr. Hotz said the make of the controls on the boiler at the Hillcrest Children's Home is Honeywell and they don't have anyone locally that is capable of working on these controls and he wanted the Commissioners to be aware of the fact that these controls are going to have to be worked on sooner or later and it will have to be someone who knows what they are doing.

Commissioner Ossenberg asked Mr. Crooks if he had anyone in his office who knows anything about the boiler controls at Hillcrest, but Mr. Crooks said he didn't know of anyone that could work on them.

Mr. Hotz said that Honeywell has a representative in Henderson.



After further discussion, Commissioner Schaad moved that the Proposal of Honeywell, Inc. be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO MOVE HOUSE

The following letter was received by the Commissioners, from Mr. Crooks, the Building Commissioner:

Request has been received from Elmer Buchta, Inc. to move a house from 901 S. Harlan to St. Wendell. The house is to be cut into sections. The garage and sun room are to be divided into separate sections also. The house is approximately 45 x 23, a one-story frame structure about 15' high. It is to have the roof cut off so that load height is 15'.

The route is Harlan to Washington to Business 41 (Kentucky) to Diamond to Highway 65 to Boonville-New Harmony to St. Wendell. Ultimate location is in Posey County. The owner is Frank Nellis and the moving date is the end of April.

The route has been checked and the request to move the house is recommended.

Mr. Crooks said they are going to break the house down into small sections so he doesn't think they will have any problems, and he recommends that it be approved.

Commissioner Schaad moved that the request to move this house be granted. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. ~~Howe~~<sup>Crooks</sup> submitted the Notice to Bidders, which included the specifications, for the roof at the Auditorium, which has been reviewed by Mr. Dewes and he said that County Attorney Wendel has gone over it.

He said it is made up in two sections, one as a bid to put on a replacement roof, leaving the old roof as much in tact as feasible and putting a new roof on top of it, that the other section, as a bid to repair in patching the existing roof and to make it weather-tite, that he had advertising dates set for April 16 & 23 contingent, that date being the date when they think it will go through County Council, but if they don't get clearance at that time, from the Council, it will have to be held until they get approval.

Commissioner Willner asked Mr. Crooks if he thought the price for repair would be over the amount allowed to where they would have to advertise for it.

Mr. Crooks said it definitely would be over that amount.

Mr. Dewes wondered if the dates for advertising could be moved up. It was noted that the County Council will meet on April 4th. so it was agreed that the bids be advertised for on April 6th. and 13th. with the bids to be opened on Monday, April 17th.

Commissioner Schaad moved that the specifications be approved and that the County Auditor be authorized to advertise for bids on the specified dates. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: FLASHING UNIT NOW IN DARMSTADT

Mr. Siebeking said that in the past they have always paid the electric bill for the flashing unit at Boonville-New Harmony Road and St. Joe Avenue and he wondered if they were to continue to pay it, now that it is in the corporate City limits of Darmstadt, or how it should be handled.

Commissioner Schaad said that it is now Darmstadt's bill and Commissioner Willner said that the bill should be sent to Mr. Krietemeyer who is the Secretary to the Darmstadt Town Board.

Mr. Ed Cole of the Southern Indiana Gas & Electric Co. said he would take care of it.

RE: REQUEST FOR VACATION DAYS

Mr. Siebeking said he would like the permission of the Commissioners to take off a few days, that he would like April 4th & 6th and also the 1<sup>st</sup>h. 20th. and the 21st., that this will give him a week, that he has some work at home to do and he just can't get

it done evenings or of a week-end, so if he could take this week's vacation, he should be able to catch up.

Commissioner Schaad moved that Mr. Siebeking be permitted to take these days off, as requested. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. SIEBEKING...QUESTION ON TRUCK

Mr. Siebeking said he had asked about the old truck at the Garage, last week, but they got off on something else, that he wanted to know what the Commissioners wanted him to do with the old truck he got from Pleasantview, now that he has a new truck, that there was a big discussion on it at one time by the Council.

Commissioner Ossenberg asked Mr. Siebeking if he needed it and Mr. Siebeking said they are using it today and tomorrow, since they are putting new brakes and shocks on one of the pick-ups, that he could use it, but he didn't think the Council appreciated the fact that the Highway Department had that pick-up.

The Commissioners said they thought if Mr. Siebeking could use this truck, that he should go ahead and use it.

Commissioner Willner asked Mr. Siebeking if he still had the red farm truck and Mr. Siebeking said they still have it.

Commissioner Willner asked Mr. Siebeking if the farm truck had officially been given to the County Highway Department.

Mr. Siebeking said he presumed it had, since they use it all the time.

Commissioner Willner said what the Commissioners should do is to officially give the Highway Department the pick-up from Pleasantview and the farm truck.

Commissioner Willner moved that these trucks be given to the County Highway Department. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST TO TRAVEL...MR. SIEBEKING

Mr. Siebeking said there is a possibility that he and Mr. Willner might travel this coming Wednesday, that they won't know for sure until late this evening or tomorrow morning, so he would like the Commissioner's approval for him to go, that this is the reason he has his vacation days listed as such, and in case they don't get to go on Wednesday, he will change his vacation days.

Commissioner Schaad moved that Mr. Siebeking be permitted to travel. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. GUILLAUM...CLAIM

Mr. Guillaum submitted a claim from All Metal, Inc. for \$13,150.00 for guard rail and posts, that he discussed this with the Commissioners and Mr. Siebeking earlier and they are going to take \$3,000.00 of Highway Account money to use to pay this bill, due to the fact that they can only put the guard rail up to 500 feet, according to the 1977 statute, and not 1500 feet, that he called Indianapolis and they said there hasn't been a revision on that and that it is still 500 feet.

Commissioner Ossenberg said that the way the law was written and the way it was told to him by the Indiana Association of Counties, is that they can go 1500 feet either way, but if they say 500, he supposed they would have to stay at 500 feet.

Mr. Guillaum said that roughly \$10,000 will be paid from the Bridge Fund and \$3,000 will be paid from the Highway Fund, and this way they can put up \$3,000 worth of guard rail anyplace they want to, that this is half of the order and they got a discount and All Metal has the yearly bid.

Commissioner Ossenberg said his only question is, that if they bill it like this, don't they have to have two separate bills.

Commissioner Willner said whether they have to or not, it would be good practice to ask for double billing.

Commissioner Ossenberg said that Mr. Guillaum should get his double billing out of the Highway and out of the Bridge Fund and he will ask for a motion that they be permitted to stamp the Commissioner's names on the claims.

Commissioner Willner then moved that the claims be approved and that they be permitted to have the Commissioner's names stamped on them after double billing has been made. Commissioner Schaad seconded the motion. So ordered.

Mr. Guillaum said they again put up about 500 feet of guard rail last week, so they have just about gone through the entire amount of new rail and the old rail that Mr. Siebeking had on hand, but he did get an order in Friday from All Metal.

RE: COMMENTS ON REPAIR OF CHUCKHOLES

Commissioner Ossenberg asked Mr. Siebeking if he could now use the CETA employees for the patching of the chuckholes, and he asked Mr. Guillaum if the Highway Department could use the CETA employees for a couple of weeks.

Mr. Guillaum said they could, that the only couple of requests he would like to make, would be that he would like to keep the crews together the best way they can, and to get them back on the guard rail as soon as they are done.

Commissioner Ossenberg said that Mr. Guillaum should work this out with Mr. Siebeking, as well as to when they will do the work.

RE: MEN TO ATTEND ROAD SCHOOL

Mr. Guillaum said that his office would probably have three men going to Road School, himself, Louis Stephen and Dan Hartman.

RE: SIGNS TO BE POSTED

Mr. Guillaum said he has been working with Bill Judd on the signs and they still have a number of narrow bridges that need some type of signs and he felt that if Mr. Judd could get all the signs of "Narrow Bridge" and "One Lane Bridge" printed, that he could have his men to put them up at the proper locations.

RE: COMMENT ON UNION AGREEMENT

Mr. Guillaum said that the Union Agreement they have here will apparently have to be revised a little, but it affects CETA employees only, that they will technically be working for the Surveyor's office, but they are under the same union as the Highway Department, which is the Teamsters Local 215.

Commissioner Ossenberg explained that the CETA people work out of the Surveyor's office but will actually be doing Highway work, so CETA said they have a right to be in the union, so they signed up with the union.

County Attorney Wendel asked if the Commissioners wanted the CETA people covered under the Union if they are working for the Surveyor and not doing anything for the Highway.

Commissioner Ossenberg said that is the way the CETA law is.

County Attorney Wendel said he would have to change the agreement again then.

RE: COMMENT ON INVENTORY ON COUNTY SAFETY

Commissioner Schaad said that sometime ago, the Commissioners had an Inventory made on County Safety that Engineer Associates did for them, with federal money, and he wondered what was being done to implement the study they made and what recommendations were made by them to make our county safer, that they made an inventory of our railroad crossings and everything else in the County as far as safety standards were concerned, that there were certain recommendations and of course, there is no point in having a study made if they aren't going back to look at it, and come up with whatever is necessary to implement it. Mr. Stephen said he would check with Mr. Lochmueller on this.

RE: MR. STEPHEN

Mr. Stephen submitted a copy of the cover letter on St. Joe that he sent to the State Highway Commission and said he has a copy and a copy of all the information that went in with it.

RE: COMMENT ON REQUEST TO VACATE ALLEY

Last week, Ed Johnson, Jr. filed a petition to vacate a portion of an alley between Court Street and the L & N right of way, that he checked it out and he found that the description is okay but he checked with the City and they have run a sanitary sewer

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right down through the middle of the 25 feet.

He said they were out there in conjunction with another job in trying to find out what the problem was along Kedzie, Wolcott and such and this is when he said they are willing to vacate this and the sanitary sewer is right down the middle of the thing, so he wouldn't think it could be vacated, and he would think that precludes letting them use that for anything other than possibly a parking lot over it, because it has to at least remain as an easement across that property.

Commissioner Schaad said he would contact Mr. Johnson who is representing these people and tell him what they are up against, that they could give them permission to use it for a parking lot.

County Attorney Wendel then asked if the City didn't have an easement on it, but Mr. Stephen said they didn't have to have an easement because it provided for a street or a ditch, so they didn't really come to the County to get an easement.

County Attorney Smith asked if they couldn't just vacate it, subject to a reservation for the right of maintenance.

Commissioner Schaad said he would talk to Mr. Johnson and have him contact Mr. Wendel.

Commissioner Ossenberg said that the City came in this morning and they are strongly objecting to the vacation of the alley.

RE: MULLENS SUBDIVISION

Mr. Stephen submitted street plans for the Mullen's Subdivision for the Commissioners approval. He explained the drainage flow and said the man is extending the blacktop because this is all subject to be taken out and changed if St. George is ever widened. He said these plans meet with his approval.

Commissioner Willner moved that the street plans in Mullen's Subdivision be approved. Commissioner Schaad seconded the motion. So ordered.

RE: MR. STEPHEN

Mr. Stephen said he went back through to find out what the status was on the Local Road and Street Account, as to how much money they have, and it shows that they have some \$8,000.00 plus and he hoped that when the State Board of Accounts gets down they can get this straightened out, because he went through and using the final reports, this is the kind of a balance they have all the way from No. 1. He said that some of the funds they have on the sheets in the Auditors office, show there is some Bridge Funds and FAU Funds mixed in with it, so they can't go by the figure shown because funds left from two projects were brought back down here and put in one account when it should never have been entered there because it is federal aid improvement funds that are mixed with it, so it is going to take some doing to get it straightened out.

He said that after projects are completed, the balance of money that is left should be put back in that account but it hasn't been, so there is Federal Aid Urban money in the total as well as Cumulative Bridge money and Local Road & Streets money, from the closed out projects.

The Commissioners agreed that they should have an audit, so they will know where they are.

Mr. Stephen said what he is getting to, is that they have gotten some bills in from St. Joe Avenue, the last on the environmental impact study from McGillem and they have most of the billing in from Fink, Roberts & Petrie and they are sitting on the claims because the cards from which they are going to pay them are in the red, but he needs the warrants issued so he can get a copy of them, that he has the forms made up to submit for the County's 70% reimbursement, that this is what happened here, that this is the 70% money coming back of Federal Aid Urban that was dumped into this account instead of putting it on the card where it belongs.

He said there is a possibility that this money has never had Council approval but he don't know how it got down the road this far without Council's approval somewhere along the way, but they say they can't move the money to the cards because the State Board of Accounts can't find where the Council has approved the money for these projects. He said he sure would like to get things straightened out.

Commissioner Ossenberg said this is Lynch Road and this was approved by the County Council at a special meeting last year.

Commissioner Willner suggested that they just give Mr. Stephen the authority to work with the State Board of Accounts and the Council minutes, and maybe the Executive Asst. to the County Council can help Mr. Stephen in his research, so they can get the information needed and get this thing done.

Commissioner Schaad said they should also get with Mr. Lochmueller.

Commissioner Ossenberg said he assumed that St. Joe Avenue was done years ago, because that project was undertaken before the present Board was in office, but Lynch Road was approved by the Council last year.

Mr. Stephen said that on St. Joe, they paid out more than the card shows on the project card but the money came back, which if it was transferred to the project card, it would be back in the black, so when he wants to go ahead and okay the next payment, it will be more in the red, but they will get their money back.

Commissioner Schaad said he doesn't understand why there is \$41,627.00 in the Lynch Road project, and Mr. Stephen said this is the return money coming back on that project and is still in the balance.

Mr. Stephen said he would see what he could do.

Mr. Stephen said he hasn't had a chance to check on Park Plaza as yet, but would get to it as soon as possible.

RE: MILLERSBURG ROAD BRIDGE

Mr. Stephen said he received a letter on the Millersburg Road Bridge, that should be put in the file, that the Millersburg Road Bridge is one of the bridges that he had recommended something be done about, that there should be a new bridge be built there this year.

Commissioner Ossenberg said that is why he sent the letter to Mr. Stephen, that it was from the Christian Fellowship Church, that they are in the process of construction in building on Millersburg Road and the building is scheduled for completion by the end of the summer and they will have approximately 1,000 people in attendance on Sunday morning and in the interest of safety, they requested that they consider the replacing and widening the small bridge on Millersburg Road between Oak Hill and the County's building site.

Mr. Stephen said he talked to Mr. Hartman about this and told him that this bridge should be included in the bridges he is designing, so Mr. Hartman has the information to get them the total information they need, so it just needs to be designed and a contract let on it, since he has already sized the bridge as to what they need.

Commissioner Schaad asked that the letter be answered, so they know what is going on.

Mr. Stephen said that the bridge on Red Bank Road, next to the railroad, and also the one on Boehne Camp Road, are also bridges that he has recommended to be included.

RE: KLEITZ ROAD

Commissioner Schaad said that a Richard Spond of R.R. 4 Box 123, on Kleitz Road, wants to build a house and where he wants to build it, the County has put drainage under the road and it is putting the water right down on his property.

RE: LOCAL ROAD & STREET MONEY

Commissioner Ossenberg told Mr. Stephen that while he was talking, he had a telephone call from the Association of County Governments and there is presently a check in the mail to Vanderburgh County for \$853,208.82, that it must be obligated by June 1 and completed by November 15, 1978. He said this makes him wonder what figures are right.

Mr. Stephen said this is the Local Road & Street money, that they ran these accounts down to zero and are now starting over, that they have actually committed some of this money, in effect, because of what they have here, plus a little more that will be needed to make out 30% of the construction of the St. Joe Avenue project, that the Commissioners have also said that they have committed themselves to go ahead with Lynch Road and they are going to need almost that same amount from there, but neither one of them will be done by November, and this may put them in a bind, and where do they get their match, because by the time they get that, it will not have filled back up in that time, and

He said the Local Road & Street Fund will start accumulate at the rate of approximately \$30,000.00 a month, also that he thought they should have some clarifications from the Division of State Aid or from someone as to if it is earmarked and they say they are going to do certain things with it, if it earmarks that money or if they have to go ahead and spend it.

Commissioner Ossenberg said he doesn't know the stipulations, but he knows that the other communities are going to be in the same trouble we are.

RE: RAILROAD TRACK NEEDS TO BE REPAIRED

Commissioner Willner asked if the Commissioners could write a letter to the Illinois Central Railroad Co. and ask them to repair their railroad track across St. Joe Avenue, that this is the railroad track immediately across from the County Garage, about 300 feet North of Mill Road, that it has needed it for about three years and is in bad need of repair.

The Commissioners asked their secretary to write them a letter.

RE: PRECINCT ELECTION AGREEMENT

The following agreement was prepared by the County Attorney as to the pay for the Precinct Election Officials for the May 2nd. 1978, Primary Election:

WHEREAS, Indiana Code section 3-1-5-15 provides that the Board of Commissioners of the County of Vanderburgh may, by order, provide for allowances for precinct election officials for any primary or general election, and;

WHEREAS, funds have been appropriated by the Vanderburgh County Council for payment of same:

NOW, THEREFORE, IT IS ORDERED by the Board of Commissioners of the County of Vanderburgh that allowances for precinct election officials for the May 2, 1978, primary election in the one-hundred sixty-seven (167) precincts in Vanderburgh County shall be as follows, to-wit:

Inspector.....	\$55.00	Assistant Clerk (in those
Republican Judge...	\$30.00	precincts for which the
Democrat Judge.....	\$25.00	Vanderburgh County Election
Clerk.....	\$25.00	Board provides for this
Sheriff.....	\$25.00	position).....
		\$25.00

All of which is ordered this 3rd. day of April, 1978.

Commissioner Schaad moved that this be approved in the amounts as stated. Commissioner Willner seconded the motion. So ordered.

RE: LOG CHAINS FOUND

Mr. Hotz said that he found some log chains in an area of the garage at the Pleasantview Rest Home, and that Mr. Siebeking can use them, so he would like for them to be transferred to Mr. Siebeking.

Commissioner Schaad moved that the log chains be transferred to Mr. Siebeking. Commissioner Willner seconded the motion. So ordered.

RE: SOME ITEMS TO BE STORED AT COURT HOUSE

Mr. Hotz said he has talked to Mr. Brennen at the Baker Foundation in the old Court House and he has given the County a room in the basement where they can store things, but he wouldn't advise that they store any records down there. He said he does have some items that could be stored down there and he would like permission to do this. He said he would prepare a list of the things to be stored there, also that there will be no rent attached, that it will be rent-free.

Commissioner Schaad moved that Mr. Hotz be permitted to store these items in the old Court House. Commissioner Willner seconded the motion. So ordered.

RE: CUT IN

An application was submitted by the Indiana Bell Telephone Company to cut into Old State Road #65 to install telephone facilities.

Received and filed.



The meeting recessed at 11.10 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS



**COUNTY COMMISSIONERS MEETING**  
**APRIL 10, 1978**

The meeting of the County Commissioners was held on Monday, April 10th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor, with one correction which was on Page 5 and read that Mr. Hotz submitted the Notice to bidders on the roof at the Auditorium and it should have read that Mr. Crooks submitted it. The reading of the minutes was dispensed with.

A correction was also made on the minutes of March 21st. which was on the sale of the Pleasantview property, since it read that the property was sold to Mr. Flowers and it should now read that it was sold to Condo Enterprises of Evansville, Inc., of which Mr. Flowers is president.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY TREASURER

Viola Schmahlenberger	Part Time Clerk	\$20.00 Day	Eff: 4/3/78
Juanita Jones	Part Time Clerk	\$20.00 Day	Eff: 4/10/78
Carol Frank	Part Time Clerk	\$20.00 Day	Eff: 4/10/78
Flora Rose	Part Time Clerk	\$20.00 Day	Eff: 4/17/78

R.E.S.C.U.E., INC.

King S. Jewell      2260 Sunburst Blvd.      Counselor      \$7,500.00 Yr. Eff: 4/1/78

RE: EMPLOYMENT CHANGES.....RELEASES

GERMAN TOWNSHIP ASSESSOR

Mary Lou Allison      R.R. 13 Harmony Rd.      \$20.00 Day      Eff: 3/31/78

HIGHWAY DEPARTMENT

William F. Bayne      1013 Park St.      Dog Catcher      \$4.78 Hr.      Eff: 4/7/78

R.E.S.C.U.E., INC.

James Vanleer	418 S. Denby	P.T. Counselor	\$3.00 Hr.	Eff: 3/31/78
James Loving	Rte. 13 Box 360 A	Night Counselor	\$7,500.00 Yr.	Eff: 3/31/78

RE: OATH OF VIEWERS

The Viewers Report was submitted on the property of William Harty, whereby they viewed a certain portion of Southview Park which is an alley, which Mr. Harty wants vacated.

Report received and filed.

RE: MONTHLY REPORT

The Report from the County Treasurer was submitted for the month of February, 1978. Report received and filed.

RE: COMMENT ON REQUEST FOR VACATION OF ALLEY

Commissioner Schaad said he talked to Mr. Ed Johnson and he told him that it was a dedicated strip of land but that it wasn't a County road and that the sewer runs right down the center of the road, so he is aware of it now.

He said he didn't know if any further action would be taken or not, but Mr. Johnson said he would talk to Mr. Harty about it.

RE: SHERIFF WILL NOT ATTEND CONFERENCE

Commissioner Ossenberg said, in regard to the travel request from Sheriff DeGroot that was approved last week for him to go to Miami, Florida to attend the 1978 National Conference and Exhibition on Control of Hazardous Material Spills from April 10th thru 13th - the Sheriff phoned our office and said he would not be able to attend and would not have any one from his department that he could send.

He said they are requesting literature on this and he hopes this will be enough to keep him apprised of the situation.

Note received and filed.

RE: CHECK RECEIVED ....R & S MONEY

Commissioner Ossenberg said that Curt John, the County Auditor, informed their office that the check for \$853,208.82 (R & S Money) was received in the Auditor's office April 6, 1978.

(It is in the minutes from last week in regard to the phone call we received during the meeting that this check was in the mail.)

Note received and filed.

RE: ADDENDUM PAGES FOR BLUE CROSS-BLUE SHIELD

The following letter was received by Commissioner Ossenberg from Blue Cross-Blue Shield on Account Numbers 01-23034 and 01-23160:

Enclosed are the Addendum Pages, Form 1001.4, and the corresponding Blue Cross and Blue Shield of Indiana Endorsement Pages 1116, to be effective March 1, 1978, and which should be inserted into your existing Basic and Major Medical Master Policies.

Sincerely, Donald J. Van Dyke, Vice Pres.

Christian Science Benefits Included

Christian Science Benefits:

Services of the Christian Scientist; practitioner, nurse, sanitorium.

These benefits are provided under Basic and Major Medical coverage. Benefits are subject to all other provisions of the Master Policy including those as to necessity and frequency of treatment and reasonable and customary levels. If treatment is for a condition, which in medical terms is a mental illness or functional nervous disorder, the limitations and co-insurance factors relating to treatment of such conditions apply.

Addendum received and filed.

RE: LETTER FROM GIL SCHIFF

The following letter was received by the Commissioners, from Gil Schiff, Deputy Treasurer:

Gentlemen:

We have some old office machines we no longer use, that can be declared surplus and sold at the County Home auction or given to another department in County Government. The list includes 5 Burroughs adding machines, 1 Burrough calculator, 1 change machine, 2 validating machines from Burroughs and 1 posting machine from Burroughs.

Sincerely yours, Gil Schiff  
Deputy Treasurer

Commissioner Ossenberg asked if anyone has checked to see if any of the other County offices needed any of these machines.

Mr. Hotz said that he didn't know about these machines until late Friday and he hasn't had a chance to see if they did or not.

The Commissioners agreed that Mr. Hotz give all the County offices a notification of this so they will all have a chance at them.

RE: CLAIMS

A Claim was submitted by Brink's Inc. for services rendered to the Clerk of the Circuit Court for the month of April, by contract, in the amount of \$94.80.

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

A Claim was submitted by Captain Michael Craddock of the Sheriff's Department, for food and lodging for Michael Craddock & John Lancaster while attending the 38th. Annual National Armed Robbery Conference at Lake Charles Louisiana from March 14th. thru March 19th. 1978, in the amount of \$198.68. This was approved by Sheriff DeGroot.

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

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A Claim was submitted by the City of Evansville for County share of the Combined Department of the Traffic Engineer at 14% for November and December of 1977, in the amount of \$6,155.48. All claims from the City have been approved by Mr. John.

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

A Claim was submitted by the City of Evansville for County share of the Combined Department of the Traffic Engineer at 14% for January and February of 1978, in the amount of \$8,950.00.

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

A Claim was submitted by the City of Evansville for County share of the Combined Department of Health at 17.8%, for November and December of 1977, in the amount of 17,519.58.

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

A Claim was submitted by the City of Evansville for County share of the Combined Department of Health at 17.8%, for January and February of 1978, in the amount of \$14,706.26.

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

A Claim was submitted by the City of Evansville for County share of the Combined Department of Weights and Measures at 42%, for November and December of 1977, in the amount of \$1,371.88.

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

A Claim was submitted by the City of Evansville for County share of the Combined Department of Weights and Measures at 42%, for January and February of 1978, in the amount of \$1,474.37.

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

A Claim was submitted by the City of Evansville for County share of the Combined Department of Building Inspection at 50%, for November and December of 1977, in the amount of \$11,463.32.

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

A Claim was submitted by the City of Evansville for County share of the Combined Department of Building Inspection at 50%, for January and February of 1978, in the amount of \$9,367.95.

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

A Claim was submitted by the City of Evansville for County share of the Combined Department of Purchasing at 50%, for November and December of 1977, in the amount of \$3,731.58.

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

A Claim was submitted by the City of Evansville for County share of the Combined Department of Purchasing at 50%, for January and February of 1978, in the amount of \$4,226.48.

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

RE: ADDENDUM TO AGREEMENT BETWEEN TEAMSTERS UNION AND COUNTY HIGHWAY DEPARTMENT

The Addendum reads as follows:

This Agreement is made by and between the BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA ("Employer" hereinafter), and the CHAUFFEURS, TEAMSTERS AND HELPERS LOCAL UNION NO. 215, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, ("Union" hereinafter) as an Addendum to an Agreement between the Union and the Employer covering the employees of the Vanderburgh County Highway Department, which went into effect on the 1st day of January, 1978, and is to remain in effect until December 31st, 1978, and which is referred to hereinafter as the "Master Agreement". This Agreement shall remain in full force and effect. In consideration of the mutual promises made herein, the parties are agreed as follows:

1. Reformation of Master Agreement. The parties, by mutual agreement, hereby reform the Master Agreement as follows:

A. The Master Agreement shall govern the relations between the Employer and Comprehensive Employment and Training Act employees of the County Surveyor's Office while said employees perform county road and bridge labor.

2. Recognition. The Employer recognizes Chauffeurs, Teamsters and Helpers Local Union No. 215 as the exclusive bargaining agent for all Comprehensive Employment and Training Act employees of the County Surveyor's Office in matters of wages, hours, and other terms and conditions of employment and for the purpose of settlement of all disputes and grievances affecting said employees during the term of this Agreement. Supervisory employees who have the authority to discipline or discharge other employees shall not be subject to this Agreement.

3. Laws and Regulations. This agreement is subject to all local, state, and federal laws and regulations relating to Comprehensive Employment and Training Act employees.

IN WITNESS WHEREOF, the parties hereto have caused the execution hereof by their duly authorized representatives and agents on the dates below written.

Commissioner Schaad moved that the Commissioners sign the addendum. Commissioner Willner seconded the motion. So ordered.

#### RE: MONTHLY REPORT

The Report of the Building Commission of Permits issued was submitted for the month of March, 1978.

Report received and filed.

#### RE: AUCTION TO BE HELD ON SURPLUS ITEMS

Mr. Hotz submitted a copy of the surplus items that will be sold at a auction on May 6th. 1978, at 10:00 a.m. at the Pleasantview Rest Home which is located at 700 Senate Avenue in Evansville, Indiana, and continuing until all items are sold. The items include tables, chairs, lamps bedroom equipment, cleaning and laundry equipment, a tractor, 5 power mowers, some antique items, miscellaneous items and others too numerous to mention.

Commissioner Ossenbergsaid the Commissioners will offer the furnishings and equipment for sale that was formerly used to operate the 112 bed rest home, that the items have now been declared as surplus property and are being made available for sale to the public, that the sale will be held indoors and purchases are to be settled before items are removed from the premises.

Commissioner Schaad asked if there shouldn't be a time set in the ad as to how much time they have to remove the items from the building.

Mr. Hotz said this could be added. He also said there was a question brought up about the sale of mattresses and bedding that has been used.

County Attorney Wendel said he didn't think they could sell these, but that he would check into it.

Mr. Hotz said he thought it would be okay if the people who purchase any items, will remove them from the premises within two or three days.

County Attorney Wendel said they have to turn it over to them 30 days from date of closing.

He said that right now they have a question about what kind of sewer tap in they have out there.

Mr. Hotz said the City put that in and it has a lift pump.

Commissioner Ossenberg said he thought their question was, if they were going to have to pay a tap in.

County Attorney Wendel said that is taken care of, that they are on the City sewer now.

Commissioner Schaad said the old sand thing is no longer being used, to his knowledge, and they put in a lift pump and the City was to take it over and maintain it, to pump the sewage up into the City sewer and this has been in operation.

County Attorney Wendel said they thought maybe the Commissioners had some sort of agreement where all they had to do was to sign it over to them so they wouldn't have to pay any extra fee.

Commissioner Ossenberg said as far as the Pleasantview Rest Home, itself, yes, we are tapped in and they shouldn't have to pay that, since this was the agreement they made, and he figured this agreement would be honored when it was sold, but any additional building they do, that is something else, that the previous Commissioners agreed to one tap in that is free, so consequently, as far as he is concerned, they shouldn't have to pay anything on it to that building, but if they do additional building, then that isn't the Commissioners responsibility, so Mr. Wendel said he would look into it.

RE: REQUEST TO USE OFFICE AT PLEASANTVIEW

Mr. Hotz said there is a small office in the front part of the Pleasantview building and Mr. Flowers wanted to know if the engineer could use it to start working.

Commissioner Schaad asked if they wouldn't then have access to the rest of the building and Mr. Hotz said they would.

County Attorney Wendel said they shouldn't get in there until after they close the deal, that this generally isn't done.

Commissioner Ossenberg said he is inclined to go along with the County Attorney.

County Attorney Wendel said he got a notice in the mail last week when they dismissed the first suit that Mr. Flowers filed and they showed it dismissed, but at our cost, that it was only \$28.00 and this was part of the agreement.

After further discussion, the Commissioners agreed that the request be denied, as to letting anyone use the office until the deal is closed.

RE: COMMENTS ON REMOVAL OF VEHICLES AND DEBRIS

Mr. John said that Mr. Crooks has asked him what account they could use to remove some vehicles and debris, due to the new ordinance and the only thing he could think of was to possibly take it out of the Grounds and Buildings Account that Mr. Hotz has, if they want to use this, otherwise, they would have to either go in front of the Council or transfer some funds into an account.

He said if they are going to charge them and get the money back, they have a demolition fund, but this is a revolving fund and it is more or less self supporting.

Commissioner Schaad said that the ordinance reads that they have so much time to remove it and if they don't, the County will remove it and bill them for it.

Mr. Crooks said this is correct but wondered what the possibility would be of recovering the money after removing a junked automobile, that he thought this would probably be pretty nil.

Mr. John said they could go ahead and take it out of the revolving fund and if for some reason the account goes down, they could get more money budgeted, that this would probably be a better account to take to take it out of, since these aren't County grounds or buildings.

Commissioner Schaad asked County Attorney Wendel if they could take it from the demolition account.

County Attorney Wendel said they could, unless by statute, it is restricted to demolition of buildings, that he didn't know if it has this restriction on it or not but that he would check it out.

RE: COMPLAINT OF JUNKED CARS ON MIDDLE MT. VERNON ROAD

Mr. Guillaum said that the Sheriff called in today and said that there are some

junked cars out on Middle Mt. Vernon Road that were apparently near the right of way and they were going to tow them off, but the landowner out there wasn't going to let them and from what Mr. Crooks has said, the right of way isn't all that has to be considered.

Commissioner Schaad said this is correct, that according to the new ordinance, it can be on their private property.

Mr. Guillaum asked if this was true even if it was this man's business, since this is apparently all he does, that he is in the salvage business.

Mr. Crooks said if it is zoned commercial and has a salvage yard, there isn't anything they can do about it.

Commissioner Ossenberg said he bets 5 to 1 that he isn't zoned commercial.

Mr. Guillaum said he was aware of the new ordinance and he thought that the right of way would determine, primarily, whether or not he could do it. He said he had a survey crew go out there this morning and lay out the right of way.

Mr. Crooks said the County Highway Department could do it if the vehicle was on the County right of way, but if it is on private property, it is according to how it is zoned.

Mr. John said that if it isn't against the state statute they could take the money out of the demolition fund, but if it is, they could take it out of Mr. Hotz's Other Operating Expense Account. He asked if they were talking about a great deal of money.

Mr. Crooks said probably not, that they were probably talking about one isolated auto at a time which will be \$20.00 or so, that this will probably be determined by how many complaints they get from the West Side Improvement.

Mr. John said maybe the County Attorney can find out if that line account is restricted or not, so County Attorney Wendel said he would look into it.

#### RE: ROOF AT AUDITORIUM DISCUSSED

Mr. Crooks said he has one comment he would like to make on the roof at the Auditorium, that during the comments made by the County Council, they raised the question about bonding and if the old roof was to be completely removed. He said he got back with Midwest to get some idea on it and they said in all probability, to remove all the old roof would be about \$30,000 and to re-insulate would cost about \$15,000, which would be an added cost of about \$45,000. He said if they wanted to go for a bond, it would be at the rate of \$4.00 per 100 square feet which would make it in the neighborhood of \$2,500.00 and they would not bond for the repair of the old roof, that they have to take it all off and put on all new roof if they want to get a bond, so they are basically talking about \$50,000 additional cost to take it all off and get a bond.

Commissioner Willner asked if they have a bond on the roof that is there now and Commissioner Ossenberg said there is and that it depreciated down to \$6,000.00.

Mr. Crooks said his thought would be if they got an \$80,000 bond, which would be the cost replacement of the roof, that would depreciate down and they would probably carry about as much value at the time they wanted to use it as the present value, so they wind up with not too much benefit out of it.

Commissioner Ossenberg asked Mr. Crooks to send this report to the County Council, since they are the ones that initiated the idea of the bond and wondered what the additional cost would be.

#### RE: CIVILIAN DEFENSE EMERGENCY OPERATION

Commissioner Ossenberg said they have a Civilian Emergency Operation planned for Vanderburgh County, that what it amounts to is a joint City-County Civil Defense Organization of Vanderburgh County, whereas the Indiana General Assembly has enacted a law of the Civil Defense Act of 1951, whereas said directs each political subdivision within the State of Indiana, to establish the Civil Defense Organization whereas such action is not only required but appears to be in the best interest of Vanderburgh County, and whereas it is the desire and intent of the Board of County Commissioners of Vanderburgh County and the City Council of Evansville to establish



a Joint City-County Civil Defense Organization, which will be known as Evansville-Vanderburgh County Civil Defense Department, that a co-ordinator will be appointed for said organization to serve during the pleasure of these bodies, that the Evansville City Controller will be responsible for the receipt and disbursement of same.

Commissioner Ossenberg said he thought that Darmstadt would have to enter into the same type of deal.

He said that County Attorney Smith has looked this over, but now that Darmstadt, which is part of Vanderburgh County, has been brought up, he thought they would likewise have to have a place to sign it, so he asked County Attorney Smith to check this out.

RE: COMMENTS ON JUNKED VEHICLE ORDINANCE, CON'T

Mr. John said that in the Ordinance on junked vehicles, it sets up an account called the Junked Vehicle Fund, but he thought it would be better if they had it as a Junked Vehicle Revolving Account, similar to the Demolition Fund, so he would suggest that it be put under the County Commissioners budget, that they could transfer the money out of the Postage Account, probably \$1,000.00 since he didn't think they would use the full amount of the Postage account this year.

He asked that a letter of request for the transfer be sent to his office so that it can be approved by the County Council.

Commissioner Schaad moved that the letter be sent to the Auditor's office requesting that \$1,000 be transferred from the Postage Account to a new Junked Vehicle Revolving Account, so it can go in for the next Council Call. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees at the County Highway Department for the past week.

Report received and filed.

RE: LOG CHAINS RECEIVED BY CO. HIGHWAY DEPARTMENT

Mr. Siebeking submitted a letter showing that he received the two log chains that Mr. Hotz had found in the garage at Pleasantview.

Letter received and filed.

RE: PROBLEMS WITH DRIVEWAY ENTRANCE

Mr. Siebeking said that George Busler called him Friday and again this morning, that this particular driveway entrance to their place off Hyw. 41, by I-64, if the Commissioners recall, they have had a lot of problems with it, that they went out last year and dug it all out, filled it with rock and covered it with bituminous, but it is dished out again, so he thinks there must be some drainage under it.

He said they would like for the Commissioners to give that particular area back to them and they will maintain it themselves. He said that the state abandoned it back to the County.

Commissioner Ossenberg said the County didn't want it and that there is a house at the very far end and under no conditions can the Commissioners abandon it back to them or vacate it to them, because that is on private property and gives this man no way to get out, that he would like to give it back to them but they can't.

Mr. Siebeking said he recalled an estimate they had on it last year, that it would cost about \$13,000 or \$14,000 to fix it up.

Commissioner Ossenberg asked the County Attorney's if the County would abandon or vacate this, if they could, back to Busler, with a covenant from Busler saying that this gentleman has a right to use this property at any given time, could they do it then.

Commissioner Willner said there is also another station involved, and he isn't too sure that they couldn't give it back to all three of them.

Commissioner Ossenberg said if it is agreeable with the other Commissioners, the only thing he would say is if Mr. Siebeking would want to call George Busler back, that if he can get all of them involved to work out an agreement, that it may be allright.

Mr. Brenner made a suggestion that it not be vacated, but there should be some way of taking it off as a County maintained road, that they have rights of way all over the County that they don't maintain, that they are County dedicated roads but aren't on the maintenance list.



Commissioner Willner said that since there is a new ruling on it, maybe they could hand it back to the State, that this is what should be done.

Mr. Guillaum said he has met with state officials on a number of roads and at the time, the road was up to par and he told them, as far as the County was concerned, they didn't want any part of it since it didn't meet County standards, and the man told him that this was fine and dandy, that the County just reject it and the officials will send a letter in about a week, telling the County that they are going to get it anyway.

Mr. Siebeking said that was last year, that they could do this up until last year.

Commissioner Willner said it was his understanding that they can't make the County take them back.

Commissioner Ossenbergh said that could be now, but when they abandoned a road in Warrick County, they told them the same thing.

Commissioner Schaad it seems to him that it was changed and now the County doesn't have to take them.

The Commissioners agreed that the County Attorney's research the law and see if they can give this back to the State.

Mr. Siebeking said that he will call Mr. Busler back and tell him what the County Attorney's are doing.

Commissioner Willner said this is where it should go, that even their entrance isn't big enough and until the State does something, they are just bumping their gums anyway.

Mr. Siebeking said this is a bad entrance, that it is a wonder they haven't had more wrecks out there than they actually have had, also there are no signs of entrance posted.

Commissioner Willner said that during the two month snow period, they had 22 accidents.

#### RE: PROBLEM ON ST. JOE AVENUE

Mr. Siebeking said that Mike Morgan was one of the people who lived on St. Joe Ave. near where the fill was put in over the railroad track, and the grade was cut down pretty tight across his place and his yard is slipping down, that he wanted to get Mr. Stephen to go out there to look at it, but they just didn't get to it this past week, that this is just the same situation as the light, since it is now in the City of Darmstadt.

He said he told Mr. Morgan that he would get back with him, but he didn't know if anything can be done, outside of cutting the bank back down, that Mr. Morgan doesn't want to give up anymore of his front yard than he actually has to, that it should go back to a 4 to 1 slope for it to hold, but if they do this, he won't have much of a yard left. He said that he told Mr. Morgan that the only thing they could do right now is for them to smooth it up and then riprap the whole thing, which would take a lot of riprap, but this looks to him like the only solution to the problem, and he didn't act very happy about it, that he told him he would bring the problem before the Commissioners.

He said this was a problem that started when the work was done out there, but now it is in the City of Darmstadt, and whatever the Commissioners want him to do, he will do.

Mr. Guillaum asked Mr. Siebeking if he has tried using crown vetch, that maybe this would hold.

Commissioner Schaad said the County has a moral responsibility to agree to re-seed it with crown vetch or whatever they think might hold it.

Mr. Siebeking said if they do seed it, it should be blown on there with that chopped straw and oil to hold it there, if it would, since the slope is pretty steep.

Mr. Guillaum said that maybe Mr. Siebeking can explain to him that the only way he can help matters would be to take more of his yard, since it would hold up much better.

Mr. Siebeking said that he would call Mr. Morgan again, but he thought the whole thing is going to have to be riprapped from one end to the other so it will take a lot of riprap. but if it is seeded, it should be done by an outfit that has a blower, but he will call him back and see what they can work out.

RE: COMMENTS ON EXPENSES OF BACKHOE AND BUS

Mr. Siebeking said he didn't know how the Commissioners wanted to do on the backhoe and the bus, as to the expenses incurred in fixing them up.

Commissioner Ossenberg said that he would have to submit a blue claim on it.

Commissioner Schaad said they are using the bus to haul guard rail and repairing County roads and thought it to be a normal highway expense.

Commissioner Ossenberg explained to Mr. Guillaum that they are giving him the bus in good shape but are charging him for the gas as well as for the backhoe.

Mr. Guillaum asked Mr. Siebeking what kind of repair they have had on the backhoe.

Mr. Siebeking said to date, on the backhoe expenses is \$202.18 and the bus will only be for fuel which will be \$30.00. He said he understands that this cannot be put into a line item account, that it will have to be put into the Highway General Fund.

Commissioner Willner said he didn't know why they couldn't, that they put Insurance in a line item.

Mr. John said the money for the gas will have to go back to the Highway General Fund, that Insurance is the only thing they can put back into a line account, so if they run out, that they could just explain to the County Council what they are doing.

Commissioner Willner said if they can do this with Insurance, they are setting a precedent and suggested that one of them write to the State Tax Board and ask them if they can't put the gas money in a line item account, but the other Commissioners didn't think they would do it.

Mr. Brenner said he has a gasoline account, so that when Mr. Siebeking buys more gas, he will pay part of it.

The Commissioners said that this would be a good idea.

Mr. Guillaum asked Commissioner Ossenberg if he was familiar with the CETA expense, as to what it entails, since he wondered if any of the expenses incurred could come out of CETA money.

The Commissioners said that the CETA money can be used for labor in salaries only.

Mr. Siebeking said he will just hold up the gas bills and submit them every two months then, and they both can keep a record of it.

RE: LETTER TO CENTRAL GULF RAILROAD

Commissioner Ossenberg sent the following letter to the Central Gulf Railroad Co. last week:

Gentlemen:

In our meeting yesterday, April 3, 1978, Commissioner Robert L. Willner made known that your railroad crossing on outer St. Joe Avenue, approximately 300 feet north of Mill Road, is in much need of repair.

We Commissioners are well aware of what the past two winters have done to the County roads and realize some projects take priority over others, however, this particular crossing has been in bad condition for at least two to three years and we would appreciate anything that can be done in order to get this repaired in the near future.

Thank you for your consideration.

Sincerely, Thomas Ossenberg, President  
Board of County Commissioners

RE: LETTER TO PASTOR OF CHRISTIAN FELLOWSHIP CHURCH

Commissioner Ossenberg sent the following letter to Reverend David Niednagel, the Pastor of the Christian Fellowship Church:

Dear Rev. Niednagel:

We have been aware for some time of the need to replace the bridge on Millersburg Road which you had reference to in your letter of March 28, 1978.

This bridge is now on our priority list and we plan to let the contract some time this summer. Hopefully, it will be completed approximately the same time as your church and this will eliminate any traffic problems you might anticipate. Thank you for your interest and if you have any questions, please do not hesitate to contact us.

Sincerely, Tom Ossenberg, President  
Board of County Commissioners

RE: CLAIM AND CHANGE ORDER ... BASELINE ROAD

Mr. Guillaum submitted a claim from Barnett Brothers for Bridge #49 on Baseline Road which is the final estimate, in the amount of \$1,692.40.

Mr. Guillaum also submitted a change order for an increase of \$4,095.40, raising the contract price from \$17,400.00 to \$21,495.40.

He said that \$3,445.40 of this was incurred the last time and they only have about \$1,000 over that which was essentially for abutment, modifications and pipe sections and to resteel.

Commissioner Schaad moved that the claim and the change order be approved. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON CETA PROGRESS

Mr. Guillaum reported that the CETA group, last week, put in 108 feet of guard rail with a half of the group and they have started improvements on the Bridge on Baseline Road, that they are taking rails down and they are going to do work that is similar to what they did on the other Bridge on Baseline Road.

He asked Mr. Siebeking how much longer he would need the crew on the road.

Mr. Siebeking said he thought probably another week.

RE: CLAIMS

Mr. Guillaum said that he submitted a claim from All Metal Manufacturing Co. Inc. for St. Joe Avenue and Mill Road and reminded the Commissioners at that time, that he was going to take \$3,000 out of the Highway Fund and the other \$10,150.00 out of the Bridge Account and they told him that he would then need two claims, so the two claims were submitted at this time. This is for guard rail.

One claim from All Metal Manufacturing Co. Inc. for St. Joe and Mill Road was submitted in the amount of \$3,000.00 to be taken from Acct. #201-2480, the Highway Fund.

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

The other claim from All Metal Manufacturing Co. Inc. for St. Joe and Mill Road was submitted in the amount of \$10,150.00 to be taken from Acct. #203-2250, the Bridge Fund.

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

RE: COMMENTS ON ROADS ... AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Guillaum said that Mr. Stephen is at Road School right now, but he would like to get something started on these roads as soon as they can, that he would like to go ahead and advertise for Oak Hill Road, from the City limits to 57, Darmstadt Road from the City limits to Darmstadt, and St. Joe Avenue from Mill Road to Boonville-New Harmony, possibly Thursday, if they can get things ironed out and the specifications ready.

He said that in the past they have gone with 165 pound combination base and surface, and it seems to have held up pretty well on Hogue Road and Burkhardt Road and they did them two or three years ago, that they would be 1½ inches thick, that Mr. Stephen was going with two or three inches on a couple of them, but if they are working with the money they have in the Highway funds, they can only go so far if they are putting down three inches of blacktop, but if they cut it down to the 165 now, he agrees that there are places that needs more work, that they will work this out, but he would like to advertise for bids so that the bids can be opened on April 24th.

Commissioner Schaad asked if the County is going to cut the shoulders again, like they did before, that the County crew cut the shoulders and took care of the drainage and then they came along and did the work.

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Mr. Guillaum said this would be a good idea, that this would be another joint effort with the County Highway Department, that they would have to work this out and he will get with Mr. Stephen as soon as he gets back, so they can get the specifications written up, that they can no doubt save money by going this route.

Commissioner Schaad asked Mr. Lochmueller if he had the road report ready, as to the traffic count and highest priority, as to which roads will be done first.

Mr. Lochmueller said he hasn't given it to Mr. Stephen as yet, since Mr. Stephen has been gone this week.

Mr. Brenner suggested that they bid the whole job as to the base, that they can come back and do the ditch work later, since digging the base out is such a big job, Mr. Siebeking isn't going to have time to do anything else.

Mr. Siebeking said that they can get the shoulder and patch work done before a contract can be let and they start their work.

Mr. Guillaum said they have the money available in the Highway Funds and as of May, they will be getting more money back.

Commissioner Schaad said he saw Dick Harris over the weekend and told him that they were going to have to get together to do something about this money, and he said what about the money we are going to be getting and he told Mr. Harris, that to give us the money by the month, you can't go out there and contract a job and they do one mile one month and another mile another month, that they should have it all in one lump sum, so they can program something and let a contract, so he said he was trying to do something to break it loose.

Mr. Guillaum said the only problem is that the estimates they have right now are considerably above what they have in the Highway Account right now, but he believes if he works with Mr. Stephen on them, that they can probably compromise a little bit and cut them down in cost, but even so they will be maybe \$50,000 to \$75,000 above what they have in the account right now.

He said he thought it may have been a good idea, that Mr. Brenner mentioned earlier, that possibly an agreement of some type could be made between the contractor and the County if the contracts ran over.

Commissioner Schaad said they can't let a contract legally with out first having the money.

Mr. Lochmueller said he just got a phone call in to Indianapolis today, to the Division of State Aid and they said the Governor has released, on request, that they can get six months allowance of the \$40,000,000.00 which will be about \$216,000.00, that he didn't know anything about this, that he called for another reason and Mr. Hart told him they could do this because everyone is running into the same problem because everyone is running into the same problem because with monthly allotments, they can't get the job done, so they can ask for this money and get it by mail and it can be used for any type of road work.

Commissioner Schaad said they will just have to be careful so they don't run out of money and can't finish the Lynch Road and St. Joe projects.

Mr. Brenner also suggested if they go to Darmstadt City limits, that Darmstadt does have some money, that we could provide the survey and engineering and they could continue the work.

Commissioner Willner asked why they are stopping at the Darmstadt line and not at St. Joe Avenue, why they don't stop there instead of at Boonville-New Harmony Road and pick it up at the other end and take it to Baseline Road, since that part of the road is very bad and if they will provide the necessary work, Darmstadt will go ahead and do their part so they won't have to stop.

Mr. Brenner said he made the offer to Darmstadt before, that if they took a project his department would engineer it for them.

Commissioner Ossenberrg said, in getting back to the roads, that if Mr. Guillaum gets with Mr. Stephen and completes the specifications for the repaving of those three roads, they can advertise for bids, since he would like for these roads to be done.

Commissioner Willner said before he says okay for Darmstadt and Oak Hill Road, he's got to know what they are going to Baseline Road, Old State Road and some of the side roads that are all busted up.

Mr. Guillaum said he won't argue, that they could probably pick any spot in the County and justifiably go in and do some work.

Commissioner Schaad said they have this formula they were suppose to be using and Mr. Lochmueller said he had the report ready a couple of weeks ago, so why do we have a formula if we don't use it, that it is the traffic count and the condition of the road, so lets hold to the formula.

Commissioner Willner said he didn't think that the formula means too much now.

Commissioner Schaad said he didn't know why they start something and then go back to the old way of doing it, that they each want the roads in their territory done, and suggested that they hold to the formula, that's why they have it.

Commissioner Willner said territory doesn't mean much to him, but he is talking about roads that are almost impassible.

Commissioner Schaad said they should apply the formula and see how it looks, that they have ignored it and haven't done anything with it.

Commissioner Willner said he hasn't seen it either as yet so he doesn't know.

Commissioner Schaad said that the formula should be looked at, that it might work out just exactly as they are talking about here, but the point of it is, how are they going to pick out which roads, since everyone wants roads done, so they should see what the formula is.

Mr. Brenner said the condition is so bad on some of the roads, that Baseline Road looks like someone plowed it up.

Commissioner Willner said this is correct and the only way they can do Baseline Road Mr. Feigel said, is to tear it up and completely re-do it.

Commissioner Schaad said that at Road School a few years ago, they had a piece of equipment that just picks up the aggregate that is falling apart, grind it up and put new mix with it and do it right on the job, and they sure could use it now.

Mr. Brenner said that one thing the pulverizer didn't work out on was putting it down as blacktop, that the system of recycling doesn't work, that it makes a good base, and then they have to come back and put a top on it.

Commissioner Schaad said that Mr. Lochmueller has the formula ready, that it is just a matter of getting with Mr. Stephen, so they should apply the formula and take a look at it, that it takes account of the condition of the road, the traffic count, etc.

The following roads are the ones that they want advertised for bids:

Oak Hill Road from the City limits to 57.

Darmstadt Road from the City limits to Darmstadt City limits.

St. Joe Avenue from Mill Road to Darmstadt and from Darmstadt City limits to Baseline Road.

Commissioner Willner said when they get the bids, then they can say there is an X number of miles here that belongs to Darmstadt and see if they will pick it up, that whatever it come in at per mile, it will be the same for their road.

Mr. Brenner said they will also have to advertise for bids, that maybe they can be a little behind us, but they are going to have to make up their minds to spend some money.

Mr. Guillaum said he wants to ask one question to make sure they are clear on it, that he discussed with Mr. Stephen on cutting it down a little bit, but they couldn't quite get together, that the thing Mr. Stephen was concerned about was that the money couldn't be spent for everything, that it would be restricted, but that he understands that the money they are receiving can be used for any road work and do what they want to with it.

Commissioner Ossenberg said this is correct, that there are no strings attached, that this is Motor Vehicle money.

Mr. Lochmueller said they can get approximately \$216,000.00 which is half of the allotment and they can get it in whatever time it takes to get the application in and get a check back.

Commissioner Willner asked if it was correct in that the amount spent would be \$27,000 per mile as Mr. Siebeking had said.

Mr. Guillaum said he has had contact with a few contractors the past week and he feels that without any unexpected problems, it will cost approximately \$25,000.00 per mile, and this is for a 21 or 22 feet wide road and for 1½ inch thick, which is 165 pounds per square yard.

Commissioner Willner asked what it would cost to put the road down.

Commissioner Ossenberg said that supposedly, Mr. Siebeking figured they could put it down for somewhere around \$15,000.00 per mile or less.

Commissioner Schaad asked Mr. Siebeking if he had talked to anyone about leasing a paver, and Mr. Siebeking said there is a man here this morning that he will talk to about it before he leaves.

Commissioner Schaad said that Mr. Feigel told him that rather than go out and buy equipment, that he had plenty at his place that he isn't using all the time and that he would lease the County the equipment.

Mr. Guillaum said that he isn't an expert but that there are different qualities and all kinds of paving, that it takes experience to do this kind of work and it takes a good experienced crew, since they will give them a much better job, than someone that hasn't done it before.

Commissioner Ossenberg said they aren't talking about doing main arteries, that they are talking about secondary roads, that they had a trade off last year of equipment and did several roads with it, and bought the road materials from a local contractor, and on those secondary roads, they did some fine jobs.

Commissioner Willner moved that the Commissioners approve these roads being done and that the Auditor be authorized to advertise for bids when the specifications are ready and that the Commissioners stamped signatures be used. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FOR MONIES

Commissioner Schaad moved that a request be made to the State Auditor to release six months of Vanderburgh County's money from the State General Fund. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg asked County Auditor, Curt John, to call Indianapolis to find out which form must be filled out to request this money and to apply for it.

RE: MR. LOCHMUELLER

Mr. Lochmueller explained the procedure that would be used for R & S monies, that he checked, that they have already a finance ordinance through Council for \$572,400.00 for which the application has been approved for St. Joe Road and they have \$512,000.00 which has been approved and they have a finance ordinance on for Lynch Road. He said they don't send in an additional application, that they now submit this for approval, that it is for money they already have down which is the \$853,208.82, so they will need to get that application filled out and then he would think they could lower that one amount coming out of the Bridge Fund.

Commissioner Ossenberg said that Dan Hartman would have to determine that.

Commissioner Willner moved that this be submitted for approval. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Brenner said that Mr. John put the \$853,208.82 in some account and there are other accounts that are dead so why don't they have those closed out and the money put in here so they know where they are at.

The Commissioners discussed various monies in the various accounts and Mr. Brenner said the money has been drawing interest, that Mr. Volpe took it under the Jack Pot Law and funds from this go into the General Fund.

Commissioner Schaad said these monies that are left from past projects had gone through all the mechanics and went to Council and are in the minutes, but is still on the books in the Auditor's office.



Mr. Brenner said all these monies should be struck off the books and put in the one account. The Commissioners agreed.

Commissioner Schaad asked Mr. Brenner to get a list of all the dead accounts and bring them back next week.

Mr. Brenner said he has them, that Mr. Stephen is doing the exact same thing that he did a year ago and it has been done before.

Commissioner moved that when they receive the bids on the roads, that they ask the County Surveyor to designate the number of feet within 500 feet of the bridge or structure and the Commissioners will take it into consideration at that time, as to which monies are to be spent for the repair of roads.

Commissioner Schaad said they also have to get approval from the Council to spend these monies, other than what they have already approved.

Commissioner Ossenberg seconded the motion. So ordered.

Mr. Guillaum said the Commissioners may want to give consideration on Oak Hill Road, since they have a problem with the concrete breaking, but that they will work it out.

RE: POOR RELIEF

James Alan Day.....412 W. Mill Rd.....Center Township....Ms. Winiger, Investigator

Mrs. Day had appeared before the Commissioners on March 27th. and asked for medical help but was denied by the Trustee because they were over income allowed.

The Commissioners suggested that the Trustee call the hospital and the clinic to see if they couldn't work something out and to ask the hospital to drop the interest charges, but if they wouldn't co-operate, Mrs. Day should come back.

They said she might also be eligible for food stamps and to check on it.

Ms. Day was to come back last week but sent a note saying that she was unable to come at that time because she had a doctor's appointment for the children, so she was to appear today but failed to show up.

No further action was taken at this time.

The meeting recessed at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS



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COUNTY COMMISSIONERS MEETING  
APRIL 17, 1978

The meeting of the County Commissioners was held on Monday, April 17th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: AUTHORIZED TO OPEN BIDS

The Commissioners authorized the County Attorney's to proceed with the opening of the bids that were received for the roof at the Auditorium.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BOARD OF COUNTY COMMISSIONERS

Suzann Krack R.#2 Box 44-H, Wadesville, Ind. Dog Catcher \$4.78 Hr. Eff: 4/17/78

BURDETTE PARK

George Hollander	2510 W. Maryland St.	Ground Crew	\$3.50 Hr.	Eff: 3/30/78
Mike Crabtree	2500 Skyline Dr.	Ground Crew	\$3.50 Hr.	Eff: 4/2/78
Kimberly Lilly	2601 Magnolia Dr.	Ground Crew	\$3.50 Hr.	Eff: 4/3/78
Scott Jost	1101 N. Bosse Ave.	Ground Crew	\$3.50 Hr.	Eff: 4/3/78

COUNTY AUDITOR

Cynthia Hartig 3712 Aspen Dr. Computer work \$150.00 Wk. Eff: 4/10/78

VANDEBURGH COUNTY ELECTION BOARD

Charlene Appman	2709 Edgar St.	C. Dep.	\$2.50 Hr.	Eff: 4/3/78
Donna Lawrence	R.R. 2, Box 52	C. Dep.	\$2.50 Hr.	Eff: 4/3/78
Tonya Lee Hooper	1224 First Ave.	C. Dep.	\$2.50 Hr.	Eff: 4/10/78

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY AUDITOR

Willette Freihaut	Washington Ave.	Part time Clerk	\$20.00 Day	Eff: 4/7/78
Flora Rose	1105 Putnam St.	Part time Clerk	\$20.00 Day	Eff: 4/7/78
Mary Conley	713 Thornberry Dr.	Part time Clerk	\$20.00 Day	Eff: 4/7/78
Esther Shrote	1005 Cullen Ave.	Part time Clerk	\$20.00 Day	Eff: 4/7/78

PIGEON TOWNSHIP ASSESSOR REASSESSMENT

Viola Schmahlenberger Clerk \$20.00 Day Eff: 3/31/78

VANDEBURGH COUNTY ELECTION BOARD

Donna Lawrence R.R. 2 Box 52 Cl. Dep. \$2.50 Hr. Eff: 3/10/78

VANDEBURGH SUPERIOR COURT

Mark C. Russler Probation Officer \$11,409.00 Yr. Eff: 4/7/78

VOTERS REGISTRATION OFFICE

Marie Lurker	2100 Schutte Rd.	Clerk	\$20.00 Day	Eff: 4/6/78
Edna Henry	3908 Clement	Clerk	\$20.00 Day	Eff: 4/6/78
Virginia Robinson	909 Meyer Ave.	Clerk	\$20.00 Day	Eff: 4/6/78
Tonya Hooper	1224 First Ave.	Clerk	\$20.00 Day	Eff: 4/6/78

RE: APPOINTMENT TO COUNTY CONVENTION & VISITORS BUREAU

An Employment Change showed the appointment of Ronald G. Leonhardt of 3641 Tremont Rd. to be the Executive Director of the Vanderburgh County Convention & Visitors Bureau at \$20,500 for the balance of the year, effective 3/9/78.

RE: LEASE BETWEEN COUNTY & CONVENTION AND VISITOR COMMISSION

Commissioner Ossenbergh said that the Lease between the Board of Commissioners of the County of Vanderburgh, Indiana and the Vanderburgh County Convention and Visitor Commission, for office space in the Vanderburgh County Auditorium, is all in good order and has been signed by William Brooks, President of the Vanderburgh County Convention & Visitors Commission, and that Ronald G. Leonhardt was just appointed as Executive Director of the Commission, as stated in these minutes.

Commissioner Schaad moved that the Commissioners sign the lease agreement with the Convention Bureau. Commissioner Willner seconded the motion. So ordered.

RE: COUNTY EMPLOYEES...KNIGHT TOWNSHIP REASSESSMENT

The following employees were employed by the Knight Township Assessor on the Reassessment on January 1, 1978, but they failed to turn in the list to the Secretary for the minutes:

Jerome R. Zeller, Supervisor .....\$35.00 Per Day  
 Eleanor Crowe .....\$20.00 Per Day  
 Elizabeth Sapp .....\$20.00 Per Day

List received and filed.

RE: PUBLIC HEARING.....VACATION OF AN ALLEY

Mr. Ed Johnson appeared, introduced Mr. Harty who is the petitioner for the vacation of an easement for a roadway which is near Cort Street, and said they understand that this particular piece of property does have two City sewers running underneath it. He said they have met with Gossard and Mr. Eifler and assured them, that they are aware of the existence of the sewers and they want to use this property, if they are allowed to go through a vacation today, as a parking area or green area only, for future development which will all be on property they already own, but they don't have enough space for the parking area, that they would like to park over the easement for the roadway, and they are quite willing to stipulate that the City would always have the right to come in and make the necessary repairs, as long as they put the parking lot back in the same condition prior to their repairs. He said that legally, if it is vacated, they have to do it anyway, if the City has a sewer under there and the Commissioners would vacate it, they would vacate it subject to the sewer, but that he did want to insure the Commissioners that they were aware of the situation and plan absolutely no construction, as such, over the top of that easement.

Commissioner Schaad asked Mr. Johnson if he had any objection if the Commissioners gave them an easement on the easement, since if we abandon it, it will no longer be ours and someday they may want to use it, but again, they may never want to use it, but if they gave him an easement on an easement, that would seem to suffice.

Mr. Johnson said the only problem with this is, that if they were to develop this with multi family and using this area for the parking area, and then this was taken back by the County, they would be left with the situation without enough parking, but in looking at the plat, he can't imagine how the County could ever use it, since it really doesn't go anywhere.

Commissioner Willner wondered what kept him from using it right now, since it is an easement for public use.

Commissioner Schaad said it is an easement for their roadway and can be used for a parking lot, only with approval of the Commissioners.

Mr. Johnson said that if it isn't vacated and all they have is the right to use it, then it almost stops their development, because they can't really develop Multi-Family on the hunch that they will be able to use the parking indefinitely, in other words, they must have it, subject to the City's easement, but they must pretty well have the title to know that they can go ahead and develop the property which they own, that abuts this particular property.

Commissioner Schaad asked Mr. Johnson if they had the rezoning and everything else done on this.

Mr. Johnson said no, that the vacation of the alley is being asked for first.

Commissioner Schaad asked him, what if the rezoning doesn't go through.

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Mr. Johnson said if the rezoning doesn't go through, then they are set with some property that probably will never be used for anything, that they thought about going for the rezoning first but if they had done that, the Area Plan Commission would say that they would like for the vacation to be done first, so they know it will be there before they rezone the property.

Commissioner Schaad moved that the Commissioners vacate the property, but if he doesn't get the rezoning, that it reverts back to being an easement.

Commissioner Willner asked what would happen if they wanted to put a water line or something down there.

Commissioner Ossenberg said they then have a right to put it down there, that this is the understanding.

Commissioner Schaad asked if when they vacate something, if they give them a deed for it.

Mr. Johnson asked County Attorney Wendel if he doesn't have a resolution for this.

County Attorney Wendel said they should have a separate easement for the water line.

Mr. Johnson said he would think they should have a separate easement which his client is willing to give them.

County Attorney Wendel said that unless the Commissioners just gave them oral permission to use the County's easement, which they could do.

Mr. Johnson said that as long as it is underground, they don't care.

Commissioner Willner then seconded the motion. So ordered.

Mr. Johnson said he will have to provide the Commissioners with a new resolution because the one he has doesn't contain either of those clauses, so he asked the Commissioners if it would be okay if the minutes reflect that it is done today and then he will provide them with an amended final resolution by next Monday.

Commissioner Ossenberg said that the minutes will reflect it, so all he needs to do is to give it to their secretary and she will stamp their names on it.

RE: REQUEST TO TRAVEL....VETERAN SERVICE OFFICER

The following letter of request was submitted to the Commissioners by Robert Moran, the Veteran Service Officer:

Dear Sirs:

I request permission to attend the annual Service Officer's School sponsored by the Indiana Department of Veterans Affairs.

It will be held in Indianapolis April 24-27, 1978.

Thank you for all consideration in this matter.

Respectfully, Robert J. Moran  
Service Officer

It was noted that Mr. Moran has money in his Travel Account to cover this.

Commissioner Schaad moved that Mr. Moran's request be granted. Commissioner Willner seconded the motion. So ordered.

RE: BID OPENING...ROOF AT AUDITORIUM

The following bids were received this morning for the roof at the Auditorium:

Midwest Roofing & Insulation Co., Inc.....Bid #1 - \$89,950.....Bid #2 - \$18,975.00  
U. S. Sheet Metal & Roofing Co. Inc....Bid not in good order & not signed by corporate secretary.  
Industrial Contractors, Inc....Bid in good order but received after deadline.

Commissioner Schaad asked Mr. Crooks if Bid #1 was for the removal of the roof completely.

Mr. Crooks said that Bid #1 was for the removal of the bad part of the roof and then to put a new roof over the top of it and Bid #2 was for the patching of the roof.

Commissioner Schaad said they wouldn't have a new bonded roof in either event then, and Mr. Crooks said this is correct.

Commissioner Willner asked Mr. Crooks how big of a hurry was he in to get this done and if they could re-advertise for bids, or if water is ruining it.

Mr. Dewes said they pretty well have it patched, with the exception of one or two leaks which they haven't been able to find.

Commissioner Willner moved that the bids be taken under advisement and referred to Mr. Crooks for study and recommendation given next week. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter of request was received by Commissioner Ossenberg, from Ms. Doris Gaiser of the Law Library:

Sir:

I wish to inform you that in the months of June and July it will be necessary for me to be out of the city for personal reasons.

Therefore I'm requesting a personal leave for June and July.

Sincerely, Doris Gaiser  
Law Library

Commissioner Schaad moved that Ms. Gaiser's request be approved. Commissioner Willner seconded the motion. So ordered.

RE: SURPLUS ITEMS ...COUNTY HIGHWAY DEPARTMENT

Mr. Siebeking submitted the following note on Surplus Items he has at the County Highway Department:

Board of County Commissioners:

The following items are to be declared surplus and disposed of at the forthcoming auction at Pleasantview:

- (1) Royal elite typewriter with extra wide carriage.
- (1) Adjustable operating table

Highway Department, Jack Siebeking

Commissioner Schaad asked Mr. Hotz if he could get this advertised in time for the auction.

Mr. Hotz said it was declared as surplus some time ago and could come under miscellaneous items.

RE: NOTICE OF VOTING PLACES FOR MAY 2, 1978, PRIMARY ELECTION

The list of polling places for the Primary Election of May 2, 1978, was submitted so that it can be advertised.

Commissioner Schaad 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 20th. 1978. Commissioner Willner seconded the motion. So ordered.

It was noted that the Public Notice must be advertised by April 22nd. and that April 29th. is the last day that any changes can be made.

RE: LETTER FROM MANPOWER DEVELOPMENT....CETA FUNDS

The following letter was received by Commissioner Ossenberg, from Mr. McFarland of State of Indiana, Office of Manpower Development:

Dear Prospective Applicant,

The Indiana Office of Manpower Development is soliciting proposals to implement public service employment projects to begin on or about October 1, 1978. The comprehensive Employment and Training Act (CETA) provides funds under Title VI to operate public service employment projects to employ persons who have been unemployed fifteen of the past twenty weeks. Title VI Projects must be at least three and no more than twelve months long and must produce tangible community benefits.

Availability of Funds. The number of projects funded will depend upon appropriations yet to be made by Congress. If Congress appropriates an amount equal to our current year funding, then 2,000 to 2,500 employment positions can be created for residents of the 73 county balance-of-state (68 counties, if the Fort Wayne Consortium continues as is).

Eligible Project Sponsors. Projects may be sponsored by any non-profit organization or by any governmental unit in Indiana. However, participants must be residents of the 73 county balance-of-state.

#### Acceptable Project Activities

Project designs must address one or more State of Indiana priorities:

1. Environment (examples: energy conservation, beautification and clean-up.)
2. Road and street repair
3. Public Safety
4. Education
5. Public service to specific target populations (economically disadvantaged, minorities, handicapped, elderly, and youth).
6. Innovative municipal and county government services (examples: re-indexing libraries, re-assessment of property values), and
7. Community development (examples: surveys, sidewalk installations).

#### Proposal and Approval Process

Notify IOMD by returning the attached "letter of intent" postmarked no later than Monday, April 10, 1978. A "Request For-Proposal" (RFP) detailing program specifications and requirements will be mailed to you. While you may apply for more than one project, one proposal must be submitted for each project. Criteria for rating proposals will be included in the RFP and proposals will be rated against these criteria, scored, and ranked. Projects will be funded in ranked order until funds are exhausted.

Bidders' Meeting. A bidders' meeting will be held on Monday, April 24, 1978 starting at 10:00 a.m. The location will be in the ISTA Building basement, 150 West Market Street. Please read the RFP and bring or send questions to the contact person listed below. Attendance at this meeting is important as time constraints (final proposals are due at IOMD May 30) may not allow for written response to all questions.

#### Whom to Call and Write

You should receive an RFP by April 10, 1978. If you desire additional information or if you do not receive the RFP, please call our office at 1-800-382-9961, extension 7136. The contact person is Ms. Carolyn F. Kittrell, Program Assessment Trainee, Indiana Office of Manpower Development, 701 ISTA Building, 150 West Market Street, Indianapolis, Indiana 46204.

RFP's will be numbered; therefore each interested applicant must send a letter of intent to receive a copy.

Sincerely, Harry T. McFarland, Director  
Operations Division

Mr. John said that copies of this has been sent to the various offices and they can write up their proposals if they are interested in CETA employees, since some of the offices have had some in the past.  
Letter received and filed.

#### RE: LETTER ON UNCLAIMED WARRANTS

The following letter was received by Mr. John, the County Auditor, from Shirl Evans, Jr. of the Association of Indiana Counties, Inc.:

Dear Friend Auditor:

As described in Indiana Code 32-9-1-1 through 32-9-1-45 (Chapter 253 of Acts of 1967), your County could be entitled to a substantial amount of monies if you act very promptly toward reclamation of your County's share of warrants due.

It is our understanding that legal notices have appeared in publications in all of Indiana's 92 Counties, and that, according to the law, claims must be made for any potential return by May 4, 1978. Some Counties have taken steps to receive monies rightfully due them.

Mr. William F. Murphy, Director of the Unclaimed Property Section of the Indiana Attorney General's office, advises us that he stands ready to assist you. Written requests for assistance should be sent to Mr. Murphy at P. O. Box 44633, Indianapolis, Indiana 46244.

Warmest regards, Shirl K. Evans, Jr.

Mr. John explained that this, in the past, had to do with any uncashed County warrants that went to the state and the County had to write a check for any uncashed checks they had that was over two years old, that they would send that money and he thinks they can claim some of that money back.

Commissioner Schaad moved that Mr. John follow up on this to see if Vanderburgh County can get any money back. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION...THIRD READING...VC-2-78

Petitioner and Owner of Record ...Georganna Thurmond of Box 5, Inglefield, Indiana

The Premises affected are situated on the North side of Inglefield Road, formed by the intersection of Inglefield Road and the C. & E.I. Railroad, more commonly known as 200 Inglefield Road.

The requested change is from A to M-2.

The present existing land use is vacant and the proposed land use is for a Machine Shop.

This petition was approved by the Area Plan Commission with 12 affirmative votes.

Commissioner Willner was excused from this vote. He explained that he and his brother has an option on this parcel of property, contingent on zoning, that his brother presently operates a machine shop in Darmstadt, has outgrown his facility and wishes to build a machine shop on this property.

He said that the property is located in Vanderburgh County, across the street from Darmstadt, that the property is now vacant and they are asking for an M-2 to operate a machine shop at this location, that he is ready to build and he will landscape it and they will have nice looking property.

He said the railroad tracks immediately adjacent to the property does have a warning signal and a warning flasher, that they have located the drive on the West side of the property which is farthest from the railroad tracks so that at least one or two cars can stop for the railroad tracks.

There were no remonstrators.

Commissioner Schaad moved that petition VC-2-78 be approved. Commissioner Ossenberg seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION...FIRST READING...VC-3-78

Petitioner...Mr. Forrest D. Railey of 900 Douglas Ave. Evansville, Ind.

Owner of Record...Shelby G. Davis, et al, c/o Culley Realty, 101 Plaza East Blvd. Evansville, Indiana.

The Premises affected are located 1100 feet North of the intersection formed by Division Street and Kimber Lane, more commonly known as 500, 600, and 700 Block of Kimber Lane.

The requested change is from A to R-3.

The present existing land use is vacant and the proposed land use is for an Apartment Complex.

Mr. Osterholt of the Area Plan Commission, said that what he and Sam Elder of the Health Department has put together is further public notice that they need to be aware of, that notice was given earlier but he didn't think it has been realized yet, that they have some further clarifications from the Health Department, that this is an official notice to the public, that the Indiana Legislature has passed regulations governing private sewage disposal systems, that this is an Indiana State Board of Health regulation.

He said the impact of these regulations became effective December 18th. 1977 and the impact on the local area is that development of soils with severe soil limitations identified by a soil conservation service will not be allowed unless a development is on a sanitary sewer system and that the determinations of the limitations is administered by our local Health Officer and he will use the soil survey for Vanderburgh County revue development sites.

He said the result of these impacts will be the decisions made by the Area Plan.

Commission on approval or disapproval of subdivisions and the Area Plan Commission's recommendation to the County Commissioners and the City Council on rezonings.

He said he has a statement from Mr. Elder which is, in essence, pretty much the same, that not much has changed, but that they will have a difficult time in Vanderburgh County developing those septic tanks because the Department of Agriculture



and Soil Conservation Service has said that about 80% of the County has very severe soil limitations, that the immediate impact is in terms of decisions by the Area Plan Commission and will be at the next go-round of these subdivisions and they will have to determine which of those subdivisions are on soils with severe limitations and give fair warning to the developers and any potential buyers since they may not be able to construct anything on that ground, given the soil limitations and precluding the septic tank system.

He said that the soil information, to make the determination, is available at the Soil Conservation Service, but there is yet to be a determination of a minimum lot size if that alternative is available and they need a further definition of what is meant by overcoming the severe soil limitations and he thinks this is one option they should pursue and if they can define what overcoming the severe limitations means they may open up some development.

He said they expect to arrive at a procedure to determine whether the soil limitations have been overcome or not.

Commissioner Schaad said he wondered if the E.P.A. would have some approved systems that they would recognize.

Mr. Osterhold said he thought there were some but he thought the cost was high on these systems though, so it would cost the developer or home builder quite a bit of money to develop the alternative systems.

He said he thought the result of this state legislation and the impact on the local area, especially, is a result of some federal legislation to E.P.A. on something called 208 Water Quality.

He said the state reaction was a reaction to that federal mandate that the state come in to compliance with that 208 Water Quality Program and Plan, and this is one effort to do that and the result is that they end up with some land use control mechanisms that aren't always desirable to the local area.

Commissioner Schaad said that because of Vanderburgh, Warrick County, and Posey County, all having the soil limitations that they have, that it is entirely possible that it would severely retard growth in the County as far as building homes or subdivisions is concerned, if they aren't on a sewer system.

Commissioner Ossenberg said he knows what this means, that it is another federal control on local government and most likely they will end up in court and it won't be the federal government, that it will be the local government and he doesn't care to elaborate on it because his dander gets up every time he reads another federal act.

There was no one present to speak for or against this petition.

Commissioner Willner moved that petition VC-3-78 be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION...FIRST READING...VC-4-78

Petitioner and Owner of Record...Benjamin E. Buente, et al of 8250 Maple Lane, Evansville, Indiana.

The premises affected are the Southwest corner of the intersection formed by Mt. Pleasant Road and U. S. Highway 41, more commonly known as 901 Mt. Pleasant Road.

The requested change is from A to M-2.

The present existing land use is vacant and the proposed land use is for an Industrial Park.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC-4-78 be approved on first reading and referred to the Area Plan Commission. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Szabo Food Service, Ind. for meals served to the Deputies for the period of March 16th. to March 31st. in the amount of \$193.05 and for meals served the prisoners for the same period in the amount of \$3,527.55. The total of the claim is \$3,720.60. which has been approved by Sheriff DeGroote.

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



A Claim was submitted by Szabo Food Service, Inc. for meals served the prisoners for the period of March 1st. through March 15th. in the amount of \$3,236.35 and for meals served the deputies for the same period in the amount of \$197.60. The total of the claim is \$3,433.95, which was approved by Sheriff DeGroot.

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

A Claim was submitted by the Government Resource Center in the amount of \$265.00, with the following letter attached, addressed to Ms. Vicki Bailey, the Executive Assistant to the County Council:

Dear Ms. Bailey:

The bill for the training seminar on Negotiating and Administering Federal Grant Programs to be held in Chicago, Illinois, May 25-26, 1978, is \$265.00. Please make check payable to Government Resource Center.

We would ask that you process this bill at your earliest convenience.

Thank you,

Sincerely, Maxine Page, Seminar Coordinator

The claim was signed by Dan Kollker, President of the County Council. Commissioner Ossenbeger said that the Commissioners gave Ms. Bailey permission to attend this program.

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

A Claim was submitted by Brinks, Inc. for services rendered to the Vanderburgh County Treasurer for the month of April, in the amount of \$253.20.

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

A Claim was submitted by Evansville Crushed Stone Co. for stone on St. Joe Road, Stone #53, @ \$4.85 per ton, making the total amount of the claim to be \$1,304.18. This claim was signed by Mr. Stephen, the County Highway Engineer.

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

A Claim was submitted by Torian Agency, Inc. for Hartford Steam Boiler & Machinery Policy at Civic Center Location only, #CN9011827-03, in the amount of \$3,606.00.

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

A Claim was submitted by Torian Agency, Inc. for Insurance #IMC263018 covering Highway Equipment in amount of \$2,200.00 and Policy #IMC293464 covering Radio Equipment at the Highway Department in amount of \$263.00, making the total of the claim to be \$2,463.00.

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

A Claim was submitted by Torian Agency, Inc. for Continental Policy #FDP6057987, in adjusting premium & values on property and institutional form as per note on invoice 2/23/77, in the amount of \$8,759.00.

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

A Claim was submitted by Torian Agency, Inc. for Continental Policy #IMC12 52 08 covering Voting Equipment, in the amount of \$859.00.

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

A Claim was submitted by P & H Construction Co., Inc. for Labor and Equipment to remove bridge and install aluminum pipe on St. Joe Road, Drag Line Rental w/ fuel and operator...52 hours at \$35.00 per hour, in the amount of \$1,820.00.

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

A Claim was submitted by William D. Willis for mileage in attending Traffic Engineering School at Purdue from April 10th. to April 13th...473 miles @ \$.15 per mile, making the total to be \$70.95.

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

RE: COMMENTS ON ORDINANCE OF DUMPING

County Attorney Smith said that the Commissioners had mentioned something about amending the Ordinance out in the County on dumping, garbage and the like, that they have covered automobiles, abandoned refrigerators and weeds, and the reason he hasn't drafted anything on dumping or garbage before was because the Ordinance here in Evansville extends the jurisdiction to the Board of Public Works to four miles outside of the City limits which covers the situation, so by Ordinance, they are responsible for that.

Commissioner Ossenberg wondered about if they had a complaint outside of the four-mile limit.

Commissioner Schaad said it seemed to him that it should be changed, just in case, and Commissioner Ossenberg said he thought that an amendment for outside of the four-mile limit would suffice, as to no dumping, etc. of any debris, so if they need it, they will have it.

RE: MR. HOTZ

Mr. Hotz explained that the list of items to be sold at Pleasantview that are on page 4 of last week's minutes isn't a complete list, merely a list to be advertised.

RE: DOOR NEEDED BY CONVENTION & VISITORS COMMISSION

Mr. Hotz said they are remodeling at the Auditorium for the office of the Convention & Visitors Commission and they are in need of a door, which he has in the surplus items, and he would like to trade a door with them.

Commissioner Schaad moved that Mr. Hotz have permission to do this, since it is the property of the County anyway. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON MATTRESSES & SPREADS AT PLEASANTVIEW

Mr. Hotz said that last week they discussed the mattresses and bed clothes at Pleasantview that had been used, as to if they could sell them or not. He said he talked to Mr. Elder of the Health Department who said it is alright to sell them as long as the frames and mattresses are sold as one unit.

RE: REQUEST FOR SIGNS TO BE POSTED

The following letter of request was received by Commissioner Schaad from James Allen of the Daughters of Charity of St. Vincent De Paul:

Dear Mr. Schaad,

In the past you have responded to the needs of the Sisters regarding improved traffic control on New Harmony Road. For this the Sisters are very grateful.

Since the Mater Dei Provincialate is an administrative center for the East Central Province, which consist of nine states, many out-of-town Sisters, visitors and guest drive in. It has been very difficult to give directions.

One problem is the Post Office has the address as 9400 New Harmony Road and the road sign at the Koressel Road intersection is Old 460. It would be most helpful to have the sign at that intersection changed to New Harmony Road.

On State Highway 66, St. Joe Road is marked only at the intersection with a small sign. Larger signs located 300 to 400 feet from the intersection, as along Indiana Highway 62 to Mt. Vernon, Indiana would be very helpful.

We would appreciate your/the highway department assistance in this matter.

Thanking you in advance.

Sincerely, James E. Allen

This letter was referred to Mr. Judd of the Traffic Department for study and recommendation.

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: INSURANCE CHECK RECEIVED

Mr. Siebeking said that back on February 23rd. one of the County Highway trucks was involved in an accident on Outer Lincoln Avenue and he has a check in the amount of \$294.62 from the Farm Bureau Insurance Company, since the lady that hit the truck was at fault, and he would like for the check to be put in their Truck Repair Account #201-4252.

Commissioner Schaad moved that this check be put in stated account as requested. Commissioner Willner seconded the motion. So ordered.

RE: PROBLEMS WITH DRIVEWAY ENTRANCE

This matter was discussed last week, that it has to do with a particular driveway entrance to Busler's off Highway 41, by I-64.

Mr. Siebeking said he wondered if anyone has looked into this problem, since they have called him again.

Commissioner Willner said he was up there Saturday and a couple of things are going on out there, that they are planting some trees and shrubs on our right of way and secondly, there is a great big hole out there and the dust is terrible, so they are going to have to do something.

Mr. Siebeking said he talked to Mr. Busler again and told him that the County crew would probably come up there with a grader and try to smooth it out a little bit and maybe get some rock on it until they find out what is going to be done. He said he also told him that he isn't the only one that is involved, that it is also the people that live in back of him that needs a way to get in, also the station that is next to him, so everyone is involved, and this is where he left it, but he told him they would try to get up there in the morning and try to smooth out the place that is getting so bad, but if it can't be given to them, he didn't know what they were going to do, he supposed they would have to just dig it out again and try to put in a french drain under it and maybe do some concrete work, that it might hold.

RE: MR. FEIGEL

Mr. Feigel said he would like some clarification since in last week's minutes, on page 13, it says that Commissioner Willner had asked if it was correct in that the amount spent on paving the roads would be \$27,000 per mile, as Mr. Siebeking had said, and Mr. Guillaum said it would cost approximately \$25,000 per mile for 165 pounds, and then Mr. Siebeking said that it would cost \$15,000 per mile or less, and he asked what Mr. Siebeking was speaking to, at the \$15,000.

Mr. Siebeking said this would be the approximate cost if he did the work.

Mr. Feigel said the material would cost \$15,000 and asked if he wasn't going to charge anything else for trucks or labor or anything else.

Mr. Siebeking said they charge it out but nothing like a contractor would have to charge out, that they charge out a small amount because even if they weren't resurfacing roads, his people would be doing something else.

Mr. Feigel said that Mr. Siebeking is saying that it doesn't cost the County anything to lay the roads which isn't true, that they have to have four or five operators, six to ten truck drivers, four or five laborers, they have to insulate their trucks and the trucks are six-ton load so they have to build the sides up and said the public might be led to think that the County can do it for \$15,000 which isn't true and he doesn't like to see these kind of figures hit the deck.

Mr. Siebeking said he keeps bringing up the fact of six or so operators, that they haul ten-ton with their trucks and if they aren't resurfacing roads, they are doing something else, so they can't actually charge out too much labor or anything else, because his people are going to be doing one job or another, so maybe it isn't a true figure as far as what it is actually costing in everything combined, but he isn't so sure that the \$25,000 or \$27,000 per mile is a true figure either, but he would say it is a ball park figure.

Mr. Feigel said he just wanted to clear the record so the public doesn't get the wrong idea about the cost.

Commissioner Willner said they will have an ad in the newspaper for bids, so they will be able to tell exactly what it will cost when the bids come in.

RE: AUTHORIZED TO RE-ADVERTISE FOR BIDS ...ADLER ROAD BRIDGE

Bids were advertised for on the Reconstruction of Adler Road Bridge on April 15th and is to appear also on April 22nd. with the bid opening date set for April 24th. but that would only be nine days after the first publication instead of ten days, so it will have to be re-advertised.

Commissioner Schaad moved that bids on Adler Bridge be re-advertised for, on April 20th and 27th, with the bids to be opened on May 1st. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON TIME REQUIRED FOR BIDS

County Attorney Smith checked on the statute as to the bid requirements and said that according to the statute, the bids can be opened ten days from last of two publications.

Mr. Stephen said this isn't the only county that has been opening the bids ten days from date of first publication, that they also advertise, say on a Thursday and the following Thursday, and then open the bids on the following Monday.

Commissioner Ossenbergsaid his only comment is, if they have been doing it wrong, the State Board of Accounts would have stopped us a long time ago and the City does it the same way.

After County Attorney Smith read the statute, Commissioner Ossenbergsaid he couldn't contact the State Board of Accounts, that they were out of the office, but he did talk to Mr. Crooks who said it is his opinion that they advertise twice and that they can legally open the bids in ten days from the date of the first publication and award a contract, that every attorney has told him that and he talked to the Board of Works and this is what they also do.

He said they will leave the advertising of the bids the way they have been doing and leave the bid opening date for May 1st, that they will check with the State Board of Accounts this afternoon and if they say bids can't be opened until ten days after the last publication, they will change the bid opening date to May 8th.

RE: AUTHORIZED TO ADVERTISE FOR BIDS...ST. JOE AVE..OAK HILL ROAD...DARMSTADT ROAD

Mr. Stephen said he has the specifications ready for the paving of St. Joe Avenue, Oak Hill Road and Darmstadt Road, but he wasn't aware of the Commissioners giving permission, last week, for their names to be stamped on them, so he is now asking that they sign the specifications so bids can be advertised for.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids, for the paving of St. Joe Avenue, Oak Hill Road and Darmstadt Road, on April 20th. & 27th. with the bid opening date to be May 1st. Commissioner Willner seconded the motion. So ordered.

RE: MR. GUILLAUM.....PROGRESS REPORT

Mr. Guillaum reported that they have done 320 feet of guard rail the past week and that they are now on Baseline Road and hopefully, will pour the concrete out there today, that they have the rails removed on two structures, that one will probably be ready so they can pour today and the other within a day or two.

He said he believed, after they get the pipe assembled on Inglefield Road within the next couple of days, they will probably use some of their boys to help place the pipe as far as the rock bedding, and it will probably be a good idea to have the backhoe out there too, that they will try to make it out there Thursday, but he expects that pipe to be in place this week.

He said they put together about eleven structures that are in dire need of replacement, that the ones on Boehne Camp Road and Red Bank Road have been hanging fire for a long time, but totally, they are talking in the vicinity of \$435,000 worth of work, also that they have had one road realignment and they have a structure that will probably be a realignment job and a bridge job which is on Old Petersburg Road, which has been a problem for a number of years and they are working for a solution on it right now. He said that more than likely they can go with their old abutments on Boehne or Red Bank, that Boonville-New Harmony will be roughly the same situation they had earlier, so they will probably do a little adjustment on the engineering, that this came up before and they wanted to put in a couple of pipes but the bids came in pretty high, that Princeton Road Bridge will be a new complete bridge, that Adler Road Bridge will be a small one and they can probably go with a pipe there, that Old Petersburg Road will be re-aligned as he previously stated, that on Baseline Road they have a minor realignment but will never-the-less probably have to get some right of way out there, that Old Mt. Vernon Road Bridge is one they thought about a couple of years back but didn't do anything at that time and it needs to be done, that it is

a narrow bridge but is small, so they can probably go with a pipe in there. He said that on the one on Upper Mt. Vernon Road, they need to do something there since they have poor width, that they have the preliminary surveys on three or four of these, so they are on their way, also they are in the process, right now, of still trying to get something going on the bridge on Kleitz Road, that they have a problem with the right of way and Mr. Schmitt is the biggest property owner involved, but he is hesitant on going with the new bridge, but they are working on it and hopefully, they can get something worked out pretty soon, if they can, they will be ready to go with it, that Dan Kares tried to get something worked out with him but couldn't, but they haven't made him any direct offer, so if they could work out a trade or something, maybe it would help, but if they get this right of way, the job will be ready to go.

Commissioner Schaad asked if the engineering has been done on all of these, and Mr. Guillaum said no, that they have the preliminaries done on three of them, that no engineering has been done on about 90% of them and they have the field survey done on about 25% of them.

Commissioner Schaad asked Mr. Guillaum how long it would take to get the engineering done so they could advertise. He also asked if they were taking them in order as to the condition of them.

Mr. Guillaum said they wouldn't all be ready at the same time, but they are keeping them pretty much in order as to their condition, that he noticed that Boehne Camp and Red Bank, particularly, were brought up in the past, that he just put this list together last week and he spoke to Dan Kares this morning to get some preliminary surveys on these, so it has just been initiated this past week.

Commissioner Schaad said his point is that the bridges should be done in order as to their condition, so it would seem to him that the engineering should be done on them first.

He asked Mr. Guillaum if he had the manpower to get the engineering done on all of them.

Mr. Guillaum said he thought they did, that they were sure going to try.

Commissioner Schaad said that maybe when they get so many, they can advertise for bids on just those and not wait for all of them to be done, that as soon as they get the engineering done, they can go ahead.

Mr. Brenner said they are trying to get them in groups where they can be bid on together.

Commissioner Schaad said that it would probably help in getting a better bid if they could ask for bids on a group that were in the same vicinity.

Mr. Brenner said the reason he did this is because he is finding himself before the County Council every month asking for something and he was going to try to ask for the whole thing, that it takes two months to get the money and they are losing time.

Mr. Guillaum said that he feels they have a good group to work on, since all of them come under the critical condition as far as the 1973 Bridge Report is concerned, and they had a couple of small ones that were under 20 feet that they threw in there, along with a couple of roadway realignments, but he thinks they are all justified and that they need to get on them.

Commissioner Willner moved that they be approved. Commissioner Ossenberrg seconded the motion. So ordered.

#### RE: COMMENTS ON PAVING ROADS

Mr. Guillaum said he has been talking to Mr. Stephen in regard to the paving and they are going to try to get the specifications drawn up, that he thinks they know what they are going to be shooting at in terms of blacktop that they will be putting down as well as the roads they are going to put down, that it is just a matter of putting it on paper.

He said that he and Mr. Stephen will be leaving tomorrow for Road School for a couple of days, so they will try to have the specifications ready by the end of the week. He also said that they do expect to have the job on Inglefield wrapped up this week.

#### RE: FIRST AVENUE BRIDGE

Mr. Brenner said that Mr. Lochmueller is running some kind of study on the First Avenue Bridge, that they received a reply from the C. and they won't make any



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changes until they are given more detail of the alignment and bridge so they can determine what would have to be changed. He said they were waiting for the City, who is waiting for Mr. Lochmueller to finish his off-street parking study, so they need to know something, or forget about it.

The letter that Mr. Morley of Morley and Associates, Inc. received from the Corp of Engineers reads as follows:

Dear Mr. Morley:

Reference is made to your letter of 27 February 1978 concerning the Evansville Local Protection Project, Pigeon Creek, Unit 2, Part 2 in the area of the First Avenue Bridge.

Currently the preliminary plans provide for an 80-foot wide closure at First Street as shown on the enclosed plan. This width closure was provided for future widening of First Avenue as requested by local interests in 1974. Equal distance is provided on each side of the existing center line of First Avenue. If a new larger replacement is considered with the same alignment as First Street, the closure would probably be adequate. If the new structure is constructed on the west side of the existing bridge, the structure might affect the pump plant and exit channel depending on the abutment, piers, etc. The closure would also have to be adjusted for the new alignment.

More detail of the alignment and bridge is required to determine exactly what would have to be changed. It is our understanding as of 13 March 1978 in a meeting with the Vanderburgh Levee Authority District that more detailed plans have been sent. As discussed in the meeting, final decision must be made in the near future if this is to be incorporated into the construction plans.

Sincerely yours, Noah M. Whittle  
Chief, Engineering Division

Commissioner Willner said they shouldn't forget about it, that there was another accident there yesterday, that it was two motorcycles and one man is still in intensive care, that one hit a car and one hit a sign near the new golf driving range.

RE: MR. STEPHEN

Mr. Stephen said he pointed out to Mr. Guillaum that one road was left off the list, that Commissioner Ossenberg wrote a letter to Reverend David Niednagel, Pastor of the Christian Fellowship Church, last week, on the bridge that needs replaced on Millersburg Road, and this needs to be added to the list.

RE: BASELINE ROAD

Commissioner Ossenberg said that Mr. Stephen wasn't here last week, but that he would like for him to drive over Baseline Road and make a recommendation on it, that he received a letter and pictures showing it's condition from I. U. Dept. of Medicine. Mr. Stephen said that Mr. Feigel told him that about the only way they could do it, is to tear it up and let it dry and it would be a good place to put some stabilization of some kind, before they pave back over it, that they should leave it as a gravel road so the traffic can compact it and then come back and put a surface on it. He said this road is in terrible condition.

Commissioner Willner said that it is a total washout from one end to the other, and something is going to have to be done with it.

Mr. Stephen said that he went down to Mr. Lochmueller's office a week ago, to see what condition they had on it on their report, that the report justified the three roads that they picked, that the roads were given a number rating from 1 to maybe 25 with the roads warranting something be done when the rating is 15 or over and the three roads they picked, Darmstadt Road, St. Joe and Oak Hill Road, they were rated in the vicinity of 15, 16, & 17.

Commissioner Schaad asked where Baseline Road fitted in the rating.

Mr. Stephen said it was very low, since when they introduce the traffic, it is very low on the priority, since they can be rated very high on the work needed but when they introduce the factor of traffic count, the higher traffic count on the other roads lift them up to a higher priority than they have on this road.

Commissioner Schaad asked how long Baseline Road is.

Mr. Guillaum said that Baseline Road is 12.4 miles long.

Commissioner Schaad said they could let some of these jobs out on contract and let Mr. Siebeking get busy on Baseline Road, that this will keep him busy for awhile.

RE: FIRST AVENUE BRIDGE.....CONTINUED

Mr. Stephen said he didn't know who should be the recipient of the letter to the Levee Authority from the Corp of Engineers, on the letter that came in to Bob Brenner on the First Avenue Bridge, that it should be on file.

He said it indicated that if something is done on First Avenue, and the bridge widened, they need to know that information because it is going to affect the design and the building and the opening in the levee, and they have a pumping station there and are pumping the water back out from behind the levee and it is in a kind of a bad position for the way they have that pumping station there.

He submitted a drawing of the planned First Avenue Closure and explained what they plan to do.

He said he didn't think that the Corp of Engineers and/or that the Department of Natural Resources would allow another structure at that same elevation in that stream.

Commissioner Ossenberg said this is what he was told.

Mr. Morley said he gathered from a phone conversation that the Corp would try to work with the County or the City at that point to expand the closure that is necessary but they will not make revisions to these design drawings until such time that they have some sort of official notice that the second bridge is going and the approval of a commitment and if the design drawings aren't prepared for the second bridge. He said if the design drawings are prepared and submitted showing that the second bridge is going up, then they will go ahead and re-design it.

Commissioner Schaad said they didn't know what the Commissioners are going to do until they know what the City is going to do.

Commissioner Ossenberg said there is no sense in building another bridge there unless they take the parking off.

He asked Mr. Morley if he is taking this same information to the City and Mr. Morley said they could send this copy to the Surveyor's office and he can get another copy.

Commissioner Ossenberg said that the County's condition of that bridge is, if they ban parking on First Avenue.

Mr. Brenner asked Mr. Lochmueller if he isn't making a survey on First Avenue to see if they can take the parking off.

Mr. Lochmueller said he isn't sure where the study is right now.

Mr. Morley said that he would approach the City Engineer with this information, and the Commissioners said they want him to approach the Safety Board.

Mr. Morley said that all he was going to approach them with is, that the opening is 80 feet wide and if they don't resolve something the Corp will go ahead with the project, that they will not widen that opening based on an "if", that they are either committed to the second bridge and the widening or they aren't.

After further discussion, Commissioner Willner said he thinks it behooves everyone to get off their cans and get the plans in to them, regardless of what the City does, that sooner or later they are going to take the parking off of First Avenue.

Commissioner Ossenberg said he would appreciate it if Mr. Morley would go before the Safety Board to show them the plans and explain the situation to them.

Mr. Morley said that all he can say is, if they don't do something now, the same thing is going to happen to them here that happened to them over on Fifth Avenue, that they give an idea of how they want to do it and if they don't follow through and acquire the right of way, back when they first talk about it, and later they get everything all screwed up and now they are going up over the top and it wouldn't matter if they had the right of way anyway, that the ideas must be followed through with and if they intend to make the Corp make a change, it ought to be definite that this is the way it will be.

He said the particular problem is that once they let that contract and walk out of here, we could do anything we wanted to, as long as we preserve the integrity of the levee and pay 100% of the cost, locally, that right now, they try to accomodate, but that accomodation stops the day they let the contract, that this is a crime but we can't plan these things well enough that we know exactly what we want, tell them, and then follow through with it.

Commissioner Schaad moved that Mr. Stephen, Mr. Brenner and Mr. Morley appear before the Board of Safety, with this letter, and make them aware of the fact of what the



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Corp said and the need for immediate haste. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON ORDINANCE ON ACCEPTANCE OF ROADS

Mr. Stephen said that Mr. Morley wanted to know the status of the revision of standards and the Ordinance which is installed after the requirements for the acceptance of the roads, that it was referred back to the County Attorney's.

County Attorney Wendel said he got a call from Mr. Terrell Friday and the homeowners are getting together and are going to propose some changes.

Mr. Stephen said the reason he brought this up is that Mr. Morley was wondering if they really need for a road to be 24 feet wide that is in a development that dead ends, that they have reduced the published requirements on some to 22 feet.

Mr. Morley said he met with some homeowners on a road in McCutchanville, that is a dead end and it was originally platted as a private roadway with the right to dedicate it to the public and then the decision was made that the roadways be graded so it could be approved to a crushed stone roadway that they have on their standards. He said the homeowners asked him if the Commissioners accept the road as a crushed stone roadway, did he think that it would ever be a chip and seal in the future. He said he told him that it is his understanding that if he wants it as a crushed stone road and wants to build it that way, it will be that way forever, that they aren't going to get something free later on because the crushed stone road was approved to begin with.

He said they then got together as a group and decided they would pool their resources and they would pay for an asphalt roadway, that in coming off Old Petersburg Road, it is 18 inches wide and they wondered if the Commissioners would let them build a 20 foot wide roadway on the rock base and he told them that isn't the way the standards are written, that it was 22 inches and is now 24 inches.

He said he didn't know whether he spoke correctly or not in telling them that there is probably no chance that it will ever be blacktopped in the future, but he was trying to get them to decide what they wanted and pay for it.

He said they haven't been taken advantage of by the developer because it wasn't included, that they knew what they were buying and they got a cheap lot to begin with, and now they are looking at it and saying it has disadvantages and why don't they go to the other, that he didn't know what the feeling of the Commissioners are on this or whether there is any thought of reducing the required width on a paved roadway.

Commissioner Schaad said he would be more concerned as to how it is going to be put down and how thick it was going to be rather than he would about the width.

Mr. Morley said they did get bids from Al Rudolph and Midwest and the bid on the 20 foot roadway is \$18,000 and the bid on the 24 inch roadway is \$24,000, that his instructions, when bids were asked for, was that the road be put down according to the County specifications.

Commissioner Willner asked if this was industrial property or what.

Mr. Morley said it is a residence, that it is one of these one-acre lot subdivisions, that this is what they get into out in the County, that they start to go one acre lots and they have so much frontage in front of everyone and they really start adding up a lot of road costs.

Mr. Stephen said that if there are to be some changes made in the Ordinance, now it the time to do it.

Commissioner Willner stated that as Commissioner Ossenberg had said, they did give the people on Wedeking, off Browning Road, permission for a 20-foot road, which is a residential subdivision.

Mr. Stephen said he thought it was 22 feet but he would have to check on it.

Commissioner Willner said he would go to 20 feet if the right of way would stay the same.

Mr. Morley said it is all on there as 50, that it is the same.

Commissioner Willner moved that they be permitted to do the same thing as they did for Wedeking if Mr. Stephen will check it and providing that Mr. Morley make the specifications meet the code. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Morley said he will get someone from the Surveyor's office to run the inspection on it prior to that time.

RE: COMMENT ON OUTER ST. JOE & BOONVILLE-NEW HARMONY

Commissioner Schaad asked Mr. Stephen what happened to their Outer St. Joe project from City limits to Warrick County where they were going to widen the road.

Mr. Stephen said it is in the drawing but he doesn't have the specifications finished as yet.

Commissioner Schaad asked if they wouldn't have to go before Council to ask for the money again since they couldn't encumber it unless they had a contract or a purchase order.

Mr. Stephen said it all came within this year, so they do have the money.

Commissioner Schaad also asked about the intersection where they were to widen the radius on Boonville-New Harmony to make it more safe..

Commissioner Willner said that one property owner is holding it up and that is Joe Rexing, but he hasn't gotten back to him and Mr. Rexing promised him a decision one way or the other.

He said that the reason for him holding this up is that he doesn't believe the County has the right of way on the West side of the road and the drawing shows that it is, and he was going to check with the state to see if this is correct.

Mr. Stephen said they have the right of way there and the poles are set back and this went to court but he can't find the court records on it.

Commissioner Willner said he will follow up on this.

RE: DRAINAGE PROBLEM

Commissioner Schaad said that Bill Smith of 14403 McCutchan Road called him regarding a drainage problem and he thought there was a problem because the water really needs to get into a ditch that is on private property and the tile is just too small, that it is a 15 inch pipe and all he is asking the Commissioners to do is to size that pipe properly and change it to the correct size and he will do the work himself.

Mr. Stephen said he will call Mr. Smith so he can get with him and he will size the pipe.

RE: PROGRESS REPORT ON ROADS

Commissioner Schaad stated that Mr. Lochmueller told him that he was talking to the state and they should be advertising next week for the hearing on Lynch Road, that Mr. Lochmueller also said that the Outer St. Joe Avenue project is in the hands of the federal people and perhaps within the week, we should be getting some letters from them and we can then go ahead with the right of way purchase on that project, that it is from Diamond Avenue to Mill Road and from Mill Road to Lynch Road.

RE: MR. GUILLAUM...PRINCETON ROAD BRIDGE

Mr. Guillaum asked County Attorney Wendel if he got the letter he sent out about a week ago regarding the bridge on Princeton Road that had been hit.

County Attorney Wendel said he did receive it and that he sent a copy to the Insurance Company.

Mr. Guillaum said he mentioned it in the letter, but on the estimate he put together, he checked with another contractor in town who was familiar with the damage and they coincided with their estimates and he can give the estimates to them.

RE: CUTS IN

An application for a cut was submitted by the Indiana Bell Telephone Co, Inc. to cut into Inglefield Road 263' East of Highway 41.  
Application received and filed.

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17.

The meeting recessed at 12:00 noon.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

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

COUNTY COMMISSIONERS MEETING  
APRIL 24, 1978

The meeting of the County Commissioners was held on Monday, April 24th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenbergs presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY TREASURER

Mabel Winkler	Part Time	\$20.00 Day	E66: 4/17/78
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VANDEBURGH COUNTY ELECTION OFFICE

Maxie A. Hatcher	1209 First Ave.	Ballot Assistant	\$2.50 Hr.	E66: 4/17/78
Russell S. Rohner	617 Maryland St.	Ballot Assistant	\$2.50 Hr.	E66: 4/17/78
John W. Overton	188 S. Lincoln Pk. Dr.	Ballot Assistant	\$2.40 Hr.	E66: 4/17/78
Fred C. Roeder	R.R. 4 Box 263	Ballot Assistant	\$2.50 Hr.	E66: 4/17/78

RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

Ann R. Schmidt      802 S.E. First St.      Planner 1      \$12,750.00 Yr.      E66: 4/21/78

## COUNTY AUDITOR

Mabel Winkler	Part Time	\$20.00	E66: 4/15/78
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## COUNTY TREASURER

Juanita Jones                  Part Time                  \$20.00 Day                  E66: 4/17/78

RE: MONTHLY REPORTS

The Report for the Evansville Association for Retarded Citizens, Inc. was submitted for the month of March, 1978.  
Report received and filed.

The Report of the Clerk of the Circuit Court was submitted for the month of March, 1978.  
Report received and filed.

The Report from the Bureau of Traffic Engineering was submitted for the month of March, 1978.  
Report received and filed.

## RE: DISCUSSION OF FULTON AVENUE BRIDGE PROJECT

Ms. Lani Etheridge of Urban Transportation appeared and explained that they have been working on the preliminary engineering for the Fulton Avenue Bridge Project, that the County is doing the preliminary engineering for the bridge and the City is doing the roadway work.

She said that basically, it goes from Cedar Street, North, to the existing Kratzville, Fifth Avenue, Diamond Avenue intersection, and they have run into a few problems because they are going to be taking park land when they do this, and there are some federal regulations that apply, one of which reads that the secretary shall not approve any program or project which requires the use of any publicly owned land, such as a public park, unless there is no feasible alternative and unless such program includes all possible planning to minimize harm to the park, and besides that, they are also buying land that was purchased with Bureau of Outdoor Recreation funds, so they have to replace the land that they buy with an equal amount of land.

She said that what they are proposing is, that they not only replace land but that they build the bike path across the bridge, that this isn't something that has come from their department, but from the Parks Department, and the reason it is important for them to include this in the design is because it will probably be very hard to get through the government unless they have an agreement with the Parks Department.

She said that what she would like for the Commissioners to do is to authorize them to design a bike path across the bridge, that she was told that the additional cost

would be \$24,000.00, 70% of which would be funded by the federal government, but the cost, if they don't build it, may be no bridge at all. She said she didn't know if she could present this to the Commissioners strong enough, that they haven't had a 6-F statement through Indianapolis before, so this is the first time, and they have had the 4-F statement through only a few times, and they are often turned down, so it is going to be hard to get it through at all, and she thought that in time, the \$24,000.00 would be well worth it, but it is up to the Commissioners as to if they want to include it in the design, that if they do, it will just take them another week to ten days to re-design the bridge to those specifications.

Commissioner Schaad asked Ms. Etheridge if she is saying that if the Commissioners okay bike path, that it solves all the problems.

Ms. Etheridge said "no", that it is very hard to get through anyway, that she is saying that they will have a lot more problems if they don't come to an agreement with the Parks Department, that originally, the Outdoors Recreation suggested a boat ramp there but that isn't physically possible since the bridge is going up several feet higher than the existing bridge and they can't build it down into there, so the next thing that has come up is the bike path, but it will be hard to get through, one way or the other.

Commissioner Schaad said then, that what we are talking about here is just to design the bike path, that if they don't get it through, they aren't going to build it anyway.

Ms. Etheridge said this is correct.

Commissioner Ossenberrg said that the cost then to the federal government would be \$16,800.00 and our share would be \$7,200.00 of the total cost of \$24,000.00, that his only concern is that it may be hard to get through, but is the Parks Department going to demand anything else.

Mr. Hartenburg of Outdoor Recreation, said that the bikeway concept certainly isn't anything new, that in 1976 they were working aggressively working with the Levee Authority to try to create a bikeway on top of the existing levee, and now when the Fulton Bridge Project has come up, it seems to be an acceptable trade-off to them, to swap the public access, which is what the Bureau of Outdoor Recreation is really concerned about, of a boat launch facility in exchange for the crossing of that major Pigeon Creek barrier with a bikeway easement.

He said that his department, in cooperation with the Transportation Study unit, are working on the development of bikeways, not only along the levee property, but throughout Evansville, that there are tentative routes shown on the map he has posted, and he would quickly say that they are only tentative at this point, and they will go through a series of public hearings to review them, but it becomes very evident, in looking at the map, that the Fulton crossing is the most singular, most important point in tying the bikeway together from the Southern portion of Pigeon Creek to the Northern extremities of the City, so because of the impact which that bridge crossing provides, they just feel strongly that to provide the bikeway access, would in the future, tie the entire bikeway system together, and should that design feature be granted, they would certainly whole-heartedly support the bridge concept.

He said they have talked with the Transportation people and looked at other possible park parcels that could be exchanged, for the federal law requires that if one acre of land is diverted for highway use, another acre of land has to be designated at some point and they feel they can accomplish that trade, which he thinks is a fairly nominal cost from what he understands, but the major factor is in providing the access which was previously in the form of the boat ramps, and now they would recommend to the Board of Outdoor Recreation that the project be approved if the bikeway is part of the bridge design.

Commissioner Schaad asked what about the time table, and how will the bike project fit into it as far as the actual construction of the bypass.

Mr. Hartenburh said that at this point, the Corp of Engineers have given regional authorization to the construction of the bikeway and those plans have been finalized and forwarded to Washington for approval, that the main question will be funding through the Corp of Engineers, but he thinks it will be only a matter of time, that they certainly endorsed the project, so this is a possible source of funds, and in addition to this City Council, last year at this time, designated that all bike license fees be earmarked for bikeway capital improvements, so annually, they are building up between \$5,000 and \$10,000 of money solely earmarked for bikeway construction, so it isn't a matter of whether we are going to have bikeways, that it is more of a matter as to when and where, that the money is being accumulated.

Commissioner Schaad said that if it could come to pass as to when, before the bridge was built, they would then know that it would be used, but they have no knowledge as to when it might come to pass anyway, because there is funding, approval, etc.

Mr. Hartenburg said this is correct, but with the Corp of Engineers, it looks, realistically like it is probably like it is another two or three years for there source, that locally, they are going to have a pot of maybe \$10,000 to \$20,000 within the next year of a year and a half, so they will be able to do something locally if that particular area is of high enough priority to warrant the expenditure there, as the first phase has not yet been determined, but regardless of when the bikeway system would be implemented, this particular location is just of prime importance in tying Northern access of Pigeon Creek to Southern access.

Ms. Etheridge said there is another project coming up which is First Avenue, and unless they set aside enough right of way, they are going to run into the same thing there, so she thought perhaps that it would be a good idea if the County Commissioners would suggest to Mr. Morley, who is in charge of buying the property for the Levee Authority, that he set aside enough right of way for the future bridge so they don't run into the same thing.

Mr. Lochmueller said this very thing could have been prevented here sometime ago if they had protected the right of way and got what right of way that was needed and he hopes they don't have the same problem on First Avenue.

Commissioner Ossenbergsaid that the bridge on First Avenue is only a commitment, if the City of Evansville will participate to Pennsylvania Street, with no parking and the widening of First Avenue, that there is no sense in building a bridge if this isn't done.

Commissioner Schaad said that if they are going to build it, they are going into the same problem that they are having on Fulton Avenue.

Commissioner Ossenbergsaid the request could be granted, but by the same token, he thought the Commissioners to be on record, that there will be no bridge unless they widen and take the parking off First Avenue.

Mr. Lochmueller asked, if they did this, it is a little different than Fulton Avenue, and he asked if this would be a local job, on First Avenue.

Commissioner Ossenbergsaid that Mr. Brenner was talking like it would be all bridge funds, also that Mr. Morley was talking about a time element and the time element with the Corp of Engineers and the time element with the City of Evansville, that the Commissioners are ready but they have to co-ordinate those two together.

Commissioner Schaad moved that the Commissioners go ahead and authorize that they design the bike path and see what happens. Commissioner Ossenbergsseconded the motion. So ordered.

Commissioner Ossenbergsaid they should get with the engineer and tell the Commissioners exactly the amount of space they need, etc.

Ms. Etheridge said that Dan Hartman is the engineer, and basically what they want to do, is have two sidewalks that are eight feet.

Commissioner Ossenbergsasked where the design and construction is on the Fulton Avenue Bridge.

Mr. Lochmueller said they are in design and environmental right now, that this is all the further they are.

Commissioner Ossenbergsasked how much this bridge will be.

Ms. Etheridge said she didn't remember the cost of the design but the cost of the bridge will be \$1.4 million.

Mr. Lochmueller said the County will get federal monies back on this.

Commissioner Willner asked if the County has approved any monies for the construction of that bridge as yet.

He said he is a little confused and doesn't understand it.

Commissioner Ossenbergsaid they have passed the annual element and consequently he doesn't think anything has come up in the line of money yet but in the design, they have passed the annual element to join in with the City for that Bridge and what they



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are saying now is that it may go and it may not go, but they need a bike path and what this amounts to is \$24,000 additional money of which 70% is federal money and 30% local money, but the project may not go at all.

Mr. Lochmueller said that the federal money for the design has been approved and the City money has been approved and he thinks they are asking some \$16,000 of Cumulative Bridge money that has not been approved.

Commissioner Schaad said this was just to okay the design for the bike path, that Dan is working on the bridge and isn't going to design a bike path, that this is the way he understands it, but if we are going to have to make this deal with the Park Department, they are going to have to have a bikepath to do it so unless the engineer is told to design a bike path he isn't going to do it, and this was the reason for his motion.

Commissioner Willner said he was still in the dark on it and Commissioner Ossenberg said the time will come when they will have to vote on the appropriation, if it ever comes.

Commissioner Willner asked where they are spending the \$24,000 and who gets the check.

Commissioner Schaad said they aren't spending \$24,000, that they are just authorizing the design of a bike path, which when it is built, if approved, will cost \$24,000, of which 70% will be federal money and 30% local money.

Mr. Hartenburg said that he will then go back to the Board of Recreation and tell them what the County Commissioners are willing to do and hopefully, get the waivers accomplished so the project can then go ahead and they would certainly endorse the project and thinks it will benefit the community, but frankly, they feel this is something they have to offer the Board of Recreation to get them to approve it.

RE: TRAVEL REQUEST ...CHARLES OSTERHOLT

The following letter of request was received by the County Commissioners from Mr. Charles Osterhold of the Area Plan Commission:

I am requesting travel to meet with the Inter-modal Planning Group and the State in Indianapolis on April 25th to have a meeting with the Indiana State Planning Service Agency and with the State Board of Health and attend a conference with the Advisory Council for State Planning.

I will be leaving Monday afternoon, April 24, 1978, and returning the end of the week of the 24th. I will be traveling by car.

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

RE: NOTICE OF CHANGE FOR VOTING PLACES

Notice is hereby given to the voters of Vanderburgh County, State of Indiana, that the following changes or corrections are listed for places of voting for the Primary Election to be held on May 2, 1978:

WARD 4, Precinct 11 - Hose House #10 (located in 4-13) 120 East Columbia Street

WARD 4, Precinct 12 - Delaware School Annex (located in 4-10)

Columbia and Elliott - S. W. Corner

WARD 4, Precinct 13 - Hose House #10...120 East Columbia Street

By Order of the Board of County Commissioners of Vanderburgh County, Indiana, this 24th Day of April, 1978.

Commissioner Ossenberg said these changes were necessary because Delaware School had several precincts in it and there are several areas where there are hard hats, that there is construction going on, so consequently, they had to go down two blocks to #10 Hose House, that they had several calls from people saying that they couldn't get in to those particular areas to vote without a hard hat, so these precincts had to be re-located.

Commissioner Schaad moved that the change in these precincts be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO CHANGE VOTING PLACE

Mr. Brenner said that Ward 1, Precinct 25 has it's voting place at Carolyn Sauer's house located at 7215 Washington Avenue, and he didn't think this to be an appropriate place to vote. He said that his committeeman refuses to go back in there, that she resigned and said that because of the intimidation she would work in any other precinct but not there.



He said there is #6 Hose House two blocks away at 6521 Washington Avenue that is in Ward 1, Precinct 21, and he knows they have tried to stay out of private homes.

Commissioner Schaad said they have voted there for several years and they are so used to voting there, but he couldn't see changing it for just one person.

Mr. Brenner said it is the Commissioners decision, that he just voiced his complaint.

Commissioner Ossenberg said he is going to deny this request because he has never heard any complaints and the food is always good out there, and they have never had any trouble.

RE: REQUEST TO GET CIVIL DEFENSE CLEANED UP

Mr. Brenner said he also has a problem at Civil Defense, that they have let the rest rooms and other things go and it needs cleaned up.

Commissioner Schaad said this is City property and it can be taken care of.

Mr. Brenner said that the lot in front of it is also very badly littered and he asked Mr. Gullledge, a week ago, to clean it up and they said they would, but it still wasn't cleaned up this morning.

Commissioner Ossenberg said he would contact Mr. Montrastelle on this today.

RE: MEAL ALLOWANCE FOR ELECTION BOARDS RAISED

Mr. Brenner said he contacted better than sixteen restaurants and they said that for \$2.00 per meal they couldn't afford to prepare and deliver the meals to the Election Boards on Election Day, but his father found one which is the Country School, but they can't handle all of the precincts, that the schools will probably do it, and maybe a few other individuals, but this was the question most often asked at the school for the Boards that was conducted by Shirley Jean Cox.

Commissioner Ossenberg asked Mr. Brenner if he had found an established price.

Mr. Brenner said he thought \$2.50 for breakfast and \$3.00 for the other two meals. This would amount to \$59.50 per Board for the three meals. He said that some of the restaurants like Dusty's said they wouldn't take the job at any price, that they claim they lost too much money, that they didn't get paid, but he couldn't see how this could be.

Commissioner Willner said they ordered extra meals for other workers and just got paid for the Board member's meals.

Commissioner Ossenberg said he always made out a check for the meals of his other workers.

He said if this is approved, there is money in the budget for the entire year, so they would have to go before Council for more money for the meals in the fall, but that they should have no opposition.

Commissioner Schaad moved that the \$2.50 be allowed for the breakfast meal and \$3.00 for each of the other two meals. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED

A check in the amount of \$70.49 was received from Hahn & Becker Insurance Company, that was made out to the Commissioners of Vanderburgh County and Arts Glass Service, Inc. for one of the Sheriff's Department's cars windshield.

Commissioner Ossenberg asked if Arts Glass Service shouldn't send in a blue claim.

Mr. John said they really should, that he will ask the State men and either, they will send in a blue claim and the check will be quietused in and he will write it back out or else, if it is okay, he will just give them the the check, if not, he will have to get an endorsement from them.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was received from Jesse F. Stock Insurance, Inc. on insured, Lockyear College, for the use of the Civic Auditorium for their graduation ceremony to be held on June 21st. 1978. Certificate received and filed.

A Certificate of Insurance was received from Inman Insurance Company of Boonville, Indiana on insured, Leland and Hallie McCool for the use of the Auditorium. Certificate received and filed.

Certificates of Insurance was received by Torian Agency, Inc. on insured, the Vanderburgh County Commissioners, for the extension of coverage on the Pleasantview Rest Home and it's contents.

Certificates referred to the County Auditor's office and noted as being received and filed.

RE: LETTER FROM BRINK'S, INC....NOTICE OF NEW CHARGES

The following letter was received by the Clerk of the Vanderburgh Circuit Court, from Brink's, Inc.:

Gentlemen:

The cost of conducting most every business continues to steadily increase notwithstanding the efforts of responsible businessmen to do their part in holding down the spiral of inflation. Our own armored car operations are continually reviewed to insure the highest degree of efficiency, but the savings affected will not cover the dramatic increases in the cost of insurance and increased labor and fringe benefits.

Therefore, in order to maintain our present high standards of service and security we must ask you to approve an adjustment of our charges as follows,

The new charges to your account will be as follows:

items a & b..\$102.40 per month

For your record, the original of the letter is an amendment to your contract dated March 26, 1970. We will appreciate your promptness in signing the enclosed amendment and returning the duplicate marked "Brink's Copy" in the self-addressed envelope. Should you require any additional information, please contact our office.

May I take this opportunity to thank you for your past patronage.

Very truly yours, R. T. Haller  
Vice President

Commissioner Ossenbers said the previous cost was \$94.80, that there is no one to bid against them, that they had an agreement set up with the Sheriff, that he had agreed to take this money and provide protection to the banks, etc. but the Treasurer was very much against it because they didn't have any insurance and he is wondering if they couldn't get insurance that wouldn't cover it for what this costs, because the County Treasurer's cost is over \$200.00 per month and if there is an increase for the County Clerk, there is going to be a raise in cost for the County Treasurer also. He said he thought they should look into it and see if they can get insurance and if the Sheriff is still willing to do it.

Commissioner Schaad said they should first check with the Sheriff and then check on the insurance, but in the meantime, he wondered if this is on a month to month basis.

Commissioner Ossenberg said the Evansville Police Department still takes money from the City Clerk's office and different ones and escorts them to the bank for the City, that they have done this for years.

Commissioner Schaad moved that this matter be deferred until they have a chance to look at Brink's contract. Commissioner Willner seconded the motion. So ordered.

RE: SHERIFF HAS SURPLUS ITEM TO BE SOLD

The following letter was received by the Commissioners from Pete Swaim of the Sheriff's Department on surplus equipment:

We have an old underwood Olivetti Adding Machine from the Boehne Camp that can be picked up at our office for the next month's sale. The machine is functional except for the last digit punched which will not appear on the tape.

Signed, Pete Swain

Commissioner Ossenberg said the County Treasurer's office had several surplus items and letters were sent out to all the county officeholders to see if any of them were needed, but no one seems to want them.

Commissioner Schaad said that this adding machine came from Boehne and all of that was declared as surplus some time ago, so it won't have to be declared as surplus again.

Commissioner Schaad then moved that Mr. Hotz pick the adding machine and all of the surplus items from the County Treasurer's office and put them with the rest of the items to be sold at Pleasantview. Commissioner Willner seconded the motion. So ordered.

RE: ANNUAL ELEMENT FY - 79

Mr. Lochmueller submitted his Annual Element of Projects that are programmed for 1979 for Vanderburgh County.

He said that he will be taking the full element that will include Vanderburgh, Warrick, Evansville and Newburgh, probably to a policy meeting this coming month, that this is what he hopes to do in May.

He said that even though the Council has approved money for St. Joe Avenue and for Lynch Road in the Finance Ordinance, for a job to get federal money, even if it hasn't been started, it still has to be in the annual element, that is approved and sent to the federal people or they won't grant the federal money, so every year, even though these jobs have been in here for a couple of years, if they haven't reached that stage of construction, or whatever phase they are under, the job is still in the annual element, so they see St. Joe Avenue, Lynch Road, that they separated the Lynch Road railroad crossing out.

The projects for construction are St. Joe Avenue, Diamond Avenue to Mill Road... Lynch Road, U. S. 41 to Oak Hill Road, Lynch Road and L & N Railroad... Nurrenburn Road and L & N Railroad.... Boonville-New Harmony Road and ICRR... Hogue Road and L & N Railroad... Baseline Road and L & N Railroad.... St. Joe Avenue and Meier Road... and the Vanderburgh County Striping Program.

Also listed is the Lynch Road Extension for A.S. & P. E. and Covert Avenue Extension (Section 2) for A. S. & P. E.

He said that the Striping Program will probably take place after the resurfacing has been done, that the Lynch Road Extension would be the engineering that would take place to go on an environmental statement to go on East of Oak Hill Road, and that the Covert Avenue Extension would be the engineering which is \$44,565.00 in local match, that there are three governmental units involved in this, the Warrick County Commissioners and a small portion of Evansville, that this is only the engineering.

Commissioner Ossenberg asked Mr. Lochmueller where they are on St. Joe and Meier Road.

Mr. Stephen said they are being drawn to specifications so they can be submitted, that the grade had to be reduced since the side of the road was too steep.

Mr. Guillaum said they had to reduce the grade from what they initially had to make it comply with the specifications, so they had to cut it down from about a 7% to a 6.5%.

Mr. Stephen said he talked to the people on the N.W. corner where the hill had to be cut off and they were agreeable.

Commissioner Schaad moved that the Annual Element for 1979 be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CUMULATIVE BRIDGE FUND RE-ESTABLISHED

Mr. John said that every five years the Commissioners must re-establish the Cumulative Bridge Fund tax rate, and he submitted the First Notice, stating that the County Commissioners will meet at the Civic Center in Room 307 on May 8, 1978, at 9:30 a.m. for the purpose of considering a proposal to establish a cumulative bridge fund for the purpose of construction and maintenance of the bridges in Vanderburgh County.

He asked the Commissioners that they establish the rates, and said that this takes Council approval but they do that at budget time, also that this must be advertised.

Commissioner Schaad moved that the Commissioners establish the tax rate of 25¢ on the Cumulative Bridge Fund for the next five years. Commissioner Ossenberg seconded the motion. So ordered.

RE: FEDERAL REIMBURSEMENT STUDY COMPLETED

Mr. John said that approximately two months ago, David M. Griffith & Associates, came down and did the Federal Reimbursement study and they have sent in their final proposal to the federal government plus a copy to us and it appears that we may get \$41,000.00 in reimbursements for work we have done that is reimbursable by federal funds, of which \$12,000.00 would go to them.

A copy was submitted to the Commissioners at this time and is noted as being received and filed.

RE: MR. CROOKS

Mr. Crooks said they have received a request from the Flooding Service Act Administration

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on updating their Flood Insurance, that they need an update on the annual report. He said he will make a copy of it and take it to the County Commissioner's secretary to check on it.

RE: BIDS FOR AUDITORIUM ROOF TO BE RE-ADVERTISED FOR

Mr. Crooks said that three bids were received last week on the replacement or repair of the roof at the Auditorium, one of which was not in order and one arrived too late, that the remaining bid, in reviewing it, he found nothing wrong with it, that he did consult with knowledge of roofs and he could see nothing wrong with the proposal as submitted, but he raised the question as to whether or not they had to receive three acceptable bids or whether they just had to receive three bids.

County Attorney Smith said the statute reads that the Commissioners will receive the bids and that they will accept the lowest and most responsible bid, but that the Commissioners have the right to reject all bids and re-advertise. He said it would be his advice to re-advertise for bids, since they aren't sure that the only bid they received is a responsible bid, that he would recommend that they re-advertise so they can get some comparative bids, rather than to just have one to consider.

Commissioner Schaad moved that all bids be thrown out and that they re-advertise.

Commissioner Willner said this is fine with him, but he has a question on whether they want to repair the roof or replace it.

Mr. Crooks wondered if they could be subject to a suit since they didn't accept the one bid.

County Attorney Smith said that anyone can be sued.

Commissioner Schaad said that when they take any bids, they are subject to be thrown out and re-advertised for, that he has seen it done many times.

Mr. Crooks then asked if they get into that situation, if it would mean they couldn't accept the new bids and go ahead with the project, or would they have to wait until that suit was settled.

County Attorney Smith said he didn't know what kind of suit that Mr. Crooks was talking about, that it wouldn't affect the re-advertising and letting of the contract, but if he was talking about a restraining order or an injunction, it would affect the work.

Mr. Crooks said the reason he is asking is because if this happens, it will be next year before they get a new roof on the Auditorium.

Commissioner Willner asked Mr. Crooks what his recommendation is, as to if they should replace or repair the roof.

Mr. Crooks said his recommendation is that the roof be replaced. He asked the Commissioners if there is any change in the bid form or the bid advertisement that they want to recommend, and he said that by saying replacing the roof, they aren't stripping everything down to the metal, that they are taking off all the bubbles and it is stated that they are preparing the existing roof by cleaning and removing all dirt and loose or blistered sections, etc.

The Commissioners agreed that they would knock out the alternate bid.

Commissioner Schaad then changed his motion to read that all bids be thrown out and that they re-advertise for the replacement of the roof at the Auditorium. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad asked if there are any provisions in the bidding that they have to guarantee any leaks after they get through, over a certain period of time.

Mr. Crooks said they didn't make any provisions of that nature, but they did talk to the contractors about bonding and they said that the bonding people won't bond unless it is completely stripped, but they might get a warranty for a period of two years.

Commissioner Schaad said this should be put in the specifications, because they could put the roof on and the next day they might have more leaks.

The other Commissioners agreed that they try for a two year warranty.

Commissioner Schaad moved that the specifications be changed to read that they warrant the roof against defects in materials and workmanship for a period of two years from date of acceptance of installation. Commissioner Willner seconded the motion. So ordered.

Mr. Crooks said that he will re-write the specifications so that bids can be re-advertised for on April 27 and ~~May 4~~, 1978, with the bids to be received on Monday, May 8th.

RE: MR. HOTZ..... OLD VOTING MACHINES

Mr. Hotz said they have four voting machines, that two of them are the old type voting machines, that one is from Central High School and the other one is from Bosse High School, and they are creating a problem for Mr. Dewes at the Auditorium, since he doesn't have the facilities for storing all of them. He thought the old ones could be declared as surplus.

The Commissioners thought that maybe the Conrad Baker Foundation or the Museum would take one on loan and this would take care of the storage, that they kept two machines for the elections by the Police Department, the Fire Department and the Unions, stated Commissioner Ossenberg, and they always insured them and moved them.

Mr. Hotz said that he would contact the Conrad Baker Foundation and the Museum to see if they would each take one on loan, at no cost, if not, they will have a moving problem.

The Commissioners agreed that if Conrad Baker or the Museum don't want the old voting machines, that they declare them as surplus and try to get rid of them, but they will keep the newer ones for elections, as they have done in the past.

Mr. Dewes said that the two newer machines don't pose a problem as far as storage is concerned, but the two older ones are in the way.

RE: PROBLEM OF INACTIVE STORAGE

Mr. Hotz said they still have the problem of inactive storage in the basement and it has reached the point to where something has to be done. He asked the Commissioners what they thought about in having a meeting sometime after the election where they could get Shirley Cox, at least one Commissioner and one County Council member and some of the officeholders together to get into this problem and see if they can solve it.

Commissioner Schaad asked if any of the officeholders have been down there and if there is anything that can be done to force them to check their area for old records that can be destroyed and he said that they are elected officials the same as the Commissioners but the Commissioners have the problem, that Commissioner Ossenberg has written them all but they have just ignored the request.

Mr. Hotz said that Mr. John, Mr. Angermeier and Area Plan came down and took care of their areas but that is all.

Commissioner Ossenberg asked Mr. John if at the next meeting of the Commission on Public Records, if they could go on record in asking the officeholders to come in and check their storage spaces.

Mr. John said they have done this about ten times, and have also sent them letters through the Commission as well as through the Commissioners and it hasn't done any good.

Mr. Hotz said the Assistant Manager of the Building Authority told him that in Indianapolis, at the City County Building, somebody should look at their storage, that it is all stored neatly from the floor to the ceiling and that one person is in charge, that the officeholder phones down and tells them what he wants and within 30 to 45 minutes, the records are there and they sign them out and when they return them, they sign a receipt that they have been returned, and the officeholder doesn't get in the storage area at all.

Commissioner Schaad said if they once had the records in the right order, after getting rid of what they don't need, it should only be a matter of opening the file and getting the proper records out.

Mr. Hotz said that it comes back to the problem of money, that they have most of the frames they need for storage but they don't have the shelves and to get these shelves to complete these frames it will be expensive, that they have used up all that the Building Authority has given them but he is out of them, however he will be the first one called if they do get some in. He said that something should be worked out and they will certainly co-operate in any way they can.

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Mr. Hotz said they have a two-burner gasoline coleman stove in the basement and they don't know who it belongs to, that it has been down there for several years and he thinks it may belong to the Surveyor's office.

Mr. Guillaum said that at one time, sometime ago, when they would do their soil tests, they would have to cook the moisture out of the dirt and he thinks that is what that burner was for, that they don't need it anymore, since it is more practical to have someone like Mr. Hanson come in with a machine and do it.

Commissioner Ossenbergsaid if it isn't needed, it should be declared as surplus and get rid of it.

Commissioner Schaad moved that the two-burner gasoline coleman stove be declared as surplus and that they take it out to Pleasantview and sell it.

Commissioner Willner asked that the Commissioners have Mr. Hotz to set up an appointment with the officeholders that haven't been in the storage area, that he specify a date and time, that they can see how this works.

Commissioner Schaad said he should call the officeholders and ask them what time would be suitable to them, to come down there.

Commissioner Willner said if they then don't show up, he should go up and get them.

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: REPORT ON CETA PEOPLE

Mr. Guillaum submitted a weekly report on the Bridge Crew and the Guard Rail Crew and said that during the past week they have put up roughly 297 lineal feet of guard rail and they completed the structure that they had been working on at Baseline Road. He said if any of the Commissioners have a chance to go out there, he thought they should take a look at it, since he thought it turned out real well, and they should bear in mind that they only have about \$1,000.00 in it, and he is proud of it.

Commissioner Willner said he saw it and thought they did a very nice job, and another one was painted.

Mr. Guillaum said they did this too, that they have been trying to do a lot of them that have been up and have gone with reflective paint and have been putting it on the ends and also on the bridge abutments themselves.

RE: CLAIM

Mr. Guillaum submitted a claim from Marvin G. Karch for mileage in checking rites for guard rail, in the amount of \$3.33, that has been approved by Mr. Guillaum.

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

RE: SPECIFICATIONS APPROVED FOR ST. JOE, OAK HILL & DARMSTADT

Mr. Guillaum said that he has the specifications ready for St. Joe Avenue, Oak Hill Road and Darmstadt Road, that they have been advertised for bids and the bids will be opened on May 1st.

Commissioner Schaad moved that the specifications be approved. Commissioner Willner seconded the motion. So ordered.

RE: ADLER ROAD BRIDGE

Mr. Guillaum said that the Adler Road Bridge bids will be received for opening next Monday, that they have contacted all of the contractors in the immediate area on it, and he will get the specifications out to them.

RE: COMMENT OF HAULING ON GREEN RIVER ROAD

Mr. Guillaum said he had a man to call him this morning from the Elberfeld Block Company by the name of Kuhlenschmidt, that apparently he had talked with the Commissioners at another time, on hauling up and down Green River Road, over to Old Boonville Hwy.



He said that as of today the Sheriff has stopped him a couple of time and is giving out tickets, that the question he had for this gentleman was what kind of a load he was carrying and what kind of an axle load does he have, and the man told him he had 32,000 pounds per axle, which would really be over the limit, but at any rate, he asked the Commissioners if they remembered this man.

Commissioner Schaad said he was in here at the time they put a limit on some of those roads as to the load and when they established those truck routes, that he said it was a hardship on him to travel more miles.

Mr. Guillaum said this is what he told him, that he said he can go 57 to 41 but in terms of gas and expenses, it would really be putting the price up, so he wanted to get with the Commissioners to see what their thinking was on it, that the man wanted the information brought before the County Commissioners and a ruling made on it, as to whether a permit should be given to him or not.

Commissioner Schaad said it is the same problem as they had before, that the man has another route but he wants to go the other way because it costs him less money, but they are all that way, but they can't deny him to get to his place of business.

Commissioner Ossenberg said he had a call this morning from the McCutchan Trucking Co. whose truck the Sheriff stopped and they are on Green River Road and they didn't know how they could deprive a man from going to his home.

Mr. Guillaum said the problem they may run into is, if they do something for one man they may possibly have to make exceptions for others and they will then have to go on down the line.

Commissioner Schaad said if a man lives on a road or his business is there, they can't keep him off of it.

Mr. Guillaum said he understands this is a delivery and he just wants to go a shorter route, that it is just off Green River Road on Old Boonville Highway.

Commissioner Ossenberg asked what they did when he was here last year.

Mr. Brenner said the man claimed that they made a deal and that he could drive on the road. He said the only one he ever signed an agreement on was for a milk truck and they were stopping him.

Mr. Guillaum said they gave a temporary permit to Watson, with the coal mining, but the water was up then and it was strictly a temporary type thing, but in this case, it could be going on for some time, since this is the type of permit he wants.

Commissioner Willner said he thought they have to set a load limit on Green River Road and stick by it.

Mr. Guillaum said they will just have to re-route him from 57 to 41.

Mr. Siebeking said he could also go through Warrick County and come in on Boonville Highway, that his business is in Warrick County anyway.

#### RE: NURRENBERN ROAD

Mr. Guillaum said it rained here last night but that Nurrenbern Road should be underway, that Jerry David indicated that maybe today he would have equipment down there, so they did notify the news media and hopefully they will be getting this job done.

#### RE: DISCUSSION ON DARMSTADT'S SHARE OF MONEY

Commissioner Ossenberg said he got a call from Bill Phelps, Urban Keil and Roger Sheinkuhl and he asked Mr. Guillaum if he contacted Mr. John on this, that all three have stated and one said they called Indianapolis and they said that Vanderburgh County has received Darmstadt's share of St. Joe Avenue, that they have been getting money for everything with the exception of St. Joe Avenue and they will start getting money on St. Joe Ave. next month as their share and with their \$55,000 that they have, they can take care of the extension of Darmstadt on in and they can take care of Boonville-New Harmony, and then they can patch Fleener Road and other things, but they do not have the money and they feel as though we have been getting their money and we should do the portion of St. Joe Avenue and this is included, so he asked Mr. Guillaum to check with Mr. John to see and after computing it out, we have been receiving their money.



Mr. Guillaum said that until they really get it ironed out, he wondered if they should pave up to the limits of Darmstadt, because they can stop the paving anywhere they want to.

Commissioner Ossenbergsaid he thinks if Vanderburgh County has been receiving their money and they agree to go along with Darmstadt Road with us and they agree to take care of their section of Boonville-New Harmony and then they need money for pot holes and the like, that we should go ahead and do St. Joe Avenue.

Commissioner Schaad asked how long it has been in the Incorporated City of Darmstadt.

Commissioner Willner said there was some question when Darmstadt annexed the area to the South and to the West, of whether the City wasn't going to sue Darmstadt over the acquisition of the annexation to the East, so it was kind of up in arms until the Town Board decided not to annex the Eastern part which was agreeable with the City and it wasn't finalized until about two weeks ago when it went before the City Council and they ratified that, so then they moved the signs so it would take a Philadelphia lawyer to tell them when it became Darmstadt, that no one knows.

Commissioner Schaad said they are talking about the West not the East and his question is, when did this portion of St. Joe become a part of the Incorporated City of Darmstadt.

Mr. Stephen said that way back when they first incorporated the larger area, he wondered if they went to the middle of St. Joe Avenue or if they took all of St. Joe Avenue.

Commissioner Willner said they just went to the center of it and then they had an agreement with the County Commissioners that we would receive the money and take care of the road, that it is the same on Inglefield and now they annexed to the West of St. Joe Avenue, so the road is now all in the Town of Darmstadt and they took in all the homes on the West side of the road, so it is probably their own fault that they haven't been getting the road money, that they could have been getting it all along. He said if it is legally possible for Vanderburgh County to do that road, he didn't care and lets do it, but he questions as to whether it is legal.

Commissioner Schaad said if we are getting money that isn't legally ours, then they should ask for it back and give it to Darmstadt on half of the road.

Commissioner Willner said he thought it was about a mile and a half and they should wait until the bids come in to see what they are talking about.

#### RE: McCUTCHAN ROAD

Mr. Stephen said they have a drainage problem on sizing the tube under McCutchan Road which is now approximately an 18 inch pipe and if it was replaced it would take a 36 inch pipe and Mr. Smith is saying that the pipe under the road is too small so it should be a 36 inch corrugated pipe.

Commissioner Schaad said he told Mr. Smith that is private property and the Commissioners don't have anything to do with it and Mr. Smith said not to worry about that end of it, that if they get it big enough, he will clean the ditch or get it done, that the only thing he needs is a larger pipe.

Mr. Stephen said he thought by lowering the ditch they can get that pipe in there.

Mr. Siebeking said he didn't think they could even get a 30 inch pipe in there unless they reconstruct all the ditches and when they do that they have problems and he asked why they couldn't go in with two pipes.

Mr. Stephen said the right of way is there and he thought they could do it, that the only thing he wondered is whether they like how far they will have to go.

Commissioner Schaad said those people need to be talked to before they start anything.

#### RE: PARK PLAZA DRIVE

Mr. Stephen said that a letter was referred to him a couple of weeks ago, where the people submitted a petition for a legal drain, and he said what this is, that they have an open ditch of sorts, with two inlets on either side of a pipe, underneath Park Plaza Drive, between Sycamore, on, and that is all it consists of. He said this road is on West to Burkhardt Road, which is the end of the Crawford Brandeis Ditch, and a petition came in from E. R. Chandler to make this a legal drain. He said what happens now, is that they have an open ditch of sorts and up to this point there is a field bed and has a field entrance which runs out and there is no ditch any further than that, and the solution should have been a swail down there

tying into the ditch, that the water is trying to get out but they just put it in between the streets and that is as far as it goes, that there are two inlets and a tube under the concrete and that's it, and if it gets deep enough, he presumed that the water runs down the street.  
He said this is the place where the street was not finished along the curb line and a tree is sitting in the middle of the street.

Commissioner Schaad asked where the petition stands on making that a legal drain.

Mr. Stephen said that should be the Surveyor's problem of holding a hearing, but he doesn't know if anything has been done or not, but the developer should have provided the drainage, and there are no drainage plans on it that he can find, that they just built without consideration of taking care of the water.  
He said it is a ditch of sorts and needs work done on it.

Commissioner Ossenberg said that one portion of it belongs to E. R. Chandler and another portion of it belongs to two developers, Joe Edwards and Mr. Jacobs, and where there is one-quarter section of slab of the road is completely out, there is an argument between the two, and the property where the tree is belongs to Barry Smith, that he really doesn't want that tree, that it was planted by a man who was an executive with Whirlpool and was transferred, but the lady across the street wants that tree left there, who is Dr. Hovda's wife.  
He said he was out there with Mr. Siebeking and Barry doesn't want the tree and he told Barry that it is his tree and he can take it out if he wants to, also that Mr. Klassy just went around the tree when they extended that drive.

Commissioner Schaad said that perhaps they could talk to the man and a swail could be put in there.

Mr. Stephen said they could make it a legal drain and assess these people for reconstruction.

Commissioner Schaad said he is going to check with the Surveyor and see where they are on the petition.

Commissioner Ossenberg said that Jacobs had a platted subdivision through part of it and water stands in there and the Commissioners wouldn't let him build.  
He asked Mr. Stephen to write to the doctor and tell him what his recommendation is and tell him that there is a petition to make that a legal drain.

#### RE: CUTS IN

An application was submitted by the German Township Water District to cut into Fischer Road.

Application received and filed.

#### RE: POOR RELIEF

Bunk Carter.....306 Olive Street...Pigeon Township...Connie John, Investigator

The Notice of Poor Relief Action stated that Mr. Carter applied for general assistance but was denied because he is over income as of April 12th. 1978.

Ms. John said that at the time Mr. Carter came in for an application, she was not in the office, that another caseworker took care of this case, that Mr. Carter has been receiving aid from the Trustee's office over the past few months quite frequently, as when he came in they gave him assistance on a utility bill and then sent him notice that he is over income according to the new standards that went into effect on April 1st., that their level for two people is \$240.00 per month and he now receives \$331.00 per month from Social Security, so he is over income for the Trustee's office, that it is Social Security Disability.  
She said his rent is \$45.00 per month plus utilities.

Commissioner Schaad asked Mr. Carter what he is really asking for.

Mr. Carter said that he has been here for forty-five years and in that time he has only been to the Trustee's office about six times, that by the time he pays his bills he doesn't have anything left, that he isn't asking for anything right now, but they told him they couldn't help him anymore and he wanted to know if he ever needs help again, if he can come down for help.

Commissioner Schaad said that he should try to get along the best he can, but if he can't and runs into a real emergency, then he can come back, that the Commissioners can't grant anything that he hasn't asked for.

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Mr. Carter said he isn't asking for anything now, but the Trustee's office told him they couldn't help him anymore and if he wanted to appeal it, he should come before the Commissioners to see about an appeal, that what he is here for is if he does need help again, if he can come back and get it.

Commissioner Ossenberg said he can always come back, but anyone appeals a case when they are denied help when it is requested, but he can come back any time.

Ms. Vitatoe said the problem is that they have these new standards and the limit for two people is \$240.00 per month and as long as Mr. Carter maintains a \$300.00 per month income, they can't help him, so at the present time she is going to close this case since he is over income.

Commissioner Schaad told Mr. Carter that if he again needs help and is denied, then he can appeal it.

Charles R. Kratzer...1815 S. Linwood...Pigeon Township...Ms. Vitatoe, Investigator

The Notice of Poor Relief Action stated that Mr. Kratzer applied for a non food order but was denied because of his failure to cooperate.

Mr. Hall appeared on behalf of Mr. Kratzer and said that he can't get along with his caseworker, that he thinks she has been abusing him, that he is a disabled veteran and has a Section 8, that this could get hairy and the clan thinks that Mr. Kratzer's caseworker should be changed for those mental reasons.

Ms. Vitatoe said the problem is that they have the "head of household" standards, that anyone who is the head of the household must come in and make application and Mr. Kratzer refuses to come into the office to make the application, that he made it once and signed it, but then he sent his wife in, and as long as he is able to be out of bed and be walking around, he is able to come in to the office and pick up his purchase order. She said there is no denial of this on the non food, that he is welcome to it, but if they change caseworkers every time there is a conflict of interest down there, they would never know who their cases were, also that his affidavit has expired and they have to make a new application every six months, so he will have to come in to make a new application and sign the affidavit.

Commissioner Ossenberg asked why Mr. Kratzer won't come in, and Mr. Hall said that Mr. Kratzer feels that Ms. Vitatoe is hassling him.

Ms. Vitatoe asked Mr. Hall why he didn't let Mr. Kratzer come in and explain his own story, so Mr. Hall called Mr. Kratzer in and explained to him that he had asked the Commissioners to give him another caseworker because of his mental condition and his nerves and that the caseworker would like for him to explain why he doesn't want to work with Ms. Vitatoe.

Mr. Kratzer said that a year ago, his wife had a miscarriage and when she came to the Trustee's office, Ms. Vitatoe talked about her like she was a dog and she had been doing this for the whole year, that they wouldn't get a kind word from her and if they would see her on the street, she would just laugh at them and he doesn't appreciate it and he doesn't have to talk to anyone like that, and there are other people down there that he can talk to.

Ms. Vitatoe said that Mr. Kratzer talked to Mr. Morrison about this the other day and Mr. Morrison refused to change caseworkers, and he said that the only way they can get out of this is if the man should move to a different area, that he would then have a different caseworker, since they are assigned by ward and precinct in their cases. She said that as far as anything else, there is no way that the man could come in and not have to sign the affidavit unless he is sick in bed, and that is to pick up a purchase order or anything.

Ms. Kratzer asked how come she talks to others in the food stamp office and they say they go in there and get what they want and they don't have to go in there with their husbands, that their husbands are out in the hallway, so how come they can't be treated as other people are, that this is what she is up here for and she don't have to be talked to like a dog, that they give help to unwed mothers, that she is a married person and she had a miscarriage but she didn't get any help.

Commissioner Ossenberg said that when she is talking about unwed mothers, she is talking about A.D.C. and that has nothing to do with this case. He said he can't see where, if he goes in and makes an application, that there should be any problem.

Mr. Kratzer said he went in there and filled out an application and signed it and Ms. Vitatoe asked him who he wanted to come in, other than himself, and he said his wife, that she can go in there without him, that he doesn't have to go in with her, that he was in the hallway and Mr. Morrison told her to have him come in to see him and he would give him another caseworker, so he went in there and Ms. Vitatoe and Mr. Morrison, both, jumped down his throat and this is why he lost his nerves down there. He said he don't have to put up with this, that he will just quit it, that he doesn't have to be tore up by these people.

Commissioner Ossenberg said he isn't going to enter into any personality conflict, that it is up to him and if he wants to go in to sign an application, that is fine, and if he doesn't want to, that is okay too.

Mr. Kratzer said he wants someone else down there to talk to.

Commissioner Ossenberg said he can't tell Mr. Morrison how to run his office, that he is an elected official the same as the Commissioners and he runs his office as he sees fit.

Mr. Kratzer said this is all he wanted to know.

Commissioner Schaad said the only reason the Commissioners are here is if a person is denied help on rent, utility bill, doctor bill, etc. so then they can appeal their case to the Commissioners and if they see fit, they can then order the Trustee to pay it, but they can't tell the Trustee how to run his office, so he is here for a purpose that the Commissioners have no control over.

RE: CHECK DEPOSITED WITH COUNTY TREASURER

Mr. John said that he has deposited the \$330,000 check from Condo Enterprise, Inc. with the County Treasurer until the closing of the sale on the Pleasantview property.

RE: RESOLUTION ON VACATION OF ALLEY SIGNED

A new resolution had been prepared by Mr. Johnson on the vacation of an alley, in appointing the viewers.

The Commissioners approved this last week and said the Commissioners names could be stamped on it but County Attorney Wendel said the Commissioners should sign it. The petition was signed by the Commissioners at this time.

The meeting recessed at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*Ed Smith, Jr.*

*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
MAY 1, 1978

The meeting of the County Commissioners was held on Monday, May 1, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Pete Swaim opened the meeting, since this is the first meeting of the month.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Jeff Hammond	4020 Broadway Ave.	Rink Guard	\$3.50 Hr.	Eff: 4/15/78
Steven Craig	2604 W. Maryland	Ground Crew	\$4.78 Hr.	Eff: 4/14/78

CIRCUIT COURT

Kim Baker	3101 Kuebler Rd.	Probation Intern	\$3.00 Hr.	Eff: 4/17/78
Sara Nienaber	511 Middle St.	Newburgh Prob. Intern	\$3.00 Hr.	Eff: 4/17/78
Dan Tuley	1524 S. St.	James Probation Intern	\$3.00 Hr.	Eff: 4/17/78
Bob Fenwick	4601 Englewood,	Owesboro Ky. Prob. Int.	\$3.00 Hr.	Eff: 4/17/78
Denise Armstrong	3720 Van Meter	Probation Intern	\$3.00 Hr.	Eff: 4/17/78

HIGHWAY DEPARTMENT

Andrew S. Wade      3318 Bayard Pk. Dr. Temp. Trans. Tk. Dr. \$4.87 Hr. Eff: 5/1/78

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Sherry Brooks	R.R. 5 Box 174	Receptionist	\$6,798.00 Yr.	Eff: 4/18/78
Curtis Owens	1800 Vanbibber	Rink Guard	\$3.50 Hr.	Eff: 4/14/78
Steven Craig	2604 W. Maryland	Ground Crew	\$3.50 Hr.	Eff: 4/14/78

CLERK OF THE CIRCUIT & SUPERIOR COURTS

Marie E. Olds (Deceased) 2800 Lodge Ave. Deputy Clerk \$261.38 Pay Eff: 4/25/78

HIGHWAY DEPARTMENT

Andrew S. Wade      3318 Bayard Pk. Dr.      Gas Man      \$4.78 Hr.      Eff: 5/1/78

PERRY TOWNSHIP ASSESSOR

Lee Taylor (Deceased) 2908 Schoenfield      Clerk      \$16.10 Day      Eff: 4/13/78

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 the Adler Road Bridge and for the Repaving and Repairing of Oak Hill Road, Darmstadt Road and St. Joseph Avenue.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from Torian Agency, Inc. by the County Commissioners, with Miracle Revival of 1121 Goldsboro Ave. of Statesville, N. C. for the use of the Auditorium for Revival to be held on July 21st. & 22nd. 1978. Certificate received and filed.

RE: MONTHLY REPORTS

Case Reports for February and March of 1978 were received by the Commissioners from the Legal Aid Society of Evansville, Inc. Joint Department of Legal Services, William W. Deems, Executive Director. Reports received and filed.

RE: NOTICE OF CHANGE IN POLLING PLACE

Notice is hereby given to the voters of Vanderburgh County, State of Indiana, that the following change or correction is listed for places of voting for the Primary Election to be held on May 2, 1978:

WARD 5, Precinct 20 - Culver School Gym

Commissioner Ossenberg explained that this polling place was formerly listed as being located at Culver School in the Kindergarten room, but they have asked that it be changed to the Culver School Gym, so this was advertised along with the other changes, in last Saturday's newspapers.

Commissioner Ossenberg also said that the two County chairmen contacted him last Saturday and told him that the Hartke Pool is being used for the storage of the ice rink and it was advertised to be used as a polling place, so they have agreed to move it to Gate 1 at Roberts Stadium and that they will have a sign at the Hartke Pool announcing that move.

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

RE: PROPERTY DECLARED AS SURPLUS

The following letter was received by the Commissioners from Shirley Jean Cox, the County Clerk:

The following items listed are being declared as surplus;

1. Burroughs Acct Machine #1796-655 and stand
1. Burroughs Acct Machine #1918-812 and stand
2. Coffee urns received from Pleasantview that are not in working condition.

These items are located in Room 216, Courts Bldg.

1. Manual L. C. Smith Typewriter #1A1850728 -14
1. Manual R. C. Allen Typewriter #8-8955990E

These items are located in the Election Office, Room 214 in the City-County Building.

Thank you, Shirley Jean Cox, Clerk

Commissioner Willner moved that these items be declared as surplus and that Mr. Hotz take them to Pleasantview to be sold with the rest of the surplus property. Commissioner Ossenberg seconded the motion. So ordered.

RE: NOTICE OF CLAIM AGAINST THE COUNTY

The following notice was received by the Board of County Commissioners:

You are hereby notified that on the 27th day of December, 1977, a vehicle leased to the Vanderburgh County Sheriff's Department and operated by an employee of the Vanderburgh County Sheriff's Department, namely Deputy Sheriff Gary A. O'Risky, within the scope and course of said employee's employment with the Vanderburgh County Sheriff's Department, in the 900 block of N.W. Riverside, Vanderburgh County, State of Indiana, a public highway marked for travel by two lanes of traffic, collided with and damaged a truck owned and being lawfully and properly operated by one Leonard Frohbieter, due to the negligence of the said Deputy Gary A. O'Risky in unlawfully attempting to pass the said truck owned and operated by the said Leonard E. Frohbieter on the right hand side of said truck. As a result of the negligence of the said Gary A. O'Risky the said Leonard E. Frohbieter suffered damage to his said truck in the amount of Two Hundred Ninety Six Dollars and Six cents (\$296.06) and damages in the amount of Four Hundred Dollars (\$400.00) due to loss of the use of said truck during the time of its repair. Leonard E. Frohbieter, both at the time of the loss stated herein and at the time of this notice of claim, resided at Rural Route #2, Haubstadt, Indiana. Leonard E. Frohbieter demands payment by Vanderburgh County, Indiana in the amount of Six Hundred Ninety Six Dollars and Six cents (\$696.06).

Signed George Montgomery, As associate of  
the firm of Bamberger, Foreman,  
Oswald & Hahn



Commissioner Willner moved that this matter be referred to Hahn & Becker Insurance Company. Commissioner Ossenbergh seconded the motion. So ordered.

RE: NOTICE OF CLAIM AGAINST COUNTY

Commissioner Ossenbergh said that the Commissioners received another Claim which is on Judith & Joseph Willett Vs. Linda Geisler & the Commissioners of Vanderburgh County which again involves Green River Road and Millersburg Road, for personal injuries. He asked County Attorney Smith to look it over.

RE: LETTER FROM HAMILTON GOLF COURSE ON ANNUAL RENT

The following letter was received by the County Auditor from Robert Hamilton, in reference to The Bob Hamilton Charitable Golf Foundation, Inc. Tax Code 34-85-46:

Dear Mr. John:

Under terms of the existing lease I have with, the Board of Commissioners of Vanderburgh County, I am to pay an annual rental in "an amount equal to the difference that the sum of \$4,000.00 exceeds the ad valorem real property taxes due and payable each calender year on leasehold improvements by reason of this lease."

This year I have paid direct to the Treasurer of Vanderburgh County the sum of \$2,824.42, which represent the real property taxes of the year 1977 payable in 1978. I am filing with you a copy of the tax receipt showing the taxes have been paid.

I am paying the balance, \$1,175.58 to your office as requested by the Vanderburgh County Commissioners.

I owe nothing for previous years. Would you be good enough to settle the tax matter with the Treasurer of Vanderburgh County and the Vanderburgh County Commissioners.

Very truly yours,  
Robert Hamilton

Mr. John said that Mr. Hamilton also paid \$600.00 on the building.  
Letter received and filed.

RE: CLAIM FOR CREDIT

A Claim was received by Torian Agency, Inc. for credit in the amount of \$490.00, on Hartford Policy #36WE850578 01 - Workmen's Compensation Premium Incorrectly Charged to Work Release Program.

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

RE: CLAIMS

A Claim was received from the Torian Agency, Inc. on Hartford Policy #36WE850578 01, for Workmen's Compensation... This portion of Workmen's Compensation premium charged to Work Release Program in error/should have been charged to General Fund, in the amount of \$490.00.

Mr. John said that Torian Agency is crediting the one account and wants the money in the other account.

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

A Claim was submitted by Torian Agency, Ind. for Hartford Insurance Policy #36C722209 - Comprehensive General Liability and Hartford Policy #36WE850578 01 - Workmen's Compensation, in the total amount of \$56,372.00, for General Insurance.

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

A Claim was submitted by Torian Agency, Ind. for the Highway Department's Insurance, Hartford Policy #36C722209 - Comprehensive General Liability and Hartford Policy #36WE850578 01 - Workmen's Compensation, in the amount of \$52,614.00.

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

A Claim was submitted by Mrs. Maurice Dockery for refund on permit #7454, since the house is not built, in the amount of \$70.00.

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



A Claim was submitted by Jack T. Sauter for refund in the amount of \$6.00 for a job that was cancelled, that was approved by Mr. Crooks.

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

A Claim was submitted by Comaier Services, Inc. for Security Service at the Pleasantview Rest Home, ending April 23, 1978, in the amount of \$500.00, that was approved by Mr. Hotz who said this will be the last bill from them.

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

A Claim was submitted by Kaiser Aluminum & Chemical Sales, Inc. for materials for Cypress Dale Road in the amount of \$15,126, that was approved by Mr. Guillaum. Mr. Stephen said there were four tubes and two have been paid for, so this claim and the next one are for the other two, and the amounts are according to bid.

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

A Claim was submitted by Kaiser Aluminum & Chemical Sales, Inc. for materials for Inglefield Road in the amount of \$8,141.04, which was approved by Mr. Guillaum. They are both from the Bridge Fund.

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

A Claim was submitted by Sieco, Inc. for Professional Engineering Services provided in conjunction with the Pavement Marking Demonstration Program as per Agreement from 1/1/78 thru 3/31/78, in the amount of \$304.03.

Mr. Stephen said that this is 100% reimbursable, so he has made application for the reimbursement. This was approved by Mr. Siebeking and Mr. Stephen.

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

Commissioner Willner asked if this will be available this year and Mr. Stephen said he presumed that this striping will be done sometime this summer.

#### RE: OPENING OF BIDS

The following bids were received on the Adler Road Bridge:

Southwest Engineering, Inc.....	\$77,408.78	Engineers Est.
G. H. Allen, Inc.....	\$75,722.92	
Barnett Brothers Inc.....	\$76,639.80	Approximately \$78,000.00
Key Construction Co. Inc.....	\$83,013.00	
Deig Bros. Lumber & Construction, Inc.....	\$65,613.80	

Commissioner Willner moved that these bids be taken under advisement for one week.. Commissioner Ossenberg seconded the motion. So ordered.

#### RE: REQUEST FOR EXTENSION OF CLOSING ON SALE OF PLEASANTVIEW

County Attorney Wendel said they still don't have the Title and Abstract work completed on the closing so they can close the Pleasantview Rest Home sale, that the deadline for the closing would be this Friday but the specifications provided that if the Council and the Commissioners and the bidder agreed, in writing, to change the deadline for the closing, this could be done.

He said that this is an agreement for the consideration of the Commissioners, that they extend the closing of the sale for 30 days to June 5, and that the Council is going to meet on Thursday, so they can also consider this agreement at that time.

He said that Condo Enterprise of Evansville, Inc. has some questions on oil leases and gas leases, whether they have been terminated and whether anyone has been drilling on them and that type of thing.

Commissioner Willner moved that the closing of the sale on Pleasantview be extended as requested, that the agreement be approved and signed. Commissioner Ossenberg seconded the motion. So ordered.

RE: HOUSE ON HARMONY WAY

Mr. Crooks said they talked earlier in the spring about going along with the Dean's on the house on Harmony Way in getting it razed, since they were taking off about one board per week which has now been slower than that. He asked the Commissioners if he should make efforts to jack it up and get the work done or get bids to tear it down and he asked the Commissioners what they wanted him to do.

Commissioner Willner asked Mr. Crooks if he has been in contact with the owner, and Mr. Crooks said he hasn't talked to her in a couple of months.

Mr. Crooks said they have taken off the second story section of the back half of the house, but nothing more.

Commissioner Ossenberrg asked Mr. Crooks to contact them to find out what they are going to do and to tell them that if they don't take effective action, the house will be razed.

Mr. Crooks said he will try to get in touch with them and report back to the Commissioners next week.

RE: HOUSE AT NURRENBURN & RED BANK ROADS

He said that two houses in the area of Nurrenburn Road and Red Bank Road were brought to his attention, that one has a lot of junked cars out there but the house isn't too bad, and the other house needs to be torn down but he hasn't as yet been able to find out who it belongs to.

He said if the Commissioners wish, he is ready to take action on the junked cars as soon as Council approves the money for that account.

Commissioner Willner moved that Mr. Crooks contact the property owner and see if he won't voluntarily clean it up. Commissioner Ossenberrg seconded the motion. So ordered.

RE: OPENING OF BIDS

The following bids were received on the paving of Oak Hill Road, Darmstadt Road and St. Joseph Avenue:

Feigel Construction Corp.....	\$268,690.01	Engineer's Estimate
Midwest Construction & Materials, Inc.....	\$280,150.86	\$345,855.00

Commissioner Ossenberrg asked if the St. Joe bid includes Darmstadt and Mr. Stephen said it does include Darmstadt.

Commissioner Willner asked if it deletes the 2½ tenths of a mile past the fill they put in for the Penn Central Railroad.

Mr. Stephen said it will, that they will work this out with the bidder and will just hop over that spot.

Commissioner Ossenberrg said the only thing he wants assurance of is going through Darmstadt to where Vanderburgh County has been collecting money all the way through, because if it doesn't, they could file a law suit against them and stop the whole deal, and it should go all the way to Baseline Road, and they will most likely have an under-run, and can add an addition if they have to.

Mr. Stephen said they have it on a per mile basis and are buying the material on a per unit basis.

Commissioner Ossenberrg said he just wants the assurance that it is going through on what the County has been collecting on, since we have been collecting on their roads in Darmstadt.

Commissioner Willner moved that these bids be taken under advisement for one week. Commissioner Ossenberrg seconded the motion. So ordered.

RE: PROGRESS REPORT BY MR. GUILLAUM

Mr. Guillaum reported on the CETA crew by saying that they did some more bridge work and worked on guard rails on Green River Road and said that the guard rail crew put down about 700 feet this past week.

RE: MEETING SET ON BRINK'S MATTER

Commissioner Ossenberg said that last week the Commissioners received a notice from Brink's on an increase for their services, and they didn't sign it until they could do a little investigating, so he now has the information from the Auditor's office as to what it has cost us since 1971, which is as follows:

Services for the County Clerk

1971.....\$49.50 per month  
 1972.....\$59.40 per month  
 1973.....\$62.00 per month  
 1974.....\$68.50 per month  
 1975.....\$88.80 per month  
 1976.....\$94.80 per month

Services for the County Treasurer

1971.....\$143.50 per month  
 1972.....\$172.25 per month  
 1973.....\$179.75 per month  
 1974.....\$198.60 per month  
 1975.....\$230.20 per month  
 1976.....\$253.20 per month

Commissioner Ossenberg said this is over a 100% increase, also that he is still wondering if it wouldn't be advisable to talk to the Sheriff, the County Treasurer, the County Clerk and to talk to the Insurance Co. to see if they couldn't have an Insurance policy so the Sheriff's Department could transfer the money to the bank so we could save money, since the cost was also up in 1977 and they are asking, as of June, 1978, that it be increased to \$102.40 per month for the Clerk alone and this month, we will get a notice of a raise for the County Treasurer. He said this thing is getting to be ridiculous.

Commissioner Willner moved that the Commissioners have a meeting next Monday morning at 8:00 a.m. with the County Clerk, the County Treasurer, County Attorney's and the Sheriff's Department. Commissioner Ossenberg seconded the motion. So ordered.

RE: CARROLL ACRES

Mr. Stephen said they are getting ready to run a water line in the Carroll Acres Subdivision off Broadway on Felstead Road. He said the sewer line will have to be graded and a 12 inch pipe put in, and this will need the Commissioners approval, that unless these plans came through a long time ago, this Subdivision hasn't come through here yet.

Commissioner Willner asked Mr. Siebeking what kind of shape Felstead Road is in.

Mr. Siebeking said it has some bad spots in it, that it was resurfaced in 1973, but the road itself isn't in too bad a shape.

After further discussion, Mr. Siebeking said he would go out and take some pictures of the road, since Commissioner Ossenberg said that if they are going right next to the roadside, that whole road gets torn up.

Commissioner Willner said that if they want to run a sewer line, surely they have a zoning.

RE: MR. HOTZ

Mr. Hotz said that Mr. Dewes, manager of the Auditorium, has a cold water coil that is to be declared as surplus and they will attempt to sell it at the auction, but if they can't, they will salvage it as junk, also that they will have several items of this nature.

Commissioner Willner moved that this item be declared as surplus. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Hotz said he contacted Conrad Baker Foundation and the Museum and they didn't want the two old voting machines.

Commissioner Willner moved that the two old voting machines be declared as surplus and taken to the auction at Pleasantview. Commissioner Ossenberg seconded the motion. So ordered.

County Attorney Wendel said they will have to be advertised, but Commissioner Ossenberg said they probably wouldn't be sold anyhow, that they will have to be junked and sold for scrap iron and they can use the highway truck to move it all out there.

Mr. Hotz said that he called Curran Miller and Hugh looking for prospective buyers.

RE: PARKING LOT AT THE AUDITORIUM

Mr. Hotz said in regard to the parking lot at the Auditorium, if they could use two of the CETA workers, with the highway department, for two half days, they could put the seal on the lot themselves and get it out of the way, so they could then get it striped and he wondered if it would be legal for them to use the two workers, since this is a county owned lot.

Commissioner Ossenberg said he didn't think it was legal for him to use them, but that Mr. Hotz should get with Mr. Siebeking to see what they can work out.

RE: OBJECTION ON AUDITORIUM LEASE WITH SCHOOLS

County Attorney Smith said he met with Joe Hatfield and Patrick Henry this week and they were objecting to the lease form on the Auditorium and apparently they have changed the procedure now and instead of the individual schools executing their own leases with the Auditorium, they are going through the School Board now and they have a couple of objections concerning liability and indemnification agreements on the form, so he told him he would get with Mr. Dewes and they could make some changes.

Commissioner Ossenberg said they called him and he had them call County Attorney Smith, that basically, the School Principal was responsible.

County Attorney Smith said the way it reads now is that the indemnification clause in that agreement is pretty much carta blanche on coverage, in other words, that the lessee would be held liable or responsible for anything that happened including action of the lessor so he suggested it could be modified to restrict liability on their exposure to only those situations arising out of their actions, also that there is a provision in the agreement that says that the lessor has absolute control over the premises and can evict anyone and this sort of thing and then the indemnification really doesn't restrict the indemnity to adjust the lessee's action, so he could see the technical question on it, so he could amend it to hold the lessee responsible only for any actions that might result from anything they did on the premises and not anything we might do.

Commissioner Ossenberg said they had the same problem at Roberts Stadium.

The Commissioners asked County Attorney Smith to get with Mr. Dewes and get this worked out.

RE: CONTRACT AWARDED FOR REPAIRING ROADS

There were two bids received earlier in this meeting for the repaving of St. Joe Avenue, Oak Hill Road and Darmstadt Road and they were deferred for one week so the bids could be examined, but Mr. Guillaum said they have now been extended and he recommended that the low bid of Feigel Construction Corporation be accepted and that they be awarded the contract in the amount of \$268,690.01.

Mr. Feigel said the bid bond is enclosed with the bid and that the performance bond will be submitted when the contract is awarded.

Commissioner Willner said he still needs to know how many dollars per mile it will cost.

Mr. Stephen said there were different rates on different sections, that part of Oak Hill Road has concrete on it and they are just going to smooth it up so this will be a different rate than the others, that it will be approximately \$14,000.00, while the others will be approximately \$20,000.00 per mile.

Mr. Guillaum said they will go all the way to Baseline Road with the exception of the two-tenths of a mile where they did that new construction over the railroad tracks. He said there are a number of different conditions they will have to take care of so they will just have to make a determination in the field as to what they need to do.

In discussing how this job would be financed, Mr. Guillaum asked what the status is on the \$200,000 that Mr. Lochmueller said would be available on a lump sum basis for a six month period.

Mr. John said he called the state on this and he was told that it wasn't an executive matter, that the Attorney General stated it was a legislative matter to make that money available in that manner and also if it was put out like that, we would pay interest on any advance that we got, and as far as he knows the resolution hasn't been signed to where the counties can even apply for the six months advance.

Mr. Guillaum said the bottom line then is that they don't have the \$200,000 in a lump sum.

Mr. John said this is correct, that as far as he knows it is still going to come in monthly and if there is a change in this, a gentleman in the State Auditor's office is suppose to contact him.

After discussion, the Commissioners decided they would take \$200,000 from the Highway Fund and the balance from the R & S Account.

Commissioner Willner moved that the contract be awarded to Feigel Construction Corp. at their bid price of \$268,690.01, for the repaving of St. Joe Avenue, Darmstadt Road and Oak Hill Road and that \$200,000.00 be taken from the Highway Fund and the \$68,690.01 be taken from the R & S Fund. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner asked Mr. Feigel when he thought they could get started on this work.

Mr. Feigel said that he and Mr. Stephen are going out and look at it and they will start on the work this week.

Commissioner Ossenberg said he was out on Oak Hill Road and he noticed that the Highway Department did a beautiful job in pulling those shoulders.

Mr. Siebeking said they have the shoulder work done on all three roads.

RE: CHECK RECEIVED

A Check was received by Vanderburgh County from Al Dauble of the American United Life Insurance Company for a dividend in the amount of \$7,653.90 on the County's Life Insurance.

RE: CUTS IN

The Evansville Indiana Water Department submitted applications to the County Engineer's office for making cuts at the following locations:

3408 Bergdolt Road  
425 Kirkwood-North off Lincoln Avenue  
Green River Road & Spring Valley Road  
7107 Upper Mt. Vernon Road

12112 Browning Road  
4760 Millersburg Road  
3228 Koring Road  
5018 Hogue Road

Applications received and filed.

The meeting recessed at 10:50 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY'S

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*Tom Ossenberg*

*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS

The meeting of the County Commissioners was held on Monday, May 8, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: PUBLIC HEARING

A Public Hearing is being held for a Resolution to establish a Cumulative Bridge Fund for the purpose of construction and maintenance of county bridges for Vanderburgh County, which must be done every five years.

Commissioner Ossenberg said that any action that is taken by the Commissioners must be approved likewise by the County Council. He asked Mr. Guillaum if he has gotten any figures together on this at all.

Mr. Guillaum said he doesn't have anything together on this, but that Mr. Brenner has some comments to make on it.

Commissioner Schaad said he had asked Mr. Guillaum to get some figures together on what it would cost for the Pigeon Creek Bridge, First Avenue, Fulton Avenue, and now since they can use the bridge funds now for the approaches and take money out of that for them, they need to come up with some figures so they will know more or less where they are going.

Mr. Brenner said the Commissioners have a group of planners but he will admit that they aren't very good planners, that they spend about \$600,000 per year right now, that this is what they spent last year, and they will probably spend \$750,000 this year. He said he gave Commissioner Willner some of the figures as to what the bridge fund will bring in at the current rate, that he has no idea as to what Mr. Lochmueller wants to do or how many bridges they are going to put across the creek, whether it will be federal funds or what, that they just attempt to provide the engineering for it.

Commissioner Schaad said these are the bridges they know about and he understands that the Fulton Avenue bridge will be 70% federal money and 30% County money, but he didn't know if the Pigeon Creek has any federal money in it or not, or when it is going to come about, since this is a joint project with the City and the County, that this bridge is on Ohio Street and they want to straighten out that curve.

Mr. Brenner said they spent about \$80,000 on this bridge and Mr. Guillaum said that this bridge shouldn't need anything structurally, for ten or fifteen years, but they do have a problem with the grid on the deck which is the wearing surface.

Mr. Brenner said that the bridge was in such sad condition that they couldn't wait for this other thing.

Commissioner Schaad asked what the balance in bridge fund is now, and Commissioner Willner said it is \$2,123,872.00, that this is the balance today.

Commissioner Schaad then asked what they project that they will be getting in on the Cumulative Bridge Fund.

Commissioner Willner said that this year, it will bring in \$615,000 and next year it is projected to bring in \$672,750 because of the approximate 5% increase in assessment, and 1979 payable in 1980 will be \$890,662.

Mr. Brenner said this will be a 50% increase, due to the reassessment.

Commissioner Ossenberg asked if they voted down the 30% increase, and Commissioner Willner said it was defeated in court.

He asked what they were getting last year, since he got figures last year, that they were getting in the neighborhood of \$450,000.

Mr. John said they got around \$600,000 last year, and this is just on property tax that it doesn't take into consideration the amount they get from Bank, Building & Loan and Excise, which also goes to this fund.

Commissioner Ossenberg asked where the investment of the Cumulative Bridge Fund goes, if it goes into the General Fund.



Mr. Brenner said it goes into the General Fund, that it could go into the Cumulative Bridge Fund, but Mr. Volpe chose to take the Jackpot Law, invests the money and puts the money into the General Fund.

Commissioner Schaad asked Mr. Volpe what it would take to change his mind, since it is Cumulative Bridge Fund money and at one time, it couldn't be done.

Mr. Volpe said they changed the law and now it can't be put in the Cumulative Bridge Fund.

Commissioner Schaad said this is Cumulative Bridge Fund money, so it seems that the money that the people are taxed for to build bridges, if invested, should go back to the Bridge Fund and not to support something else, because that 15% tax rate is for bridges and bridges alone, and it looks like the interest off the money should be the same thing, that somebody goofed when they changed that law.

Commissioner Willner said he is just glad it is invested and not just sitting there.

Mr. Volpe said that in 1976, the interest of the General Fund is about \$198,000, that in 1977, it is \$285,000 and this year, it will be a little over \$400,000, which is about \$150,000 in excess of what they budgeted.

Mr. John said what they must realize though, is that he believes they can use General Fund for Cumulative Bridge if it is needed, but he didn't believe the fund needs it right now.

Commissioner Ossenberg asked if there was anyone else that wanted to be heard, pro or con, on this matter.

There being no one else to be heard, Commissioner Schaad moved that the Commissioners leave the Cumulative Bridge Fund at \$.15 for the next five years. Commissioner Willner seconded the motion. So ordered.

#### RE: MR. VOLPE ... PROBLEM WITH CHECK

Mr. Volpe said that he has a problem, that a few weeks ago the Nazarene Baptist Church wrote him a check for \$260.09 and it came back from the Old National Bank marked "Refer To Maker", that he wasn't sure what this meant, so he got in touch with Mr. Hunt who is the manager of the downtown manager of the bank, and he said there is a slight difference of opinion in the Church as to who controls the funds, so on legal advice, the Old National Bank wrote a cashier's check for the entire amount that was in the fund and turned it over to Superior Court, so he is stuck with the check that the bank won't honor, so he would like to turn it over to the County Attorney to see what he can do through Superior Court, because he would hate to void the payment if the money is there and if he can get access to it.

Commissioner Schaad moved that this check be referred to County Attorney Wendel. Commissioner Willner seconded the motion. So ordered.

#### RE: OPENING OF BIDS FOR ROOF AT AUDITORIUM

The following bids were received for the roof at the Auditorium:

Midwest Roofing Co. Inc.....	\$89,950.00
Industrial Constructors Inc.....	\$86,485.00

Mr. Jim Morgan from Midwest Roofing & Sheet Metal, Inc. appeared and said that the last time the bids were opened on this, they had a legitimate bid which was under the engineer's estimate; that their bid was exposed to the public, and this time, another bidder comes in under them.

He said he would like to object to the re-bidding of this project.

County Attorney Wendel said he thought that Midwest's bid was defective the last time, that he thought there was a signature missing, or something.

Commissioner Ossenberg said he thought Mr. Wendel was wrong about this and Commissioner Schaad said that one came in late and the other one was minus a signature.

County Attorney Wendel said that the Commissioners can reject any/or all bids anyway.

Commissioner Schaad moved that the two bids received today be referred to Mr. Stephen, Mr. Crooks and Mr. Dewes and that they come back with a recommendation next week. Commissioner Willner seconded the motion. So ordered.



RE: EMPLOYMENT CHANGES.....APPOINTMENTSJOINT DEPARTMENT OF LEGAL SERVICES, INC.

Ann Jenkins R.R. #1 Coalmine Rd. Ft. Branch Bkkpr. Recept. \$1,286.00 Yr. E66: 5/1/78

VOTERS REGISTRATION OFFICE ...ELECTION DAY ONLY

Marie Lurker	2100 Schutte Rd.	Clerk	\$20.00 Day	E66: Election Day
Beverly Abell	3417 Austin	Clerk	\$20.00 Day	E66: Election Day
Mary T. Hofmann	501 Olmstead	Clerk	\$20.00 Day	E66: Election Day
Elsie Fay Shirley	2716 N. Evans	Clerk	\$20.00 Day	E66: Election Day
Gary Kuebler	8020 Petersburg Rd.	Clerk	\$20.00 Day	E66: Election Day
Charlene Pfeffer	3710 N. Baker	Clerk	\$20.00 Day	E66: Election Day
Barbara Baker	2563 Stanley Ct.	Clerk	\$20.00 Day	E66: Election Day
Lucille Musgrave	4304 Pennington	Clerk	\$20.00 Day	E66: Election Day
Bernice Pyle	407 Mary St.	Clerk	\$20.00 Day	E66: Election Day
Joyce Truitt	918 N. Helfrich	Clerk	\$20.00 Day	E66: Election Day
Gloria Evans	1369 E. Chandler	Clerk	\$20.00 Day	E66: Election Day
Virginia Robinson	909 Meyer	Clerk	\$20.00 Day	E66: Election Day
Eric Evans	1369 E. Chandler	Clerk	\$20.00 Day	E66: Election Day

RE: EMPLOYMENT CHANGES.....RELEASESGERMAN TOWNSHIP ASSESSOR

Janiece Smith	R.R. 4 Kleitz Rd.	Field Person	\$20.00 Day	E66: 4/28/78
Mary Lou Allison	R.13 Harmony Way	Land Computer	\$20.00 Day	E66: 4/28/78

JOINT DEPARTMENT OF LEGAL SERVICES, INC.

Connie S. Jenkins 1242 Negley Ave. Bkkpr. Recept. \$1,286.00 Yr. E66: 4/21/78

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was received from the Citizens Realty & Insurance, Inc. on insured, Shannon's School of Dance which expires on 9/7/79, for the use of the Vanderburgh County Auditorium.

A Certificate of Insurance was also received from Allstate Insurance Co. on insured, Conrad Hirsch for the use of the Vanderburgh Auditorium for a wedding reception to be held on 7/22/78.

Certificates received and filed.

RE: LINDA SUE CATES - McCUTCHANVILLE GARDEN CLUB

Ms. Linda Sue Cates of the McCutchanville Garden Club appeared and said that the club wants to do some planting and beautification on the roadside at Hwy. 57 and Oak Hill Road, that they have the money and need the Commissioners' approval, also that they have done the roadside at Hwy. 57 and Petersburg Road.

Commissioner Willner moved that it be approved, but that it be noted that they not block the view of that intersection, since it is a bad one.

Ms. Cates said that Allen Boger has come out and spoke to them and they will not be blocking any view what-so-ever, that at Whetstone Road and Oak Hill Road there is a triangle which looks absolutely terrible, that the County has just put rocks on it and weeds come up there, so they would like permission to put a two-foot high triangle to make it much smaller than it is and plant an oak tree with low bushes that would keep weeds from coming up and put a curbing in so people wouldn't tear it down, and they would also like to plant all along Oak Hill Road down to Hwy. 57, that they would buy a big tree and make sure it wouldn't obstruct the view, and they would get the Fire Department to water it so it wouldn't die.

She said she has received permission from the state to plant on the two corners of Hwy. 57 and Oak Hill Road, that something needs to be done since it is an eyesore.

Commissioner suggested that Keith Lochmueller go out and help them plant it but she said that Mr. Boger from the County Extension Agent's office came out to advise her, that she also talked to a gentleman in Vincennes and he didn't care what they did, that this is a State Highway and they would like to start now before it gets too hot.

Commissioner Schaad seconded the motion. So ordered.

RE: CONTRACT AWARDED ON ADLER ROAD BRIDGE

Mr. Guillaum said they went over the low bid that was submitted by Deig Brothers for the Reconstruction of Adler Road Bridge and found it to be in order, and would like to recommend that the Commissioners award the contract to Deig for the project whose bid was in the amount of \$65,613.80.

He said that he would see that the supplementary form is filled out, but that the contract can be signed.

Commissioner Schaad moved that the contract be awarded to Deig Brothers Lumber & Construction Co. for the Reconstruction of the Adler Road Bridge at the cost of \$65,613.80. Commissioner Willner seconded the motion. So ordered.

The Commissioners signed the contract at this time.

RE: COUNTY LIFE INSURANCE POLICY SIGNED

Commissioner Ossenberg said that last week at the very end of the Commissioners meeting, the County received a rebate check on their Life Insurance from the American United Life Insurance Company as a dividend in the amount of \$7,653.90. He said they have forms to be filled out for the new policy and that they will not change the rate.

Commissioner Schaad moved that the forms be signed. Commissioner Willner seconded the motion. So ordered.

RE: PURCHASING DEPARTMENT AUTHORIZED TO ADVERTISE FOR BIDS

Commissioner Ossenberg said they have the specifications for the Communications System for the Sheriff's Department, that they have been approved by the County Council and by the State Board of Accounts.

Commissioner Schaad said there has been a lot of time put in this and several meetings, with the last of it this morning, that these are the final specifications and they are okay with the Sheriff's Department.

Commissioner Schaad moved that these specifications be approved for the Sheriff Department's Communication System and that the Purchasing Department be authorized to advertise for bids twice, with bid opening date set for June 5th. 1978, at 9:30 a.m. in the Commissioner's meeting. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR USE OF VOTOMATICS

The following letter was received from Mater Dei High School:

Dear Gentlemen:

Our Student Council is preparing for our Spring General Elections. In the past we have borrowed the portable voting booths from you. In a phone conversation with the County Clerk I was asked to make this request in writing.

Would it be possible to borrow Three portable booths to be used on May 15, 16, 17? I would be able to pick these up at your office and return them personally. The booths would be set up only during the established times for voting. Our appointed Election Board and I will be present during the time of voting. Therefore I feel certain that there would be no damage to the booths. Your office has a certificate from our Diocesan Insurance Office regarding this matter.

We appreciate your co-operation in the past and thank you for consideration of our present request.

Sincerely, Sister Donna Marie  
Student Council Sponsor

Commissioner Schaad moved that the request of Sister Donna Marie be granted. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Robert Moran, the Veteran Service Officer, for expenses incurred for Service Officers School, for round trip to Indianapolis, lodging, food, Registration and Banquet, in the amount of \$211.67.

Commissioner Schaad asked Mr. John if this was a per diem.

Mr. John said the Commissioners can actually allow what they want to, that the State Board of Accounts doesn't really care, that there are some cases where they do allow \$20.00 per day, for example, when the state calls a meeting and they certify to us an x number of dollars per day, but in the past they haven't gone by that rule.

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

A Claim was submitted by David Austill for work done at Burdette Park such as Winter Preventive Maintenance, Check Pool as well as work done on pool, cleaning out lines on the olympic pool, repair two gate valves, etc. in the amount of \$478.75, which was approved by Ray Wolf.

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

A Claim was submitted by the Curtis Construction Co. for work done at Burdette Park, in excavating on front pool bank area and rip rap stone work, in the amount of \$4,249.60, which was approved by Ray Wolf.

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

RE: REQUEST THAT BRIDGE FUND BE RAISED

Judge Miller said he is here as a concerned citizen, on the Bridge Fund, that this is probably one of the last chances to get some money some way to do something about the "killer Highway 41" situation, that some change in the state law might be needed to allow cumulative bridge funds to be spent on the U.S. 41 project, but the change could be accomplished and the money could be dedicated for overpasses at Highway 41 to cross over Walnut Street, Lincoln Avenue, Bellemeade Avenue and Washington Avenue and this would cost about Six Million dollars, that someone has to start it and he thinks it would be a good start for the County Commissioners so long as that money could be used. He said he remembers when the fund was enacted in 1961 or 1962 and he doesn't know of any money ever being spent on the East side for this type of project that might need legislation, but he thinks it would give the County Commissioners a great opportunity to do something about it by raising the Cumulative Bridge Fund, that they have emergency contracts let for sewers but it appears to him that Highway 41 is an emergency, and a lot of consideration should be given to it. He said he isn't blaming any particular person or party for it but it is time to take action on it, that it is the Commissioner's opportunity to get 10¢ more on the Cumulative Bridge Fund for the next five years which will probably mean \$300,000 as a start on it, since they have people crossing that everyday and not only would it be to save gasoline and wear & tear on their cars, that besides these things, there are people being critically injured and even being killed out there, but it is something the community needs and he don't think they can wait.

Commissioner Ossenberg said he agrees with Judge Miller and he is sure they will have to have legislation changed in order to do it.

Judge Miller said it could be interpreted that they could build cross streets, that this would only be a start and they would have to look for other funds and there are other methods of obtaining other funds.

He said he feels deeply about this and has for a long time, and if we don't do it now, they are passing up five years and they will then be where they are now, unless the Commissioners start the ball rolling.

Commissioner Ossenberg asked Judge Miller if he was aware that the Annual Element of the Urban Mass Transportation, they have undertaken this.

Judge Miller said he knew this and there is always a problem of money and since this Bridge Fund was enacted in 1962 he didn't think one penny has been spent on the East side and citizens out there have been contributing to that Bridge Fund the same as all other members of the community and he thinks that they and everyone else is entitled to something out there.

Commissioner Ossenberg said that he appreciated Judge Miller's comments.

RE: PLEASANTVIEW REST HOME PROPERTY

Mr. Ole Olsen, Sr. Attorney for Condo Enterprise of Evansville, Inc. asked if the Commissioners rescinded the first and second sale of the Pleasantview property by formal action.

County Attorney Wendel said that on the first sale, the property wasn't sold, that Mr. Brenner withdrew his bid so this sale was terminated, but he didn't check on either of them to see if there was any formal action in the Commissioners minutes or not.

Mr. Olsen said that he and County Attorney Wendel should sit down and check to see where they are, that Condo Enterprise of Evansville, Inc. is ready to go and the Commissioners should remember that if this development goes out there, it will be somewhere between five and ten million dollars and they will probably have to go to a Life Insurance Company and that title is going to have to be perfect or they can't make it. He then asked about the second sale of the property to Mr. Newcomb, as to if the withdrawal of this sale is in the Commissioners minutes.

County Attorney Wendel said he didn't check on this either.

Mr. Olsen said they have to have all this information and there has to be some action on the part of the Commissioners as to their actions, since they will need all this information for the title and Insurance and there are no exceptions on it, that they have the money and are ready to go if they get everything done, also that they picked up five acres that they were looking for, this morning, that were missing.

County Attorney Wendel said it would probably take some time to find what they need in the Commissioners minutes.

Mr. Olsen asked if the Commissioners want to defer this until next week to give them some time to find the information they need.

County Attorney Wendel said they do have a problem though, since they must make sure that the title is absolutely clean and he didn't realize this information needed to be checked and it didn't come up when they were working on it.

Mr. Olsen then asked about the property being rezoned and if the Commissioners authorized that it be rezoned, in their minutes.

County Attorney Wendel said he checked into this because he talked to Mr. Labhart about it and the only thing that he was able to find was the minutes of one meeting, but he would have to check the date, that there was never a motion made that it be rezoned, that in the minutes, Commissioner Ossenberr suggested that he work with the Area Plan Commission to get this property rezoned and this was all it said.

Commissioner Schaad said it would have had to come back before the Commissioners for final approval after the action taken by Area Plan.

Mr. John said the Commissioners wouldn't take any action because the property is in the City, that the City Council passed it.

County Attorney Wendel said he thought the Commissioners could cure this defect right now by making a motion.

Commissioner Schaad then moved that the rezoning of the Pleasantview Rest Home property and the special use permit that was obtained, that the County Commissioners ratify the action taken by City Council on September 26, 1977, as shown in City Council Agenda of that date. The Ordinance number was R-77-77 and this petition was approved by the City Council with nine affirmative votes.

Commissioner Willner seconded the motion. So ordered.

County Attorney Wendel said there was one other error since on the date of the sale, the minutes showed that Mr. Flowers was the purchaser and this was amended in a subsequent meeting stating that the purchaser was Condo Enterprise of Evansville, Incorporated but there was a misprint, in that it read Condo Enterprises of Evansville, Incorporated, so what the Commissioners need is a motion to amend the amended motion, so it reads Condo Enterprise of Evansville, Incorporated.

Commissioner Schaad moved that the minutes of March 21, 1978 which was the date of the sale of this property, be amended to read that the purchaser of the Pleasantview Rest Home property is Condo Enterprise of Evansville, Incorporated. Commissioner Willner seconded the motion. So ordered.

County Attorney Wendel wondered if the decision on the prior sale of the property could be handled this way, but Mr. Olsen said he didn't think it necessary since previous minutes show that Mr. Wendel was told to go ahead and work with the Area Plan Commission to get the rezoning done, so surely there was something in the minutes on it.

County Attorney Wendel said he was sure there was but he would have to look through a couple of months of the Commissioners minutes to find it.

He said that Mr. Olsen was out of town last week but that the Commissioners extended the date of the deadline for closing the sale until June 5th. so there is no problem on that as far as upsetting the transaction.

Mr. Olsen said they will get together and get everything in order, that it has to be done and he has a commitment to the Insurance Company and he will have to write them a letter.

Mr. Cunningham of the Evansville Federal Savings & Loan, said he was sure it would be worked out but wondered what the time schedule would be.

County Attorney Wendel said he thought they could wind it up next week, but if for some reason it wasn't in the minutes, then he didn't know how the Commissioners want to take care of it.

Commissioner Ossenbergh asked what would prevent the Commissioners from stating at this time, that the first sale was withdrawn and that the second sale was withdrawn.

Mr. Olsen suggested they wait and see first, if they can find it in the Commissioners minutes, since he would much rather do it this way.

Mr. Hotz said that since these gentlemen are here today, there will be no need for the utilities after Wednesday, May 10th., in fact, he is having the phone disconnected on Tuesday, so he was wondering if he could have the utilities disconnected or if they could transfer them into the Corporation's name.

Mr. Olsen said it could be transferred if the property was turned over to the Corporation but he didn't think it could be done today.

County Attorney Wendel said he could go down to the Auditor's office now and look for the information needed, if the Commissioners could spare him from the meeting.

The Commissioners agreed that Mr. Wendel and Mr. John go down to research the minutes, and if they find what they need, that they will be able to go ahead with the sale of the property today, and while they are doing this, the Commissioners will continue with the meeting.

RE: COMMENT ON ORDINANCE ...NEEDS TO BE AMENDED

Commissioner Schaad said that sometime ago, the Commissioners passed the Ordinance on weeds at intersections and street crossings and it is pretty specific on being at intersections or crossings, and one of the worst places is out at the Old Alpine House and when the Sheriff went out to investigate it, he was almost hit by a state police car, on a curve, that there is no intersection there and when he went out there to enforce it, the lady absolutely refused to do anything about it and he was afraid because the Ordinance states "Intersection", but this isn't an intersection, but it is on a curve, that he had said to County Attorney Ed Smith, sometime ago, that this Ordinance needs to be amended to make it any foliage, shrubbery, trees, or whatever that obstructs the view to make driving hazardous on the County roads, that this should fall under the Ordinance, that for the moment, technically, this doesn't apply. He said that Mr. Siebeking went out and cut as much as he could but he had to stay on the County right of way, but the lady wouldn't let him cut it back any further, so he does think the Ordinance needs to be amended, that he did say something to Ed Smith about it but he didn't know if he has done it or not.

Commissioner Ossenbergh said that County Attorney Ed Smith is working on it, that he had to be in Indianapolis today for a federal trial hearing today, but he is working on the Amended Ordinance.

RE: MR. CROOKS

Mr. Crooks said they talked about getting some informal bid information for the pulling away of junk cars, last week, and he has received a couple of comments from people on this, that he had one bid where they said they would remove the cars free of charge to the County, if it was less than ten miles radius, that if it was more than ten miles, there would be a ten dollar charge. He said their recovery would be from the junked car, itself, which they propose to charge fifteen dollars for the hauling plus two dollars and fifty cents for storage per day, and since he doesn't know how many he will have, he suggested that they take them on a as they come basis, and not go into an agreement with the junk car dealer, if this in agreement with the Commissioners, since he has no idea of what they will get into, that these cars are on private property. He said if any junked cars are on the County right of way, the Sheriff can pull them away.

Commissioner Willner said wonder if the owner doesn't let them pull it away and they have to get the Sheriff's Department.



Mr. Crooks said they would then have to do two things, that they would have to come back and declare them a nuisance and the Commissioner's would have to agree that he couldn't take them away, and in this case, what they would do is to contact some of these guys and ask they for a bid to remove them, the way they do on houses that need torn down.

The Commissioners agreed that Mr. Crooks take care of it as he sees fit.

RE: HOUSE ON HARMONY WAY

Mr. Crooks said they had discussed previously the house on Harmony Way that belongs to Lulabelle Dean, that he has contacted Mr. Dean and told him that they agreed that he would have this work done on the house by the first of May and it isn't done, so he asked him when he was going to get it done and said that if he don't, he is going to get a contract to have it torn down, so Mr. Dean told him to give him 60 days and if given this time, he will have it out of the way, so he told Mr. Dean that he would give him 60 days and if it isn't out of there in 60 days, he will let a contract and have it torn down.

RE: HOUSE ON SOUTH REDBANK ROAD AT NURRENBERN ROAD

Mr. Crooks said he still hasn't established who the house on South Redbank Road belongs to, that he has written the tenant a letter, that the one house is occupied and he has written him a letter to remove the junked cars which is bad. He said he went to the tax record and it read that it is in care of someone else, so he got in contact with them and they said they don't do it, so he talked to the lady next door and she said that the niece of these people who actually live in Chicago, lives in White Oaks, so he went to the register there, but the person isn't there, so the lady next door is still suppose to let him know who these people are and how to get in touch with them.

RE: MONTHLY REPORT

The Report of the Building Commission was submitted on number of permits issued during the month of April, 1978.  
Report received and filed.

RE: COMMENT ON AUCTION OF PERSONAL PROPERTY

Mr. Hotz said, in regard to the auction of personal property at Pleasantview, the auctioneer called him Sunday morning and said at that time, that it would probably be somewhere around \$7,400.00, maybe a little more. He said they have two items that they don't know what to do with, that they are chest type commercial freezers which they assumed would be a good item to sell, but they did sell for \$10.00 for both of them, but then the lady came and wanted her money back, so they still have them for sale and they are too large for an average home.

Commissioner Willner asked if Mr. Curran Miller will take them at the Auction Barn.

Mr. Hotz said that he will take them, that Mr. Miller told him that anything he didn't sell at the sale, that he would take and sell them, that his commission is 25% and they may have to stay out there for a few sales but he will sell them. He said he was thinking that if he called some dealers that might be interested in them, they might get a better price on them if the dealer could use them for parts or fix them up for resale, that he didn't think they would bring much by junking them, but he would do what the Commissioners want him to do on it.

Commissioner Willner asked Mr. Hotz if he could move them and Mr. Hotz said he could.

Commissioner Willner then moved that the freezers be taken to Curran Miller's Auction Barn for auction. Commissioner Schaad seconded the motion. So ordered.

Mr. Hotz said he has a number of smaller items that didn't sell, so he will make a complete list of them, and if they could take these out to the Auction Barn, they could get rid of it.

Commissioner Willner amended his motion to read that the freezers and everything that was left from the sale are to be taken to Curran Miller's Auction Barn to be sold. Commissioner Schaad seconded the motion. So ordered.

Mr. Hotz said they took the two old voting machines from the Auditorium to Pleasantview to sell but they couldn't get any bids on them, and finally, Mr. Flowers and his partner bid 50¢ for both machines and he didn't want to see them get away so he bid \$1.00 and he bought the two machines, so he would like to give them back to the County and the

County can keep the dollar, but he didn't want them to get away because they are worth much more than that, and they are inoperable but would be more than that if sold for scrap iron.

The Commissioners agreed that the voting machines be taken to the junk yard.

Mr. Hotz said that the Commissioner's should have their secretary to send a letter to the Sheriff who provided them with a deputy from 10:00 a.m. until 7:00 p.m. that evening, the day of the sale, and thank him for this courtesy and cooperation.

Commissioner Schaad moved that the letter be sent to the County Sheriff. Commissioner Willner seconded the motion. So ordered.

Mr. Hotz said he would like to bring back to the attention of the Commissioners, the matter of the utilities, that if for some reason or other this sale of the Pleasantview property isn't finalized this morning, about having the utilities shut off or transferred to them this Wednesday, since he sees no reason for having to pay the utility bills because they will have no need for them.

Commissioner Willner suggested that they wait on this and see what happens on the sale of the property.

#### RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the employees at the County Highway Department for the past week.  
Report received and filed.

#### RE: FELSTEAD ROAD

Mr. Siebeking said that last week they discussed the new addition that Mr. Stephen had and Commissioner Willner asked him to take some pictures of Felstead Road where the Carroll Acres Subdivision is going in which he submitted at this time. He said he thought County Attorney Wendel to be researching it, but as to the entrance at Busler's out there, they are trying to make some temporary repairs to it, that they are holding off going in there and digging it out and fixing it like they planned to do, until he comes up with something different, which he might do since he has found some technicalities that weren't just right, so until he comes up with a final decision on it belongs to the County or not, they are just going to continue making temporary repairs on it until they get a definite answer from him.

#### RE: ST. JOE AVENUE

Mr. Siebeking said they went back out on St. Joe Avenue, that they had left the shoulders out there in the area of Darmstadt when they pulled them the first time, so they went out this past week and got those shoulders pulled, so St. Joe Avenue is completely finished all the way out, for the resurfacing now, and they did stop at the City limits on Darmstadt Road, but they have them pulled on St. Joe Avenue on both sides, all the way.

He said the weather has held them up on a lot of things so they haven't really accomplished a lot but with the rain we have been having, they can't use any oil and about all they can do is temporary repairs, that in a way, they are throwing money away by doing this, but there isn't much less they can do with it until the weather improves.

#### RE: COMPLAINT ON ROADS AT FUQUAY ROAD AND POLLACK AVENUE

Commissioner Willner said he has a note from a gentleman who lives in the vicinity of Fuquay Road and Pollack Avenue where Deig Brothers Construction Co. is working about the conditions out there.

Mr. Siebeking said he thought this to be the City deal that is coming out there and that they are really tearing up things.

Commissioner Schaad said the equipment tore up some of the street, that he called Jack on this.

Commissioner Willner asked if there would be any law suits if something happened out there.

Mr. Siebeking said he didn't know if Mr. Stephen has had a chance to really check it out or not, that the City very seldom worry about notifying the County when they are going to do anything, when it affects the County, but this is what is happening, that he thinks they are laying sewers in that area and this is what is causing the problems.



Mr. Siebeking said they have had pretty good luck with different ones, where they have found them to be driving out on the roads with mud, etc. that as soon as they see it, they stop the men and they have had good cooperation, especially Bobby Staub and different ones that have been bringing mud out on the roads, that there is a lot of construction going on right now on St. Joe Avenue and he will stop and talk to them and they will get out and clean it up, so they could probably run out there on Fuquay Road and see, but he thought that Deig Brothers is the only one out there, so they could call him and tell him to be sure that Fuquay Road is cleaned of mud every evening when they get done, that he didn't know if any other contractor was involved or not.

Commissioner Schaad said that there caterpillar or tractor tore up the road while they were working, and there is also a bad hole and someone has already hit it, but he believed the hole to be on Pollack Avenue.

Mr. Siebeking said he would contact Deig Bros. to tell them to be sure to keep the road clean, and if there is a hole out there, he will go ahead and repair it, instead of waiting around for them.

RE: MR. GUILLAUM...REPORT ON BRIDGE AND GUARD RAIL CREW

Mr. Guillaum said that his crew put in roughly 445 feet of rail this past week, also that he talked to a supplier and he is going to order another \$13,000 worth of guard rail, since they have used up the entire amount that they previously bought. He said if this is agreeable with the Commissioners, he will put in the order for it. He also reported that the CETA people came out and reviewed the jobs last Friday and they were very well satisfied, in fact, they said that this was one of the best programs in terms of production that they have gotten out and the training that the men are getting, that they have seen, and he said that in the facts that have been coming out on the program lately, they are taking a harder look at the programs and trying to ascertain that the funds are being used the right of way and the programs are going smoothly, but they were very happy with the program. He asked Mr. Siebeking if all the grading is completed then, and the shoulder work is done on St. Joe Avenue.

Mr. Siebeking said this is correct, and he asked Mr. Feigel if Oak Hill meets to his satisfaction.

Mr. Feigel said that there are some short stretches that they couldn't work because of the weather, but they could work it now if they wanted to.

Mr. Guillaum said that Darmstadt Road will probably be the road that Mr. Feigel starts on first so they should probably get this one in shape first, before they do Oak Hill Rd.

Mr. Guillaum said as to the other Crawford-Brandeis situation out there, he has found a location for the stumps that they are going to be getting out of there when the weather is better and the ground dries out a little bit, that he expects that this will be taken care of by the end of the week. He said that at the meeting they had out there, he thought they pretty well wanted him to hold off until they notified him on it.

RE: PLEASANTVIEW REST HOME PROPERTY...CON'T. SALE OF PROPERTY FINALIZED

Mr. Olsen said they found one of the two things they were looking for in the Auditor's office and he said he thought the Commissioners could make a motion that anything that is necessary to give them a perfect title, will be done, that he has got to have no exceptions.

County Attorney Wendel said that it bothers him to say that they will furnish anything to furnish a perfect title.

Mr. Olsen said that the Commissioners should furnish him with anything that is necessary, that is in the Commissioners, through their minutes, to give them a perfect title.

County Attorney Wendel then said he thought they would want a motion to the effect that, as the Commissioners meeting minutes would affect the title, that the Commissioners will supply copies of the minutes, if there is any action that needed to be taken, that wasn't taken, they can be corrected by ratifying something they have already done, that they will do this ratification and make excerpts of those minutes and that they will be recorded.

Commissioner Schaad so moved and Commissioner Willner seconded the motion. So ordered.

Mr. Olsen then presented the Commissioners with a certified check from the Evansville Federal Savings & Loan, in the amount of \$330,000.00.

Commissioner Schaad moved that the Commissioners accept this check which is for the final sale of the Pleasantview Rest Home property.

County Attorney Wendel said that the deed was okay, so it was signed by all necessary parties at this time, and notarized.

Commissioner Willner seconded the motion made by Commissioner Schaad. So ordered.

Mr. Sigmund Labhart said that someone is supposed to come out to Pleasantview and pick up salvage and they are concerned as to what they are talking about as far as salvage is concerned and he asked if they had any arrangements with the County Commissioners.

Mr. Hotz said there is no one that has made any arrangements to pick up any salvage, and what wasn't sold at the auction, he will haul off, that some will be junked and some will go to the Curran Miller Auction and that's it.

Commissioner Schaad told Mr. Flowers that if there is a question on anything out there, that he should check with Mr. Hotz.

Mr. Labhart said he has a oil & gas affidavit, that there are two leases and various assignments, that the last assignment being made to Bob Hamilton in 1976, so they are asking that the Commissioners and the Auditor sign it, stating that there hasn't been any production as far as he knows on this particular 20 acres that they are buying and that the County has not received any rents or advances, etc. from any leases, they are asking that it be signed so that they can release it of record, those particular leases, which reads for the past three years.

County Attorney Wendel said that it is okay for the Commissioners and the County Auditor to sign this affidavit.

Commissioner Schaad then moved that they sign the affidavit. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad moved that the check in the amount of \$330,000.00 that was put up by Condo Enterprise of Evansville, Inc. be returned to Mr. Olsen, who is their attorney, that the check was made out to the Board of County Commissioners, which was for the balance of the purchase price to purchase the Pleasantview Rest Home, and in lieu of this check, they received the certified check in like amount of \$330,000.00, also that the check in the amount of \$25,000 that was put up in good faith by them, is deposited along with the certified check for \$330,000.00 that the Commissioners just received. Commissioner Willner seconded the motion. So ordered.

The following letter was received by the Board of County Commissioners from Ole J. Olsen of Olsen, Niederhaus & Labhart Law Firm, in reference to the Pleasantview Rest Home, dated April 21, 1978:

Gentlemen:

For the past two weeks we have been unable to obtain an Abstract of Title to the captioned real estate showing a good and merchantable title in the Board of County Commissioners of Vanderburgh County with the right to convey the same to a third party.

We have personally sent the abstract back once and it needs to be returned again.

It is our understanding that the final date for the closing of this matter is April 21, 1978. We are, therefore, tendering a check in the amount of \$330,000.00 with the distinct understanding that until a proper deed is tendered to the purchaser with an Abstract of Title in the seller with the right to convey, this check will not be negotiated. This will necessitate the abstract containing excerpts from the minutes of the meetings of the County Commissioners and County Council which should be recorded. It may be necessary that a reaffirmation of this transaction be held if proper notice was not given for the meetings held March 21, 1978.

The tendering of a copy of the deed to be executed by the Board of Commissioners together with an abstract showing good and merchantable title is the normal business practice of this community in the purchase of any real estate. We would like to have the County Attorney present us with a copy of the deed and we would like to have some assistance in attempting to have the abstract show good and merchantable title. Notice is very important and we are informed that all requirements of the Statutes may not have been complied within this matter. The amount of the purchase price of this real estate precludes there being any hiatus in this title.

I am told that you are advertising the sale of window air conditioners. Your notice sets out that all window air conditioners will become the property of the purchaser.

Very truly yours,  
 OLSEN, NIEDERHAUS & LABHART  
 Ole J. Olsen, Attorney for Condo  
 Enterprise of Evansville, Inc.,  
 Purchaser

I hereby acknowledge receipt of said check in the sum of \$330,000.00 and accept the same subject to the conditions hereinabove set out.

Dated this 21st day of April, 1978.

RE: COMPENSATION REQUESTED FOR COUNTY ATTORNEY

Commissioner Schaad said that County Attorney Paul Wendel has put in an awful lot of extra time on this Pleasantview Rest Home situation and he thinks he should be compensated, that it is over and above the duties of being the attorney for the County Commissioners. He said he asked Paul how many hours he put in and he said that after 100 hours he quit counting, so he thought the Commissioners should get with Paul to see what it is worth and they should go before Council to see if they can't get some enumeration for him because this doesn't happen every year and he thinks he needs some compensation for his extra time and efforts.

He then moved that the Commissioners go before Council to request this compensation for Mr. Wendel. Commissioner Ossenbeger seconded the motion. So ordered.

RE: MR. STEPHEN ...FEIGEL CONSTRUCTION CORP.

Mr. Stephen said that a contract was awarded to Feigel Construction for the repaving and repair of Oak Hill Road, Darmstadt Road and St. Joseph Avenue on 5/1/78. The bid price was \$268,690.01.

He now submitted Feigels Insurance Form and his performance bond, also his certificate of employer's compliance with the Indiana Workmen's compensation and occupational Diseases acts.

Papers received and filed.

RE: CHANGE ORDERS

Mr. Stephen said that he and Mr. Feigel went out and looked at St. Joe Avenue and he wrote a letter asking for a couple of change orders for spots they want to dig out and also it pertains to Oak Hill Road where they have some chucking out to do and they decided it would be better if they handled it just a little bid differently from the contract and Mr. Feigel has given us a figure for the two jobs.

He said after he made the estimate they decided they would not patch because trying to figure out how much area to patch from two different contractors, they would get a much better bid if they didn't make it too complicated and everyone would be bidding the same, so their 100 ton per mile for wedging they think should be a little on the high side, that they may not use it all, so it would tend to offset the two change orders. He said they figure about 140 tons of additional material for the patching at a \$60.00 rate, that they will get reflective cracking on Oak Hill Road back up to the pavement and there are other areas where they have longitudinal material that is out which is 2 to 3 inches wide and if this was overlaid without first putting material in it, there will be a slight indentation because they can't get as good compaction.

In response to Mr. Stephen's request for the Change Orders, Feigel offered the following prices:

Change Order Number One - Approximately 140 tons of H.A.C. Material for Base removal and patching and approximately 70 tons of hand placed wedge and leveling H.A.C. Material, a total of approximately 210 tons at the uniform unit price, furnished in place including tack, of Sixty Dollars (\$60.00) per ton.

Change Order Number Two - All work necessary to clean, tack, and fill with H.S.C. Material the longitudinal cracks between the concrete pavement and bituminous concrete widening, and small potholes adjacent thereto preparatory to the overlay of a section of Oak Hill consisting of approximately 2.0 miles for the total lump sum price of Five Thousand Eight Hundred Forty Three Dollars.....\$5,843.00

This quotation is respectfully submitted for your immediate consideration.

Sincerely, Feigel Construction Corp.  
 J. R. Feigel, President

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Commissioner Ossenberg said that Change Order #1, for 210 tons of Material at \$60.00 per ton would be \$12,600 and Change Order #2 is \$5,843.00, so the total of the change orders would be \$18,443.00.  
The amount of the change orders plus the bid price of \$268,690.01 will make the total cost of this project to be \$287,133.01.

Commissioner Schaad moved that the two change orders be approved.

Commissioner Willner asked where they were going to get the money from for this.

Commissioner Ossenberg said they would take it out of R & S money.

Commissioner Willner said he was under the impression that those bids were final for the wedging and everything and he really doesn't understand why he is coming back now and asking for more money.

Mr. Stephen further explained about the extra work needed and why they decided to do it differently.

Commissioner Schaad said he thought it would have been better if it had been explained in the beginning before they took bids, that if they had been told at the outset that they were going to do it differently, it would be a little better understandable and in the future, they ought to be told in the beginning.

Commissioner Ossenberg said that he agreed with Commissioner Schaad but asked Mr. Stephen if he has gone out and took a first-hand survey and Mr. Stephen said he did.

Commissioner Schaad said they knew they were going to have to have some digging out and some wedging before they ever took a bid.

Mr. Stephen said he thought at first maybe they could get it wedged over and use a grader and level it but when they went out and looked at it, they changed their minds as to the approach to it.

After further discussion, Commissioner Willner seconded the motion by saying that the work should be done right. So ordered.

#### RE: REQUEST FOR ACCEPTANCE OF STREETS

Mr. Stephen submitted the following request from Guthrie May & Co., Inc.

Re: Valley Downs 11 Subdivision, that was previously submitted on October 21, 1977:

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:

Autumnwood Way from Deer Trail to Derby Lane...960.44'

Derby Lane from Autumnwood Way to Saratoga Drive...428.6'

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 & Co., Inc.  
Donald J. Blume, V.P.

Mr. Stephen said that he had written them a letter telling them that the streets weren't acceptable because of the drainage problem, that he received a letter back saying that it would be taken care of, and then he received a letter saying it was taken care of, so he went out and looked at the situation and they put in additional inlets on either side and solved the drainage problem, so these streets can now be approved.

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

#### RE: CARROLL ACRES SUBDIVISION

Mr. Stephen submitted the original plans of the Carroll Acres Subdivision that he received for approval, which he hasn't approved as yet, and said that the way he would like to handle it is that the County has a cut permit for along the road or across the road and he suggested to the engineer that whoever is going to do the job should fill out an application for a cut permit at which time he would like for the Road Commissioner to tell him how much bonding they will need for any damage done to the road. He said the man that is going to do the contracting told him that he already had a \$2,000 bond with the City and he told him this is County and he told the man he would

need more bonding, but that the amount would be up to the Commissioners, to tell him what to insist on. He said he checked back and Carroll Acre Subdivision was approved in 1968 or 1969 and it has been sitting out there with nothing being developed on it, so now they are coming up for development and sewers.

Commissioner Willner asked how many feet within the road pavement are they going.

Mr. Stephen said that according to the pictures that Jack has, they are going to have to be very close to the road, that they are showing 30 feet of right of way but he didn't know if they had that much or not on Felstead Road.

Commissioner said if it is a repeat of past performance, they will nudge the edge of the road and the whole road will be gone.

Mr. Stephen said he told him that if he was going to be close to it he would have to take the dirt away and fill the whole works with granular backfill to hold the road there and he thought the bond should be at least \$10,000.00.

Mr. Siebeking said if he goes on the east side of the road as he indicates on the drawings, there is just no room whatsoever because there is a bank and all, that there is a shoulder with enough ditch to get the water out and that's all.

Mr. Stephen said that when he comes in for a permit for doing this he will need to tell him how much bonding, since he is going to have to have a bond before he starts it.

Commissioner Schaad said if he wants to go all the way down Felstead to Broadway, he wondered how many feet it would be.

Mr. Siebeking said it is a good half mile. He said he thought they already have a water line that comes in from Broadway and goes all the way out.

Commissioner Schaad moved that the man post a \$20,000 bond for two years and that he has to put it back and use granular fill and if he tears the road up during construction he must put the road back in the condition it was before he started. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen asked the Commissioners if they wanted to sign it now, under those conditions, or if they wanted to wait until he comes with the permit at the same time.

Commissioner Ossenberg said he wants him to come with the permit at the same time, also that he better check on the water line.

#### RE: NEWCOMB SUBDIVISION & BOOKSHIRE ESTATES

Mr. Stephen said he just wants to bring two roads to the attention of the Commissioners at this time since he doesn't think they are quite ready to be okayed, that they are Newcomb Subdivision & Brookshire Estates, that he doesn't see anything wrong with the sewer plan but they are draining the water from a hill into the street and the new 42 inch storm sewer goes through the hill and as it comes back down it goes onto someone else's property and there will be an open swail, so the only thing he can see is that it will work that way if they construct it that way, but it might end up like it did out in Kirkwood where somebody fills up the swail and things don't drain and if they don't construct it that way we are going to have trouble with our streets.

Commissioner Ossenberg said the question is if Mr. Stephen has any doubts on it.

Mr. Stephen said he does if they don't maintain the grades they have here in the plans.

Commissioner Willner said a note should be put on there that the roads will not be accepted unless the drainage is properly installed as per plans.

Commissioner Ossenberg said they should add a covenant to that stating that the streets will not be accepted unless the drainage plans are accepted.

Mr. Stephen said he thought that there should be a condition whereby they go ahead with it but that the streets will never be accepted unless the drainage away from the streets is constructed correctly.

He said he can't find where Brookshire Estates has really been accepted.

Commissioner Schaad told Mr. Stephen to take this back to him.



RE: COMMENT ON BILL FROM JERRY DAVID

Mr. Stephen said a bill came in to him from Jerry David Excavating Company for the elevation of Nurrenbern Road but he hasn't submitted a blue claim and he doesn't have a 100% performance bond, so he told Mr. David that he can't get paid unless we have both of those and that has to be part of the contract too.

Commissioner Ossenberg said that Mr. David called him on this too, but he should have both, a blue claim and a performance bond and this amount would be deducted off the total amount and the reason what that he was about to close Burdette Park.

RE: HAPPE ROAD OFF MILL ROAD

Mr. Stephen said he would bring this to the Commissioners, that it is a problem on Happe Road off Mill Road and in 1975, this man built a house and the County dug the ditch, that before the road was built, there was a slight swail there and now the man wants a sewer in there, so Jack dug the ditch so it was very flat and a tube was put in and these houses were built around sand filtered drains into the side ditch and never would drain dry, so last year they put a pipe in to let the water go across and the man said that before the pipe was put in the water accumulated in this ditch and ran a little but also ran over the top of the road, and now they have a wet condition that they can't find and he doesn't know how to resolve the problem, and now the man wants this pipe removed.

He said that two people out there don't have a percolation system and he thinks they are the cause of the problem and they should do something to take care of it.

Commissioner Schaad said if there are pollutants in the water the Health Department could make them do something about it.

Commissioner Ossenberg asked Mr. Stephen if he has talked to the Health Department about this and Mr. Stephen said he hasn't had a chance to yet.

Commissioner Ossenberg told Mr. Stephen that he should contact the Health Department since he didn't know how the Commissioners were going to solve the problem.

RE: PLEASANTVIEW REST HOME...CON'T.

Mr. Olsen said that Mr. Flowers was out at the Pleasantview property yesterday and said there is an 8 inch water line running east and west and he wondered if the Commissioners know if there was ever an easement given, that it isn't in the abstract at all.

Commissioner Willner said there is an easement on the golf course, he's sure, but he doesn't think there was ever one on the other portion.

Mr. Olsen said they would go down to the City and see if they show anything and then they may need some help on it.

RE: MR. GUILLAUM

Mr. Guillaum asked if there was anything determined on the damage on Old Princeton Road Bridge, that they had a rough figure of \$5,000 turned into the Insurance Company a couple of months ago and they haven't heard anything on it, but he would ask County Attorney Wendel, since he might know.

Mr. Guillaum said that there was a panel knocked out at the Columbia-Delaware and what he is going to attempt to do out there is to put together a detail for the repair necessary and is going to have his CETA crew to take care of it.

He said he is checking into the insurance but hasn't received any information back on it, but he is going to keep track of the time and materials but he thought they could do the repair work without any trouble.

RE: AGREEMENT SIGNED

Ms. Lani Etheridge of Urban Transportation appeared and submitted a contract for the L & N crossing on Lynch Road, that it is the agreement between the County and the State of Indiana, whereby the project has been approved by the Federal Highway Administration for Federal-Aid funding, that there are three copies which need to be signed and sent back to the Indiana State Highway Commission, Division of State Aid. She said that it is 100% federal money.

Commissioner Schaad moved that the agreement be signed. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

Applications were submitted to the County Engineer's office by the Indiana Bell Telephone Company to make cuts on the following roads:

Motz Road, Streuh-Hendricks Road & Sensmeier Road.

Copies of the applications are noted as having been received and filed.

The meeting recessed at 11:55 a.m.

PRESENTCOUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Paul Wendel

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS



COUNTY COMMISSIONERS MEETING  
MAY 15, 1978

The meeting of the County Commissioners was held on Monday, May 15, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: AUTHORIZED TO OPEN BIDS

County Attorney Smith was authorized to proceed with the opening of the bids that were received today for Intersection Improvements by Reconstruction of Bridge, Structure #65 and roadway pipe culvert on Marx Road.

RE: FEIGEL'S CONSTRUCTION BOND

The Contractor's Bond for Construction was approved last week for Feigel Construction Corp. for the paving of St. Joseph Avenue, Oak Hill Road and Darmstadt Road, so it is being submitted to the Commissioners for their signatures at this time.

Commissioner Willner moved that the Bond be signed. Commissioner Schaad seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY AUDITOR

Peggy Powless	First Deputy	\$10,050.00 Yr.	Eff: 5/8/78
Gloria Evans	Claims Clerk	\$7,858.00 Yr.	Eff: 5/8/78
Janet Zeller	Bookkeeper 1	\$7,658.00 Yr.	Eff: 5/8/78
Cheryl Grant	Bookkeeper 11	\$7,624.00 Yr.	Eff: 5/8/78
Paula Mitchell	Posting Clerk	\$6,597.00 Yr.	Eff: 5/8/78

CENTER TOWNSHIP ASSESSOR

Deborah I. Harrison	6939 Arla Jane Dr.	1st Dep.	\$263.61 Pay	Eff: 5/6/78
Ora E. Dorsey	11th. Ave. & Frank	Re. Field Dep.	\$25.00 Day	Eff: 5/6/78

CIRCUIT COURT-WORK RELEASE PROGRAM

Greg Cullison	2325 S. Weinbach	Work-Rel. Driver	\$8,200 Yr.	Eff: 4/28/78
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CIRCUIT COURT

Terri Golding	1210 Vann Ave.	Probation Counselor	\$3.00 Hr.	Eff: 5/8/78
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CLERK OF CIRCUIT & SUPERIOR COURTS

Charlene Hill	1701 Glendale Ave.	Deputy Clerk	\$261.38 Pay	Eff: 5/6/78
Sharon Yunker	5313 Sherbrooke	Deputy Clerk	\$261.38 Pay	Eff: 5/6/78
Susan Smiley	781 Cardinal Dr.	Deputy Clerk	\$235.24 Pay	Eff: 5/9/78

HIGHWAY DEPARTMENT

Andrew S. Wade	3318 Bayard Ph. Dr.	Gas/Tk. Dr./Pts	\$4.87 Hr.	Eff: 5/11/78
Lyn E. Siebeking	R.R. 2 Box 58	Clerk-Typist	\$225.00 Pay	Eff: 5/15/78

SHERIFF'S DEPARTMENT

Timothy L. McGinness	5104 Conlin Ave.	Intern	\$75.00 Wk.	Eff: 5/8/78
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VANDEBURGH AUDITORIUM

Naomi F. Davis	614 Olive St.	Maintenance	\$3.00 Hr.	Eff: 5/5/78
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VANDEBURGH COUNTY CONVENTION & VISITORS BUREAU

Cheryl J. Corn	2100 E. Franklin St.	Secretary	\$7,000 Yr.	Eff: 5/11/78
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APPOINTMENTS.....CONTINUEDVANDEBURGH SUPERIOR COURT

Sally Kaster                      Riding Bailiff                      \$8,831.00 Yr.                      E66: 5/8/78

VOLUNTEER SERVICES...SUPERIOR COURT

Katherine Fuchs                      Part Time Secretary                      \$3.50 Hr.                      E66: 5/1/78

RE: EMPLOYMENT CHANGES.....RELEASESCOUNTY AUDITOR

Peggy Powless	Supervisor 1	\$8,050.00 Yr.	E66: 5/7/78
Gloria Evans	Bookkeeper 1	\$7,658.00 Yr.	E66: 5/7/78
Janet Zeller	Bookkeeper 11	\$7,624.00 Yr.	E66: 5/7/78
Cheryl Grant	Posting Clerk	\$6,846.00 Yr.	E66: 5/7/78
Paula Mitchell	Extra	\$20.00 Day	E66: 5/7/78

CENTER TOWNSHIP ASSESSOR

Sherry Culp	701 N. 10th Ave.	Office Deputy	\$263.61	E66: 5/5/78
Deborah I. Harrison	6939 Arla Jane Reass.	Off. Dep.	\$25.00 Day	E66: 5/5/78
Ora E. Dorsey	11th. Ave. & Franklin	Reass. F. Dep.	\$20.00 Day	E66: 5/5/78

CIRCUIT COURT

Denise Armstrong	3720 Van Meter	Probation Intern	\$3.00 Hr.	E66: 5/12/78
Kim Baker	3101 Kuebler Rd.	Probation Intern	\$3.00 Hr.	E66: 5/5/78
Sara Nienaber	511 Middle St.	Newburgh Probation Intern	\$3.00 Hr.	E66: 5/12/78
Dan Tuley	1524 S. St. James	Probation Intern	\$3.00 Hr.	E66: 5/12/78
Bob Fenwick	4601 Englewood	Owensboro Probation Intern	\$3.00 Hr.	E66: 5/12/78

CLERK OF VANDERBURGH CIRCUIT & SUPERIOR COURTS

Susan Smiley	781 Cardinal Dr.	Deputy Clerk	\$261.38 Pay	E66: 5/6/78
Susan Smiley	781 Cardinal Dr.	Deputy Clerk	\$235.24 Pay	E66: 5/20/78

HIGHWAY DEPARTMENT

Andrew S. Wade      3318 Bayard Pk. Dr.      Temp. Tk. Driver      \$4.87 Hr.      E66: 5/11/78

VANDERBURGH SUPERIOR COURT

Sally Kaster                      Clerical Assistant                      \$6,966.00 Yr.                      E66: 5/8/78

VOLUNTEER SERVICES ... SUPERIOR COURT

Katherine Fuchs                      Part Time Secretary                      \$3.00 Hr.                      E66: 4/30/78

RE: MONTHLY REPORTS

The Report from the Bureau of Traffic Engineering was submitted for the month of April, 1978.  
Report received and filed.

The County Treasurer's monthly report was submitted for the month of March, 1978.  
Report received and filed.

RE: REQUEST FOR EXTENSION OF LEAVE OF ABSENCE

The following letter of request was received by the Commissioners from Shirley Jean Cox, the County Clerk, on the extended leave of absence of Velma Knight:

Dear Sirs:

Would you kindly consider extending the previously approved Leave Of Absence for Velma Knight for a period of thirty (30) days. She is still undergoing treatment and evaluation for the Osteoarthritic condition of the spine.

Her temporary replacement in my office is receiving salary only and not included on our County insurance programs.

Thank you for your understanding and sincerely hope the request can be granted.

Respectfully, Shirley Jean Cox, Clerk  
Vand. Circuit & Superior Crts.

Commissioner Schaad moved that permission be granted for the extension on the Leave of Absence for Velma Knight. Commissioner Willner seconded the motion. So ordered.

RE: REPORT OF CONDITION OF SCHOOL FUNDS

The Annual Report of the Board of Commissioners of Vanderburgh County, to the State Superintendent of Public Instruction for the year ending April 30, 1978, was submitted on School Funds, for the Commissioners signatures.

Commissioner Schaad moved that this Report be signed by the Commissioners. Commissioner Willner seconded the motion. So ordered.

RE: LETTER OF REQUEST...SHERIFF'S DEPARTMENT

The following letter of request to attend a seminar was received by the Commissioners from Mark C. Mabrey and Michael A. Craddock:

We would like to request your permission to attend the Southern Police Institute Seminar on Homicide Investigations to be held at the University of Louisville, Ky. from June 5 - 16, 1978.

Hoping you will grant this request we remain, Mark C. Mabrey & Michael A. Craddock  
It was noted that the Sheriff's Department has the money for this in their budget.

Commissioner Schaad moved that permission be granted, subject to the Sheriff's approval. Commissioner Willner seconded the motion. So ordered.

RE: LETTER OF REQUEST...SHERIFF'S DEPARTMENT

The following letter of request to attend a Law Enforcement Training School was received by the Commissioners from Mark C. Mabrey:

Dear Sirs:

I would like to formally request your permission to attend the Law Enforcement Hypnosis Institute in Atlanta, Georgia from September 21-24, 1978. We feel this Seminar will be invaluable to the community and add to the continued need for trained personnel.

Respectfully, Mark C. Mabrey  
Criminal Investigation Division

It was noted that they have money in their budget for this.

Commissioner Schaad moved that this request be approved, subject to the Sheriff's approval. Commissioner Willner seconded the motion. So ordered.

RE: LAW SUITS AGAINST THE COUNTY

A Summons was submitted to the Commissioners on an amended suit. The Plaintiff being William R. Wilson and Lorraine A. Wilson and the Defendant being Treva K. Fortune, et al. This was for bodily injury due to an accident on Green River Road.

Commissioner Schaad moved that this matter be referred to County Attorney Smith. Commissioner Willner seconded the motion. So ordered.

A Summons was submitted to the Commissioners. The Plaintiff being Dale O. Peterson and Michael Stevens and the Defendant being The County of Vanderburgh, Indiana and Eddie C. White. This was for personal injury incurred due to an accident which happened the 12th. day of May, 1976, on Water Works Road approximately one mile west of Highway 41, in the County of Vanderburgh, Indiana.

Commissioner Ossenberg said he would like to get the results on the Insurance Study that was made, and he asked Mr. John if he had heard anything from it.

Mr. John said he hasn't received the report as yet, that they sent a claim in but he doesn't intend to pay it until he gets the final report on it, but that when they were here, they explained that it would be from four to five months before we get anything on it.

Commissioner Willner said that he would like Torian, who is our Insurance Carrier, to be here next week to explain the Insurance, since he thought maybe it should be increased. He then moved that this matter be referred to County Attorney Smith and to the Insurance Company. Commissioner Schaad seconded the motion. So ordered.

After looking both of these over, County Attorney Smith said both of them should go to the Insurance Company.

Commissioner Schaad then moved that both be sent to the County's Insurance Company and the County Attorneys. Commissioner Willner seconded the motion. So ordered.

RE: BID OPENING

The following bids were received for the Intersection Improvement, Reconstruction of Bridge #65 on Marx Road:

G. H. Allen, Inc.....	\$113,870.00	
Barnett Brothers.....	\$121,215.60	Engineer's Estimate
Southwest Engineering, Inc.	\$124,990.80	Approximately \$90,000.00
Key Construction Co.....	\$104,292.80	

Commissioner Schaad moved that these bids be referred to the County Engineer. Commissioner Willner seconded the motion. So ordered.

Mr. Guillaum said that all these bids are over the Engineer's estimate considerably and he asked what the possibility would be of going with a contract on each one separately, rather than going with a combined price on the thing.

Mr. Brenner said they would have to reject them since they are all over the Engineer's estimate, that he can't see anything else to do, and they will have to try again somehow and he will be back on it, that he expected the bids to be under \$90,000 but these bids are too far off.

Commissioner Willner said he thought the County Engineer should look at the bids first though, before the Commissioners reject them, since they may pick up something that has been overlooked.

RE: CLAIMS

The City submitted claims for the County's share of the following combined departments:

Health Department at 17.8% in the amount of \$7,604.19, approved by Mr. John.

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

Purchasing Department at 50% in the amount of \$2,718.72, approved by Mr. John.

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

Building Inspection at 40% in the amount of \$6,229.97, approved by Mr. John.

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

Weights & Measures at 42% in the amount of \$925.22, approved by Mr. John.

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

Traffic Engineer at 14% in the amount of \$4,665.66, approved by Mr. John.

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

A Claim was submitted by Gary Stone, the County Recreation Assistant Leader at Perry Heights School for nine sessions in the amount of \$112.50, for Student Recreation.

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

A Claim was submitted by Corbett Electric for refund of overpayment on two permits, in the amount of \$ 46.00, and was approved by Mr. Crooks.

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

A Claim was submitted by P & H Construction Co, Inc. for equipment rental and labor to remove bridge and install aluminum pipe on Inglefield Road west of Highway 41, in the amount of 2,880.00, approved by Mr. Guillaum and Mr. Stephen.

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

A Claim was submitted by Charles Given of 615 Biddle Ct, the County Recreation Leader at Perry Heights School, for nine sessions in Student Recreation, in the amount of \$157.50.

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

A Claim was submitted by Mrs. Gayla Given, County Recreation Assistant Leader at Perry Heights School for nine sessions in Student Recreation, in the amount of \$112.50.

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

A Claim was submitted by John Crosser of the County Sheriff's Department for expenses incurred in attending the Seminar in Virginia, which was approved by the Sheriff, in the amount of \$329.23.

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

A Claim was submitted by Curran Miller Auction & Realty Co. for the auction of the Pleasantview property, in the amount of \$21,679.35, as per contract.

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

A Claim was submitted by Velmont Claridge for loading and hauling materials to the junk yard from Pleasantview, in the amount of \$30.00.

Commissioner Schaad moved that this claim be approved and that it be paid from account as designated by Mr. John. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by the City of Evansville for the Fuquay Road Culverts in the amount of \$11,532.95, and was approved by Mr. Guillaum.

Mr. Guillaum said they have paid \$14,000 on this, that was a project in conjunction with the City and that this is the final amount of the County's share, that it will be paid from the Bridge Fund.

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

RE: MR. CROOKS...COMPLAINTS ON JUNKED CARS

Mr. Crooks said he has been getting some junked car complaints and he has one on Winding Way which is parked and that the car has a license plate on it but in checking it found that it is a 1977 plate issued to a gremlin instead of the car it is on, so it isn't legally licensed.

He suggested that he write to the owner and tell him that the matter was brought before the Commissioners and they are requesting that he remove the car from it's location, rather than ordering it pulled away at this time.

Commissioner Schaad moved that Mr. Crooks write such a letter to the car owner. Commissioner Willner seconded the motion. So ordered.

Mr. Crooks said he understands that six or eight cars are being wrecked and torn down on Happel Road and if this is what he finds, he thinks they also have a zoning problem, so if this is the case, he also suggests that he write to the owner to tell them that it has been brought before the County Commissioners and that they ruled this should cease and desist, that he will get with Mr. Osterholt and they will put out a joint letter.

Commissioner Schaad moved that such a letter be written to the owner. Commissioner Willner seconded the motion. So ordered.

RE: HOUSE ON SOUTH REDBANK ROAD AT NURRENBERN ROAD

Mr. Crooks said he still hasn't found out who those people are that own the property on South Redbank Road that was discussed last week, that he has called twice in an attempt to contact the lady at White Oaks but she has changed her name again, also he understands that she was originally from Chicago and he has someone out there this morning to try to personally contact those people to see who the owner is, so they will go from there.

He said he did write to the tenant but he also thought he would have to get in touch with the owners anyway since the house is falling in, so he would rather contact both of them at once if he can.

RE: QUESTION OF LEGALITY OF BID ON ROOF AT AUDITORIUM

Mr. Crooks said that he, Mr. Stephen and Mr. Dewes has looked over the bids they received for the roof at the Auditorium and they concluded that it should be awarded to the low bidder, however the County Attorney has brought up a question on it.

County Attorney Smith said he got a call this morning reminding him that this matter came up last week when he wasn't here and his attention was called to the fact that the bid hadn't been signed by the President but by the Treasurer, so there was a question of it's authenticity because of the way it was executed and he wasn't sure that this was right.

He said that in checking the general corporate law in Indiana, the President of a Corporation is authorized by the by-laws to execute documents on his behalf but he didn't know if the industrial by-laws authorize the Treasurer to act for the Corporation or not, that if it so provides, then he finds nothing objectionable about the execution of it, however, if their by-laws provide that any such contracts or proposals have to be executed on behalf of the Corporation by it's President, then he thinks there is a defect in the proposal.

County Attorney Smith asked if this wasn't the one where they had some technical question on the bids a couple of weeks ago.

Commissioner Schaad said that one came in that wasn't signed.

Mr. Crooks said this is the one that came in late.

County Attorney Smith said if an unauthorized person signed this one and another one was thrown out, this bid would also have to be thrown out, that if they don't he thought they might be exposing themselves to some criticism, both actually and legally, but he could check on it.

Commissioner Schaad moved that the County Attorney check with Industrial Contractors and see if their by-laws permit the Treasurer to sign such documents for them and to come back next week.

Mr. Crooks suggested that if it doesn't, he would suggest they take the next bid in line because they have gone through this twice already and there is only about \$3,500 difference between the two bids.

RE: OLD STATE ROAD

Commissioner Willner showed Mr. Crooks some pictures of a problem on Old State Road that was sent to him and Mr. Crooks said he will go out and check it.

RE: MR. HOTZ

Mr. Hotz submitted a quietus for the two old voting machines and other scrap materials that was sold as scrap, that he sold them for \$138.75.  
Quietus received and filed.

RE: SURPLUS PERSONAL PROPERTY SOLD

Mr. Hotz said that Mr. Shaefer of Kurtz Auction & Realty Co. called him this morning on the final gross from the sale of the surplus personal property sold at Pleasantview, which amounts to \$7,352.50, and that he will be in tomorrow to deposit the money.

Commissioner Schaad asked Mr. Hotz if he took what wasn't sold to Curran Miller's Auction Barn and Mr. Hotz said he did and they are picking up the freezer today, that he didn't know if they sold any of it at the auction on Thursday or not.

RE: MR. JUDD RECOMMENDATION FOR 3-WAY STOP

The following letter of recommendation was submitted to the County Commissioners from William Judd, the Traffic Director, in reference to the Intersections of Ridgecrest and Twickingham Drive, Dusseldorf Street and Twickingham Drive:

At the present time Ridgecrest and Dusseldorf Street STOP for Twickingham Drive. Due to the concern of residents I have checked the area.

It is my recommendation that the intersections of Ridgecrest and Twickingham and



Dusseldorf Street and Twickingham Drive be made THREE WAY STOP. This as a safety precaution to slow traffic flow on Twickingham Drive.

The Board of County Commissioners approval is requested.

Signed, William T. Judd, Traffic Director

Mr. Judd explained that Twickingham Drive is a through street right now, that there is quite a hill there and cars are racing through there.

Commissioner Schaad moved that the recommendation of Mr. Judd be approved. Commissioner Willner seconded the motion. So ordered.

RE: PROBLEM AT BUSLER'S STATION

Commissioner Willner told Mr. Judd that he has a request at Busler's station on Hwy. 41 and I-64 for some traffic signs, that it needs a "keep right" sign and a "Yield sign", that he thought the County went out there and did some work and what's happening is that the traffic is coming out is coming over into the other lane, that the trucks can't turn off the highway and it is one big mess.

He asked Mr. Judd to go out and see if he could help the situation any.

Mr. Judd said he would check into it.

Commissioner Ossenberrg said it serves two gas stations and one farm house back there and what they are actually doing is spending money on the entrance of a gas station.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the employees at the County Highway Department for the past week.

Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking said this past week they received their first money back from the state on the surplus they came up with, that it wasn't anything like it was explained to him as to what would happen, but never-the-less, they had to set up a new account which is 201.1 that is called the County Highway Special Distribution Fund and it must all be spent by June 30 of 1979 or else encumbered.

He said they received two checks, one in the amount of \$17,584 and the other one in the amount of \$18,065, a total of \$35,649.97, so they will have to go before County Council to ask permission to spend this money.

He said the information that he received and the information that Mr. John has, they can designate any amount of money that they want up to the end of the year, in other words, they will probably be getting about \$35,000 to \$36,000 per month for the next nine months, that if the Commissioners so desire they can designate \$75,000 to be spent for whatever or any amount they want.

He said he understood that the County has to pay interest on that money if they use it between now and the end of the year and he asked Mr. John if he heard anything like this, but Mr. John said he didn't, that the money would be treated the same as the County Highway General Fund, that they base it on the amount they expect to receive by the end of the year and they can appropriate up to that amount.

Mr. Siebeking said this money isn't being put in the Highway Account, that if they want to use some of this money for contractual work, it will be called a 201.1- whatever they designate contractual, equipment, bituminous, or whatever account they want to put this money in, that it will stay in this account and it must have Council approval.

Mr. John said that subject to Jack's approval, he is putting the amount they are going to receive until the end of the year, on the Council Call and he believed it to be about \$289,267.00 so this is the amount they are asking for and they are putting it under Contractual Services so it doesn't have to have any specific roads that it will be applied to, so it will be on the June Council Call.

He said they would treat the first four months receipts for next year, either at Budget time or in January, whichever they wish.

Mr. Siebeking said he thought some of it should be put in his bituminous and rock account because he thinks they could use it there before the end of the year.

Mr. Stephen asked if they could go back and use these funds for the contract of Feigel and release those funds that they were earmarking from Jack's account and release those back to him.



Mr. John said he thought they could and that Jack could get this transferred on the June Council Call.

Mr. Stephen said that way, whatever was budgeted to Jack would stay in his account and what ever contract or paving to be done that comes up next year, they could use the balance of the funds .

Commissioner Willner said he called Shirl Evans who said he has talked to the State Tax Board and that if we need this money yet this summer in the months they can lay roads, that it would be agreeable with the State Tax Board if it was agreeable with the County, that they could borrow this much money from the County General Fund or from any fund that had a sufficient amount of money in it, up until December 30th. of this year and use that money during the summer months and then pay it back with what they are to get.

Mr. John said that's what they are going anyway, without borrowing, that all they are doing is appropriating the full amount and if they spend it all in June, it will either come out of the Bridge Fund or whatever fund it is, that it is all in the bank in one account, that it will show this fund in the red but as the checks come in, the fund will go back into the black, that appropriations will go through Council.

Commissioner Schaad moved that they advertise for Council to pay Feigel out of the Special Account and ask for the full amount that they are going to receive this year under Contractual Services. Commissioner Willner seconded the motion. So ordered.

Mr. John explained that he is putting everything under Contractual Services, the full amount that they are going to receive this year, so they can spend the balance when needed, that it will already be appropriated, or it will be carried over if they have a contract, if not, they will have to get it re-appropriated.

Commissioner Ossenberg asked Lani of Urban Transportation if this is the way she understands this, but Mr. John said there are two separate funds but these aren't what Lani is concerned with, that she is concerned with the \$853,000 of Local Road & Street special distribution.

He said it is just like the General Fund, that they will appropriate what they are going to receive for 1978 and not what they have on hand on January 1st of 1978, that it will be 201.1 which will be the County Highway Special Distribution Fund, that they have projected how much they will receive this year and everything they receive will be put under a Contractual Services Account which will be #201.1-2260.

RE: MR. GUILLAUM....REPORT ON BRIDGE AND GUARD RAIL CREW

Mr. Guillaum submitted his report for the past week on the bridge and guard rail work that was done by his CETA people and said that they have made quite a bit of progress, that they had 823½ feet of guard rail last week which is just about a new record, plus they got into the bridge repair itself.

He said that the wind braces on the old structure on Old Heddon Road were completely gone, so they went with some guard rail and some eye beams and took care of some structure repair on it, that they have also completed their concrete pour out on Green River Road and they are going to start on the guard rail there today, that they are getting a lot of work and a lot of progress out of the CETA people.

He said that he put in another order for \$13,000 worth of rail since they are about out, so they are expecting it in probably this week, along with the posts and terminal ends, that approximately, to date, they have put in the vicinity of 3,000 feet of rail. He said they have had an accident on Westbrook Drive in the past week and the road appears in the section they have had the complaints on, that it is a one-lane road and they probably need some signing out there to indicate that there is one-lane traffic only, along with some good curve signs with the larger arrows, that he gave Mr. Judd a note on this and it should be taken care of, that the people in the neighborhood said this has been quite a problem for some time and they would like to have something done about it, so he will try to take care of this too.

He said he also mentioned, that in cases like that and in a few other areas, they will be willing to use their men to go ahead and put the signs up themselves, if they can get the signs printed up at the print shop.

Commissioner Schaad told Mr. Guillaum that on the Columbia-Delaware overpass, a car knocked out a section of rail and it was called to his attention that there was no protection put up there after the accident happened, until it was repaired, that he drove past it and found this to be true, and someone could have fallen into the creek, that perhaps when something like this is brought to their attention, they should get the County Highway Department or someone to go out and barricade it to make it safe.

Mr. Guillaum said they should have done this, but that they now have it repaired, that they took a panel down from the lower end and used that to repair it, since it is difficult to find and they are going to fabricate something at the lower end.

Commissioner Schaad said that in the future, if they find one like this, they should immediately barricade it.

Commissioner Ossenbergs told Mr. Guillaum that he has had several calls and requests concerning the passing lane at the Day School on Green River Road and he wondered if he had received any calls on it.

Mr. Guillaum said he has received a lot of calls but none on this one.

Commissioner Ossenbergs said he has had a terrific number of calls on it, that it is probably a blister and the County apparently owns the right of way, and they tell him how hazardous it is for the traffic to turn in and out of there, particularly the school buses.

Mr. Guillaum said he will take a look at it to see what can be done, that it will probably take a little shoulder work before they actually do any blacktop work, that they will probably have to dig it out and go with some rock in there and then a section of blacktop.

Commissioner Ossenbergs told Mr. Guillaum to call out there to get the particulars on it.

RE: SPECIAL DISTRIBUTION OF LOCAL ROAD & STREET FUNDS

Mr. Stephen said they have a total of \$853,208.52 sent down here that is in a special fund and has to be treated in a certain way; that reports have to be made and there are deadlines on this fund too, although when it is done, they can ask for an extension of time, also that when it is finished, if there is any balance, it can be carried to other projects.

He said they are handling it here such that they appropriate all of it to two projects, so there will be no carry-over, that there will be some funds that are to be carried forward to the next projects which they can use to make up the balance because the amount of these appropriations and requests will be greater than the total amount, so they are modifying the one for Lynch Road to use up the balance and then go with the regular R & S Form to get Local Road & Street money to make up the balance which will come out of the amount they already have down here, excess, in other words they are going to carry some of that forward and the next time they have an R & S project, they will carry the balance of it forward to that project, because according to his calculations, they have something close to \$555,000 here in the County of balances not used and projects cancelled for money that is down here, so they have money to apply to this and for future contracts, and in this way, they will have met the requirements to expend this money and knowing that the projects cannot be completed by the deadline, they will have to ask for an extension of time on it.

Lani said that the projects also have to be under construction so these are the two projects they think should have contracts let this year.

Mr. John said he thought at the present time they have something like \$880,000.00 here that is unspent and committed to other projects.

Mr. Stephen said that \$555,000 of this amount was left over Local Road & Street funds that were either cancelled or had a balance left after they were closed out, also of all the old R & S projects, he has submitted final reports on, that everything has been finalized except Projects #19 & 22 which are these two projects here.

Commissioner Willner said that what Mr. Stephen is saying here is that they will have none of this money available for repairing any of the other county roads this year.

Mr. Stephen said this is correct, otherwise they have to draw up specifications and do it to an elevation of what they call the three R's which is the Resurfacing, the Restoration and Rehabilitation which means they have to go by the requirements.

Commissioner Willner said he was under the impression that the strings to that money were released.

Mr. Stephen said the other one was, but not this one, so they can't go out there and chip & seal with it.

He said they are trying to follow the guidelines for the use of this money so they don't get crossways with the Auditors when they come down here to check the books.

Mr. Siebeking asked Mr. Stephen if Baseline if he didn't think that Baseline Road would comply for the use of the money, since it has been reconstructed.

Mr. Stephen said yes, if they went in and completely constructed it, it would qualify, but they would end up with a 20-foot pavement and a four-foot, minimum, on shoulders, plus the drainage on the side, that they would have to grade up shoulders.

Mr. Siebeking said there isn't a County road in Indiana that will live up to that.

Mr. Stephen said sure they can, that they will just have to go in and re-construct the road to that.

Mr. Siebeking said he didn't think they would have enough County right of way to do it.

Mr. Stephen said this is what they would have to do in order to qualify for the money, that they always have had and this means 28 feet total but this is what they have to do, that this has been the minimum in the geometric standards that they should have been using these monies for.

Commissioner Ossenberg said they send down a check for \$853,208.52 and he asked Mr. Stephen if he claimed that there is \$555,000.00 down here, that this is \$1,408,000.00 and they need \$1,085,100.00 on these two projects which leaves a balance of \$323,108.52.

Mr. Stephen said this is correct and this is to be used on their next R & S Projects, and if they want to make Baseline an R & S project, whatever funds they have can be applied to it, but again, anytime they do, they have to follow the geometric standards, which means they have to come up with a 20-foot wide pavement as minimum.

Commissioner Willner asked if one of the standards is that they must spend the money by November but can then be extended if necessary, and must it have to be under construction by that time.

Lani said she thought the contract would have to be let by November, and she asked Mr. Stephen if this wasn't true.

Mr. Stephen read the following:

1. Prior to July 1, 1978, a project may be started by obligating the funds and filing with the Division of State Aid the form mailed on March 30, 1978, with the heading "Distribution from the Local Road and Street Account April 1, 1978". No approval by the Arterial Road and Street Board is required. Start work as soon as possible.

2. File a Final Report by December 1, 1978, so that the project may be inspected. If the project is the type that will not be completed this year, request an extension of time if the project is under contract or using Federal Aid; otherwise, they will be considered surplus funds to be applied to future projects.

3. Funds not obligated by July 1st will be considered surplus funds available to be transferred to future projects, following normal transfer procedures.

Mr. Stephen said we have the monthly amounts being credited to our account in Indianapolis, in other words the fund is starting to build up again and they will go after that the same way as they always have in the past.

Lani Ethridge of Urban Transportation submitted the two applications for special distribution from the Local Road and Street Account and one application for a transfer of funds from an old LR&S Account, where funding is requested for the construction phase of the Lynch Road widening project from U. S. 41 to Oak Hill Road and also for the construction phase of the St. Joseph Avenue widening project from Diamond Avenue to Mill Road, for Mr. John's signature.

Commissioner Schaad moved that it be approved and signed by Mr. John.

Commissioner Willner asked if Lynch Road would be under contract this year.

Lani said it is suppose to be and so is St. Joe and if they aren't, however, they can still use the money because it is a Federal Aid Urban Project and they could ask for an extension, but they are suppose to be.

Mr. Stephen said our funds to that project are appropriated for the right of way and engineering but has never come down here yet so if there is some to be bought they will have to go into the balance for it, but Lani said it has been approved. Mr. Stephen then said that the 70% won't come down until after the money has been paid.

Commissioner Willner said it reads "Notice of Completion by December 1st, 1978", and

asked what notice of completion we are going to have.

Mr. Stephen said we are going to extend the time and it is spelled out here.

In discussing the various projects, Mr. John said they have been a mess for so long, that they need to sit down and see which projects are good and which aren't.

Mr. Stephen said he went through them and has each project as to how it was funded, how it was closed out and what the balance is.

Commissioner Willner said that it reads under 7(d) that the Design Guide for Local Roads and Streets, previously adopted by the Arterial Road and Street Board, except that the new amendments of SEA 219 expand the uses of LRS funds to include: "Resurfacing, Restoration and Rehabilitation", which means they can resurface roads with the money.

Mr. Stephen said if they will look further in D (2) under definitions, it explains this further.

Commissioner Willner read "Resurfacing" means the placement of additional pavement layers (including protective systems for bridge decks) over the existing (or restored or rehabilitated) roadway or bridge deck surface to provide additional strength or to improve service ability for a substantial time period; and he said that any resurfacing job would be covered here.

Mr. Stephen said except that they also state that they will use the geometric minimum, that resurfacing is performed when the existing pavement plus shoulders meets minimum width requirements and will have adequate strength upon completion. Hazardous locations should be corrected. Seal coats are not permitted.

Mr. Brenner said he asked Senator O'Day about it and he said the legislative intent was to open up the road and street money to all projects.

Commissioner Ossenberg said this is also what Senator Harris told him but it didn't come out that way and the distribution law did not include the specifics. He said he had Mr. Siebeking over with Senator Harris and they called Indianapolis and they found out, just like going through County Council, a reprisal, that there are restrictions on reconstruction of R & S monies and this wasn't the intent of the Indiana General Assembly but they didn't spell it out, but when it came down to him and he got the call, they said no strings attached and now there are all kinds of strings attached.

Commissioner Willner said not that he can see, that it says resurfacing and this is what he wants to do. He said they should get down to basics and asked them what are they going to do about the County roads.

Commissioner Ossenberg said they still have \$323,108 left.

Commissioner Willner said they can't use the \$300,000, the 853,000 or the \$353,000 for resurfacing the County roads.

Commissioner Schaad asked Commissioner Willner what he suggests they do about the roads without the money to do them.

Mr. Stephen said they have just released Mr. Siebeking's money from his account for use on the County roads so they have these funds.

Mr. John said there was about \$200,000 of revenue sharing money left last year, plus there is \$285,000 in the Highway Fund that can be used.

Commissioner Schaad said they should come up with a program in addition to what Feigel has been getting and come up with the monies they can use for resurfacing County roads and let's get with it.

Mr. John asked the Commissioners if they wanted the surplus in the Highway Department to be put into the Contractual Services for the next Council call, or \$200,00 of it.

Commissioner Schaad said they should figure out what they will need for bituminous, for patching, gravel and rock and whatever else they need.

Mr. Siebeking said he would get with Mr. Stephen and work it out.

Commissioner Ossenberg then seconded the motion that was made by Commissioner Schaad. So ordered.

Commissioner Schaad said they should all get together and see what is agreeable so they can pave some more roads and then get it on the Council Call. He asked Commissioner Willner if this was okay with him, that Mr. Siebeking should keep out what he will need to buy materials and then ask for the rest of the money to be put in contractual, together with the balance that is in revenue sharing.

Commissioner Willner said that as of right now they have approval from the State Tax Board for \$80,000 for the new machine and he would like to see for all the monies they can muster to be put in the hot mix account and get after some of these County roads, that he understands they are to find out this Wednesday or Thursday if the machine is available.

Commissioner Schaad said he thought this was another thing they were going to check on, that they were going to see about renting equipment, that Feigel told them he had plenty of it and would rent it to them, that they would be spending \$80,000 for a piece of equipment that would maybe sitting idle for nine months out of the year, when there is other equipment that could be used, and he wondered if there were any rental figures in order to compare with the price of buying one.

Commissioner Willner said he really doesn't want to rent one, that he wants the County to own one, that he wants it to be available when the weather is right, that he doesn't want to see any more road mix or cold mix in Vanderburgh County and he wants to see hot mix go down so these County roads will hold up. He said that on Boonville-New Harmony Road and Darmstadt Road, the paving was done some ten years ago and there still isn't a hole in them, that they laid good roads and done it right and that is what he wants to do with the rest of these County roads, to do them and do them right, since he is tired of this hit and miss proposition, that we have the finances to buy this machine now and the County Garage has the know-how to do it right, so lets do it.

He said we have roads today out in the County that are almost impassible. He then read the following letter that he received from a Mr. Stevens on Orchard Road:

Dear Mr. Willner,

There has been a lot of conversation about the bad winters we've had recently and the effect they have had on the roads. I believe we are all aware of these conditions. Repairing the roads is our prime interest. NOW!

There seems to be plenty of money for every politicians pet project, such as Lynch Road widening, but nothing for the necessary maintenance of roadways for the wage earners, taxpayers, to travel to and from work. Let's get cranked up.

Sincerely, Robert E. Stevens

Commissioner Willner asked the other Commissioners if they had been out on Orchard Road, and said that it is just pitiful and he agrees with Mr. Stevens.

Commissioner Schaad said he doesn't disagree with Mr. Stevens, but what he may not know is that 70% of the money for Lynch Road is coming from federal funds and they don't get federal money to fix Orchard Road.

RE: OLD PETERSBURG & GREEN RIVER ROADS

Mr. Stephen said he has one other problem on Old Petersburg Road and Green River Road, that the road has a couple of bad places washing off, that this is a good concrete road with surface over the top of it, and he was asked to size the pipes along there for five drives and the ground is more steep at one end and flat at the other end so the water is coming across the road, making a couple of bad places, so if there are any pipes under there, they are too small.

He said he talked to Mr. Eisler who put in a 15 inch pipe when he put a culvert in and said the County told him, at that time, that a 12 inch pipe would be sufficient, that he didn't think it was so he put in a 15 inch.

He said if they try to keep the water over on the east side, he would require a 21 inch pipe to handle the water and 15 and 18 inch pipes would be needed at other points, also that Mr. Eisler told him that at one time there was a tube under there and the logical place to drain water to the other side has all been filled in, so he thought they need the people to put pipes in and to maybe reactivate the tube, if it is possible or put another one across the road at that point, and this will correct the problem.

Commissioner Willner said that one gentleman said that he would get the right pipes if the County sizes them.

Mr. Stephen said he thought that Mr. Siebeking could use his equipment and find the pipe under the road and to do the work needed, but he thought the people should pay for their pipes, that if there are pipes under the drives, they are too small and not functioning. ---



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The Commissioners agreed that Mr. Stephen get with Mr. Siebeking for him to do what is necessary to correct this problem.

Mr. Stephen said he would contact the people involved as to what size pipe they need.

RE: FIELD CHECK REQUESTED...ST. JOSEPH AVE. & MEIER ROAD INTERSECTION...M-E 560

Commissioner Ossenberg received a copy of the following letter that was sent to Virgil Bell, Chief Division of State Aid in Indianapolis, from William Dale Willis, the Project Engineer:

Dear Mr. Bell:

Enclosed please find two (2) sets of sketch plans of the above mentioned project. Our office is requesting a field check for this project.

Mr. Keith Corban, P.E. has scheduled a field check in Evansville, Indiana for May 23, 24 on Green River Road, and we are requesting that this project be included.

Very truly yours, William D. Willis  
Project Engineer

RE: AGREEMENT TO BE SIGNED...L & N CROSSING ON HOGUE ROAD

The Commissioners received three copies of an agreement #80628, L & N Crossing on Hogue Road in Vanderburgh County, with the following letter attached:

To Whom It May Concern:

Transmitted herewith are three copies of agreement for referenced project.

Please have the Board of County Commissioners sign, attest and Chief Counselor approve the agreement on page of 7. Notary must prepare and apply a seal to the blank acknowledgement sheet. The above must be completed and all copies returned to this office for further processing.

One fully executed agreement will be returned to the County at a later date.

Sincerely yours, Virgil A. Bell

Commissioner Schaad moved that the agreements be signed for this project. Commissioner Willner seconded the motion. So ordered.

RE: RESOLUTION

Commissioner Ossenberg said that last Tuesday night he asked for a Resolution to be adopted by the Evansville Urban Transportation Study and at this particular time he asked that the endorsement be included by the Mayor of the City of Evansville, the City Council, the County Council, Vanderburgh County, the Sheriff of Vanderburgh County, the Chief of Police and the Judge of the Circuit Court.

The cover letter addressed to Commissioner Ossenberg reads as follows:

Mr. Tom Ossenberg  
President, Vanderburgh County Commissioners

We are all familiar with the increasing number of traffic accidents and fatalities that are occurring on U. S. 41. The Evansville Urban Transportation Study Policy Committee has adopted a Year 2000 Long Range Transportation Plan which includes the elevation of a section of U.S. 41 from Division Street to 250' south of Bellemeade Avenue. This project, due to fiscal constraints at the local, state and federal level, has been scheduled for construction between 1989 and 1993.

We, the members of the Policy Committee, recognize the urgent need for this project and have passed a resolution requesting immediate action by the Indiana State Highway Commission and the Federal Highway Administration to assist the City of Evansville and Vanderburgh County in implementing the elevation of U.S. 41.

We are asking for your endorsement of the enclosed resolution which should be forwarded to: Mr. Roger Marsh, Executive Director of the Indiana State Highway Commission, 100 North Senate Avenue, Indianapolis, Indiana 46204; and Mr. George Givson Jr., Division Administrator, Federal Highway Administration, 575 North Pennsylvania Street, Room 245, Indianapolis, Indiana 46204.

If you have any questions please contact myself, Tom Ossenberg or Keith Lochmueller.

Sincerely, Robert A. Davies  
Chairman

RESOLUTION REQUESTING IMMEDIATE ACTION BY THE  
INDIANA STATE HIGHWAY COMMISSION AND THE FEDERAL  
HIGHWAY ADMINISTRATION IN ASSISTING TO ELEVATE U.S.41

WHEREAS, a safe and efficient U.S. 41 is needed for the social, economic, and environmental well-being of citizens in the Evansville Urbanized Area and of citizens outside the urbanized area who utilize U.S. 41; and

WHEREAS, the Southwestern Indiana and Kentucky Regional Council of Governments is the organization designated by the Governor as the Metropolitan Planning Organization responsible, together with the State, for carrying out the provisions of 23 U.S.C. 134 (Federal-Aid Highway Planning requirements) in the Evansville Urbanized Area through its Evansville Urban Transportation Study; and

WHEREAS, the year 2000 Long Range Transportation Plan has been adopted on April 11, 1978, by the Evansville Urban Transportation Study Policy Committee which is the policy body of the Evansville Urban Transportation Study; and

WHEREAS, the Evansville Urban Transportation study, as the transportation planning body of the designated Metropolitan Planning Organization, through a continuing, comprehensive, and cooperative planning process, has developed the year 2000 Long Range Transportation Plan utilizing procedures developed by the Federal Highway Administration; and

WHEREAS, the year 2000 Long Range Transportation Plan provides the basis for all funding of capital extensive highway projects requiring major construction; and

WHEREAS, the year 2000 Long Range Transportation Plan includes the elevation of a section of U.S. 41 which was determined in the planning process as the best solution of U.S. 41; and

WHEREAS, the elevation of U.S. 41 is programmed for construction in the staging period of 1989-1993 due to fiscal constraints at the local, state and federal level; and

WHEREAS, the Transportation Systems Management Element of 1978 to 1982, as developed by the Evansville Urban Transportation Study and approved by Evansville Urban Transportation Study Policy Committee, reveals that five of the top ten worst intersections in the Evansville urbanized area are on U.S. 41; and

WHEREAS, accidents involving intersections on U.S. 41 from Diamond Avenue to Southlane Drive numbered 343 in 1977 and there have been 6 fatalities in the past 2½ years leading to the designation of U.S. 41 as the "killer" highway; and

WHEREAS, the high number of accidents and deaths on U.S. 41, the "killer" highway, make it imperative that work on the elevation of U.S. 41 be started immediately:

BE IT, THEREFORE, RESOLVED, that the Evansville Urban Transportation Study Policy Committee, at its regular meeting of May 9, 1978, requests the Indiana State Highway Commission and the Federal Highway Administration assist the City of Evansville and Vanderburgh County in implementing the elevation of U.S. 41 as soon as possible, and

IN ADDITION, the Evansville Urban Transportation Study Policy Committee hereby requests endorsement of this resolution by: the Mayor of the City of Evansville; the Evansville City Council; the Vanderburgh County Council; the Vanderburgh County Commissioners; the Judges of the Circuit and Superior Courts; the Evansville Chief of Police; and the Vanderburgh County Sheriff:

Signed, Robert Davies and dated May 9, 1978

Commissioner Ossenberg said that at particular time he had asked the County Attorney to look to see if the Commissioners could rescind anything in the line of action made by them last week in the Cumulative Bridge, that the Commissioners feel that the \$.15 should stand since the road was originally built with federal highway monies and state monies and they feel that it is their responsibility, so he asked that the Commissioners adopt this resolution.

Commissioner Schaad moved that the resolution be adopted. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said that the Commissioners names will be included now on the resolution along with the rest of the bodies.

RE: POOR RELIEF

Eula Robinson....1415 S. Governor St....Pigeon Township....Ms. Sallee, Investigator

The Notice of Poor Relief Action that was submitted by the Pigeon Trustee stated that Ms. Robinson applied for her Husband's funeral expenses but was denied because the bill dated back 19 months and also because of excessive income.



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Ms. Robinson said all she is asking for is help to finish paying her husband's funeral bill, that she has so many bills, that she just can't pay all of them, that she is 80 years old and not able to work, also that she is having to pay her husband's doctor bill which is \$500.00, plus her house payment, taxes, Insurance, groceries, utilities, other bills and upkeep on the house. She said she had a nervous breakdown last year and was in the hospital for a long time and that she is having to pay her husband's bills that he didn't pay and none of her children are able to help her, that they are all on disability, that she has the funeral bill down to \$1,200.00.

Commissioner Ossenberg asked Ms. Robinson what income she has.

Ms. Robinson said she gets \$219.00 Social Security and \$233.00 black lung, that her husband was sick for five years and she had to keep oxygen for him all the time.

Commissioner Schaad asked Ms. Robinson, when she went to Miller & Miller Funeral Home to bury her husband, if they gave her a choice of different funerals and different prices that she could avail herself of.

Ms. Robinson said this was the cheapest funeral they had and they had to take him clear to Greenville, Kentucky to bury him, since that was his home.

Ms. Sallee said that on 5/3/78 Ms. Robinson made application for help on her husband's funeral expenses, that he died 19 months ago and was buried from the Miller & Miller Funeral Home at the cost of \$2100.00, that Ms. Robinson stated that she had an Insurance Policy in the amount of \$600.00 and payments have been made periodically to the Funeral Home and at the present time \$1200.00 is still owed, and after completing her application for relief, she was denied assistance because no money is available for bills made in 1977 or 1976, also Ms. Robinson has a monthly income of \$475.00 which is the amount Ms. Robinson told her, but she finds, this morning, that it is \$502.00, which is an excessive amount for them to help her, that they had no alternative but to deny her request.

Commissioner Schaad said that \$2100 seems an excessive amount of money to pay for a funeral, that it is fine if a person can afford it, but if not, it is too much to expect the taxpayers to pay for it, that there must have been more reasonable priced funerals that Ms. Robinson could have obtained for her husband.

Commissioner Willner asked Ms. Robinson if she didn't have some children that could help her.

Ms. Robinson said she has children but her son-in-law has T.B. and is on disability, her son has brain damage and is on disability and another son is on disability since he has had three back operations, so none of them are able to help her.

County Attorney Smith told the Commissioners to ask Ms. Robinson if she agreed to pay Miller & Miller the \$2100.00 when she buried her husband by signing a contract, which they did, and she said she didn't sign a contract, to which County Attorney Smith said he didn't think it was a legally forceable obligation then, on her part.

After further discussion, Commissioner Ossenberg told Ms. Robinson that Ms. Sallee would work with her to see what they could work out to get her some help, so Commissioner Schaad said that he would contact Ms. Sallee after the Drainage Board's meeting is over.

The meeting recessed at 12:00 noon.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Ed Smith, Jr.

Secretary: Margie Meeks

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

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COUNTY COMMISSIONERS MEETING  
MAY 22, 1978

The meeting of the County Commissioners was held on Monday, May 22, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: MEETING DATE CHANGED DUE TO HOLIDAY

Commissioner Ossenberg set the next meeting of the County Commissioners for Tuesday, May 30, 1978, due to Monday, May 29, 1978, being Memorial Day.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BOARD OF COUNTY COMMISSIONERS

Mary Humphrey 2917 Korressel Rd. Vac. Clk. Law Library \$20.00 Day Eff: 5/26/78

SHERIFF'S DEPARTMENT

Thomas Wedding 1667 S. Weinbach Ave. Jailer \$6500.00 Yr. Eff: 5/20/78  
Ronald McDonald 451 S. Weinbach Ave. Intern \$75.00 Wk. Eff: 5/20/78

VANDERBURGH COUNTY R.E.S.C.U.E., INC.

George B. March 809 Douglas Dr. Week-end Counselor \$3.00 Hr. Eff: 5/16/78  
Ronald M. Stewart 311 N. Rotherwood Night Counselor \$7500.00 Yr. Eff: 5/16/78  
Lana Goffinet 3101 Kuebler Rd. Employment Developer \$9500.00 Yr. Eff: 5/20/78

RE: EMPLOYMENT CHANGES.....RELEASES

BOARD OF COUNTY COMMISSIONERS (Leave of Absence approved 4/17/78)

Doris Gaiser R.R. 8 Browning Rd. Law Library Clerk \$6597.00 Yr. Eff: 6/5/78 thru 7/28/78

SHERIFF'S DEPARTMENT

Larry Craddock 2059 Waggoner Jailer \$6955.00 Yr. Eff: 5/20/78

VANDERBURGH COUNTY R.E.S.C.U.E., INC.

King S. Jewell 2260 Sunburst Blvd. #213 Night Counselor \$7500.00 Yr. Eff: 5/15/78  
Lana Goffinet 3101 Kuebler Rd. Employment Developer \$9000.00 Yr. Eff: 5/20/78

VANDERBURGH COUNTY ELECTION BOARD

Susan K. Kirk	8302 Spry Rd.	Supervisor	\$3.10 Hr.	Eff: 5/5/78
Edward L. Knight	1113 S.E. Riverside	Supervisor	\$3.10 Hr.	Eff: 5/5/78
Perry A. Neale	2849 Edgewood	Ballot Asst.	\$2.50 Hr.	Eff: 5/5/78
Maxie A. Hatcher	1209 First Ave.	Ballot Asst.	\$2.50 Hr.	Eff: 5/5/78
Russell S. Rohner	617 W. Maryland	Ballot Asst.	\$2.50 Hr.	Eff: 5/5/78
John W. Overton	188 S. Lincoln Ph.	Dr. Ballot Asst.	\$2.50 Hr.	Eff: 5/5/78
Fred C. Roeder	R.R. 4 Box 263	Ballot Asst.	\$2.50 Hr.	Eff: 5/5/78
Charlene Appman	2709 N. Edgar St.	C. Dep.	\$2.50 Hr.	Eff: 5/5/78
Tonya Lee Hooper	1224 First Ave.	C. Dep.	\$2.50 Hr.	Eff: 5/5/78
Sharon Yunker	5313 Sherbrooke	C. Dep.	\$2.50 Hr.	Eff: 5/5/78
Mary E. Moore	1518 Ravenswood	C. Dep.	\$2.50 Hr.	Eff: 5/5/78

RE: MONTHLY REPORT

The Evansville Association for Retarded Citizens, Inc. submitted their report of cash receipts and disbursements for the month of April, 1978.  
Report received and filed.

RE: PAUL TORIAN.....COUNTY LIABILITY INSURANCE

Commissioner Ossenberg explained to Mr. Torian that Commissioner Willner had asked, last week, that he be called to this meeting today, primarily to see if the Liability coverage should be increased.

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Mr. Torian said they now have a total of One Million dollars, per occurrence, Liability coverage, that as he understands it, the Insurance Audit and Inspection Company from Indianapolis has been hired to review the County Insurance and come up with recommendations, that they are recognized in the field as being very competent and unbiased and he thought that their recommendation would certainly be worthwhile, that he didn't know what the timetable was, but they have been on the project for some ninety days now and it takes them several months before they are able to give their findings. He said, however, he thought in the interim period, that higher liability limits are available and are expensive, but whether it would be worth the money or not, he didn't know, that how much is enough, is a good question, and as to the Green River Road case, there are a number of defendants in addition to County and the dollars are big and the asking amounts are large. He said at this time he wouldn't know anything else to say other than he assumes that their recommendations will be forthcoming and they are recognized as being very good in their field.

Commissioner Ossenberg said that the Insurance Audit and Inspection Company was in here in January and at that time, they told Mr. John that it would be about five months before they made a recommendation, so he looks for a recommendation from them in either June or July. He asked Mr. Torian for a rough figure as to Two Million dollars, per occurrence, as to what it would cost the County.

Mr. Torian said he doesn't know, since the experience kind of makes the rate, that right now, the experience in-so-far as this rash of the pending law suits, their rates would perhaps not be low, that their current rate on the underlying million is very favorable, but he doesn't have a figure, however they could proceed to obtain the quotations and they would be glad to do this if the Commissioners think this would be in order, or they could wait to see what is recommended by them, that maybe this would be best.

Commissioner Willner asked if the second million comes cheaper or if it is more expensive.

Mr. Torian said it is substantially less expensive.

Commissioner Schaad said that as far as he is concerned, they might as well stay as status quo until they get the report to see what their recommendations are, and then they can start to work on it, since it may all be for naught.

Commissioner Willner asked if they will take into consideration what other counties are doing, and Mr. Torian said they sure will, that he thinks they are even considering the possibility as to whether the County is large enough to go self-insured, since a number of the large counties and cities are doing this.

Commissioner Ossenberg said the opinion he got in talking to Mr. John is that their recommendation is going to be that we do not go self-insured, plus the fact that our liability should probably be raised. He said that as far as he is concerned, if it is agreeable with the other Commissioners, they will wait for that report, since it should be coming within the next month.

Commissioner Schaad moved that the Commissioners wait until they get the report from the Insurance Audit and Inspection Company before they proceed. Commissioner Willner seconded the motion. So ordered.

#### RE: COMMENT ON TRAFFIC CHECK REPORT

Commissioner Schaad said while they are on liability and safety, that they did have a traffic check made by Engineer Associates and he wondered where they stand on following their recommendations, because here again, they are vulnerable if they don't, since this is the reason they had it made, to see where the hazards are in the County and now they know that the recommendations were made, so now they need to get at it and follow up on them.

He explained that Engineer Associates did the study and in the study there were recommendations made, that it was all federally funded and the recommendations stated what must be done to bring the signing up to par, that since recommendations were made, it seems to him that they need to do it, not just have a study made, since if they don't and they have a lawsuit, the people could say that the Commissioners knew there was a bad crossing there sometime ago, but they didn't do anything about it, so it seemed to him that they should get with it.

Commissioner Ossenberg asked Mr. Judd if he has received anything on that bill, but Mr. Judd said he hadn't.

Commissioner Ossenberg said he would check with Keith Lochmueller on it.

RE: COMMENT ON HEALTH INSURANCE

Commissioner Ossenberg said that in speaking of Self-Insurance, he wants to talk to the City in regard to the Health Insurance program, that he thinks their experience this year is that they are going from premium savings of well over \$100,000.00 and they had a study made by a consulting firm out of Indianapolis, that it cost them roughly \$1,000.00 to recommend this Self-Insurance program that they have, that it is a certain plateau, and if someone is hit pretty big, they have a coverage to carry it so the City or County wouldn't be hit all at once. He said if it is agreeable with the other Commissioners, he would like to talk to Koch and get their experience from Mr. Shatara, with the possibility that the County do likewise to save money for Self-Insurance on the County's Health Insurance program.

Commissioner Schaad moved that Commissioner Ossenberg check with the City to see what their experience has been and report back to the other Commissioners. Commissioner Willner seconded the motion. So ordered.

RE: QUIETUS RECEIVED

A Quietus was submitted by Kurtz Auction & Realty Co. for the sale of the personal property at Pleasantview in the amount of \$7,352.50. Received and filed.

Commissioner Schaad asked Mr. Hotz if he has had any reports from Curran Miller as to if he sold any of the surplus items that was taken to the Auction Barn to be sold.

Mr. Hotz said he didn't know, that he should get something in the mail today, since Mr. Miller has a sale every Thursday.

RE: RIGHT OF WAY BUYER NAMED FOR ST. JOE AVENUE

Commissioner Ossenberg said they now have a clarification of everything necessary for St. Joe Avenue to proceed from Diamond Avenue to Mill Road, that they need to name a Right of Way Buyer and Appraiser, since he thinks there are five parcels to yet be purchased.

Commissioner Schaad moved that Dan Riddle be appointed as Right of Way Buyer and Appraiser, since he understands that he is the only one that is qualified to do the federal work. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON ST. JOE AVENUE PROJECT

Commissioner Schaad said in regard to St. Joe Avenue, he had a call from Fink, Roberts & Petrie, that this was one of the things necessary and another thing that is necessary is that they need a contractual agreement between the utility and the County Commissioners as far as the moving of the utility poles is concerned.

He said that Mr. Stephen has been working with them and he asked County Attorney Smith if he would help to follow through on it, because the final corridor plans were approved on May 4th. by the federal government and perhaps what the utility companies are waiting on is the final plans as to just where the utilities are to be moved to, so if they don't have those, he suggested they call Guy Cantwell at Fink, Roberts & Petrie and get them down here so they can get the contractual agreement between Southern Indiana Gas & Electric Company and the County taken care of, since this is a must.

He said that the other requirement is the right of way and those parcels will be down this week, and one of the other things necessary for them to enter into a contract is that there are three ways of doing it, that they can enter into a contractual agreement with the state to do the supervision and inspections on the construction as it goes along, however, in talking to Mr. Lochmueller he found that this must come out of the office in Vincennes and they aren't interested in it at all and they said they are too busy and don't have the manpower to do it.

He said he thought they need to have Mr. Lochmueller to write a letter to this effect to submit to the Commissioners, and if the state can't do it, this will hold the project up, but that there are two other ways of doing it, that it can be done In House, which means some public official such as Mr. Stephen, can take the responsibility of doing the inspection and supervision with the contract as it goes along, that this would take more help from their office, so he thought this to be a matter where Mr. Stephen and Mr. Brenner would have to get together to see if they could come up with personnel from their office to do it.

He said the third way that Mr. Cantwell told him it could be done, would be to hire a consultant to do the inspection and supervision, however, the consultant would have to be directly responsible to a public official such as Mr. Stephen, that they can't just hire a consultant and turn him loose, that they would still have to be responsible for him, so if Mr. Brenner and Mr. Stephen couldn't do the work from their office, they could hire a consultant to do it and then Mr. Stephen could work with them, but these are the three ways of doing it and these three things need to be done so they can get this project going so they can ask for bids and hopefully, he would like for everything

to be ready so the state could advertise for bids sometime in July. He said he just wanted to report for the minutes that everyone is working on this project.

RE: MS. BAILEY TO ATTEND MEETING IN SCOTTSBURG

Commissioner Ossenberg said that last week he received a letter from the Indiana Association of Counties with notification of a meeting tomorrow in Scottsburg, concerning County businesses and at that time, Mr. John didn't think it was necessary for anyone to attend but since then, Ms. McBride, the Deputy Auditor, found that it is necessary for someone to attend from Vanderburgh County so Ms. Bailey, the Executive Assistant to the County Council, has come to him and said she would go, so the Commissioners need to give her approval to attend this meeting.

Commissioner Schaad moved that the Commissioners give Ms. Bailey permission to attend this meeting as a representative for Vanderburgh County and for her to report back to the Commissioners when she returns. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR ROOF AT AUDITORIUM

Mr. Crooks had submitted the contract to the Commissioners from Industrial Contractors for the roof at the Auditorium that was discussed last week as to its validity since the Treasurer of the Corporation had signed it.

County Attorney Smith said that subsequent to the meeting last week on this question, as to if the Treasurer was authorized by the Corporation or not to execute the documents, he was contacted by their counsel and he requested a copy of the authority and he received a certified copy from the Secretary of Industrial Contractors, of a resolution from their Board which authorizes the Treasurer to enter into any such agreements. He said he finds this to be satisfactory and he sees no reason why the contract can't be awarded to them.

Commissioner Ossenberg said he thought the recommendation was that the contract be awarded to Industrial Contractors providing the bid was in good order and Mr. Dewes said this is correct and he would like to see the contract approved as soon as possible.

Commissioner Schaad then moved that the contract be awarded to Industrial Contractors for the re-roofing of the Vanderburgh County Auditorium in the amount of \$86,485.00. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees at the County Highway Department for the week ending May 19, 1978. Report received and filed.

RE: PROBLEM AT BUSLER'S STATION

Mr. Siebeking said that they met with Rex King and George Chamberlain, the gentlemen with the State Highway Department and they also met with the State Police, George Busler and his people, on that entrance into Busler's truck stop off Highway 41 and I-64 and the state told Mr. Busler that they just couldn't see what could be done with it, that it belongs to Vanderburgh County, that it has been given back to us and the state will not do anything, but they did recommend how it could be fixed, that they recommended that it be dug out and at least ten inches of reinforced concrete be laid but they also told Busler Enterprises that they did not feel that this was the County's responsibility to do the work because it was too expensive just for two businesses and a drive into a private residence.

He said that Busler didn't meet with the recommendation very highly but this is where they stand today and the state said they couldn't do anything with it, that they recommended how it could be fixed and they told Mr. Busler that the County would probably dig it out but they thought it was his responsibility to fix it like he wanted it.

Mr. Guillaum said he also met with the gentlemen from the state and they told him that the County has it whether they want it or not.

Commissioner Schaad said if the County abandons it, the people out there will be at the mercy of Busler and the Commissioners can't very well do that.

County Attorney Wendel said that the Surveyor's office is going to check on the records as to whether the state gave us that section of road illegally, as to if it was properly certified as to their abandoning it and if it is a part of their minutes, we are stuck



with it, but if they made a mistake on doing that, it is still a part of the State Highway System.

Mr. Guillaum said they had a letter from 1975 that was sent down stating that it was going to be abandoned, so they will need to research the minutes of the State Highway Commission.

County Attorney Wendel said that since that time, when they want to abandon part of a highway, they can only do it on the terms that meet with the approval of the County but back then they didn't have to.

Commissioner Ossenberg asked if there is any truth in Busler's trying to buy out Rutledge.

Mr. Siebeking said he has heard this but he doesn't know, that he was told that Busler would like to buy him out and run a frontage road on south and tie into Highway 41 about three-quarters of a mile from the present entrance but he didn't know if there was any truth to this or not, that they would make one an exit road and the other one an entrance road, and it was also discussed that they widen the road that is there now, but the state said they couldn't do it and Busler kind of blew up, so Mr. King told him that they could stop their entrance altogether.

He said that Mr. Busler kept bring up the fact of how much diesel tax and road tax he pays and Mr. King reminded him that he was only a collection agency, that he did not pay it himself, that other people were paying it and he was only collecting the tax and sending it in to the state, so it got quite heated at times but the state man won out.

Commissioner Ossenberg said that if Busler is trying to buy out Rutledge and he wants to continue with a road and he will sign a covenant that those people in the farm house up there have an ingress-egress access to that road to get to their home, etc, then he would go on record of abandoning it and giving it to him, but he is one Commissioner that isn't going to build him a road for his business and this is essentially what they are doing but if he plans to buy out Rutledge and he wants to go on the extension of that and he'll sign the covenant to let those people to have access to that road, thats different.

Mr. Siebeking said if he signs one right now, to the Commissioners, to Rutledge and to the people up there in that house, he would give it back to him. He said they went up there two weeks ago and worked those bad spots the best they could but they aren't going to stay there because of the way it is designed and the way those trucks have to come in there and it will be right back out, but he did want the Commissioners to know that he met with all those people and that this was the state's recommendation, so he supposed all they could do now is to play it by ear and take a lot phone calls since they get calls on it every day.

#### RE: NURRENBERN ROAD

Mr. Siebeking asked the Commissioners what they would like for him to do with Nurrenbern Road since it is becoming quite bad, also he wondered if they were going to hold up on David's contract until this fall or if he is to start on it right away, since if they are going to hold up until fall because of the park, they will have to go out and do some work on the road.

He was told that they were going to wait until fall to do anything with it, so he said they will go ahead and do what they can on it.

#### RE: AUTHORIZED TO ADVERTISE FOR BIDS ON BITUMINOUS FINISHER

Mr. Siebeking submitted the specifications and the Notice to Bidders for a Bituminous Finisher that will be bid through the Department of Public Purchasing.

Commissioner Willner moved that the specifications be approved and that bids be advertised for in both newspapers on May 25th and June 1st. with the bid opening date set for June 5th. at 9:30 a.m. Commissioner Schaad seconded the motion. So ordered.

#### RE: WILLIAM TAYLOR.....BLACK EXPO 1978

Mr. Taylor said that what he is asking for Black Expo 1978, from the County and the City, is \$2,000.00 from each to help them with their Expo this year. He submitted an itemized statement of their income and expenditures for 1977 and of their projected income and expenditures for 1978, and said that last year, Black Expo gave away two scholarships, that they matched funds with the state for one of them and then they gave away one themselves and this year, they plan on doing the same thing, and they are also incorporating a fund with Indiana State that is a relief fund whereby it will help any student from any college from Vanderburgh County that has a problem in needing books, tuition or something like this, so if they need help all they have to do is to

contact anyone on the Expo Board and they, in turn, will relate it to the Chairman of the Scholarship Board and they can send them emergency monies. He said their expenditures are running about the same, maybe a little higher this year because they are using the Executive Inn for all their activities since the Community Center was pretty well filled for the dates they planned their activities, and the Hotel-Motel Commission is also on the job and on the dates they would need for the Auditorium use is also full, so what they are asking from the County is \$2,000 to help defray the cost of the scholarships, the emergency relief fund and the luncheon. He said the reason he is asking for the Black Expo money is because he is a State Board member.

Commissioner Ossenberg asked Mr. Taylor when Black Expo is this year.

Mr. Taylor said the first event starts June 10th. which is the beauty pageant and the Black Expo runs through June 25th., that they will also have a picnic and art show.

Commissioner Schaad said they can't legally give money to a charitable organization, that before when the Black Expo wanted the Auditorium for free and the Commissioners have a policy that no one gets it for free, so the Council appropriated the money and then they had a contractual agreement with Black Expo just to pay for the rental of the Auditorium.

Mr. Taylor said that last year the County paid for the rental of the Auditorium plus \$1,000.00, that \$500.00 of it went to the scholarship fund and \$500.00 went to the luncheon fund and there was a contract signed, that they will have to go with the same procedure and sign a contract, designating that the money be used for a certain area, and the State Board of Accounts approved it last year.

Commissioner Schaad moved that they go before Council for the \$2,000.00 and see if they will appropriate it.

Commissioner Ossenberg asked when the deadline is for advertising the June Council Call, and he was told that May 15th. was the deadline to get anything in for the June Council Call, so this will have to go on the July Council Call.

Mr. Taylor said they will do like they do every year, to operate in the red until they get the money to pay the bills.

Commissioner Willner seconded the motion. So ordered.

#### RE: CLAIMS

A Claim was submitted by Kurtz Auction & Realty Company for the auction they conducted in the sale of the personal property at the Pleasantview Rest Home on May 6, 1978, in the amount of \$906.75, by contract.

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

A Claim was submitted by a Jimmie Owen Hatfield for helping on roof repair, lawn mowing and the auction at Pleasantview, in the amount of \$96.00, which was approved by Mr. Hotz.

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

A Claim was submitted by Szabo Food Service, Inc. for meals for inmates for the period of 4/16/78 thru 4/30/78 in the amount of \$3,454.10 and for meals for deputies for the same period in the amount of \$128.05, making the total amount of the claim to be \$3,582.15, which was approved by Sheriff DeGroot.

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

A Claim was submitted by Szabo Food Service, Inc. for meals for inmates for the period of 4/17/78 thru 4/15/78 in the amount of \$3,359.85, which was approved by Sheriff DeGroot.

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

A Claim was submitted by Brink's Inc. for services rendered to the Clerk of the Circuit Court for the month of May, 1978, by contract, in the amount of \$94.80.



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

A Claim for Credit was submitted by Torian Insurance Agency for deleting coverage on General Liability for the Pleasantview Property. The credit is in the amount of \$705.00.

Commissioner Schaad moved that they accept the claim for credit. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by Torian Insurance Agency for Binders 165, 184, 167 and 185 which has been billed monthly and this is the final bill which covers from March 1, 1978 to May 10, 1978 on the Fire and E/C on the Pleasantview property.

Commissioner Schaad asked Mr. Hotz if all the utilities and everything is now closed out at Pleasantview, and Mr. Hotz said as far as he knows, everything has been taken care of.

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

A Claim was submitted by All Metal Manufacturing Co. Inc. for guardrail, terminal ends and guardrail posts in the amount of \$13,616.77, and approved by Mr. Guillaum.

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

Mr. Guillaum explained that this was for the second half of the order they put in earlier.

RE: MR. GUILLAUM.....REPORT ON BRIDGE AND GUARD RAIL CREW

Mr. Guillaum submitted his report for the past week on the bridge and guard rail work that was done by his CETA people and said they had a relatively lean week, that they put in 283½ feet of guard rail, that they had some equipment problems and they had both crews working in conjunction with each other on the bridge repair and they are working on McCutchan Road where there are a couple of structures that they have been having problems with and are in the process of removing the rails and re-pouring the same as they have done on Baseline Road and on Green River Road. He said he talked to Hugh Krohn this morning and he is going to order some more rail, not the regular rail but bridge in-sections that goes right into the bridge itself, that they have been taking the rail up to the end of the bridge but it is kind of a bad situation, so the in-sections will allow them to mount it flush then with the end of the bridge and it will offer a lot more protection for anyone that might happen to hit the end of the rail.

RE: DARMSTADT ROAD

Mr. Guillaum said that right now it looks like they are going to be under a considerable amount on Darmstadt Road, that he would say a minimum of 500 tons and probably today, they will have the final down, but they will be in the vicinity of 500 tons under.

RE: BIDS RECEIVED ON MARX ROAD BRIDGE THROWN OUT

Mr. Guillaum said they want to re-advertise for bids on the Marx Road Bridge, that he believed the pipe out there scared some of the contractors as far as the bids they received on it, so they are going to re-advertise for bids, hoping that they will get better bids on it. He said they are changing the specifications since they are going to eliminate the pipes.

Commissioner Schaad moved that the bids they now have be thrown out. Commissioner Willner seconded the motion. So ordered.

Mr. Guillaum said that quite a bit of the problem was that the contractors couldn't find any forms locally, that they indicated that the nearest place they could get them was in Florida, so consequently it was reflected in the price of the pipe and it scared them off, but he thought they could do a lot better by re-advertising for bids. He said he would have the new specifications ready next week.

RE: OLD PRINCETON ROAD BRIDGE

Mr. Guillaum said they settled the Old Princeton Road Bridge for roughly \$2600.00 on the collision claim out there so that is taken care of.

RE: EVANSVILLE DAY SCHOOL

Mr. Guillaum said he went out and looked at the Day School that was previously discussed since the Commissioners has had several calls and requests concerning the passing lane being hazardous for vehicles going in and out of there.

He said that Ms. Cox wants a couple of things out there and for one side they will need roughly 80 foot of 16 inch pipe for the drive on the Day School side and approximately three loads of shoulder stone to build the area up, plus 100 foot H.A.C. blister approximately ten foot wide, that this would be for each side and Ms. Cox said she preferred that it be put on both sides and he can see her point, since they have traffic turning both directions in there and it is dangerous, so it would be much safer to have a passing blister on the outside so the traffic wouldn't be trying to zigzag around and cutting in and out in front of people.

He asked the Commissioners how they wanted him to handle this, if they wanted him to write up some sort of engineering and specifications on it.

Commissioner Ossenberg said this would be his suggestion.

Mr. Guillaum said the pipe is where they will probably run into a little bit of money because there is 16 inch pipe in there right now and they will have to tie into that and take it at least 80 feet on one side and probably 100 feet on the other side.

The Commissioners agreed that Mr. Guillaum go ahead and get the information on this together.

RE: REPORT OF APPRAISERS ON PECAN TREES

Cause No. 75-CIV-2356....Anna Joeckel Vs. Board of Commissioners of Vanderburgh County, Indiana.

Report of Appraisers reads as follows:

We, the undersigned appraisers appointed in the above captioned cause by order of the Vanderburgh Superior Court, dated January 25, 1978, and after having taken an oath that we are disinterested freeholders of Vanderburgh County, Indiana, and that we will honestly and impartially assess the damages which plaintiff may sustain or be entitled to by reason of the appropriation of forty five (45) trees by defendant and that we have no interest in the appropriation of said rights taken or in any of the land out of which the same is to be appropriated or in any other matter relating to this proceeding and after an examination of the evidence in this cause relating to the trees which were appropriated, we do hereby determine and report as follows:

Damages of plaintiff, Anna Joeckel, as owner of the rights taken. The fair market value of the trees appropriated by defendant is Twenty Two Thousand Five Hundred Dollars (\$22,500.00).

Dated, this 24th day of April, 1978.

Signed, Mr. Reid, Walter Day and Paul Hatfield

Commissioner Schaad said he didn't know how they appraised something they couldn't see.

County Attorney Smith said this is going from the sublime to the ridiculous, that they will probably take their deposition, that County Attorney Wendel has prepared an exception to it.

Commissioner Ossenberg explained that this is an appraisal made on the Anna Joeckel suit on the Smith-Diamond project.

He said he read the entire transcript of that trial and he thought the only witness she had was her grandson, but almost everyone she had as witnesses was related to her.

County Attorney Smith said he and Mr. Wendel are prepared, that they have already done the work for the field, in anticipation that it would probably be necessary.

RE: REQUEST FOR CONTRIBUTION FROM FREEDOM FESTIVAL COMMITTEE

Commissioner Ossenberg received the following letter from Paul Kinney of the Freedom Festival Committee:

Dear Tom:

Each of the last two years, the Vanderburgh County Commissioners have made available the Gold Room at the auditorium for a dance to be held by the Senior Citizens of Evansville in conjunction with the Freedom Festival celebration.

The method of the contribution has been that the Commissioners have requested of the County Council an amount which would cover rent, set up, etc. Each year the council has approved this request, a check has been written; endorsed; and returned to the Commissioners. The plan has worked well and many people have enjoyed themselves at this dance.

The Freedom Festival Committee again requests of the Vanderburgh County Commission the above arrangement for the dance, which will be held on June 23, 1978. This date has already been reserved for the Gold Room. Your cooperation will be greatly appreciated by many, many people.

Sincerely, Paul R. Kinney  
Freedom Festival Committee

Commissioner Schaad moved that the contribution from the County be approved again. Commissioner Willner seconded the motion. So ordered.

RE: MARX ROAD BRIDGE AND CULVERT

In regard to the Marx Road Bridge and Culvert, Mr. Stephen wanted to point out that if they extract and add up what they had for culvert, they had \$37,000, he looked at it from the way they have been doing some of them in the past and they can do it for about \$10,000 so if the Commissioners want to go that route for the culvert part, if they get permission and Mr. Brenner's consent, he will order the pipe and arrange to have it like they have in the past where they have a yearly contract for the material, and they have equipment rental which can get the job done, if this is the way they want to go, and they can go ahead and re-do the bridge and bid it. He said this would be his recommendation.

Commissioner Schaad moved that the work be done according to the recommendation of Mr. Stephen. Commissioner Willner seconded the motion. So ordered.

RE: BILL FROM SIECO

Mr. Stephen said he has received another bill from SIECO for engineering work on the pavement striping program in the amount of \$2,355.60 that is 100% money from the Federal Highway Administration, so he will process it and mail it in so that the County will be reimbursed this amount.

He said he talked to a representative from SIECO and asked when they would get on the job of doing it and he said probably in August, that he went over the roads to be striped and he okayed and told them to include one or two and they deleted a section of one because it isn't in condition to stripe as yet, and the three roads that they are paving are included for striping.

He said in the interim they have a problem of no paint on what they have just put down and it is recommended that they put a temporary that might be from 12 to 18 inches of line every 40 feet which is a temporary center line and he highly recommends that they do this sometime this week for Darmstadt.

He said this will tend to soak in and wear off pretty quick and they may have to do it a second time before it has quite a bit of staying power, but can they wait until August to get a complete striping job on that road, and can they take the risk of not having a complete set of lines on there until they come back and get this job done.

Commissioner Schaad said he would sure hate to wait that long since there is pretty fast traffic there.

Mr. Stephen said as long as they maintain that temporary, they are partially protected but he didn't know, that they will need some curing time so the temporary will help.

Commissioner Ossenbergsaid this is something else that he will talk to Mr. Lochmueller about and see if he can rush them up.

Commissioner Schaad asked Mr. Judd if he could get on it right away to do it temporarily as Mr. Stephen suggested.

Mr. Judd said he didn't know if his machine would cut down to 18 inches or not, that he will have to check it, and he asked how much road he was talking about.

Mr. Stephen said about 3½ miles there and they will have the same thing of about 7 miles on St. Joe when they get it done and another 2 miles or so on Oak Hill Road.

Mr. Judd said it will take about 3 barrels of paint which will cost approxiamtely \$600.00, that this will do the job for temporary work on Darmstadt.

Commissioner Schaad moved that the temporary work be done.

He asked Mr. Judd if he thought putting the double lines down would be the way to do it rather than putting up temporary "No Passing signs, and which would be the way to do it as far as far as safety is concerned, temporarily.

Mr. Stephen said the "No Passing" signs are still there that the state left there but when strangers travel the road they do have a little trouble when the stripes aren't painted because they aren't acquainted with them, but most people that travel those roads are acquainted with them and pretty much know where they can pass.

He said since they already have some "No Passing signs already and if all areas were marked like that he thought they would be sufficient for the time being, but he thought if they went out there now and painted the double yellow lines and the full skipped center line without waiting two to three weeks, they will be gone pretty fast and will need to be repainted by August, so if they would want to go with the cost of painting right now, they could go ahead and paint it because it wouldn't be painted again until August by STECO.

Commissioner Willner seconded the motion, that the temporary work be done. So ordered.

RE: REQUEST FROM HARTFORD INS. CO.

Mr. Stephen said he had a request from Hartford Insurance Company, that they want prints of the original and the changed intersections of Green River Road and the State roads onto Green River Road and all he has is one set of signed prints of the original, and he recommended that they don't let them out of the vault and other than xerox copies, there isn't any other way of reproducing them, and he asked how they could help the Insurance carrier get the prints.

He wondered if they could get Dockery to run some additional prints for that, since they do have to accomodate the Insurance carrier, and if they are to be zeroxed, they will probably have to take them to Evansville Blue Print on a big machine that would zerox them, or it would have to be done in sections and pieced together.

The Commissioners asked County Attorney Wendel to see about getting xerox copies made for the Insurance carrier.

RE: REIMBURSEMENT REQUESTED FOR ST. JOE AVENUE

Mr. Stephen said that he has requested for the reimbursement for St. Joe Avenue from the Federal Aid Urban money, that he sent those to the Auditor of the State Highway Commission for payment and he submitted a complete copy for the County Auditor's office of what he has, that McGillem & Associates are 100% completed, but Fink, Roberts & Petrie isn't completed as yet, that they have one more bill to send in eventually, but these papers are going in so we can get back out 70%. He said he sent in three copies and that Mr. Lochmueller has a complete set, plus the set for filing in the Auditor's office.

RE: ST JOE AVENUE

Mr. Stephen said he had a call from a Mr. Shelby of the Illinois Central Railroad Co. and they were talking about doing something on St. Joe there and that the road was being elevated and after he got the call he found that Feigel had already shaved the road down but they need to do some work in between, but they were thinking of raising the rails up there and it may still be desirable to do this, that he didn't know, that this is on St. Joe Avenue, North of Mill Road, that Mr. Shelby said the rails were broke and they will work it in, and they wanted to know if there was any funds available, but he told them if there were any funds it would take so long for them to be applied for and the money being released, that we need the work done long before that, so they wondered if there were any funds on the County level that were available, and he told him that he would ask the Commissioners, and he also said in order to do a good job if they raise the rails, he would want the road closed for two days, and he said they will work it in with their crews, but indicated that if there was some help available the work might get done a little quicker.

He said that he is going to call Mr. Shelby back to tell him that the sides have been cut down on either side of the railroad and shaved it off, that they will be able to pave back into the same heights if that is agreeable and they still have to do some work between the rails, and if they are going to do a good job of repairing the rails, they ought to put new ties in that section so they wouldn't have to dig back into the road again.

He said the rails wouldn't really have to be raised up unless the Commissioners want them raised a little so that in the future, they won't have the problem being built into the road.

Commissioner Willner said why don't he call him back and ask him if they can replace the ties and get the track in good shape and then we will blacktop it while we are there.

Mr. Stephen said there are two ways of putting in timbers, one is to make it solid between the rails with timbers and the other way is to put a timber on either side of the rail and then paved material between the timbers, that the first takes a little longer and is a little more costly, so if they put the timbers in and we put paving material between the timbers on the cheaper way, he could give him this information.

Commissioner Ossenberg said he didn't mind them doing it, if they will do it right away and Commissioner Schaad said to put it to him that way, that we will do it if he does it now, and the other Commissioners agreed, and asked Mr. Stephen to find out as soon as possible.

RE: COMPLAINT ON HOGUE ROAD CROSSING

Mr. Stephen said he has a complaint on Hogue Road, that the spur track that goes back to the brick yard is getting exceptionally rough, and he asked if they can expect some help from the L & N Railroad Co. to repair that crossing, that here again the rails are too low.

Commissioner Ossenberg told Mr. Stephen to call Mr. Moye at the L & N or Mr. Renner to see what he can find out.

RE: CUTS IN

Mr. Stephen submitted an application from Floyd Staub, Contractor, to cut into Upper Mt. Vernon Road and said this cut is a little different from the others, that he wants to make a cut on the other side of Boehne Camp for a subdivision where they are going to run water down and it is a 42 inch cut, that he referred him to Heston as his Insurance carrier and they don't have a bond filed with the County, so he told him we need a bond filed, so they will get it today, so he thought it would be okay for him to have a blanket bond that will cover all these cuts at \$1,000 at each and every cut he would want to do for the year, and he asked if this is agreeable with the Commissioners.

Commissioner Schaad said that it is up to him, as to whether he wants to get us a blanket bond or just one bond for this particular cut.

Mr. Stephen said he talked to Bob Staub and he said he would prefer to get a blanket bond so that he wouldn't have to get one for each job.

Commissioner Schaad moved that the Commissioners accept Staub's blanket bond for \$1,000 per cut and when Mr. Stephen gets this information it will be permissible for him to okay it as he has in the past. Commissioner Willner seconded the motion. So ordered.

Two other cuts that were submitted for record are:

Board of Public Works to make cuts on Old Boonville Hwy. between the Eagles Country Club and Green River Road.

Evansville Indiana Waterworks Department to make a cut into 8210 Maple Lane to repair a water main.  
Cuts received and filed.

RE: LETTER FROM JAMES BUTHOD-IN REGARD TO ORDINANCE

County Attorney Wendel received a letter from Attorney James Buthod and for clarification, Commissioner Ossenberg said he thinks it is Elberfeld Block that has gone to Mr. Buthod in regards to the Ordinance prohibiting truck traffic on Vanderburgh County highways and he disagrees with the Commissioners, and he didn't know if there is going to be a law suit pending on it or not.

Commissioner Schaad said they should tell them that the next move is theirs.

Commissioner Ossenberg said that Mr. Buthod writes, "I would hope to hear from you as to the attitude of the Commissioners in order that I might advise my client." He said he saw Mr. Buthod the other day and he told him that this letter had been sent to Paul Wendel, that he was objecting to the Ordinance and said what the Commissioners did was illegal and he told Mr. Buthod that if they permitted his trucks to go, they would have to let every truck go, that he didn't know if he was talking out of school or not but he told him that it was filed under the Home Rule Act, that this was done since Mr. Buthod was a County Commissioner, so as far as he is concerned, the Ordinance stands, and the other Commissioners agreed, so they told County Attorney Wendel to so advise Mr. Buthod.

RE: CLAIM FILED AGAINST COUNTY

The following letter was received by the Commissioners from the Law Firm of Bates, Warrum & Noffsinger in regard to Kathy S. Keller v. Harry Gray, No. 5720:

Gentleman:

On behalf of Kathy S. Keller, I wish to advise you of a claim against Vanderburgh County, as a result of the actions of Harry Gray, a release transportation officer for the Vanderburgh County Circuit Court. On or about December 3, 1977, Kathy S. Keller, while riding as a passenger with Harry Gray, was injured when Mr. Gray ran through a barricade.



Mrs. Keller received severe lacerations on her eye and face and has incurred expenses for medical attention and hospitalization and will most likely incur future expenses for additional medical attention and hospitalization. The exact amount of those expenses are unknown at the present time.

The automobile which Mr. Gray was driving and in which Mrs. Keller was a passenger may have been one of the two county owned vehicles assigned to the work release program of the Vanderburgh Circuit Court.

Our client advises us that Harry Gray ran through a barricade located at or near the intersection of Division and Governor, near the railroad tracks in Evansville.

At the time of the loss and at the time of the filing of this notice, our client lives at 210 Oak, Apartment B, here in Evansville.

Very truly yours, Ronald Warrum

Commissioner Schaad moved, on the recommendation of County Attorney Smith, that this matter be referred to the County's Insurance Carrier. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said that he is curious to know if at that particular time whether that crossing was barricaded or not, that it seemed to him that they just started working on that recently.

Mr. Stephen said it seemed to him that they have been working there for three or four weeks.

Commissioner Willner wondered what they hit when they went through the barricade and what the barricade was there for, that this letter doesn't tell them anything.

Commissioner Ossenberg asked if one of the County Attorney's would get in touch with Judge Miller and find out just exactly what happened.

County Attorney Smith said that he would contact Judge Miller on this matter.

RE: LETTER RECEIVED FROM STATE BOARD OF HEALTH

The following letter was received from the State Board of Health that was addressed to Mrs. Virginia Vogt in regard to an illegal open dump at the 3500 block of South Weinbach Avenue:

Dear Mrs. Vogt:

This letter is to inform you that on April 14, 1978, a representative of this office made an inspection and found an open dump on your property. This operation is in violation of the Refuse Disposal Act, IC 19-2-1, Section 31, and the Environmental Management Act, IC 13-7, Chapter 4, Section(c) (d)

To comply with this notice, all dumping of refuse must cease immediately. All exposed refuse must be properly covered with two feet of soil, graded and seeded. A reinspection of the site will be made 45 days after the receipt of this letter. It is expected that the site will be brought into the compliance at that time.

The Solid Waste Management Section has a Class III Sanitary Landfill Policy. You may want to apply for this type of sanitary landfill considering the majority of the refuse is demolition and construction debris. Before you apply for this type of landfill you must first obtain approval from the Indiana Department of Natural Resources, as it is a possibility that your site is located within a flood-plain area. Once approval is obtained you may contact this office for a Class III sanitary landfill application. We will then forward you additional criteria needed concerning this type of sanitary landfill.

If you have any questions, feel free to contact Mr. Lee Langlotz or Dan Magoun of this office.

Very truly yours, David D. Lamm, Acting Chief  
Solid Waste Management Section  
Division of Sanitary Engineering

County Attorney Smith said he checked the statute on this and he didn't think the landowner could be charged because someone illegally dumps on her property, that she has "No Dumping" and "No Trespassing" signs posted in an attempt to keep them off, so he doesn't really see how she can be charged with maintaining an open dump, and if someone arbitrarily drives on her property, she can't be held responsible for that.

Commissioner Ossenberg said that he would talk to someone about this matter.

RE: ADDENDUM TO LEASE AGREEMENT....WEST HEIGHTS SCHOOL

The following Addendum to Lease Agreement dated September 3, 1968, was submitted to the Commissioners for their approval:

WHEREAS, Evansville-Vanderburgh School Corporation by lease agreement dated September 3, 1968, leased certain real estate from the Board of Commissioners of the County of Vanderburgh for the purpose of promoting and advancing construction employee apprenticeship training, and

WHEREAS, Evansville-Vanderburgh School Corporation now wishes to place upon said real estate temporary pre-fabricated buildings, at the same time retaining title thereto.

NOW THEREFORE, it is agreed as follows:

1. It is agreed that the Evansville-Vanderburgh School Corporation may place temporary pre-fabricated buildings upon the real estate described in the lease herein above identified and that title and ownership of said temporary pre-fabricated buildings shall remain in Evansville-Vanderburgh School Corporation and may be removed at its discretion.

2. Said original lease hereinabove identified shall remain in full force and effect except only as herein modified.

DATED this 22nd. day of May, 1978.

Commissioner Schaad moved that the Commissioners sign this addendum to the lease agreement. Commissioner Willner seconded the motion. So ordered.

County Attorney Wendel asked who was responsible for the Insurance and Commissioner Ossenberg said they are, that this is the agreement between the Union, the Building Trade, The General Association of Contractors and the School Corporation and they carry the Liability Insurance.

The meeting recessed at 11:15 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Alice McBride  
(Deputy Auditor)

COUNTY ATTORNEYS

Ed Smith Jr.  
Paul Wendel

Secretary: Margie Meeks

*Tom L. Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS



COUNTY COMMISSIONERS MEETING  
MAY 30, 1978

The meeting of the County Commissioners was held on Tuesday, May 30th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Commissioner Schaad said that he would like for the minutes of last week to be amended, in that on Page 3 under Right of Way Buyer named for St. Joe Avenue, where there are federal monies involved probably requiring right of way purchasing, that an appraiser that has been approved by the federal government must be employed as well as the right of way buyer.

He moved that Dan Riddle be the appraiser and that Venita Becker be appointed as the right of way buyer for the St. Joe right of way. Commissioner Willner seconded the motion. So ordered.

The minutes of the previous meeting were then approved, as amended, and the reading of them were dispensed with.

Commissioner Ossenberg explained that it is a new federal regulation, that they have to have an appraiser and a buyer.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITORS OFFICE

Dorothy Rogers	306 Reis	Part Time	\$20.00 Day	Eff: 5/18/78
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CIRCUIT COURT

David Hatfield	632 S. Willow Rd.	Bailiff	\$3.50 Hr.	Eff: 5/15/78
Donald Fuchs	522 S. Boeke Rd.	Summer Intern	\$120.00 Wk.	Eff: 5/15/78
Raymond Volpe	1808 S. Taft Ave.	Summer Intern	\$120.00 Wk.	Eff: 5/22/78
Michael Bonnell	409 S.E. 3rd.	Bond Interviewer	\$4.00 Hr.	Eff: 5/13/78

SUPERIOR COURT

Mary O'Daniel	Summer Intern	\$115.00 Wk.	Eff: 5/22/78
Leah Elsie	Assistant Chief Clerk	\$8,526.00 Yr.	Eff: 5/22/78
Mark Kuykendall	Summer Intern	\$115.00 Wk.	Eff: 5/22/78

YOUTH SERVICE BUREAU, INC.

Linda Ann Noe	1501 Lilac	Secretary	\$6,552.00	Eff: 6/5/78
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RE: EMPLOYMENT CHANGES.....RELEASES

AUDITORS OFFICE

Terry Riney	6225 Broadway	Leave of Absence	Eff: 5/22/78
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CIRCUIT COURT

Kathy Kelley	612 S.E. 3rd. St.	Part time Bailiff	\$2.85 Hr.	Eff: 5/26/78
Willard L. Walls	1556 S. Kentucky	Probation Officer	\$14,500.00 Yr.	Eff: 5/31/78

PIGEON TOWNSHIP ASSESSOR.....REASSESSMENT

Ruth Calhoun	Part time Clerk	\$20.00 Day	Eff: 5/19/78
Dickie Helfert	Part time Clerk	\$20.00 Day	Eff: 5/19/78

SUPERIOR COURT

Leah Elsie	Clerical Assistant	\$267.92 Pay	Eff: 5/22/78
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YOUTH SERVICE BUREAU, INC.

Pamela Grauer	1638 Hoosier Ave.	Secretary	\$6,552.00 Yr.	Eff: 6/5/78
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RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Archer Meek Weiler Insurance Co. of Columbus, Ohio, on insured, Entertainment Services, Inc. of Columbus for the use of the Vanderburgh Auditorium, for Dour Henning's World of Magic which will be held on June 15th. 1978.

Certificate received and filed.

RE: CLASS ACTION SUIT AGAINST BRINK'S

County Attorney Paul Wendel said that Mr. Volpe, the County Treasurer, referred the Brink's matter to him but he hasn't had a chance to check into it as yet. He said if the Commissioners want to enter the Class Action Suit, they have to send notice to the Court by June 29th. so he recommended that the matter be taken under advisement for one week and he will report back on it at the next meeting.

Commissioner Willner moved that the matter of the Class Action Suit against Brink's be deferred until next week. Commissioner Schaad seconded the motion. So ordered.

RE: BRINK'S CONTRACT SIGNED

Commissioner Ossenberg said that since Brink's raise in cost on services was discussed by the Commissioners, they had a meeting and that they have no choice but to sign the contract.

He said it is effective on June 1st. and the new price for the County Clerk will be \$102.40 per month.

Commissioner Willner moved that the contract be approved and signed by Commissioner Ossenberg. Commissioner Schaad seconded the motion. So ordered.

The Contract is to be mailed back to Brink's.

RE: CHECK RECEIVED

Commissioner Ossenberg said that immediately after the meeting last week, the Commissioners received a check from the Farm Bureau Insurance Co. for \$2,625.00 on the Old Princeton Bridge damage, since they were finally able to run it down to see who was at fault, so repairs have been made, so they have now received the check and the Release of All Claims which must be signed and the check needs to be endorsed.

Commissioner Willner moved that the check be accepted and endorsed, and that the Release of all Claims be signed, notarized and returned to Mr. Reininga of the Farm Bureau Insurance Co. Commissioner Schaad seconded the motion. So ordered.

The Insured was Larry Rainy.

Mr. John said that the check goes back into the Cumulative Bridge Account.

RE: MR. BRENNER

Mr. Brenner said there has been another accident where someone hit the Columbia-Delaware Bridge a few weeks ago and the police haven't come up with anything, so he wondered if the Commissioners might send them a letter or contact them, since it has been a month now and he hasn't gotten anything back.

Commissioner Schaad said one of his customers told him that this place was open and not barricaded, so he called the Surveyor's office and they took another section of the rail and fixed it. It was later found that Jesse D. Redman of 358 S. Craig Ave. was the one who hit the bridge.

Mr. Brenner said they didn't even know that it had happened and if they could get the police to tell them when something was damaged, it would sure help.

Commissioner Ossenberg said he would go down to the Police Department right after this meeting to see what he can find out.

RE: QUIETUS RECEIVED

Commissioner Ossenberg said the Commissioners have received a quietus from Curran Miller for the sale of items from the Pleasantview Rest Home that were taken to his Auction Barn to be sold, in the amount of \$172.20.

Mr. Hotz said this cleans it up and this is final payment for all the items that were taken to the Auction Barn.

Commissioner Schaad moved that the Commissioners accept the check and Commissioner Willner seconded the motion, but it was explained that the check has already been quietused in, so this is a final report.

Mr. John asked what they made on the Auction of personal property that was held at the Pleasantview Rest Home and Commissioner Ossenberg said they made \$7,300.00.

Commissioner Schaad said that in his opinion the sale wasn't very good, that attendance was lously and the items went for nothing, to which the other Commissioners agreed.

RE: CLASS ACTION SUIT AGAINST BRINK'S.....CONTINUED

Commissioner Ossenberg asked County Attorney Wendel if he said he could talk on this Class Action Suit against Brink's and also asked what it was about.

County Attorney Wendel said that it is an Anti-Trust case that was filed in Atlanta and sixteen different plaintiff's have sued Brink's and several of their armored car companies, saying that they've monopolized that type of service and customers have been overcharged, and this is just a notice that if we want to join the case as part of the class action, we can, that they have made a settlement offer and paid into the court \$11,800,000.00 so far and the two parties that would be involved would be the County Treasurer and the County Clerk, but he hasn't discussed it with the County Clerk as yet since he just received it this morning, so he really isn't that familiar with it, but it would just be a matter of whether we want to join in on that case.

Commissioner Schaad said that if they are found guilty, there will be some money returned, just like there was in another class action suit.

County Attorney Wendel said there is almost bound to be some money returned since they have already paid in the \$11,800,000.00.  
That matter will again be taken up at the Commissioners meeting next week.

RE: LETTER OF REQUEST FROM PROSECUTOR

The following letter was received by Commissioner Ossenberg from the Prosecutor in reference to the Establishment of a Computer Scope and Printer in the Prosecutor's Office:

Please find enclosed an estimate that I have received from Gil Runtun concerning the installation of a coaxial cable from the Support Office in the Clerk's office to the Support Office in the Prosecutor's office.

Please take this letter as an official request for the allocation of funds to install and connect coaxial cable between the Support Office of the Clerk's office and the Support Division of the Prosecutor's office.

Should you have any questions please feel free to contact me.

Yours very truly, Jeffery Lantz  
Vanderburgh County Prosecutor

The letter on the estimate of this work that Mr. Lantz received from Mr. Ruston reads as follows:

Dear Mr. Lantz:

This will confirm my verbal quotation as follows:

Labor and material to install coaxial cable from Support Office  
(Room 216-1) to Prosecutor's Office (Room 220-A), including  
wall box, plate and conduit.....\$45.00

If you desire us to proceed, please authorize accordingly.

Sincerely, C. G. Ruston, General Manager

Commissioner Ossenberg and Mr. John said they didn't know of any account in the Commissioners budget this could be taken from and Mr. John said that maybe the Prosecutor has an account that he wants to take the money from for this.

Commissioner Schaad moved that the Prosecutor be given permission to do it, that it is just a matter of taking it out of the right account, so Superior Court and Mr. Lantz should be contacted to see which account this is to be paid from. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM DEPARTMENT OF HEALTH..T B PATIENT

The following letter was received by the Commissioners from Ms. Knodel of the Evansville-Vanderburgh County Department of Health, in reference to a David Denne of 819 Monroe Avenue who is a tuberculosis patient:

Dear Mr. Ossenberg,

The above referenced individual was hospitalized at Welborn Baptist Hospital from 1/23/78 - 2/24/78 for diagnosis and treatment of active, pulmonary tuberculosis.

Mr. Denne's hospitalization/medical insurance was utilized for the major portion of his hospitalization, however, there is a balance of \$310.82 which will be billed to the Vanderburgh County Commissioners.

This is to certify that Mr. Denne is a Vanderburgh County resident and in need of financial assistance.

Thanks for your cooperation and if there are any questions, feel free to call.

Sincerely, Mildred M. Knodel, R.N.  
Tuberculosis Control Officer

Commissioner Ossenberg said the County must pay this as per state statute but when the doctor was down here and he came forward with Ms. Knodel, he thought that those cases were to be treated in Deaconess Hospital.

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

RE: LETTER OF REQUEST FROM BOARD OF VOTERS REGISTRATION

The following letter was received by the Commissioners from Ms. Evans of the Board of Voters Registration:

Gentlemen:

We respectfully request permission to procure a first class presorted mailing permit for the sum of Thirty (30) dollars from account #130-212. With the use of this permit for the mailing of purge notices, we will be saving the County approximately \$230.00, including the cost of the permit.

Your consideration of this request will be appreciated.

Sincerely, Beulah Evans, Board Member  
Voters Registration

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

RE: LETTER OF COMPLAINT ON CAR DAMAGE

The following letter was received by the Commissioners from a Kathy McGowan of 2714 Daratoga Drive in regard to her car being damaged:

Dear Sirs:

On Monday, May 15, 1978, while proceeding northward on Oak Hill Road (7900 area) I hit a pothole, which caused extensive damage to my right front tire and wheel. The pothole is just over a rise in the road, and therefore impossible to see in time to avoid it.

On Tuesday, May 16, 1978, I discussed the situation with county attorney, Paul E. Wendel. He recommended that I write your office relative to the mishap and submit two estimates of the damage for your review.

I would appreciate your cooperation in this matter, and I hope that you will give it prompt consideration.

Sincerely, Mrs. Kathy McGowan

Commissioner Schaad moved that this matter be referred to the County's Insurance Co. Commissioner Willner seconded the motion. So ordered.

RE: COMPLAINT OF MOTORCYCLES AT BURDETTE PARK

The following letter was received by the Commissioners and Sheriff DeGroote from several members of a church group that visited Burdette Park:

Dear Sheriff DeGroote and Commissioners Ossenberg, Schaad, and Willner:

We do hereby register a complaint about the motorcycle problem in Burdette Park. The current situation is that motorcycles have a completely free run of the park, even motorcycles which appear to have little or no muffling of noise. We believe that there is a noise problem, and, particularly as regards children, there is a safety problem.

Our church class from East Side Christian Church had an outing Saturday, May 20, in Burdette Park, and we rented the Lakeside Shelter. From around 2 P.M. to around 8 P.M., with what appeared to be no sustained relief, we were subjected to the roar of extremely loud motorcycles--motorcycles which were extremely loud by any definition you care to make. Several young men entertained themselves by riding continuously around the more populated areas of the park, frequently revving their motorcycles to the maximum possible noise level. It was obvious that much of their satisfaction was derived from the annoyance which they were causing to those of us who had come to enjoy a quiet afternoon in the park. It was also obvious that they knew that they could get away with it.

We complained to the man in charge at the park, and he told us that he had tried to do something about the problem, but the motorcycle riders would not respond to his demands. He said that he had called the sheriff's department, but when the sheriff's department arrived the loud motorcycles were not in evidence.

This is one problem which government should be able to solve. Burdette Park is a fine physical facility, but it is being misused. Please take action, and quickly.

Signed by several members of the Church group

Commissioner Schaad said that Sheriff DeGroot would have been here to give a report on this matter but they are having a mock disaster this morning and he has to be there, but he thought the Sheriff talked to a Mr. Whinrey who initiated the petition and the letter.

He said the Sheriff told him that if the Commissioners would recommend to the Burdette Park Board that they ban the dirt or mud type motorcycles at Burdette Park, that he would have enough deputies out there to enforce it and thinks that would solve the problem and this would be his recommendation.

Commissioner Schaad then moved that the Commissioners recommend to the Burdette Park Board that they ban those type of motorcycles from Burdette Park and that a copy of this letter be sent to the Burdette Park Board. Commissioner Willner seconded the motion. So ordered.

#### RE: CLAIMS

A Claim was received from the Southern Indiana Gas & Electric Co. which is the final billing on Pleasantview, in the amount of \$206.15.

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

A Claim was submitted by Torian Insurance Agency for the \$5,000 Public Official Bond of Fred G. Dewes, the Manager of the Vanderburgh County Auditorium, in the amount of \$20.00.

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

A Claim was submitted by Paul Wendel, the County Attorney, for office allowance for April and May of 1978, in the amount of \$333.34.

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

A Claim was submitted by Ed Smith, Jr., County Attorney, for office allowance for April and May of 1978, in the amount of \$333.34.

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

A Claim was submitted by Hunnicutt & Associates, Inc. On Account of Contract for the Reassessment of Knight Township, the claim being in the amount of \$21,500.00 which was the holdback and now makes the contract complete.

The following letter to Mr. John from the Knight Township Assessor was attached to the claim.

Dear Sir:

This is to certify receipt and acceptance of partial delivery of field record cards for the 1978 Reassessment on the 1st. day of March, 1978 and the final and complete delivery of all field record cards on the 2nd. day of March, 1978.

All field record cards have been received from Hunnicutt & Associates, Inc. and are under lock and key as required by law.

Sincerely, Roman F. Gehlhausen  
Knight Township Assessor

Fred J. Peeler, Project Director  
Hunnicutt & Associates, Inc. 3/7/78

Commissioner Schaad moved that the claim from Hunnicutt & Associates, Inc. be approved. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by Louis J. Carnaghi for deposition reporting services on City vs. County on the Rent of the Health Department, in the amount of \$45.20.

County Attorney Wendel said this claim is for a deposition that was taken on a law suit that was filed against the County by the Health Department for rent.

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

A Claim was submitted by SIECO, Inc. for professional engineering services provided in conjunction with the Pavement Marking Demonstration Program as per Agreement from 4/1/78 thru 4/30/78, SIECO Inv. 1000946, in the amount of \$2,237.82.

Commissioner Ossenberrg explained that this is 100% federal money that will be returned to us but we must pay in advance. This was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Feigel Construction Corporation, for the paving of Darmstadt Road, St. Joseph Avenue and Oak Hill Road, less 10% Retention, making the amount of the claim to be \$51,465.19. This payment was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Torian Insurance Agency, Inc. for general Insurance Continental Policy #VC11 44 69 covering the Sheriff's boat and trailer, in the amount of \$190.00.

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

A Mileage Claim was submitted by John G. West of the County Surveyor's office, for mileage to inspect blacktopping, in the amount of \$18.36.

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

#### RE: REQUEST TO MOVE A HOUSE

Mr. Crooks submitted the following letter of request to move a house that was received from Elmer Buchta, Inc.:

A request has been received to move a house from Warrick County to Kathleen by Elmer Buchta, Inc., movers. Their routing, as follows, has been checked and has been found to be okay:

Old Boonville Road to Burkhart, Burkhart to Lincoln, Lincoln to Cullen, Cullen to Washington, Washington to Green River Road, Green River Road to Pollack, Pollack to Alvord, Alvord to Kathleen to lot.

This house is a one-story frame, size 24 x 32.

It is recommended that we grant the request contingent upon the mover making the proper notifications and obtaining the proper permit.

Mr. William Hughes is the owner. June, 1978 is the approximate time of move.

Commissioner Schaad moved that the request be granted, subject to the proper notifications being made and the proper permit obtained. Commissioner Willner seconded the motion. So ordered.

#### RE: COMMENT ON COUNTY HEALTH INSURANCE

Commissioner Ossenberrg said that at last week's meeting he talked to the other two Commissioners and received their permission to inquire from the City as to their experience with the Health Insurance.

He said it is quite obvious that the time involved when he requests the County Council to bring forth the money to hire the consultant to come down here, that they aren't going to be able to meet the deadline for this year, however, he thought they should put the wheels in action now for next year.

He said he had a meeting with Mr. Koch and they are experiencing a savings of \$120,000 this year, that they have a much greater premium than the County but by the same token of ratio, he figures we could save in the neighborhood of premiums, an area of about \$150,000 per year.

He said he also talked to Gerald Dauble and he thinks it is time for the County to go Self Insured, and consequently he has copies made now, that it cost the City \$2,000 for the study, and a Mr. Davenport from Indianapolis who is recognized in the field, was hired by the City to do the indept study of their Health Program and this is all in these copies, and since he couldn't get anything more on the County Council agenda until July, he thought the Commissioners would like to look these over, that it is



quite interesting as to how this works, that they took it on a bid basis after they went to a certain level and the bid from Golden Rule was the best bid over Blue Cross and a local Insurance Agency, but there is a fee attached to Golden Rule something like \$4,340.00 per month, that he thinks it is a fine program, that he has read through part of it and he and Mr. Koch talked for over an hour going through this and they are more than pleased with it.

He said with the permission of the other Commissioners, he would like to send Mr. John a letter for the July Council Call, requesting \$2,000 for a consultant for an indept study of the County's Health Insurance.

He said the Council is very much interested in seeing the report on the County's Liability Insurance Study that the consultants made back in January & February and they should be receiving the report soon.

Commissioner Schaad moved that the Commissioners advertise the \$2,000 for July's Council Call to have a consultant come in to review the County's Health Insurance program, with special emphasis on Self Insurance. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees of the Highway Department for the past week ending on 5/26/78.

Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking said that Mr. Hotz brought a few items from the Pleasantview Rest Home to the County Garage that they can use at the County Highway Department.

He submitted a list of these items which include transmission fluid, brazing rods, welding rods and disinfectant.

The list is received and filed.

RE: REQUEST CHANGE IN WORKING HOURS

Mr. Siebeking said that the County Highway Department went on a 7:00 a.m. to 3:00 p.m. working basis last year instead of the 8:00 a.m. to 4:00 p.m. and he would like to start working those hours again, probably starting this week, with the permission of the Commissioners.

He said the men like these hours, especially when it gets so hot in the afternoons, that they even went to 6:00 a.m. to 2:00 p.m. last year when the weather was so unbearable in the afternoons.

This was agreeable with the Commissioners.

RE: COMMENT ON ROAD PAVER AND DISCUSSION ON ROADS

Mr. John asked Mr. Siebeking how far along he was on the specifications for the road equipment.

Mr. Siebeking said bids are now being advertised for and will be opened on June 5, 1978.

Mr. John said he was talking to Mr. Eads this morning and they are going to go ahead and allow it under the Highway, but they aren't allowing the repeal from that one fund, that he said if they appropriate it under that fund, they would more than likely get it, so what he is going to do is to go ahead and advertise it under that fund for the next time and if it comes in, they will repeal it out of the highway department and he can have than money for road repairs and then they will pay for the paver out of the Cumulative Capital & Improvement Fund, that they won't let them switch that fund into the highway fund.

He asked Mr. Siebeking how long the delivery of the paver will take.

Mr. Siebeking said they are hoping to get it in July, that it is just according to what the bids are, that if they meet with the Commissioners approval, they can let the contract.

Mr. John said they are going ahead and approve it under the highway fund but he is hoping they will have the approval of the Cumulative Capital & Improvement Fund before they have to pay for it and they will just pay it from there.

Commissioner Schaad said that when they were talking before about doing the work themselves, it came up about handling the hot mix, and he asked if this will be delivered to the job site by the supplier or will they have to use the County trucks.

Mr. Siebeking said they will have to use the County trucks.



Commissioner Schaad said they will then have to have covers and he asked if they have all the equipment to do it with.

Mr. Siebeking said they have the equipment and if the temperature is over 80 degrees, they don't need covers, that there are no problems.

Mr. Guillaum said he is in the process of buying some testing equipment and he asked Mr. Siebeking if he has considered getting any thermometers, depth gauges or anything like that.

Mr. Siebeking said they could and he also said that he and Commissioner Willner think on the theory of the test road they did and it is there for anyone to see today, that they didn't have any testing equipment or tarps or anything.

Commissioner Willner asked Mr. Siebeking if he is working on any roads now to get them up to repaving standards, and if so, which ones.

Mr. Siebeking said they are on Orchard Road today, that Schmuck Road is finished, that they have done some repair work on Seminary Road and on Big Schaefer Road, also on Woodland, Ridgecrest, Bob Court and on Old State Road.

Commissioner Willner asked Mr. Siebeking if starting next week, he couldn't give the Commissioners some kind of report as to what he has done, since he isn't up to date and he needs to know where they are going. He asked Mr. Guillaum if he has any more suggestions on roads to be paved with the County paver.

Mr. Guillaum said they put together a group of possibilities and he just happens to have some copies of them, that he also put them together in conjunction with the road report that they did earlier. He said they are trying to take the roads that have a considerable traffic count first, plus the roads that have been made almost impassible, that Orchard Road is a good example of this.

Commissioner Schaad said he sees that the one on Lincoln Avenue from the City limits to the County line has been crossed out and he asked where this project stands now.

Mr. Guillaum said they are still taking care of it and will be until they get the funding.

Commissioner Schaad wondered how long it will be before they get started on it, since it has been hanging fire for a long time. He said they finally got the right of way and he believed they have to move some utility poles.

Mr. Stephen said they have to move two poles back and they should be able to advertise for bids possibly next week.

Mr. Guillaum said they have to prepare the specifications and he should also have something on the mileage next week.

Commissioner Willner said, evidently they are going to get the paver if everything goes okay with the bidding process, and he thinks they should decide which roads they are going to do, so they can be patched and be ready to pave.

Commissioner Schaad asked if they intend to use the paver to do Baseline Road, since if they do this, he didn't think they would have any money left to do the rest of them.

Mr. Siebeking said he didn't think they would have to resurface it from one end to the other, that they can hit and miss on this one, since there are certain sections that are in pretty good shape.

Commissioner Schaad said what he is getting at, is if they pave parts of it, wouldn't the other parts go bad in a year or two, that they would then have to do them, so why not do it all at one time if they can, since it would be better to do one right than to spot patch on several and then have to go back again on them. He said the decision they need to make here is, that if they do one and do it right, they shouldn't have to go back to that road for some time, and then maybe patch the others instead of what they plan to do and then as they can, to do those right also.

Commissioner Willner said that they have Old State Road from Campground to County line, that the road really needs it but that's probably 15 miles of road right there.

Commissioner Schaad said he would rather do one road right.

Commissioner Willner said they are going to have to patch Old State Road because even the buses were getting stuck in places.

Commissioner Schaad said they should patch the bad spots so they will be passable, and take the amount of money they have and do one road right so they won't have to go back to it for many years, rather than to patch it and then next year it will mean another patch job.

Commissioner Willner said that with the paver, they can now pave small sections instead of patching them.

Commissioner Ossenberg said he didn't agree with Mr. Guillaum on St. George Road from Whirlpool to Oak Hill Road, that is on the list, that he can go along with him from Whirlpool to Hitch-Peters, since he drove it yesterday, and it is a good road until he got to Hitch-Peters, so they would be saving quite a few miles.

Commissioner Schaad said they are going to have a good road now on Darmstadt Road, on St. Joe and by contract, Oak Hill Road, so they will now be proud of them and shouldn't have to touch them in a good long while, but if they just patch the roads they are going to have problems next year again.

Commissioner Ossenberg asked what came out of legislation session in regards to them going up there to try to get them to release the money we have coming with no penalties.

Commissioner Siebeking said we are only going to get so much per month.

Commissioner Willner said that there is something new on it now, but no one knew what it was.

Commissioner Ossenberg asked Mr. John if he would mind calling the State Auditor's office today since they had a legislative session last week and the Governor okayed it and it was the intent of the legislature to give them the money in advance, with no penalty clauses, so this is new and he didn't know what came out of that.

Mr. Brenner said he didn't know but that it says they can use the money for resurfacing.

Mr. Siebeking said he has to have the account numbers changed around and they should be ready to go after next Tuesday.

RE: MR. GUILLAUM.....REPORT ON BRIDGE AND GUARD RAIL CREW....DAY SCHOOL

Mr. Guillaum said that his crew put up approximately 650 feet of rail last week, that they had to combine towards the last of the week, since their backhoe is temporarily being repaired but never-the-less, they got down quite a bit of rail.

He said they used about 5,520 tons of blacktop on Darmstadt Road and it comes out approximately 16,000 miles, so they will have a little left, so by the time they get to St. Joe they will be glad they have this excess. He said he gave Feigel the go-ahead on the Bridge at Boonville-New Harmony Road, that they are going to wedge the approach and take the bump out of there, since it is pretty bad, that they are going ahead with this on the \$500.00 they discussed.

He said the Evansville Day School, Steve Rudolph went out and looked at it, that this is where they discussed going with a passing lane on either side of the drive, approximately 10 feet wide, and he felt that it was going to be considerably above \$5,000 so in that case, they are probably have to go with some engineering and they will probably have to take a preliminary survey and decide what they are going to do with the side ditches, that they could leave them where they are, pipe them in and cover them with dirt but he thought the best thing to do, since it is going to be above their figure, is to get a complete layout of the whole situation, advertise it for bids and go that way, that they will have to, since it will be over the \$5,000.00.

He said that one other point is that they had a report of an accident a few weeks ago on Westmore Drive, so he turned in a report for some signs to be put out there and since that time, they have had another accident out there, so he feels they should get on the stick and get those signs up. He said this is supposed to be near Marigold, that this is the report he got from the inspector.

The Commissioners secretary was asked to contact Mr. Judd, the Traffic Engineer, and tell him to get with Mr. Guillaum on this problem.

RE: MARX ROAD BRIDGE

Mr. Guillaum said they have Marx Road plans re-engineered and re-designed and they are ready for the Commissioners signatures, that bids will be advertised for on June 1st. and June 8th. with the bids to be opened on June 12th.  
The plans for Marx Road Bridge were later signed by the Commissioners.

RE: ST. JOE AVENUE

Mr. Stephen said he wrote a letter to Mr. Virgil Bell of the Division of State Aid as a cover letter for the St. Joe plans that he sent to them.  
He said that the originals has been sent through for approval and they have also called it to the attention of the engineer that they will need the Commissioners signatures on the cover page and that should come down, so when he gets it, he will have to get their signatures and then mail it back.

RE: CUTS IN

Mr. Stephen said that an individual wants to cut a County road for a water line on Graff Road, that the Water Company will push under Nurrenbern Road to a stop box and water meter and then they want to go for about 600 feet down along to a private drive to furnish water there.

He said the reason he is bringing this to the attention of the Commissioners is because he wants to know what kind of a bond he should require for it, that he had in mind something like \$1,000 for a year, but he thought the Commissioners might have something different in mind.

The Commissioners thought this would be adequate.

Commissioner Schaad moved that they require a \$1,000 bond for one year. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked if they are going to put in a 2-inch line, can they dig a 3-inch trench, and Mr. Stephen said he thought so, but he said it is going to be about a 6-inch, that he thought he would rather see a smaller trench if he could do so.

Commissioner Willner said he thought this was important and Mr. Stephen should check on this because the bigger the trench, the more the damage and this should be requested of him if it is possible to do, that he try to keep it at a 3-inch trench.

RE: RESOLUTION PROPOSING AN EXECUTIVE ORDER TO THE PRESIDENT

County Attorney Wendel said he has prepared a resolution for the Commissioners consideration and approval, that it is a resolution proposing an executive order to the President of the United States to put into effect and basically what it is doing, is asking him to keep running the executive office in such a matter that the agencies and departments under his control will pay more attention to County Governments.  
He said that a lot of times people will see an article in the paper or on television or radio and they will talk about something the President said about states and cities but they never hear anything mentioned about counties, so this is the reason for it.

The Resolution reads as follows:

WHEREAS, County governments have an essential role in the American federal system, and;

WHEREAS, it is vital that all federal departments, agencies, and staff of the Executive Office of the President of the United States of America recognize this essential role, and;

WHEREAS, the Board of Commissioners of the County of Vanderburgh, State of Indiana, recommend that the following proposed draft for an Executive Order be adopted by the President of the United States of America;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the County of Vanderburgh, State of Indiana, that the following proposed draft for an Executive Order be forwarded to the President of the United States of America for his consideration and approval:

EXECUTIVE ORDER

THIS ADMINISTRATION hereby recognizes the vital and essential role which county governments play in the American federal system. In partnership with the federal government and/or the states and cities, counties play a very important role in delivering a great array of services. The nation's 3,104 county governments employ more than 1.4 million persons and administer annual budgets totalling in excess of \$60 billion.

IN RECOGNITION of these facts all federal departments, agencies, and staff of the Executive Office of the President are hereby directed as follows:

Federal Advisory Committees and Commissions. When a group is formally designated to advise the Government of the United States with respect to any program in which there is a significant involvement by county government, every effort should be made to have qualified county officials appointed to these bodies.

Meetings and Briefings with Federal Officials. When federal officials assemble groups to advise and counsel with them and the subject of that consultation concerns programs in which there is a significant county involvement, county officials shall be invited to participate in these sessions on terms of equality with other participants.

Executive Orders, Draft Legislation, and Rules and Regulations. All federal agency personnel will exercise great care when in the preparation of executive orders, draft legislation or rules and regulations there is a significant county involvement in the activities discussed, counties shall be clearly identified as being involved and not lumped under some vague phrase such as, "and other local governments" or "and communities."

When the phrase "governors and mayors" appears, the phrase shall specify "governors, mayors and county officials."

The President of the United States expects all employees of the federal establishment to follow the spirit, letter, and intent of this executive order.

DATED this 30th. day of May, 1978.

Commissioner Schaad moved that this resolution be signed by the Commissioners and attested to by Mr. John, and sent to the President. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 10:55 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

Secretary: Margie Meeks

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

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

COUNTY COMMISSIONERS MEETING  
JUNE 5, 1978

The meeting of the County Commissioners was held on Monday, June 5th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Pete Swaim 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

The County Attorney's were authorized to proceed with the opening of the bids that were received this morning for the Bituminous Finisher that was requested by the Highway Department and the Communications Console that is needed by the Sheriff's Department.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITORS OFFICE

Cynthia Decker            1916-B Washington Ave.            Deputy            \$7,800 Yr.            Eff: 6/1/78

BURDETTE PARK

Mary Jane Little	1601 Glendale	Rink Cashier	\$3.50 Hr.	Eff: 5/25/78
Patti Nunning	Box 174 Roth Rd.	Rink Cashier	\$3.50 Hr.	Eff: 5/27/78
JoAnn Kunkel	5804 Shelborne	Pool Cashier	\$3.50 Hr.	Eff: 5/27/78
Melody Wolf R.2	Box 34A Nurrenbern	Pool Cashier	\$3.50 Hr.	Eff: 5/27/78
Gerald A. Pea	4800 Conlin Ave.	Ground Crew	\$3.50 Hr.	Eff: 5/27/78
Thomas Rademacher R.	8 Box 126 Batha	Security	\$7.00 Hr.	Eff: 5/27/78
James Fravel, Jr.	2133 Ravenswood Dr.	Security	\$7.00 Hr.	Eff: 5/27/78
Larry W. Barchet	2907 Wimberg Ave.	Security	\$7.00 Hr.	Eff: 5/27/78
Kenneth E. Patterson	1249 E. Illinois St.	Security	\$7.00 Hr.	Eff: 5/27/78
Danny Ray Armstrong	6945 Arla Jane Drive	Security	\$7.00 Hr.	Eff: 5/27/78
Henry H. Dersch, Jr.	5111 Nolan Ave.	Security	\$7.00 Hr.	Eff: 5/27/78
Robert M. Carl	1709 Stinson	Security	\$7.00 Hr.	Eff: 5/27/78
Dean Hart	729 Plaza Dr.	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Cindy Peter	9613 Petersburg	Regular Guard	\$24.00 Day	Eff: 5/22/78
Anne Ensner	5338 Nottingham	Regular Guard	\$24.00 Day	Eff: 5/22/78
Marcy Simons	7521 Taylor Circle	Regular Guard	\$24.00 Day	Eff: 5/22/78
Judy Oberhausen	4218 Tremont Rd.	Regular Guard	\$24.00 Day	Eff: 5/22/78
Janna Gartner	1931 Carol Dr.	Regular Guard	\$24.00 Day	Eff: 5/22/78
Jennifer Jacobi P.	O. Box 981	Ground Crew	\$3.50 Hr.	Eff: 5/23/78
Rick Lancaster	3725 Joan Ave.	Regular Guard	\$24.00 Day	Eff: 5/22/78
Catherine Wilson	R. 8 Box 150-B	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Betsy E. Detroy	1401 S. Plaza Dr.	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Cindy Hoeche	2420 Selzer Rd.	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Melissa L. Peter	9613 Petersburg Rd.	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Patricia A. Flener	5120 West Lake Dr.	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
James Stewart	852 S. Alvord	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Maribeth Willett	2358 Boeke Rd.	Regular Guard	\$24.00 Day	Eff: 5/22/78
Cindy Vescovi	3525 Laurel Ave.	Regular Guard	\$24.00 Day	Eff: 5/22/78
John Voorhees	2166 Adams Ave.	Head Guard	\$28.00 Day	Eff: 5/22/78
Kerrye Knapp	3407 Sweetser Ave.	Cashier	\$3.50 Hr.	Eff: 5/22/78
Janet Hudson	4240 Bellemeade	Cashier	\$3.50 Hr.	Eff: 5/25/78
Julie Hudson	4240 Bellemeade	Head Guard	\$28.00 Day	Eff: 5/25/78
Dan Waltz	6710 Hogue Rd.	Regular Guard	\$24.00 Day	Eff: 5/25/78
Kim Lilly	2601 Magnolia Dr.	Regular Guard	\$24.00 Day	Eff: 5/25/78
Cutee Gostley R.2	Box 40 Nurrenbern	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Sarah Louise Waltz	6710 Hogue Rd.	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Candice Garnett	1200 April Dr.	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Audrey A. Emge	5508 Cynthiana Rd.	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Marcia L. Frellick	4914 N. Fourth Ave.	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Cathy Shrode	3029 Muensterman	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Jenny Oberhausen	4218 Tremont Rd.	Asst. Head Guard	\$26.00 Day	Eff: 5/25/78
Carol Hewig	2640 N. Heidelberg	Pool Manager	\$30.00 Day	Eff: 5/25/78
Bob Myer	3725 Waggoner Ave.	Regular Guard	\$24.00 Day	Eff: 5/25/78
Brent A. Hawkins	908 N. Kelsey	Regular Guard	\$24.00 Day	Eff: 5/25/78
Donna Bowers	722 Mels Dr.	Regular Guard	\$24.00 Day	Eff: 5/22/78
Kim A. Knapp	3407 Sweetser Ave.	Regular Guard	\$24.00 Day	Eff: 5/22/78
Fred T. Creech	631 College Hwy.	Regular Guard	\$24.00 Day	Eff: 5/22/78

SURVEYOR'S OFFICE...APPOINTMENT

Robert G. Kautzman 7019 Hogue Rd. Party Chief \$12,480.00 Yr. Eff: 6/5/78

RE: EMPLOYMENT CHANGES.....RELEASESAUDITOR'S OFFICE

Cynthia Decker 1916-B Washington Ave. Clerk \$7,624.00 Yr. Eff: 6/1/78

BURDETTE PARK

Dan Waltz	6710 Hogue Rd.	Ground Crew	\$3.50 Hr.	Eff: 5/25/78
Kim Lilly	2601 Magnolia	Ground Crew	\$3.50 Hr.	Eff: 5/25/78
Jenny Oberhausen	4218 Tremont	Ground Crew	\$3.50 Hr.	Eff: 5/25/78
Bob Myer	3725 Waggoner	Ground Crew	\$3.50 Hr.	Eff: 5/25/78
Janet Hudson	4240 Bellemeade	Ground Crew	\$3.50 Hr.	Eff: 5/25/78
Julie Hudson	4240 Bellemeade	Ground Crew	\$3.50 Hr.	Eff: 5/25/78
Carol Hewig	2640 N. Heidelberg	Ground Crew	\$3.50 Hr.	Eff: 5/25/78
Scott Jost	1101 N. Bosse	Ground Crew	\$3.50 Hr.	Eff: 5/12/78

HIGHWAY DEPARTMENT

Charles D. Kelsie 6116 Moline Dr. Truck Driver \$4.87 Hr. Eff: 6/5/78

SURVEYOR'S OFFICE

Danny Kares 6220 Mesker Pk. Dr. Party Chief \$12,480.00 Yr. Eff: 6/1/78

RE: MONTHLY REPORT

The Report of the Clerk of the Circuit Court was submitted for the month of April, 1978. Report received and filed.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by Torian Agency, Inc. on Lessee, Evansville Area Labor Management Committee, Inc. for the use of the Auditorium for their Dinner, to be held on June 5, 1978. Certificate received and filed.

A Certificate of Insurance was submitted by Sentry Insurance Co. on Insured, Boetticher & Kellogg Co., Inc. for the use of the Auditorium. Certificate received and filed.

RE: TRAVEL REQUEST

The following letter of request was received by Commissioner Ossenberg from Robert J. Moran, the Veteran's Service Officer:

Dear Tom,

Per our telephone conversation today; I request funds from our travel fund to attend the Disabled American Veterans State Convention to be held in Indianapolis, Indiana June 2-3, 1978.

Respectfully submitted,

Robert J. Moran, Service Officer

Commissioner Ossenberg said that Mr. Moran called him and he also brought some wheel-chairs back and he told him this morning that there is a possibility of no bills coming in at all.

For the record, Commissioner Schaad moved that the Commissioners authorize the travel requested by Mr. Moran. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON CLASS ACTION SUIT AGAINST BRINK'S

Commissioner Ossenberg asked County Attorney Wendel to fill him in on the Brink's suit.



County Attorney Wendel said this is the suit where they are looking at the over charges by Brink's and two other armored car companies, not only for the purchase of armored cars but also to their related services, and so far, \$11,800,000.00 has been paid in by the defendants as a settlement offer, but he would recommend that both, the County Clerk and the County Treasurer enter into the suit and file a claim. He said that they need the Commissioners approval to do this.

Commissioner Schaad moved that the County Clerk and the County Treasurer enter into the suit, that they have the Commissioner's approval. Commissioner Willner seconded the motion. So ordered.

County Attorney Wendel said that he would contact the County Clerk and the County Treasurer.

#### RE: CLAIMS

A Claim was submitted by Vicki Bailey for Registration in attending a Seminar, in the amount of \$7.00.

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

A Claim was submitted by Vicki Bailey for mileage in traveling to and from the Seminar, in the amount of \$43.50.

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

A Claim was submitted by Peyronnin Construction Co., Inc. for the insulation of the underside of the Roof at Hillcrest Childrens Home, in the amount of \$9,645.00 as per contract. This was approved by Mr. Hotz.

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

A Claim was submitted by Economics Laboratory, Inc. for 2 Washer-Extractors at \$6,360.00 each plus the cost of rigging, delivery cost, cutting of steel bars, removal of existing washers and cost of installation, making the total amount of the claim be \$14,975.00 as per contract, that was approved by Mr. Hotz.

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

A Claim was submitted by Evansville Wet Heat & Piping Co., Inc. for final billing as per contract, to install Oil Storage Tank and Boiler at the Auditorium, in the amount of \$18,000.00, that was approved by Fred Dewes.

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

A Claim was submitted by Welborn Hospital for the inpatient care of David Denne, a T.B. Patient, over and above what was paid by Mr. Denne and his Insurance that is owed, in the amount of \$310.82, for care from 1/23/78 thru 2/24/78.

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

A Claim was submitted by Mr. Guillaum, from Claude Young for mileage in inspecting blacktop and work done on various roads, in the amount of \$14.25.

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

#### RE: OPENING OF BIDS ...BITUMINOUS FINISHER

There were two bids received for the Bituminous Finisher for the Highway Department. They are as follows:

Reid-Holcomb Co., Inc. ...Base Bid - \$62,525.00

#### Optional Equipment:

#1...Tandem 22" diameter x 14" wide solid rubber front tire which includes larger hopper 149 Cu. Ft. - 11 tons - \$2,760.00



#2...Automatic joint matches for single operation - \$2,800.00.

Delivery 30-45 days after receipt of award.

Brandeis Machinery & Supply Corp.....Base Bid - \$56,804.00.

Shipment of the above quoted asphalt finisher could be made in nine weeks after receipt of order.

County Attorney Wendel explained that the options are in addition to base bid of Reid-Holcomb Co., Inc. and that Brandeis Machinery & Supply Corp. didn't have any options, and as much as he can tell, both bids meet the specifications. He noted, however, that the bid of Reid-Holcomb Co., Inc. was signed by Robert T. Conant, the Treasurer-Assistant Secretary, and the bid of Brandeis Machinery & Supply Corp. was signed by Andrew J. Tempco, the Operations Manager, so both of these bids need a copy of authorization in corporate records.

Commissioner Ossenberg said that the Commissioners have to make sure that the persons who signed the bids have the authority to sign for those corporate offices.

Commissioner Schaad moved that these bids be referred to Bill Kinder and Jack Siebeking for study and recommendation. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg asked how long it would take to extend these bids, since he would like to extradiate this thing as fast as possible, so they can get this machine.

Mr. Siebeking said they would look at them right away and come back with a recommendation this morning.

RE: OPENING OF BIDS....SHERIFF'S COMMUNICATION CONSOLE

Commissioner Ossenberg said they received four bids but that two of them didn't bid on the Sheriff's communication equipment.  
The bids received are as follows:

Motorola, Inc.....	\$44,178.00
General Electric.....	\$45,025.00
E. F. Johnson & Co.....	No Bid
Ohio Valley Sound.....	No Bid

County Attorney Smith said he supposed they just didn't care to bid at this time but would like to be on the list, so declined to bid at this time.

Commissioner Schaad moved that these bids be taken under advisement for one week and referred to the Sheriff's Department, along with the Purchasing Department, for study and recommendation. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner said there is one thing he wants to clear up, that he tried to find out, in essence, if this new communication equipment will really affect the Fire Insurance rate in the County, that they say it does, but he has been unable to get the correct information and he asked if anyone knew anything about it.

Commissioner Schaad stated it has been said so many times but that he would repeat it, that with the equipment the Sheriff's Department has now there is no way to get a lower Fire Insurance rate, that this new equipment won't guarantee that there will be a lower Insurance rate, but then when they come down to make an inspection, everyone has every reason to believe, with all the updating of equipment they will have, that they will be eligible for a lower rate, but there is no way to get a lower rate with the present communications equipment in the Sheriff's Department.

He said there is hardly any point in them coming down as things are, since they have inspected this equipment before and everyone is of the opinion that if everything else meets the criteria for the lower rate and this is the only thing that is holding it up, but it can't be predicted as to what they are going to do, but they did say that with the present sound equipment that the Sheriff's Department has, that there isn't even any point in them coming down because they won't be qualified for a lower Fire Insurance rate, but from what he understands this new equipment will meet with their approval. He said this thing has been hanging fire for a long long time, even before the present Sheriff was in office and nothing was done about it. He thinks Sheriff DeGroote should be commended for the action he is taking to try to save the people of the County a lot of money on their Fire Insurance.

RE: CONTRACT AWARDED FOR BITUMINOUS FINISHER

After the bids of Reid Holcomb Co., Inc. and Brandeis Machinery & Supply Corp. were extended, Mr. Siebeking recommended that the contract be awarded to Reid-Holcomb Co., Inc. for the Bituminous Finisher, on the basis of the 30 day delivery date with the second option which is the automatic joining attachment, since the bid of Brandeis was 9 weeks on delivery and they figured that the paving season would be over by then.

Commissioner Willner moved that the contract be awarded to Reid Holcomb, Co., Inc. in the amount of \$62,525.00 plus the second option for \$2,800.00 for the Blaw-Knox PF115. Bituminous Finisher Paver, which makes the total cost to be \$65,325.00, subject to a copy of authorization being submitted as to the eligibility of Mr. Conant signing the affidavit for the corporation. Commissioner Schaad seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Report of the County Highway employees for the past week which ended on June 2nd. 1978.

Report received and filed.

RE: MR. SIEBEKING....REPORT ON ROADS

Mr. Siebeking said that last week, the Commissioners asked that he submit a weekly report on what they were doing on the various County roads.

He said they went out to Woodland Lane, Ridgeview Drive and Crestwood, which were roads that completely buckled up in the center, so they have dug those out, shot them with oil, filled them in and shot them again, so they are ready for paving.

He said Schmuck Road is ready from one end to the other, that they have started on Orchard Road and from Schenk Road to St. Joe Avenue, it has been wedged and road mixed on the bad places and it is ready, and west of St. Joe Avenue, they are to Fisher Road the same way and they will finish this today and part of Schenk Road from Darmstadt Road going west, they have road mixed the bad places, and when they finish Orchard Road, they want to start on Baseline Road and they will then go clear across the County and do the same thing which is road mixing and fixing the bad spots.

He said that Bob Court is another road that went bad last winter, so they dug it out, that they had to put a lot of rock in there last winter and it really got tight on them, so if they could get a good rain and go out with a grader, they could smooth it out and then it would be ready, that they have the bad places dug out on it.

He said they are also working on Nurrenbern Road this morning, which is the road going into Burdette Park that went bad and they are doing some temporary work out there for the traffic this summer, by patching the holes and rolling them down.

He said he would also like to mention that St. Joe Avenue will be closed this coming Thursday and Friday because of the repairs by the railroad company on the railroad tracks north of the County garage, so the County will have those roads closed at Mill Road and then down at Wimberg Road, so his men will barricade it off and take care of the flares themselves.

RE: COMMENTS ON COUNTY TRUCKS

Mr. Siebeking said that one of his truck drivers left him this morning to go into private industry and it is hard to pick up a good truck driver, so his suggestion is that since they have some revenue sharing money given them by the County Council, which can be used for equipment, he thought that maybe they could buy one or maybe even two new tandem trucks, since he and Commissioner Willner looked at some stuff at the airport last week and it was nothing but junk, that he could put one of his experienced drivers on a new truck and he will be able to haul as much material in a day as they probably could with two other men with the two shorter trucks.

He said Commissioner Willner wants to go out and look things over but this would be his suggestion to the Commissioners, as an alternative, if they can't find another good truck driver that is looking for work, and if they do decide to buy a new truck, bids will have to be advertised for.

Commissioner Ossenberg asked Mr. Siebeking if he has any four-wheel vehicles at all at the County Highway Department.

Mr. Siebeking said they don't have it in their possession but one is being readied for them, that they have one four-wheel drive weapons carrier that the Civil Defense gave them about six weeks ago and the paper work is being done on it and it is being painted, so they will have this one but it is the only one they will have, that their pickup's are all standard.

He said that Civil Defense only got four of these trucks in and Fred Herman at Ohio Valley made sure they got one, that one went to the Fire Department, one to the City and he supposed that Civil Defense kept one.

Commissioner Ossenbergs suggested that Mr. Siebeking get in touch with Mr. Montrastelle because he received a letter last week of additional surplus goods and there are four-wheel drives on the list.

Mr. Siebeking said that Brady is on the lookout for him, since he handles the equipment, and if he can come up with one or two more good ones, he will let him know.

Commissioner Willner said he will go out and take a look at the equipment and come back with a recommendation on the County vehicles.

RE: REQUEST TO MOVE BUILDING

Mr. Crooks submitted the following:

Request has been received from Elmer Buchta to move a log building approximately 10' x 12' x 10' high from Scott School on Old State Road to Seven Hills Road. The owner is R. O. Clutter.

Travel route for the move is Old State to Volkman to Seven Hills Road to lot. Anticipated move date is July.

The routing has been checked, and the move request is recommended to be granted.

Mr. Crooks said he sees no problem in moving this building, due to the size of it.

Commissioner Schaad moved that Mr. Crook's request be granted. Commissioner Willner seconded the motion. So ordered.

RE: RED BANK ROAD ...DILAPIDATED HOUSE AND JUNKED CARS

Mr. Crooks said that last month they talked about the place down on Red Bank Road that had an old dilapidated house and junked cars in the lot next door, that he did receive a letter back from the owner who lives in Chicago and they said that they would be willing to let the Fire Department burn the dilapidated house.

He said it would be his recommendation to let them burn it, also that they say on the lot next door, if it would be possible for the City to remove all of the junked cars and if so, they should please remove them. He said this would be County rather than the City, but he hasn't heard anything from the tenants, so he asked, if he doesn't hear from them, if the Commissioners wants him to try to get the cars moved from the lot. He said the cars have been moved a little, since there is a different one there, also that he has written a letter to the tenant but hasn't heard anything. He wondered if the tenant refused to get these wrecked cars out of there, if the Commissioners wants him to get some prices from the salvage companies to have them moved.

Commissioner Schaad moved that Mr. Crooks go ahead and do this if the tenant refuses to get the wrecked vehicles moved out of there. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON ORDINANCE

Mr. Crooks said in reviewing the proposed Ordinance, he doesn't see anything really wrong with it, that it would be more of a matter in getting the owners, contractors, or builders to get the signs up and enforcing it, that there is no real way to know that the builders are going to have signs posted before he gets a permit, in fact he would think that the builder wouldn't want to post a sign until after he has gotten his permit because if he doesn't get a permit, he won't want to spend any money to post the signs, so the only way he knows they can do it, is that they can give him the permit and to have his people to check when he gets a footing request to make sure the signs are up there, or not give him a footing release.

Commissioner Ossenbergs said the only suggestion he made to Ed Smith this morning was that this was contested in Fort Wayne as they all know, and he suggested that Ed call Fort Wayne to see how they handled it and if that is the procedure, he has no objection.

RE: MR. GUILLAUM.....REPORT ON BRIDGE AND GUARDRAIL CREW

Mr. Guillaum submitted his report on the Bridge and Guardrail crew and said that last week they had some broken equipment but never-the-less they got in about 300 feet of guardrail.

RE: EVANSVILLE DAY SCHOOL

Mr. Guillaum said they have the field information on the problem at the Evansville Day School and they are in the process of doing the engineering on it right now and

it looks like they should be able to advertise for bids on this work by the end of the week, and he supposed they would go with the Highway account on this work that was discussed last week.

Commissioner Ossenberg said that is just too dangerous a situation out there to let it go, since it is the County's right of way.

RE: PROJECTION ON BRIDGE REPAIR

Mr. Guillaum said that a panel was knocked out of the Columbia Delaware Bridge and he projected the cost to be approximately \$500.00 for the replacement of the panel plus other equipment needed, that they haven't actually done the work as yet, but will attempt to get in there this week, but never-the-less, the labor and materials that will be necessary will run pretty close to this figure.

County Attorney Wendel said if this is the amount Mr. Guillaum estimates, this is the amount he will try to collect.

Commissioner Schaad moved that County Attorney Wendel go after this amount. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR REPORTS ON DAMAGED BRIDGES

Mr. Guillaum said they put out a letter last week to the Sheriff, the State Police, and the City Police, that Mr. Brenner thought this would be a good idea, and it is to let them know that anytime we do have any accidents involving a bridge, that we would appreciate the information on it, since they knew that a number of them have been hit lately, so that anything that has happened lately or in the future, if they will report it to the Surveyor's office, they would appreciate it.

RE: REPORTS ON ROADS

Oak Hill Road...Mr. Guillaum said it looks like they put about 844 tons down including the patching, the wedging and the surface, so they may have a slight overrun on that job, but he is going to try to hold it pretty well to the figures they had on it, that they will just have to wait and see.

Meier Road...Mr. Guillaum said they did get the engineering completed and sent to the state and he believed this to be the first federal project they have completed and sent in like that but it is completed.

RE: STRIPING

Commissioner Ossenberg asked about SIECO doing the striping on the roads, that they were supposed to come down and engineer this project.

Mr. Stephen said they were over here but their equipment malfunctioned and they didn't get to do Green River Road, that they are going to do Oak Hill Road sometime this week, and Darmstadt Road is finished.

Commissioner Schaad said he had a call from someone that said they didn't make the road as wide as it was before, but Commissioner Willner said there was a couple of places where the pavement didn't reach the old pavement.

Mr. Guillaum said it is really more critical to try to have the center meet rather than the outside edge to meet and this was what they tried to do, but they weren't more than a couple of inches off in places, but this was the reason for it.

RE: CUT PERMIT HELD UP

Mr. Stephen said he has never received a bond from someone for J. & B. Piping Co. so the cut permit will be held up until they get the bond.

RE: ST. JOE AVENUE

Mr. Stephen said that right after the meeting last week, the front cover page came in for St. Joe Avenue, that it was signed and returned to Mr. Bell along with the plans, that he has all of the descriptions of the properties and that he has been in contact with Mrs. Becker and she said we had to have easements so he prepared the easements and he inserted all the descriptions, so he got her two copies, and she should be in business. He said he supposed they would contact Commissioner Ossenberg since there is a section of County property out there that will be purchased in front of the County garage. He said the chain link fence is in the contract to be reset, so this won't be at County expense, but there is some ground they are going to take along side and in front of the County Garage, so the Commissioners can be thinking about this, since the Commissioners will have to sign it, and he supposed they would buy it like any other property after it has been appraised. He said the amount of ground they would

need would be 20 feet wide and practically the full length of the lot along the west side of the County lot and on the east side of St. Joe Avenue.

Mr. Siebeking said that don't leave them anyplace to park out there, and there will have to be a lot of changes made.

RE: SCHMITT LANE DRAINAGE PROBLEM

Mr. Stephen said he has a problem that came in along Schmitt Drive off Oak Hill Road, that a Ms. Schmitt called him on it and a man out there says he owns the road. He explained the drainage problem and said that a creek was put in some years ago and pipes put under the road and there is some seepage and makes it kind of wet. He said he told Ms. Schmitt that about all she could do would be to tile across in front of her place, that if she would pay for the material, the County would probably install it for her, but the least he could do would be to shape up the ditch so they could accept the tile.

Commissioner Schaad said they have done this kind of work under drives in some instances but they have never supplied labor for this before, but the Commissioners may give her permission to use the County's right of way.

Mr. Stephen said he will get back with Ms. Schmitt to tell her that she will have to do it all on her own.

RE: OLD PETERSBURG ROAD

Commissioner Willner asked what happened on Old Petersburg Road and Mr. Stephen said that Mr. Siebeking did some grading out there and graded it on down but they still need to put a new culvert under that road.

Commissioner Willner asked if he got the tiles sized and Mr. Stephen said that he did size the tiles for the drives but that they haven't purchased them as yet, that they need to get the one under Old Petersburg Road first, and then they will be able to accept the water, that it isn't going to do any good now for them to get the water down there faster because the water is still going to pour across the County road. He said that Mr. Siebeking will have to cut across the road so they can lay the tile.

Commissioner Willner said that last winter it was a solid sheet of ice out there because the water went over the top of the road and the property owners are willing to cooperate if the County does their part.

RE: RED BANK ROAD BRIDGE PLANS APPROVED....AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Stephen submitted the plans for the Red Bank Road Bridge and explained that there are two tubes there that are too short and barely stick out from the pavement, so the County plans to take them out and put in a single tube before the bridge goes in, since they can do it a lot cheaper than trying to let a contractor do it where the County purchased the material and had it installed, that this is why the bid was so high the last time, so he has ordered the material for the other job, so he will take care of this one too.

Mr. Hartman said they are offering two types of bridges and he thinks this is the first time they have done this in the County, that they have the flank bridge which he has had high hopes for and the conventional box beam bridge, so it depends on which comes in at the best price.

Mr. Stephen said he would like for the wood bridge manufacturer to come in and look at a bridge and give them a price on it, that they are quite active in Indiana and they are interested in looking at one of these bridges and giving us a figure on it.

After further discussion, Commissioner Willner told Mr. Stephen that when he is talking to them sometime, he should find out where the closest bridge like this is, of thirty feet or more, so the Commissioners can take a look at it.

Commissioner Willner moved that the Commissioners sign the plans for the Red Bank Road Bridge and that the Auditor be authorized to advertise for bids on June 9th. & 16th. with the bids to be opened on June 19th. 1978. Commissioner Schaad seconded the motion. So ordered.

This is the Red Bank Road Bridge, Structure #53.

RE: CUTS IN

The following applications for cuts were submitted by Mr. Stephen for filing:



The German Township Water District..to cut into Orchard Road, 400 feet west of Bromm Road.

Philip Ahrens..to cut into Old Boonville Highway approximately 800 feet west of Ed Fulton's residence whose house is at 6920 Old Boonville Highway.

The Evansville Water Department..to cut into 5500-5510 Dogwood Drive to install 400 feet, 8 inch water line to provide water service.

The Evansville Water Department..to cut into Browning Road at Shannon Acres Subdivision to install 1,550 feet, 8 inch water main to provide water service.

All cuts received and filed.

RE: POOR RELIEF

Timothy Sallee....1139 S.E. First St....Pigeon Township....Ms. Anslinger, Investigator

The Notice of Poor Relief Action submitted by the Pigeon Township Trustee reads that Mr. Sallee applied for help on his hospital bill but was denied because his income exceeds limitations allowed by the Department of Public Welfare.

Ms. Anslinger said that they applied for hospital for Timothy and her salary was between \$63.06 and \$85.00 per week, so she took the lowest which put them \$2.24 over the amount allowed for two people.

Ms. Sallee said that her husband was in intensive care, that they thought he had a mild heart attack, that she doesn't know how much the hospital bill is but imagines that it is somewhere between \$4,000 to \$5,000, that he also had a blood clot & needed oxygen, etc. She said that she has insurance on herself but he hasn't been put on her policy as yet, since they have just been married for four months, that her husband is 17 years old. She said that she fell down the stairs and broke her leg but that her insurance should take care of her, that her husband was in intensive care for a couple of days and in the hospital for eight days, that he went into the hospital on May 12th.

Mr. Sallee said that he was employed at Sutton & Son Janitor Service and is now employed at Burger King but that he just started and hasn't received a check as yet, that he makes \$2.85 per hour.

Commissioner Ossenberg said that unfortunately, there is a guideline they have to follow set up by the federal government and even the lowest income that Ms. Anslinger took, exceeds the limit for two people, and he has consistently said to the Welfare Department how do they expect people to get along on the amount allowed, that they can't.

Commissioner Willner said that possibly they can work something out for food stamps and she can take the money she would save on the food and put it on the hospital bill.

Ms. Anslinger said that the Sallee's should go down while they are here and be certified for food stamps.

Commissioner Schaad moved that the Sallee's go back down with Ms. Anslinger, for her to help them as much as she can, in any way that she can, that there isn't anything the Commissioners can do to help since there is a limit on their income. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner


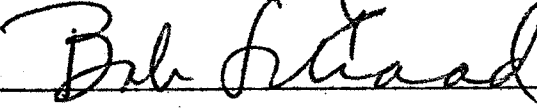

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

  
  
  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JUNE 12, 1978

The meeting of the County Commissioners was held on Monday, June 12th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg 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 bids that were received today for the Reconstruction of Marx Road Bridge, Structure #65.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Darren Reed R.R. 8 Boonville-New Harmony Pt. Time Planning Clk. \$3.50 Hr. Eff: 6/12/78

BURDETTE PARK

Barbara Koressel	1719 Conlin Ave.	Extra Guard	\$3.00 Hr.	Eff: 5/22/78
Joan Biggs	301 Lincoln Ave.	Regular Guard	\$24.00 Day	Eff: 6/3/78
Robert Etheridge	324 Kenmore Dr.	Security	\$7.00 Day	Eff: 6/3/78
Thomas Dean Wallis	2517 S. Green River Rd.	Security	\$7.00 Day	Eff: 6/3/78
Robert Evan Beckham	6000 Moline Dr.	Security	\$7.00 Day	Eff: 6/4/78

CIRCUIT COURT

David G. Hatfield	632 S. Willow Rd.	Probation Officer	\$4.75 Hr.	Eff: 6/5/78
Martha Grunow	602 Jefferson Ave.	Assistant Bailiff	\$2.75 Hr.	Eff: 6/5/78

CIRCUIT COURT.....SUMMER INTERNS

Jay H. Picking	68 Oak Meadow Dr.	Summer Intern	\$120.00 Wk.	Eff: 5/29/78
Jean V. Concoran	2412 E. Chandler Ave.	Summer Intern	\$120.00 Wk.	Eff: 6/5/78

COOPERATIVE EXTENSION SERVICE 123

Dennis A. Brazelton	R.2 Chandler Ind.	Part time	\$2.65 Hr.	Eff: 5/8/78
Patty A. Purtzer	218 Charmwood Ct.	Part time	\$2.65 Hr.	Eff: 5/8/78
Catherine E. Stott	Rte. 8 Box 141	Part time	\$2.65 Hr.	Eff: 5/15/78
Julia A. Schmidt	9304 Darmstadt Rd.	Part time	\$2.65 Hr.	Eff: 5/15/78

COUNTY BOARD OF REVIEW

Nancee L. Scheible	532 East Meade	Clerk-Typist	\$20.00 Day	Eff: 6/5/78
Martha Scheesele	2169 Southeast Blvd.	Clerk-Typist	\$20.00 Day	Eff: 6/7/78

COUNTY TREASURER....C.E.T.A.

Addie L. Stewart	Clerk	\$253.73 Pay	Eff: 6/9/78
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HIGHWAY DEPARTMENT

James R. Triplett	10101 Beaty Lane	Laborer	\$4.78 Hr.	Eff: 6/19/78
Donald E. Harris	5900 Berry Lane	Summer Help	\$2.55 Hr.	Eff: 6/12/78

KNIGHT TOWNSHIP ASSESSOR

Linda Gehlhausen	308 S. Frederick	Pt. Time Deputy	\$20.00 Day	Eff: 6/6/78
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PROSECUTOR IV-D

Jackie Rae Starks	1430 Cass Ave.	Investigator	\$4,691.00 Yr.	Eff: 5/31/78
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SHERIFF'S DEPARTMENT

John C. LaVanchy	R.R. 1 Wadesville	Probationary Police	\$11,000.00 Yr.	Eff: 6/3/78
John R. Engelbrecht	408 E. Negley	Jailer	\$ 6,500.00 Yr.	Eff: 6/3/78



APPOINTMENTS.....CONTINUEDVANDEBURGH COUNTY R.E.S.C.U.E., INC.

Ronald Bae                      1126 Bennighoff                      Night Counselor                      \$7,500 Yr.                      E66: 6/2/78

VANDEBURGH SUPERIOR COURT

Mary Moore                      1518 Ravenswood                      Clerical Asst.                      \$6,966.00 Yr.                      E66: 6/5/78  
Susan Metz                      2609 Adams Ave.                      Summer Intern                      \$200.00 Wk.                      E66: 6/12/78

RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

Cathy Shrode                      3029 Muensterman                      Rink Cashier                      \$3.50 Hr.                      E66: 5/27/78  
Cindy Hoeche                      2420 Selzer Rd.                      Extra Guard                      \$3.00 Hr.                      E66: 5/30/78  
Fred Creech                      631 College Hwy.                      Regular Guard                      \$24.00 Day                      E66: 6/1/78  
Betsy Detroy                      1401 S. Plaza Dr.                      Extra Guard                      \$3.00 Hr.                      E66: 6/1/78

CIRCUIT COURT

David Hatfield                      632 S. Willow Rd.                      Bailiff                      \$3.50 Hr.                      E66: 6/5/78  
Robin Kinney                      463 S. Ruston Ave.                      Bond Interviewer                      \$4.00 Hr.                      E66: 5/27/78

COUNTY AUDITOR'S OFFICE

Esther Shrote                      1005 Cullen Ave.                      Part time                      \$20.00 Day                      E66: 5/23/78  
Mary Switzer                      1700 N. Ruston Ave.                      Part time                      \$20.00 Day                      E66: 5/23/78  
Paula Mitchell                      769 S. Governor St.                      Part time                      \$20.00 Day                      E66: 5/23/78  
Edna Castrup                      426 Richardt Ave.                      Part time                      \$20.00 Day                      E66: 5/23/78

COUNTY TREASURER

Sandra K. Vandever                      Clerk                      \$253.73 Pay                      E66: 5/26/78  
Melody Ellsperman                      Clerk                      \$6,597.00 Yr.                      E66: 6/7/78

SHERIFF'S DEPARTMENT

John C. LaVanchy                      R.R. 1 Wadesville                      Jailer                      \$6,955.00 Yr.                      E66: 6/3/78  
Jerry W. Crawford                      1610 Hollywood Co.                      Police                      \$12,192.00 Yr.                      E66: 6/3/78  
Mark A. Holzapple                      1763 S. Boeke                      Intern                      \$75.00 Wk.                      E66: 6/3/78

VANDEBURGH COUNTY R.E.S.C.U.E., INC.

Ronald M. Stewart                      311 Rotherwood                      Night Counselor                      \$7,500 Yr.                      E66: 6/2/78  
Ronald Bae                      1126 Bennighoff                      Part time Counselor                      \$3.00 Hr.                      E66: 6/2/78

RE: OPENING OF BIDS...MARX ROAD BRIDGE STRUCTURE #65

The following bids for the Marx Road Bridge, Structure #65 were in good order and submitted:

Southwest Engineering, Inc.....	\$79,915.90	Engineer's Estimate
Barnett Bros., Inc.....	\$79,561.50	\$72,000.00

Commissioner Schaad moved that these bids be referred to Mr. Guillaum for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: APPOINTMENT TO AIRPORT AUTHORITY

Commissioner Ossenberg said that the Commissioners have an appointment to the Airport Authority and that he must be a democrat.

Commissioner Schaad moved that the Commissioners re-appoint W. C. Bussing Jr. for a three year term as of June 30th. 1978, which will expire on June 30th. 1981. Commissioner Ossenberg seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by James Will Insurance Agency, Inc. on insured, Jan's School of Dance, Inc. for the use of the Auditorium on June 9th & 10th. 1978, at which time they will hold a dance recital. Certificate received and filed.

A Certificate of Insurance was submitted by Carter Salisbury Insurance Co. of South Pasadena, California on insured, World Wide Church of God of Pasadena, for the use of the Auditorium to hold Religious Services on June 11th. 1978.  
Certificate received and filed.

A Certificate of Insurance was submitted by Tom Croy Insurance Agency, Inc. of Poplar Bluff, Missouri, on insured, General Baptist Board of Christian Education & Publication Inc. of Poplar Bluff, Missouri, for the use of the County Auditorium.  
Certificate received and filed.

A Certificate of Insurance was submitted by Heston Insurance Agency, on insured, David & Betty Risley of Risley Electronics, Inc. for the use of the Auditorium on June 25th. 1978.  
Certificate received and filed.

RE: MONTHLY REPORTS

Reports were received from Legal Aid Society of Evansville, Inc. Joint Department of Legal Services, for the months of April and May, 1978.  
Reports received and filed.

RE: CHECK RECEIVED

A Check was received by the Commissioners that is made out to them and to Siemers Glass Company, from the Hartford Insurance Co. for full and final settlement of all claims, in the amount of \$109.80 which is the amount over deductible for a 1975 Ford Torino, Car #35, at the County Garage.  
It was noted that when this is quietused in, it should be shown on cash card for Highway, Acct. 201-4252.  
This check will be sent to Siemers Glass Company for their endorsement, after which time it will be quietused into proper account and they will be sent a check from the County fund.

RE: LETTER AND APPLICATION RECEIVED FOR HIGHWAY SAFETY PROJECT GRANT

The following letter was received by Commissioner Ossenberg, from Patrick Henry, the Assistant to the Superintendent in Charge of Supportive Services, for the Evansville Vanderburgh School Corporation:

Dear Mr. Ossenberg:

On June 8, 1978, I spoke to you concerning recently enacted state legislation which requires that all school bus drivers complete a highly structured training program before being permitted to operate a bus.

The legislation provides that a school corporation may operate its own training program and the Evansville-Vanderburgh School Corporation will have such a plan operational before the beginning of the 1978-79 school year.

I am appealing to you due to the fact that the law requires that a local governmental agency (State Department of Public Instruction officials say the County Commissioners) must approve our project application and appropriate seventy percent (70%) of the project cost (in this case \$2341.50) before approval can be granted by the State Department of Public Instruction.

The State Department of Public Instruction Division of Traffic Safety will then reimburse the County Commissioners.

Tom, admittedly this procedure is unique and we appreciate your help and understanding in meeting the necessary requirements.

Sincerely, Patrick Henry,  
Assistant to the Superintendent in  
Charge of Supportive Services.

Commissioner Ossenberg said the way Mr. Henry explained this to him was that the Evansville-Vanderburgh School Corporation, as large as it is, can initiate their own program, but for the state to provide 100% financing, it requires the approval of the County Commissioners, that the Commissioners pay the initial cost, the state reimburses the School Corporation, who will then reimburse the County.

He said it is a required thing, that it has to be, because some of the smaller counties are going to have to have people from Marion County and different divisions of the Indiana State Police Department to come down and it will be more costly for the smaller counties.

He said his question is, if they would have to go before County Council to get this money.

Mr. John said that they must have an appropriation for anything they pay out, even though it will come back to the County, unless there is a special ruling by the State Board of Accounts and there are some things where they go into the red and then they

just put it back into that account, but he believes they will have to go before Council to ask for an appropriation for this.

Commissioner Ossenberg said he understands this is all Public Safety money and he doesn't know from which Account they would ask the money to be taken from and what Account to put it in.

He asked Mr. John if he would check on this and Mr. John said he would, also that if the Commissioners approve this, he will see that it gets on the July Council Call.

Commissioner Schaad moved that the Commissioners ask the Council for this money, temporarily, until they get it back and in the meantime, Mr. John will check on the Accounts that will be involved. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST.....AREA PLAN COMMISSION

The following letter of request was received by Commissioner Ossenberg, from Mr. Osterholt of the Area Plan Commission:

Dear Mr. Ossenberg:

I hereby request permission for Marilyn Friedman to travel to Indianapolis and Terre Haute from June 15, 1978 through June 16, 1978. The purpose of this trip is to confer with Indiana State Department of Commerce officials in Indianapolis and West Central Economic Development officials in Terre Haute. The only cost to be incurred by the department will be for food and lodging.

Thank you in advance for your prompt attention.

Sincerely, Charles G. Osterholt,  
Executive Director

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

RE: BIDS REJECTED.....MARX ROAD BRIDGE

Mr. Guillaum said they have looked the bids over and the problem is that the Engineer's Estimate was \$72,000.00 which was on the heavy side and they don't anticipate that the bids would be this high, so he would recommend that the bids that were received on the Reconstruction of the Marx Road Bridge, Structure #65, be thrown out and they will advertise for bids on this a little later, because as the Commissioners recall, they excluded the pipe on it since they thought this was the problem before. He said that the contractors were all notified and they are all pretty busy and this is probably reflected in the bids.

Commissioner Willner moved that the two bids from Southwest Engineering and Barnett Bros. be rejected. Commissioner Schaad seconded the motion. So ordered.

RE: TELEPHONE REQUEST

The following letter of request was received by the Commissioners from Mr. Henson of the County Work Release Program:

Dear Sirs:

The Vanderburgh County Work-Release Program is requesting the installation of a new telephone in the Work-Release section of the Vanderburgh County Jail. This telephone will be located in the Work-Release cells, numbers 31, 32 and 33. Its purpose is to alleviate the necessity of utilizing the Sheriff's deputies to answer, receive and relay telephonic messages intended for the Work-Release personnel. This, evidently, places a great burden on the Sheriff's personnel and it is at the Sheriff's insistence that I am requesting this new telephone be installed. The installation charges and monthly bill will be paid for by the Work-Release Program through the monthly billing of the Vanderburgh Circuit Court.

Signed K. Allan Henson, Director  
Work-Release Program

It was noted that Ms. Ellis from the Indiana Bell Telephone Co. quoted the installation charge for this to be \$35.00, and a monthly charge of \$12.10.

Commissioner Schaad moved that the telephone request from Mr. Henson be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER OF COMPLAINT

The following letter was received from a Mr. Paul Allen:

I am concerned about some legal actions which has been taken unintelligently and financially. The action is that my car was damaged by your County Road #6 and now your Insurance Co. will not pay for the damages done to my car and pocket book. You see I feel that I should let you be aware of the story for if no action is taken, I will sue the County and the Insurance Company. You see my Insurance Company will take appropriate action. I have a Sheriff's report and three estimates, a tow & Storage bill and until my car is replaced to its original condition, I am trying to handle this civilally and honestly to the best of my knowledge. If I can be of any help, my address and phone number is at the bottom of the page.

Signed Paul Allen  
2612 S. Roosevelt Drive

The three estimates were \$169.00, \$185.72 and \$191.89, the Towing bill was \$60.00 and the storage charge is \$3.00 per day.

County Attorney Smith said that Mr. Allen had called him but he hasn't returned his call as yet.

Commissioner Ossenberg said he thinks if the Insurance Company has turned Mr. Allen down, the only thing he can do is to sue the County.

Commissioner Schaad moved that this matter be referred to the County Legal Department. Commissioner Willner seconded the motion. So ordered.

RE: LETTER OF REQUEST.....AREA PLAN COMMISSION

The following letter was received by Commissioner Ossenberg from Mr. Osterholt of the Area Plan Commission, in regard to some remodeling they want done:

Dear Mr. Ossenberg:

Please find attached a proposed schematic drawing of the Area Plan Commission office. Hopefully, most of you are familiar with the present office space and the crowded conditions in which we must operate. In order to reorganize the office space and separate the activities, it will be necessary to remove some walls and construct another.

I asked Gil Ruston, General Manager of the Building Authority, to give us a cost estimate. If you approve, the next step will be to go to the County Council to transfer funds already available within our budget to accomplish our objectives. No. new appropriations will be necessary:

Sincerely, Charles G. Osterholt,  
Executive Director

The estimate that was submitted to Mr. Osterholt by Mr. Ruston is as follows:

Dear Mr. Osterholt:

Per your request, we quote as follows:

Furnish labor and material to remove 31 ft. old vinyl wall  
and re-erect 9 ft. where marked. Necessary baseboard. Electrical  
work and carpet patching.....\$615.00

If you desire us to proceed, please issue purchase order accordingly.

Sincerely, C. G. Ruston,  
General Manager

Note: Store your 31" door, transom, grille, lockset and aluminum frame.

Commissioner Schaad moved that this request be approved by the Commissioners and that Mr. Osterholt go before the County Council in July to request the money. Commissioner Willner seconded the motion. So ordered.

RE: LETTER REQUESTING STREET ACCEPTANCE...LOCUST WOODS LANE

The following letter was received by the Commissioners from Mr. Murray of Morley & Associates, Inc. Consulting Engineers and Land Surveyors:

Gentlemen:

We have been instructed by Mr. Ed Dunaway, developer of Locust Woods Subdivision, to inform the Board of County Commissioners that the construction of Locust Woods Lane has been completed and request that said street be accepted and maintained by the County of Vanderburgh.

Locust Woods Lane is approximately 553.5 feet in length running east from Schutte Road to its termination at the platted cul-de-sac.

Locust Woods Subdivision was recorded on November 6, 1975 in Plat Book "K", page 198. A field inspection has been performed by the Vanderburgh County Surveyor's office. The inspection was performed by Mr. Mike Ludwig during late summer of 1976 and should be on file in the Surveyor's office.

Sincerely, Stephen L. Murray,  
Vice-President

Commissioner Schaad moved that this matter be referred to Mr. Stephen for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: LETTER OF REQUEST.....COUNTY ELECTION BOARD

The following request was received by the Commissioners from Shirley Jean Cox in regards to an appropriation of funds for the Vanderburgh County Election Board Acct. #121-263:

Dear Sirs:

I hereby request the following funds be appropriated from the County General Fund:

For Account 121-263.....\$5,691.20

This request is being made to allow for the County Commissioners approved increases for precinct election boards meals which was effective this primary election. Dated this 9th. day of June, 1978.

Thank you, Shirley Jean Cox, Clerk  
Secretary Vand. County  
Election Board

Commissioner Schaad moved that the Commissioners approve the increases for the precinct election boards meals and that this matter of additional appropriation be advertised for the County Council's July meeting. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by the National City Bank for the County's fixed rental that is due June 30th. 1978, for the last six months of this year, in the amount of \$331,285.00.

Commissioner Schaad 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 County's additional rental that is due on June 30th. 1978, for the last six months of this year, in the amount of \$381,947.00.

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

A Claim was submitted by Brink's Incorporated for services rendered to the Clerk of the Circuit Court for the month of June, 1978, as per contract, in the amount of \$102.40.

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

A Claim was submitted by the National Sheriffs' Association in the amount of \$2,843.75. Mr. John explained that this is Hazard Insurance for the Reserve Unit Deputies that went through the Council about a month ago. This claim was approved by Sheriff DeGroot and Mr. John.

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

A Claim was submitted by Ms. Vicki Bailey, the Executive Assistant to the County Council, for travel expenses to and from Chicago to attend the negotiating and administering of Federal Grant Programs that was held at the Sheraton Plaza Hotel. This claim was approved by Mr. John and Mr. Kollker.

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

300

RE: COMMENTS ON BIDS FOR SHERIFF'S COMMUNICATION SYSTEM

A gentleman asked the Commissioners what the status is on the bids that were received for the Sheriff Department's Communication System.

Commissioner Ossenberg said that Sheriff DeGroot has requested that this matter be deferred for one week and that the contract will be awarded next week.

RE: MR. HOTZ

Mr. Hotz said that he and Mr. Dewes were up in the jail on Thursday and when they left they pointed out that the gas clothes dryer would be next and he understands that they did have a fire over the weekend but he didn't know the extent of the damage it caused. He said that Mr. Ruston called him and he is in doubt as to whether the dryer belongs to the County or to the Building Authority, and he wondered if they shouldn't call Mr. Torian to see if the County owns it & if it is covered by Insurance, that they don't know the extent of the damage but that all the clothes that were in the dryer burned.

Commissioner Schaad said they would call Paul Torian and find out.

Mr. Hotz said that at Hillcrest, they are attempting to get into preventive maintenance at this time, that they have 8 gables in this building plus a lot of overhang, guttering and downspouts, that most of the downspouts have been on there since the building was built, except for a few they have replaced.

He said that every year they have to scrape the gables and refinish it and there is quite a bit of expense involved, so he has a tentative estimate for renovation including the downspouts and covering all the gables with aluminum and with insulation under the gables and it will be somewhere around \$38,000.

He said he talked to Mr. John who said there was some money available in Revenue Sharing and this would come under those requirements, so he would like an opinion of the Commissioners as to if they should proceed to ask the Council for an appropriation for this from the Revenue Sharing money, that if they do, they will never have to paint it again except for the doors, that they have primed it but he could see that it is deteriorating to where it needs replacing, which as far as he knows, has never been done except for some of the downspout areas.

He said he doesn't know what it costs to paint it every year, since they hire additional men to do the painting, that they do have quite a bit of it scraped and primed, that it takes quite a bit of time and some of the areas on the north side are pretty high, that there is only himself and one other employee out there so they have to hire extra help.

Commissioner Ossenberg asked Mr. Hotz to see what a union man would charge to do the painting and then come back with the figures.

Commissioner Schaad said they could go with aluminum siding but Commissioner Ossenberg said if they did this they would have to advertise for bids.

Commissioner Ossenberg asked what type of paint he is using out there and Mr. Hotz said they use Red Spot's very best paint which is enamel.

Commissioner Ossenberg said this may be the reason it is blistering, that he could use flat latex paint on it, since that would hold up much better. He then asked if anyone has ever put breathers in there.

Mr. Hotz said they haven't put any in the gables, that right above, close to the front of the gables where they come together, there are ventilators that they keep open during the summer months, therefore they should be getting sufficient ventilation, plus they have two big attic fans in the attic pulling the air.

Commissioner Ossenberg said that he for one, wouldn't want to spend \$5,000 to \$10,000 to paint the thing and then next year have to go back and do it again, that this could come under a C.C.I. Account because it is for capital improvement.

Mr. John said it would be better to take it from the C.C.I. Account since it is set up for this sort of thing.

The Commissioners agreed that this would be the thing to do, but said that it would still have to have the approval of the County Council, so that Mr. Hotz should get a letter to Mr. John so he can get on the July Council Call.

Mr. Hotz said that John Tucker of the Evansville Garage Builders took his time and came out twice and gave him an estimate to go by which is approximately \$38,000.00.

Commissioner Schaad moved that they ask the County Council for \$40,000 from the C.C.I. Acct.



for the renovation at Hillcrest. Commissioner Willner seconded the motion. So ordered.

RE: MR. JUDD

Mr. Judd reported that they have finished the center lines on Oak Hill Road, Green River Road and Darmstadt Road, that what they put on Darmstadt Road is temporary, but that it will hold until August when they come through and paint them again.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees of the County Highway Department for the past week, ending June 9th. 1978.  
Report received and filed.

RE: MR. SIEBEKING .....ROAD REPORT

Mr. Siebeking said the Commissioners may have received some calls on Darmstadt Road and on Oak Hill Road, that they have received several calls from people who wanted to know if the job was finished in regard to their driveway entrances. He said he checked with Mr. Stephen who advised him to tell them that the job is finished and that the contractor isn't responsible to come back to fix drop-offs into their driveways and he doesn't feel that the County should be responsible, that the money just isn't available.

He said he tried to explain to them how much money it cost to resurface the road and he felt that they could fix their own driveways or to jump an inch or two to get in and out of their driveways, but he thought he would mention it in case they did get some calls.

Mr. Siebeking said this past week they finished Orchard Road, all the way through, from 265 and while they were in the area they got #6 School Road and they also got Vienna Road and they are finishing up on St. Joe Road. He said on St. Joe, they started right at the church and are going back out on it, that it is pretty bad in places and in those areas they are shooting them and road-mixing it in and rolling it down.

He said they have had some problems out on South Green River Road, that when Mr. Neville built those new apartments out there, he was told that it was a natural water way for the water to get off Green River Road and get off from the east to the west to go down through that property. He said he met with the City Engineers and the contractors and told them this would have to be taken into consideration and something would have to be done, but nothing was done and it has created quite a problem as far as water standing on the east side of the road, that one man has been down to complain several times, since anytime we get any type rain at all, his front yard and garage is flooded out because the water doesn't have anyplace to go.

He said that in the morning he and Mr. Stephen may go out and see if they could possibly put a pipe under Green River Road to get the water to drain, if they can figure a way for the water to go after they get it on the west side of the road.

He said that he thought these apartments have been completed and that the streets are in but they are going to have to figure out something, since the City doesn't seem like they want to get involved and they won't do anything, that he has met with them but it hasn't done any good, so they will see what they can do.

Mr. Stephen said that Mr. Neville promised that he would construct a swail from a drainage inlet to be put in especially for this to Green River Road, along side of the north side of his property, and if he does, they will have a place to relieve this water to.

Commissioner Ossenberg said that Mr. Neville also promised this same thing in the Area Plan Commission, so one of the County Attorney's, after Mr. Siebeking gets out there tomorrow, can do some research for what Mr. Neville promised in Area Plan, since he was there, that there was one remonstrator and Mr. Neville satisfied him with the drainage plan and he did promise a swail to some outlet that he has now, so if when he goes out there, if he finds that the swail still isn't in there, he should come back to the County Attorney's or to the Area Plan Commission's Attorney to write him a letter.

Mr. Siebeking said they will then go back out there and check it again in the morning to see if anything has been done and if not, he will get back with one of the County Attorney's or with Mr. Osterholt on it.

Commissioner Ossenberg said that he is sending Mr. Siebeking and Mr. Stephen out to Red Gate Road tomorrow, that the waterworks department came in with a job to do on the side of the road, that the Commissioners accepted that road, and he understands that the edges on the side of this road has been damaged for three feet all along the road, so his recommendation to them is to take a look at it and they are going to write



the Waterworks Department and if they don't fix it, the County will fix it and bill them, that this is the way it is going to be if they are going to continue this type of action.

Mr. Siebeking said they will look at it in the morning.

Commissioner Schaad asked Mr. Siebeking if the railroad crossing just beyond the County Garage has been completed by the Railroad Company, since it is as bad as it was before.

Mr. Siebeking said the Railroad Company finished this on Friday afternoon, that Mr. Stephen and Mr. Feigel got together on it this morning and they are going to wedge it out on the approaches.

Commissioner Schaad then asked Mr. Stephen when they plan to do the paving on St. Joe Avenue.

Mr. Stephen said their plans insufficient to keep the present crew going out there and paving too, that they just can't keep up with the capacity, so as long as they are doing other things, they just can't produce the quantity, so he suspects that this week they will finish what they are doing now and then they can start the paving next week.

He said they have put up signs and that the whole area is under construction, so the people should drive accordingly.

Mr. Siebeking said they leveled the track with the road and Mr. Stephen said they have lifted the rail about 1½ inches in the center, that he was out there when they were working and they told him it had a pump right in the middle of the road, so they made it flat which brought the two outside edges up, but it will all be corrected when they get finished.

#### RE: QUESTION ON DRAINAGE PLANS

Commissioner Schaad said that it seemed to him that in the Area Plan meeting, that there were several people who were suppose to get drainage plans to Mr. Stephen and they were to get together before today's meeting.

Mr. Lochmueller said he talked with Ed Johnson today and he would get them to Mr. Stephen and they would have a recommendation on them next Monday.

Commissioner Schaad said that won't be before the regular meeting, but Mr. Lochmueller said they would take official action on the drainage plans at the same time as the County rezonings come up next week.

#### RE: MR. GUILLAUM.....BRIDGE AND GUARD RAIL REPORT

Mr. Guillaum said that they did 445½ feet of guard rail during the past week, that they had a pretty good week but they still had to combine the bridge crew with the guard rail crew, since their backhoe has been incapacitated for some time now, but hopefully, they are going to have everything back in full swing with both, the bridge crew and the guard rail crew, tomorrow as he understands it.

He said they took care of the bridge on Boonville-New Harmony and he feels that for the amount of money they invested, that they did quite a bit of improvement.

#### RE: CLAIMS

Mr. Guillaum then submitted a claim from Feigel Construction Company for the Bridge on Boonville-New Harmony Road in the amount of \$500.00.

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

Mr. Guillaum said that the approaches had sunk, that it was pretty bad, particularly with it being on a curve, that he thought they did a good job with what they had to work with and he thought the problem to be remedied now.

Commissioner Willner said they did a nice job on it, also that a motorcycle had been wrecked on it, that the wheels just left the pavement and the driver is still in the hospital.

Mr. Guillaum submitted a mileage claim in favor of Claude Young who did some blacktop inspection and traveled 170.3 miles to make the amount of the claim to be \$25.54.

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

Mr. Guillaum said that he talked to Ed earlier on Mr. Clouse, over the Crawford Brandeis, that they went over the facts roughly, of the case, and they are filing suit, that when he spoke to Mr. Clouse on the project, Mr. Clouse maintained that the contractor, through recklessness, took a section of his retaining wall out and consequently, a section of the abutment and did damage to the bridge. He said it appeared fairly obvious though, after the channel had been re-dug, that the waterway area was much smaller than the new channel they put in.

He said that Quentin Stahl, the operator, maintains that he did no damage to the bridge and it would just be his opinion, for the record, that the damage was caused from scouring action behind the retaining walls, but never-the-less, he is going to get with Mr. Clouse next week and possibly they can work out something.

Mr. Brenner said that the bridge was put in without the Commissioners permission, that this is drainage anyway, but he has no permit to put the bridge in, so it was not put in according to the County specifications, that the law clearly states that the County Surveyor shall approve it, that he has no approval and they don't even want to attempt to fix it, that it shouldn't be there, and this is a legal drain. He said the County could counter-sue on this since they do have a legitimate counter, in that the bridge never had proper authorization. He said when he hit him with this, he said he had a verbal approval from Dick Nussmeyer and Dick Nussmeyer never heard of him.

The Commissioners agreed to just let him go, since the County Attorney's know the facts and if and when they recommend that the County files a counter-suit, they can do so.

Mr. Guillaum said they got a letter to a Mr. Staletta on the passing lane on Oak Hill Road and it was originally agreed that he would go with a passing lane at the bank project but to date nothing has been done on it, that he sent a letter out along with the plans that he agreed to at the time, trying to get some action on it since they have done their Oak Hill paving, so it would be fitting if this section of the work would be completed.

He said that he sent him a letter, so he would say they should wait about a week, and then if they don't have any response, he will refer it to the County Attorney's.

Mr. Guillaum also said that he spoke to Mr. Hurst of the Gas Company this morning, that on Seminary Road, their first project, the one farthest south, they had a utility conflict, that the lines went diagonally across the road and to get in and set the exterior beams it would be very dangerous, if not physically impossible with the boom and the cable to get in under that line.

He said he mentioned this to him earlier several months ago but this project has been off and on quite a bit due to the high water they have had and somehow, it is his contention that the County is responsible for a \$198.00 bill for this movement, but yet in the past, they have had a utility conflict which has been on the County right of way and the County hasn't paid the Gas Company anything for it, due to the fact that their poles have been on the County right of way, however he thought this to be a temporary location and not a pole movement, in other words, it is a pole relocation for our convenience, but the thing he told him was that the project couldn't even be completed, that we couldn't even set the beams without the lines being moved, so anyway they look at it, it is a utility conflict, but never-the-less he wanted this presented to the Commissioners for their opinion on it.

He said he doesn't see that it is different than any of the other situations they have encountered in the past, that their poles are on the County right of way and we have a project that can't be built without the relocation, so he would recommend that they will just have to bear the expense for it.

Commissioner Willner said this is also his feeling on it, and the other Commissioners agreed.

#### RE: COMMISSION ON PUBLIC RECORDS

Mr. John said he currently has a zerox 3600 that is used by 16 offices and many times they will lose quite a few man hours by people waiting to use the machine.

He said he has met with Dan Oates and discussed this and for an extra \$15.00 per month he can get a copier that will be used mainly for people wanting to run from 1 to 5 copies and the reason for this small extra amount, they will reduce the number of from 1 to 5 copies on the 3600 machine which is much more expensive to run, so on a lease purchase basis on the copier, with the payment over a five year period, there will be a \$738.00 down payment and then the total cost they are paying right now is \$632.00 for the one machine and next year the Board of Review will be hearing the appeals from the reassessment and he knows it will be used quite a bit and with the new plan it will be \$647.00 per month which is approximately \$15.00 extra and for this price he thinks it will be worthwhile for the County to get the other machine. He said it is a portable machine which could be brought up if needed during the Council

meetings or for the Tax Adjustment Board, that they could even bring it up to the Commissioners meetings if they need copies of anything. He said the Police Department recently bought one and he has their specifications from when they advertised for bids to get this particular machine, so if it meets with the approval of the Commissioners he would like to advertise for bids.

Commissioner Willner moved that the Auditor be authorized to advertise for bids for this machine. Commissioner Schaad seconded the motion. So ordered.

Mr. John said they could even set it up on a cassette basis just like they have on the present machine, to which the Commissioners agreed that this would be a good idea.

RE: BLACK EXPO.....ORDINANCE TO BE PREPARED

County Attorney Wendel said it has come to his attention that the funds that have been requested by Black Expo 78 would require an ordinance under the Home Rule Act for it to be valid, so if the Commissioners want him to prepare an ordinance for next week, he will do so, that the ordinance would have to be passed before the Council could appropriate the funds.

Commissioner Ossenberg said that the Commissioners approved it so he supposed they might as well have the ordinance prepared.

Commissioner Willner moved that County Attorney Wendel be authorized to prepare the ordinance that is required. Commissioner Schaad seconded the motion. So ordered.

RE: ATTORNEY FEES REQUESTED FOR EXTRA WORK FOR PAUL WENDEL

County Attorney said he has prepared his statement for the sale of the Pleasantview Rest Home and he would like to request \$2,500.00 for attorney fees from the County Council for his extra work on it.

Commissioner Schaad moved that the Commissioners request that the \$2,500.00 from the County be appropriated for the extra legal work done by County Attorney Wendel on the sale of the Pleasantview Rest Home. Commissioner Ossenberg seconded the motion. So ordered.

RE: CARROLL ACRES

Mr. Stephen said he thinks that everything is now in order on Carroll Acres, that last week he received the surety bond for \$20,000.00 for two years, so the cut that they are requesting can now be signed by the Commissioners as well as the plans on the project.

Commissioner Schaad moved that the plans and the application for the cut permit be signed by the Commissioners. Commissioner Willner seconded the motion. So ordered.

RE: COLONY PARK SUBDIVISION

Mr. Stephen said he met with Joe Foster on what will be Colony Park Subdivision which is on the south side of Lincoln Avenue just beyond Fuquay Road.

He said there is a fairly good size drainage ditch along the south side of the road there, that he checked and this subdivision has never been presented, that Mr. Foster had a copy of it but it wasn't signed, that he is apparently working from a preliminary because he thinks it is going to have to be redesigned, but what he wanted him to bring to the Commissioners is, if Outer Lincoln Avenue, from Fuquay Road on east is ever going to be improved, if the ditch would be enclosed, that he is now willing to help with the enclosure of it, but the cost to the County for this would be somewhere in the vicinity of \$20,000.00.

He said he isn't sure that this is the right thing to do because, for one thing, he had a whole tier of lots with each outlet right out on Lincoln Avenue, with another tier backed up to it and a street and another tier across the street, so he pointed out to Mr. Foster that this probably wouldn't pass when it comes up for approval because each lot should have it's outlet within the subdivision and not have to have an additional outlet for each lot onto Lincoln Avenue.

He said that Mr. Foster told him that he might change the arrangement, but the lots would then be backed up to this ditch, but Mr. Foster wanted him to bring this to the Commissioners and if they are interested, he is to let Mr. Foster know what their feelings are on it.

He said he didn't know if the Commissioners want to try to close up that ditch with a pipe, that it would probably take a pipe of about 60 inches in diameter.

Commissioner Schaad said that Mr. Foster can put it in the County right of way if he wants to pay for it, but he didn't think that the County should do it at the County's expense, to which the other Commissioners agreed.

Mr. Stephen said he told Mr. Foster that he didn't think it was too good of an idea and he didn't give him any encouragement what-so-ever.

Commissioner Ossenberg said that when Bill Nicholson was in here last week on that drainage plan, he told Bill then that he couldn't approve anything because Mr. Biggerstaff hasn't come up with anything yet, and this is the same area that Mr. Foster is concerned with.

Commissioner Schaad said that several people have brought drainage plans to the Area Plan Commission and he said this isn't the place to do it, since they don't know anything about it, that they should be done ahead of time and he told Ed Johnson to get his plans ready and submit them to Mr. Stephen so they can look them over and then take them to the Drainage Board so they can approve them, not to submit them to the Area Plan Commission, that it just takes up their time. He said they had some that they wanted to rush through and this is why they were doing it this way, but he told them they had time and he thought they would bring them in today, but they have to get them to Mr. Stephen before next Monday because they will have rezonings next Monday, but they still can't act on them since the Drainage Board doesn't meet until after the Commissioners meeting.

Commissioner Ossenberg said this is a bad situation, that he isn't going to act on them, particularly the one on Little Pigeon Creek. He said he called Mr. Guillaum about the one at Petersburg Road and Hwy. 41 and he asked if the one on Little Pigeon isn't the responsibility of the Corp of Engineers, but Mr. Brenner said that it isn't, that they claim up Locust Creek and up Pigeon Creek.

Mr. Brenner said the County did improve that bridge, that when he first took over, there was a sewer pipe that ran along the bottom of the ditch and the City did bury it under the creek.

#### RE: PROBLEM AT BUSLER'S STATION

Mr. Stephen said that a letter came down to the Commissioners that was referred to him and he looked it over, that apparently it is Mr. Busler who is putting pressure on the state to improve the County road entrance into his filling station and his truck place which is located off Highway 41 and I-64, that the state has now designed this and they are willing to go to a certain point and they now want the County to go ahead and do the County road part and they have it designed with full strength thick asphalt, so he figured it to see what the total cost would be past the State Right of Way and it comes up about \$41,500.00, but all it would be doing would be to benefit one person, and there is one house up there, but they still wouldn't build that kind of a road to serve a house.

Commissioner Ossenberg said he isn't going to build that kind of road to serve a gas station either, that the main thing out there is that state improvement and that needs to be improved. He asked if these plans are what the state has submitted and if they have agreed to do this.

Mr. Stephen said apparently they have, to whoever put the pressure on them, since the County didn't ask them to do it, so apparently Busler has, or someone else.

Commissioner Willner said he thought the State Police have tagged that road as a high accident rate, since about a month ago there were 22 accidents in that area, so he thought the State Police probably contacted them, but this has nothing to do with the County road, also that what the state does on it is sorely needed.

Commissioner Ossenberg told Mr. Stephen that he should write the state back and tell them that what they intend to do is sorely needed, but as far as the County is concerned, that the Commissioners take the attitude that they aren't going to build a road to serve two gas stations.

Mr. Stephen said the only thing he can see is, if the gas station and especially Mr. Busler wants to help participate in the project.

Commissioner Willner asked Mr. Stephen why he didn't say that the Commissioners approve of what they are going to do, that it is sorely needed, and that the Commissioners will be in touch with the owners of the properties and see if they can work out an agreement with them as far as the County's interest is concerned. The other Commissioners agreed that Mr. Stephen write the letter to the state.

#### RE: DISTRICT MEETING TO BE HELD

Mr. Stephen asked the Commissioners if any of them were going to the District Meeting on

Thursday in Tell City but the Commissioners said they would be unable to attend.

Commissioner Schaad suggested that Mr. Stephen and Mr. Siebeking go to this meeting.

RE: WESTERN HILLS #2 ...DRAINAGE PROBLEM

Mr. Stephen said he has a problem out on Beale, that he went out there and could see that the Hartig's have a bad drainage problem, that they have a drive with a big pipe under and it is washing out. He said they have built an earth retainer so the water is pushed out in the street real fast so it doesn't go across the property, that they have a motor home and are widening their drive so they will have a place to park it.

He said that Western Avenue was to be extended on down but nothing has ever been done, that this is a 50 foot of right of way and the County has 60 feet of right of way and they are doing all of this on the County right of way, and the lady wasn't too happy when he pointed out to her that she should have a permit for doing this and he told her that she is creating an obstruction right next to the pavement which is in the right of way and she is causing a liability to the County.

Commissioner Schaad said that Betty Jarboe got into this, then the City Engineer and everyone else got into it, and it was found to be in the County right of way.

Mr. Stephen said he saw what was happening and he didn't know about the amount of right of way so he didn't even get into that, but the tile is too small and they have a washout problem that they want something done about and he thinks it is washing out underneath, so he wouldn't park a motor home on it, since it is liable to cave in.

He said he thought they should go out there and stake out the County right of way, but he brought it up so the Commissioners would know what is going on.

Commissioner Schaad said that Mr. Stephen should call him and tell him that there isn't anything the County can do for him.

RE: HAPPE ROAD ...DRAINAGE PROBLEM

Mr. Stephen said that last summer they put a tube under the road under Happe Road and it is making a wet spot in the field and the people told him that the County Health Board was on them, so he had his crew go out and profile the ditch.

He explained the drainage and said that his solution is for these people to put tile all the way along in front of his place and cover it up.

He said that Mr. Happe is complaining that he can't plow his field because of the water drainage through there. He said they want the tube taken out and they could, and could dig the side ditches so it would drain but it would always be wet. He said no matter what they do, they can't make everyone happy.

RE: OLMSTEAD ROAD...DRAINAGE PROBLEM

Mr. Stephen said that Tom Stevens on Olmstead Road called him and he and Mr. Siebeking went out there and looked at the drainage because some people out there said that the drainage should go one way and others said that it doesn't and some of them do not have tubes under their drives so the water can't go that way and backs up in a corner, so they could dig the ditch deeper and the people should have pipes under their drives, but he didn't know if they would buy the pipe or not. He said they should profile the one side of the ditch, that it isn't a legal drain so the County Highway will have to do the work if it has to be done.

Commissioner Schaad said they could cut a ditch along there to drain the water but the people will have a heck of a time getting out, but if they will supply the right size tile, the County will put it in for them.

Mr. Stephen said they will have to dig that ditch deeper to get rid of the water, that this is the only solution, that he doesn't think they should do this kind of thing with highway funds but that is the only solution.

The Commissioners agreed that Mr. Stephen contact these people and tell them if they will supply the pipe, the County will put it in, and if they won't, tell them that he will have to dig a ditch because they have to drain the water.

RE: PLANS FOR ST. JOE SENT BACK FOR CHANGES

Lani Etheridge submitted the following letter from Virgil Bell, the Chief of the Division of State Aid on Item #99, Project #M-E560(1), St. Joseph Avenue from Diamond Avenue to Mill Road in Vanderburgh County:



To Whom It May Concern:

Enclosed are the original tracings and a copy of a memorandum from the ISHC Division of Design requesting certain corrections, and changes be made to the plans. Please do so and return for further processing.

We have also forwarded copies of the State-Local Agency construction agreements for the County's signatures. Have the County Commissioners sign and the Auditor attest the agreement on page 5 of 6. Please return all copies for further processing. When the agreement is executed an original will be returned for your files.

Before the project can be placed on a letting, we must have other matters including R/W certification, Utility Agreements, and Project Engineer assignment resolved.

If there are any questions, please contact this office.

Very truly yours, Virgil A. Bell  
Chief, Div. of State Aid

Ms. Etheridge said that she will give the plans back to Mr. Stephen and he can give them to the contractors so they can make the proper changes or corrections.

Mr. Stephen said it sort of perturbs him because it seems that the state should have sent the plans back to Fink, Roberts & Petrie to be corrected, since the County paid them to do it, and it could have been done right there.

Commissioner Schaad said they should do it and that Mr. Stephen should get in touch with Guy Cantwell of Fink, Roberts & Petrie.

Ms. Etheridge also submitted two copies of the construction agreement for the Commissioners signatures.

In discussing the supervision and inspection for this project, Commissioner Schaad said this would have to come from the Vincennes office from Mr. VanNielen and he thought it should be in writing, so he asked Ms. Etheridge to have Mr. Lochmueller to get in touch with Mr. VanNielen and have him put it in writing that he is turning us down, since they aren't interested in it at all and they said they are too busy and don't have the manpower to do it.

He said they can then hire an outside firm to do it, under the supervision of a County official, or Mr. Stephen can do it, but they first want to be turned down in writing and then they can take the next step.

He said while they are on the subject, the other thing is the utility agreement.

Mr. Stephen said he has gotten them all out to the people and he has one that has been returned and when he gets them all back he will bring them for the Commissioners to sign them, but the Gas Company isn't going to sign it, but he was hoping that their representative, Ed Cole, would be here this morning so he could talk to him, but they did say they would give the Commissioners a letter stating that they will perform all functions necessary in moving the utilities out of the way.

Commissioner Ossenberg asked if this would suffice, and Mr. Stephen said the state has worked around it one other time, he supposed, because Mr. Halleck said they have also had trouble with the Gas Company, so he asked him what they could do and he said all they do is to attach their letter to the agreements and send it in.

Commissioner Schaad said all of this must be done before they can advertise for bids.

Commissioner Ossenberg said that as soon as the meeting is over, he will call Mr. Vaughn at the Gas Company, that he will get the letter from them.

Commissioner Schaad moved that the State-Local Public Agency Agreements for Federal Aid Projects be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: NURRENBERN ROAD AND L. & N. CROSSING

Ms. Etheridge said that on the Nurrenbern Road and the L. & N. Crossing, she called to get a status report on it and they said they hadn't heard anything since November 11, 1977 on it, when the state sent them a letter to the Railroad Co. asking them about the construction engineer, so she thought they might want to send them a letter so she has drafted one which she submitted at this time, in which the L & N Railroad Company is urged to take immediate action regarding this project. The letter reads as follows:

Dear Mr. Pembler:

It has come to the attention of the Board of County Commissioners that the Indiana State Highway Commission has been in contact with you regarding a rail-highway crossing safety project in Vanderburgh County, Indiana. According to reports by employees of the Highway Commission, they wrote to you in November of 1977 requesting that you designate who is to be the Engineer in Charge of the project. As of this date, they have had no response from you and no indication as to when construction will begin.

The subject project involves the Louisville & Nashville R.R. tracks in Southwestern Vanderburgh County where they intersect Nurrenburn Road. This poorly marked crossing has considerable train traffic with 16 train crossings per day. It is especially dangerous for the school buses which use Nurrenburn Road.

Federal Rail/Highway Protection Funds have been authorized for the construction of automatic gates and signals at this location, which is where you are to be involved. According to the Indiana State Highway Commission, this project is presently awaiting your action.

Mr. Pembler, it would seem fair to assume that Louisville & Nashville Railroad would be just as concerned about the safety of those persons crossing your tracks and the welfare of your own equipment as we are.

Therefore, we urge you to take immediate action regarding this project for the benefit of all.

Sincerely,

To be signed by the Commissioners

Commissioner Schaad moved that the Commissioners sign this letter. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON OHIO STREET BRIDGE PROPOSAL

Mr. Guillaum unfolded an unusually large drawing from the City Engineer's office and pointed out the area of the present Ohio Street and the area in red that is the new proposed roadway and bridge.

He said they have gone over this before and the thing that is unfortunate is the fact that they have a grid problem that has popped up that is structurally in terms of the local limits and the capacity of the traffic, that the bridge seems to be adequate for the traffic that is there now.

Mr. Brenner said that the funding on this is of interest, that the traffic on Ohio Street is going down and is projected to be down and because of this being a replacement on Ohio Street they can't get any federal funds, so the whole thing will have to be done with local money and the probable cost will be \$500,000.00. He said the City is going to do all the rest of it, but he didn't know if they have the money for it or not, also that they went through this once before, and the City is going to lose their garage to the extension of the expressway and they want to make the City garage and the bus garage at the old station and they feel they can get federal funds for that due to the preservation of historical buildings. He said they just spent \$80,000 on the bridge and it is in pretty good shape, also that the City wants a commitment that the County will put the money up.

Commissioner Schaad said he would like to know their target date. He said the Commissioners will entertain the idea to build the bridge when they set the target date as to what money is going to have to be available.

The meeting recessed at 11:55 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

Secretary: Margie Meeks

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

*Bob Schaad*

*Robert L. Willner*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS



COUNTY COMMISSIONERS MEETING  
JUNE 19, 1978

The meeting of the County Commissioners was held on Monday, June 19, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg 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 bids that were received today for the Red Bank Road Bridge Structure #53.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

SURVEYOR:

John West	1721 Ravenswood	Chainman	\$9,360.00	E66: 6-19-78
Mark Tuley	1524 S. St. James	Draftsman	\$8,840.00	E66: 6-19-78
Robert E. Kautzman	7019 Hogue Road	Pro. Eng.	\$12,480.00	E66: 6-19-78
Dale Willis	101 Court Street	Ch.Draftsman	\$13,500.00	E66: 6-19-78

RE: EMPLOYMENT CHANGES.....RELEASES

HIGHWAY DEPARTMENT:

Mark Tuley	1524 S. St. James	Road Inspector	\$8,194.00	E66: 6-16-78
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SURVEYOR:

John West	1721 Ravenswood	Draftsman	\$8,840.00	E66: 6-19-78
Dale Willis	101 Court Street	Pro. Engineer	\$12,480.00	E66: 6-19-78
Robert E. Kautzman	7019 Hogue Road	Party Chief	\$12,480.00	E66: 6-19-78

RE: LETTERS RECEIVED FROM MR. EDWARD W. JOHNSON ON REZONINGS

Commissioner Ossenberg read the following letters:

RE: Ordinance No. VC-3-78  
Forrest D. Railey

Dear Commissioner Ossenberg:

Please be advised that we are requesting a postponement of the above captioned rezoning from the June 19, 1978, meeting to the July 17, 1978, meeting. The purpose of the requested continuance for one month is two-fold. First, we would like an opportunity to appear before the Vanderburgh County Drainage Board prior to the hearing on the rezoning. Secondly, we would like an opportunity to revise our plans.

I know there were some remonstrators at the Area Plan Commission and I will have my secretary personally call each and every remonstrator and tell them that the matter is being continued and I will further confirm this with a letter if you should see fit to grant the continuance. Thank you for your kind consideration and attention to this matter.

Very truly yours,  
Edward W. Johnson

Commissioner Schaad moved that the above be approved for continuance for one month. Commissioner Willner seconded the motion. So ordered.

RE: Ordinance No. VC-4-78  
Benjamin E. Buente, Jr.

Dear Commissioner Ossenberg:

Please be advised that on behalf of the Petitioner in the above captioned rezoning, we respectfully request a delay from the hearing date of June 19, 1978, in order to allow us an opportunity to appear before the drainage board prior to the hearing on the rezoning.

Originally, we had hoped to be able to have it heard the following Monday, however, one of the remonstrators will be out of town until mid-July and as a courtesy to Mr. Bob Becker, the attorney for the remonstrators, we are now requesting that the new hearing before the County Commissioners be Monday, July 17, 1978, at 9:30 o'clock a.m., which would be the normal time for hearing rezonings in July.

I am sending a copy of this letter to Mr. Becker to confirm my conversation with him and I understand that he will take care of contacting the remonstrators concerning the delay. I am also sending a copy of the letter to Mr. Osterholt so that he and his staff may know of the continuance request.

Thank you for your kind consideration and attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,  
Edward W. Johnson

Commissioner Schaad moved the extension be approved. Commissioner Willner seconded the motion. So ordered.

RE: AWARDING OF CONTRACT... COMMUNICATIONS SYSTEM FOR SHERIFF'S DEPARTMENT

Mr. Bill Kinder from the Purchasing Department was present and recommended that the bid of Motorola Communications and Electronics, Inc. be accepted for the communications system for the Sheriff's Department.

Commissioner Schaad moved we accept the bid of Motorola. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Schaad asked how long this would take to be completed and Mr. Kinder said approximately ninety days.

Commissioner Ossenberg said he is wondering if there is a possibility this can be facilitated any faster because he had some motel owners, who must have been doing some investigating on their own, out in the county, and they have found out there is considerable savings through their insurance companies, if this is in by September 1, 1978.

A representative from Motorola was present and he stated that the possibility was very good that this could be completed by September 1, 1978.

Commissioner Schaad said this will still have to be checked and inspected and then they will have to establish a rate and he doesn't believe it can be done that fast. Maybe they can get Mr. Hornish down here as soon as it is installed.

RE: MONTHLY REPORTS

A monthly report was received from the Building Commission of Permits Issued for May 1978. Report received and filed.

A monthly report from the Bureau of Traffic Engineer. Report received and filed.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by Hartford Insurance Group on insured, Joyful Sound, Division of Music Ministries, for the use of the Auditorium on August 20th, and 22nd, 1978, at which time they will hold a dinner. Certificate received and filed.

RE: SURPLUS PROPERTY TO BE ADVERTISED:

Commissioner Ossenberg said we have a new appraisal list of county owned surplus property which was appraised by the County Assessor and is now ready to be advertised. There are twenty four parcels which was taken from the original list of last December. This list will be advertised on June 22nd and 29th and July 6th. and 13th, 1978 and will be ready for bid on July 17, 1978.

Commissioner Schaad moved the properties be advertised. Commissioner Willner seconded the motion. So ordered.

RE: DEEDS ON COUNTY SURPLUS PROPERTY

Commissioner Ossenbergsaid we have before us a quit claim deed for property purchased from us by Charles R. Swope of Vanderburgh County, Indiana.

County Attorney Wendel said the Commissioners probably recall that we had some controversy with Mr. Swope on this property. He bought several parcels from us and on several of them it was impossible to come up with a really good legal description. He contacted Mr. Swope and they have agreed that on the ones that he can get a good legal description on he has put in and on the other ones, Mr. Swope will go ahead and accept them and later on should Mr. Swope decided to sell any of these, then we will have to help him to come up with a better legal description. He said right now what he needs is the approval to sign the deeds.

Commissioner Schaad moved that Mr. Wendel sign the deed and also the County Commissioners sign it and we turn it over to Mr. Swope.

Commissioner Willner seconded the motion. So ordered.

County Attorney Wendel said we have another quit claim deed for tax sale in which some property was conveyed to the county by mistake.

County Auditor Curt John said what had happened was that Ms. Bippus had come in and paid the Treasurers office, without notifying our office and they continued through the process so they must be taken off. This is one of the parcels that have been marked off before going to the courier and press for advertising. We need to deed it back to her (Berenice K. Bippus).

Commissioner Schaad moved this be deeded back to Ms. Bippus. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS.....RED BANK ROAD BRIDGE STRUCTURE #53

There was only one bid received on the Red Bank Road Bridge Structure #53 and that was from Barnett Brothers in the amount of \$78,032.50. The Engineer's estimate on this project was \$72,000.00.

Dave Guillaum said this is a 31' bridge and maybe we can take this and look it over and possibly something can be cut from it. We are suppose to get another bid in on this, but of course we would have to re-bid.

Mr. Louis Stephen said he received figures from the American Timber Company that on a 32' bridge for all of the material on the job site and a 4' retaining wall would be \$23,663.00. This is for all of the materials, but not installed. There would have to be some test boring at the site also, but then the contractor should be able to assemble that bridge for \$10,000.00, or approximately that amount.

Mr. Stephen said that the manager for American Timber said that if the County Commissioners would so desire and could spare a half of a day he would come down here and take you to see one of these bridges which are in Central Indiana.

Mr. Guillaum said in getting back to the Red Bank Road Bridge, we had a few items in there that possibly could be taken out. We had 250' of black top and a grade change in there that possibly could be modified. As he understands, part of the problem in the prices, is the additional items that we put in that really aren't the best from the contractor's point of view, such as the black-top and the dredging, so possibly we could modify some of the black-top. Why don't we take it under advisement, go back and look at the unit cost and as he understands it is perfectly legal for us to eliminate items.

County Attorney Wendel said they are suppose to bid by items, therefore you can accept any or all of the items.

Commissioner Schaad moved the bid of Barnett Brothers be taken under advisement. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked Mr. Guillaum if he would give the Commissioners a run-down on the bridges that have been done in the last five years, as to the cost of them and what they are costing now, so we can compare them.

Mr. Guillaum said he would get something together and have it for the next meeting.

Commissioner Schaad said in getting back to what Mr. Stephen was talking about, he is wondering if a representative could come down on a Sunday, as he personally, would like to see one of these bridges and investigate into this. Commissioner's Ossenbergs and Willner both agreed that this should be pursued so they instructed Mr. Stephen to go ahead and see if this could be set up for this Sunday, June 25, 1978.

RE: LETTER FROM PAUL WENDEL CONCERNING COMPENSATION FOR SALE OF PLEASANTVIEW

Commissioner Ossenberg read the following letter received from County Attorney Paul Wendel.

Dear Mr. Ossenberg:

I would like to withdraw my request made at the June 12, 1978, meeting of the Board of Commissioners for compensation for time and work rendered in excess of county attorney regular duties involved in the sale of Pleasantview Rest Home. As you know, the property was auctioned three times and was involved in litigation following the second auction, resulting in time and work greatly exceeding normal county legal services.

Although I was granted permission to request additional compensation at the closing of the sales transaction, and although the request was low in comparison to the time and work provided, I did not take into consideration the financial condition of the county which may be put under strain from potential county liability arising out of possible adverse rulings in several pending court cases on which I have been working this week.

Therefore, I withdraw my request for additional compensation for time and work rendered in the Pleasantview Rest Home sale.

Yours truly,  
Paul Wendel

Commissioner Schaad said he feels Mr. Wendel deserves the money and that he should have it therefore he reluctantly moves the commissioners accept the letter of refusal. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING VC-5-78

Petitioner and Owner of Record.....Bennona Burnett of 811 Forest Glen, Evansville, Indiana.

The premises affected are located on the South side of Upper Mt. Vernon Avenue, a distance of 200 feet Southwest of the corner formed by the intersection of Helfrich Avenue and Upper Mt. Vernon Avenue.

The requested change is from A to M-2

The present existing land use is retail sales and the proposed land use is for storage of golf carts and possible future maintenance.

Mr. Frank Morris from Frank Morris Realty, Inc. was present to represent Ms. Burnett and a map was presented to the commissioners in which Mr. Morris showed them where this particular land is located.

Commissioner Schaad said the legal description does not agree with the drawing.

Mr. Sam Biggerstaff was present and explained they had the wrong legal description on this but there should have been a revised description.

There were no remonstrators present.

Commissioner Schaad moved that petition VC-5-78 be approved on first reading and referred to the Area Plan Commission. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION....FIRST READING....VC-6-78

Petitioner....Mr. James C. Sermersheim of 3122 Wimberg Avenue, Evansville, Indiana  
 Owner of Record....Mr. Richard Maurer of 321 W. Hanover Road, Evansville, Indiana  
 Lessee....Mr. Russell Bates of 3817 N. St. Joe Avenue, Evansville, Indiana.

The premises affected are located on the East side of N. St. Joseph Avenue, a distance of 145 feet North of the corner formed by the intersection of St. Joe Avenue and Sheridan Road, more commonly known as 3817 N. St. Joseph Avenue.

The requested change is from C-1 to C-1B.

The present existing land use is a grocery store and the proposed land use is for a Corvette Repair Shop and Parts Sales.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC-6-78, be approved on first reading and referred to the Area Plan Commission. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said he would like for Mr. Stephen to look at this one because it is a widening of St. Joe Avenue and possibly there is some property involved here.

RE: REZONING PETITION...FIRST READING...VC-7-78

Petitioner and Owner of Record....Guthrie May and Co., Inc of 4445 Commerce Street, Evansville, Indiana.

The requested change is from A to R-1

The premises affected are 7351-7501 Old State Road and 401-601 Eissler Road for a one family dwelling.

Mr. Robert M. Becker was present and stated this is a rather unusual rezoning as it includes a rather large tract of land, which is now recorder sub-division Old State #1 and Old State #2 and it will also take in Old State #3 and #4. The whole intent is to re-zone the land for residential purposes so that the petitioner can take advantage of slightly more liberal lot coverage requirements.

Commissioner Schaad said this petition is made for the changing of Zoning Maps.

Mr. Charles Osterholt of the Area Plan Commission said this is to change the district and the district maps.

Commissioner Willner asked if there has been a drainage map presented to the Drainage Board yet and Mr. Becker said not on #3 and #4, however they will present one.

There were no remonstrators present.

Commissioner Schaad moved that petition VC-7-78 be approved on first reading and referred to the Area Plan Commission. Commission Willner seconded the motion. So ordered.

RE: REZONING PETITION...FIRST READING...VC-8-78

Petitioner....Key Construction Company, Inc. of 2201 Covert Avenue, Evansville, Indiana  
 Owner of Record....Carl A. Rueger, John E. Rueger and Anna Marie Rankin of 914 Rueger Drive, Evansville, Indiana.

The premises affected are situated on the east side of St. Joseph Avenue, a distance of 300 feet north of the corner formed by the intersection of Lexington Avenue and St. Joseph Avenue, more commonly known as 4201 N. St. Joseph Avenue.

The requested change is from A to M-2.

The present existing land use is conforming land use and the proposed land use is for an Industrial Park.

There was no one present to speak for or against this petition.

Mr. Osterholt said they are going to ask the petitioners to submit drainage plans.

Commissioner Ossenberg said he wants Mr. Stephen to look at these plans also, since they are out on St Joe Avenue.

Commissioner Schaad moved that petition VC-8-78 be approved on first reading and referred to the Area Plan Commission. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Feigel Construction Corporation for labor, material and equipment for furnishing and installation of paving material for Burdette Park, Per bid submitted on 12-14-77, in the amount of 3007.40 which has been approved by Ray Wolf.

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

A claim was submitted by Feigel Construction Corporation for labor, material and equipment for furnishing and installation of paving materials for Burdette Park per bid submitted on 12-14-77, in the amount of \$20,984.81, which has been approved by Donald Henry and Ray Wolf.

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

A claim was submitted by Feigel Construction Corporation for paving on Darmstadt Road, St. Joseph Avenue and Oak Hill Road in the amount of \$52,256.67 which has been approved by Jack Siebeking and Louis Stephen.

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

A claim was submitted by S.I.E.C.O. .... for professional engineering services provided in conjunction with the Pavement Marking Demonstration Program as per agreement from 10-1-77 thru 5-31-77 in the amount of \$606.53 which has been approved by Jack Siebeking and Louis Stephen.

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

A claim was submitted by Siemers Glass Company in the amount of \$109.80 which was the insurance check that was quietused into account #201-4252 which was approved by Jack Siebeking.

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

A claim was submitted by Evansville Crushed Stone Company in the amount of \$432.45 which was approved by Jack Siebeking and Louis Stephen.

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

A claim was submitted by Mr. Ronald Leonhardt of the Vanderburgh County Convention and Visitors Bureau in the amount of \$86.95 for travel and accomodations for Convention Bid trip to Louisville, Kentucky May 19-20 1978, National Association of Women in Construction, Region Four Forum which was approved by Curt John.

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

A claim was submitted by Szabo Food Service, Inc. for meals served to the Deputies for the period of May 1 to May 15 in the amount of \$190.45 and for meals served the prisoners for the same period in the amount of \$3,261.05. The total of the claim is \$3,451.50 which has been approved by Sheriff DeGroote.

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

A claim was submitted by Robert Hargrave, Citisens Bank for the balance of retirement contribution for year 1978 for the Sheriff's Department which has been approved by Sheriff DeGroote, in the amount of \$55,854.50.

Commissioner Schaad 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 of the County Highway Department for the past week.  
Report received and filed.

RE: CULVERT TO BE INSTALLED

Commissioner Willner told Mr. Siebeking that he has a culvert to be installed and it is laying on Green River Road just north of Riggs, where there is another one to put in.

RE: MR. GUILLAUM...GUARD RAIL REPORT

Mr. Guillaum said they didn't have any rail sections last week to speak of but they did have a bunch of ends they have waiting on for quite some time, they came in and they installed 62 of them.  
The bridge crew has been working on McCutchan Road and we're wrapping that project up.

Mr. Guillaum present a claim from All Metal Mfg. Co., Inc for these ends that we put in. The claim was in the amount of \$1,964.50, which was approved by Dave Guillaum.

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

A claim on milage for Robert Kautzman, who we have inspecting the ditches, was submitted in the amount of \$110.70 which was approved by Dave Guillaum.

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

RE: SEMINARY ROAD PROJECT

Mr. Guillaum said the Seminary Road project hopefully, the first bridge, ought to be completed today. We had one exterior beam that had to be set and it should be done today.

RE: COAL TRUCK TRAFFIC PROBLEM

Mr. Guillaum said he wanted to comment today on the coal truck traffic, but he sees that Mr. Watson did not make it in today. Mr. Stephen had a few comments and recommendations that he wanted to make to us. We did attempt to get the traffic off of Baseline Road towards the end of the week.

Mr. Guillaum said we have had some problems with Mr. Staub hauling on Nurrenbern Road and Bayou Creek Road. We have had several complaints about them tearing the roads up but as he understands it this wouldn't be a thru traffic haul, in other words, they are working on the levee project there, moving dirt in and out from there, so from that point of view he doesn't feel there can be a lot done on it, because that is a little different situation than a thru traffic problem. Aside from the damage standpoint, he feels that any damage done to the roads should be worked out, one way or another, with the people hauling on it.

Mr. Siebeking said they have switched over to Seminary and they have really torn it up.

Mr. Guillaum said he understads that they will be completed today with their hauling.

Mr. Siebeking said they won't be wrapped up before the last of August because they have too much dirt to put in that levee.  
He said that in going through some of his paper work out at the Garage, he found some old forms that use to whenever any trucker hauled anything on a Vanderburgh County Road they had to post a bond first. He had to get a permit first. He is wondering why we cannot inact that again.

Commissioner Ossenbergsaid he is wondering if they are over the State weight limit.

Mr. Siebeking said he is sure that most of them are. The thing that probably started it was when there was quite a bit of oil in Vanderburgh County, those oil Companies had to have a permit to bring their rigs in.

Commissioner Schaad said he sees where this would be a good idea but then again what can



we do about it everytime a farmer wants to haul a load of corn. If we get one, then we've got to get them all.

Commissioner Schaad said we need a pair of scales.

Mr. Siebeking said Mr. Staub is also going to start going down Happe Road so there is another one thats going to be torn up as he is going to haul off of Graff Hill. When they take out that first bridge on Baseline then that is going to stop him there.

Commissioner Ossenbergsaid when Staub was hauling for the grain company last year, they made some sort of a deal with him that he help compensate on the Nurrenbern Road and he thinks he ought to help compensate on these others also.

Mr. Siebeking said the rock portion of River Road from South Weinbach over to their dock is being maintained by them (Staub) because they are the ones that are tearing it up.

Commissioner Schaad said yes, but they are about the only ones using it too, as that is a different situation, because about all that use that is a few river camps.

Commissioner Willner asked Mr. Guillaum what a portable scale would cost and Dave said he has no idea, but that he would find out and let him know.

RE: PAVING ON ST. JOE

Commissioner Schaad asked when we are going to get started on the paving of St. Joe.

Mr. Guillaum said we have done the wedging.

Mr. Stephen said it will be either Thursday or Friday, they are working out there today.

Commissioner Willner said he wanted Mr. Stephen to clear up a question in his mind about something he said recently, that being that Feigel could only handle one paver at a time.

Mr. Stephen said yes if it is running continually because the plant can only supply us so much and they are also supplying the city.

Commissioner Willner said then can't we buy asphalt somewhere else. Since the bids are handled through the purchasing department, we don't get to see them, but what good is a paver going to do us if we can't get the asphalt. He asked Mr. Stephen what he thought would solve the problem and he replied other suppliers, he would think.

Commissioner Willner said he thinks we ought to do something today, because what is going to happen when our new paver gets here and we get it out on the road and they tell us they cannot furnish us aggregate, then we're in trouble. So now lets go out and see what we can do.

Mr. Stephen said we will check and see what companies can supply us and the cost per ton.

RE: DISCUSSION WITH MR. WATSON.....COAL COMPANY

Mr. Stephen said he has talked to Mr. Watson and Mr. Watson is looking ahead to when I-164 is built and he says they will have to elevate to go over the Railroad at Baseline. Mr. Watson said that he would like to see, if he is using Baseline at that time, the State put an off and on ramp. He uses Baseline because it is a shorter haul for him over to Warrick County. From the North and South County Line, Baseline Road is not too bad of a road and he has agreed to help maintain it. When he was out there with Mr. Watson he agreed with him that the road needed to be bermed and that it would help the drainage also. He told Mr. Watson it would be strickly up to the Commissioners whether or not he could drive it.

Mr. Guillaum said that is the same thing he told Mr. Watson. The thing that worries him is that if Mr. Watson begins to take that strip from Highway 57 over to the County Line, which would be to his benefit even if he took it all the way to Highway 41. He isn't going to say anything pro or con but he has thought about this.

Mr. Stephen said he doesn't believe he will use it over to 41, because it is too easy to go up 57. He is hauling Public Service, Indiana.

Commissioner Ossenberg said he has a contract for twenty million ton.

Commissioner Willner said it looks to him like he could use the railroad.

Mr. Stephen said he would like to.

Commissioner Willner said there are tracks right there, so he doesn't know why he can't.

Commissioner Ossenberg said we have given them permission to use Seven Hills.

Mr. Guillaum said the Sheriff has been notified of this problem several times. He said that Seven Hills is not as direct and not in as good of condition, therefore they would rather not use it.

Commissioner Ossenberg said if they want to repair a road, then let it be Seven Hills, as they have already tore it completely up.

Mr. Siebeking went to the Purchasing Department and got a copy of Feigel's bid and said they submitted a bid for 2,000 ton of hot mix to us. The bid price was \$16,078.00.

Commissioner Willner moved that we ask the Purchasing Department to see if they can find some alternate hot mix bids for the rest of this year....the availability and the price. Commissioner Ossenberg seconded the motion. So ordered.

RE: MEETING.....INTER-GOVERNMENTAL PERSONNEL ACT

Mr. Stephen said he attended a meeting with a man from Indiana University and they discussed (IPA) which stands for Inter-governmental Personnel Act. He said that any county that asks can get them to come in and review your personnel and write us up whatever is required by CETA. They will do this free of charge for us. The University receives a Federal Grant for doing this. There are to be meetings held, primarily for County Commissioners on this, and there will be a \$10.00 charge to attend this meeting.

RE: MEETING.....BROWN COUNTY

Mr. Stephen said there is to be a work shop held in Brown County and he thought that perhaps Keith Lochmueller and his staff would be interested in this. The cost to attend this is \$50.00.

RE: LOCAL ROADS AND STREETS FUNDING

Mr. Stephen said that Mr. Ken Hart from the Division of State Aid was present at that meeting and we have already complied with appropriating the funds that was sent out. Mr. Hart stressed that they do not want to lower the requirements for the use of the money. The roads that were put into their specifications, in the past, stood up much better, with very little damage these past two winters, whereas the ones that had chip and seal and the ones that had cosmetic treatment put on them to make them look good, did not stand up. Therefore they don't want the standards lowered.

Mr. Stephen said on the two roads we have already paved we had some small under-runs, but St Joe is going to have a small over-run, because the road kept getting worse and when we got through patching St. Joe we were over the amount we had set for it. Right now we are about 600 tons, plus todays, short of having enough to put the 165 lbs. on. For seven miles, we could probably thin it down and gain it back. It is up to the Commissioners if you want us to thin it down or over-run. We are talking in the vicinity of \$16,000.00 over and above everything that is programmed up to and including today. We were over some 500 ton on Oak Hill Road and we had a work order for some \$12,000.00 for the patching, and we used about twice that.

Commissioner Willner said for him to present the Commissioners with a change order next week.

RE: KEITH LOCHMUELLER

Mr. Lochmueller said a letter was sent to Mr. Virgil Bell, Chief, Division of State Aid requesting the Indiana State Highway Commission perform the construction engineering services on the St. Joseph Avenue project from Diamond Avenue to Mill Road, Item #99, Project #M-E560 (1).

They do not want to perform these services.

Commissioner Willner said he would like to see this done on a local level under the supervision of Mr. Stephen.

Mr. Lochmueller also you have the money and it would be cheaper. All you would have to do is document your time.

Commissioner Ossenberg said utilities agreements are pretty well worked out with Southern Indiana Gas and Electric. He said during the acquisition and the spot rezoning for the land fill, there was some widening and SIGECO maintained that they moved some equipment, etc. and on a second time they want to be paid for it. He explained to Mr. Vaughn that he was not involved with that because it was not the County of Vanderburgh but rather the City of Evansville.

Mr. Lochmueller said the feds are very concerned about the utility companies. He thinks the state laws are such that if it is necessary to widen a road, that the expense of removing a utility is that of the Utility Company, so he is sure they will be looking at that very, very closely. We cannot move forward until we get the utility agreement.

Commissioner Ossenberg said SIGECO does not agree with the form that the state wants them to sign, but that a letter could be accepted and a letter is what SIGECO has submitted on everything they have done.

Commissioner Ossenberg read the following letter to be signed by the Commissioners, if we agree.

Mr. Gene K. Hallock  
Chief Highway Engineer, ISHC  
Room 1101, State Office Building  
Indianapolis, Indiana 46204

ATTENTION: Mr. Virgil Bell, Chief, Division of State Aid

: Gentlemen:

RE: St. Joseph Avenue project from Diamond Avenue to  
Mill Road, Item #99, Project #M-E560 (1)

The County of Vanderburgh hereby requests that the Indiana State Highway Commission perform the construction engineering services in accordance with the construction contract, plans, and specifications for Project No. M-E560 (1). It is understood that the County of Vanderburgh will be assessed for all costs incurred by the Indiana State Highway Commission involving construction engineering, less any amount that is contributed by the Federal Highway Administration.

The County of Vanderburgh does request federal participation in the cost of this service.

The undersigned Board of County Commissioners hereby certifies that all right-of-way shown on the plans for Project No. M-E560 (1), will be procured by our County in accordance with the Uniform Real Property Acquisition Policy (Public Law 91-646) and all encroachments on such right-of-way will be removed or arrangements will be made to have them removed prior to completion of construction.

The undersigned Board of County Commissioners hereby certifies that no relocation of individuals, farms or businesses will be necessary in the acquisition of right-of-way for this federally funded project.

However, at the time this project was formally initiated in 1971, it was assumed that local funding would be used to pay for the improvements and it is possible that one family may have been displaced during the earlier right-of-way acquisition process. If it is determined conclusively that one family was indeed forced to relocate due to the right-of-way line passing through their residence, the relocatees will be contacted and offered full relocation benefits, including moving cost payments and supplemental housing payments in compliance with the Uniform Relocation and Real Property Acquisition Policy Act. Required

utility adjustments for this project are not eligible for federal reimbursement and such adjustments that might be necessary are being coordinated by the County and the State District Office in order to coincide with the physical construction schedules for the project. The utility facilities to be retained, installed, adjusted, or relocated on, over, along or under the highway within the right-of-way limits will be located and accommodated in a manner that will not impair the planned highway, or its construction, or maintenance or interfere with its safe operation.

The engineering staff of the contracting unit shall maintain all books, documents, paper, accounting records and other evidence pertaining to the cost incurred and shall make such materials available at their respective offices at all reasonable times during the contract period and for three (3) years from the date of final payment. The Federal Highway Administration, the State of Indiana, or other authorized representative of any unit providing money for the project shall be furnished copies therefore if requested.

The Special Provisions, to be made a part of the construction for this project are hereby approved by the undersigned Board of County Commissioners.

Very truly yours,

Board of Vanderburgh County Commissioners

Commissioner Schaad moved that the Commissioners sign the above letter. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

The following applications for cuts were submitted by Mr. Stephen from Indiana Bell Telephone Company, to be filed.

1. Cut on Mill Road
2. Cut on Orchard Road
3. Cut on John Will Road...Starting at Pole #8 to #13
4. Cut on Hillview Drive

Applications received and filed.

RE: LETTER FROM LEAGUE OF WOMEN VOTERS

Commissioner Ossenberg read the following letter:

Dear County Commissioners,

We would like to request the use of one portable voting machine to be used at a League of Women Voters of Indiana workshop to be held in Indianapolis on Wednesday, June 21, 1978. We understand that Mrs. Shirley Cox has spoken to you on our behalf. Please contact Karen Porch at 985-3923 of your decision.

Sincerely,  
Jan Gallo

Commissioner Schaad moved the request be approved subject to us receiving proof of insurance. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Mildred Marsh...104½ S. Governor St....Pigeon Township...Mrs. Connie John, Investigator.

The Notice of Poor Relief Action submitted by the Pigeon Township Trustee reads that Ms. Marsh applied for medical and hospital assistance.

Ms. Marsh said she was in a automobile accident in Owensboro, Ky., on April 8, 1978. She said she has a back injury and a nerve condition and is suppose to go back into the hospital. Doctor Marrese is her doctor and he told her if she did not get back into the hospital and have this taken care of, that she could become completely paralyzed. She has no hospital insurance and her monthly income is only \$300.00.

Ms. Marsh said she has been every place that she knows of to try to get some help, because the hospitals will not take her in unless they are assured of getting their money from someone.

Commissioner Ossenberg asked Ms. Marsh who's car she was in.

Ms. Marsh said she was in a car owned and driven by a friend, Louise Smith. They were on their way to Beaver Dam, Kentucky. The accident happened on the Owensboro and Indiana bridge. They were hit by a semi-truck. The police say it was Ms. Smith's fault and she does not have any insurance either.

She has been to an attorney (Gary Gerling) and was refused help from him.

Mrs. John presented a copy of the letter received from Mr. Gerling and in it he stated that under his investigation, he could find no one at fault, except Ms. Louise Smith.

Commissioner Ossenberg asked if there is any possibility of Medicaid or Medicare.

Mrs. John said Ms. Marsh has applied for Medicaid on April 14th., but at this time we do not have a ruling on that.

Ms. Marsh is 52 years old and receives Social Security in the amount of \$302.70 for herself and two children. Her husband receives \$188.00 per month Social Security, however he is not living with Ms. Marsh. Their son, Jerry, is on the Crippled Children's Program.

Commissioner Willner said the report shows the recipient is over-incomed for this office.

Mrs. John said the limit for her and two children is \$280.00. She is on food stamps now.

Commissioner Willner asked if her husband helps her in any way.

Ms. Marsh said she has not seen or heard from her husband in five years. The last time she talked to his lawyer he liked \$90.00 paying for the divorce.

She said she has been to Legal Aid and they also refused her help and told her to go to the Trustee. All she does is run from one to another and no one will help her.

Mrs. John said Ms. Marsh is over-incomed to receive A.D.C.

Commissioner Ossenberg said he cannot understand why Legal Aid can't help her.

Mrs. John said she doesn't know if it's because a private attorney has turned down the case, or not, but that shouldn't make any difference.

Our hands are tied for another reason because it happened in Owensboro, Ky.

Commissioner Ossenberg said he thinks through Social Security, that Legal Aid could run her husband down

Mrs. John said she does not know what her chances are to receive Medicaid since she is only 52 years old and has not been declared totally and completely disabled.

Ms. Marsh said she is still under a Doctor's care and they will not let her go back to work.

Commissioner Ossenberg asked her if she has a Doctor's statement to the affect that she cannot work and Ms. Marsh replied no, she did not.

Commissioner Schaad said can't the Prosecutor's office help her locate her husband and help get help from him.

Mrs. John said that should be considered, since he is on Social Security.

Commissioner Ossenberg said our hands are tied because the law says.....three people..... \$280.00. He has criticized the Welfare Department on this but that is the law.

A representative from CAPE was present and stated that they have already checked out all of the things mentioned here today. Mr. Young told us that Ms. Marsh is not old enough to receive Medicaid. She also tried to get Legal Aid to come here today and they did not have time. This lady needs to go to the hospital now and someone has got to help her.

Commissioner Ossenberg said with a statement from her doctors perhaps she would fall under disability and then be able to receive Medicaid. The only thing that he sees we can do right now is to refer this back to the Trustee and let them investigate all of the possibilities and get Doctor's statements for her and try to get her some help.

Commissioner Schaad moved we refer it back to the Trustee for further study. Commissioner Willner seconded the motion. So ordered.

Louis Reeves....921 Line.....Pigeon Township....Mrs. Dougan, Investigator.

The Notice of Poor Relief Action submitted by the Pigeon Township Trustee reads that Mr. Reeves is applying for transportation.

Mrs. Dougan said Mr. Reeves is from Memphis, Tennessee and has been here for approximately six weeks. He came here from Memphis with a friend and since here in Evansville, he has acquired a girl friend and they have moved into a house together. The first time he came into the office he requested food and rent. She offered him a bus ticket back to Memphis which he refused. The girl he is living with is 18 years old and does have a place to live and he is 22 and unemployed, so she thought the best thing for him to do would be to go back home. He did have a job when living in Memphis. We do not like to set up housing between singles, and pay their bills for them.

Mr. Reeves came back to us for help and in the mean time we did some checking up on the young lady he is living with and we found out that she has been on Welfare since she was four months old. When he came back to us he told us he had food stamps and he then applied for a non-food order and my answer was the same as before....take the ticket home. Mrs. Dougan said she checked with the food stamp office, and as of Wednesday of last week, he did not have food stamps.

Also since he has been here, he has been into a fight and been stabbed in the wrist and the Welfare paid for that bill, so if we can stop this right now, we will be better off.

Commissioner Ossenberg asked Mr. Reeves if he has tried to get a job and he replied that yes, he has been to the unemployment office and to some other places

Mr. Reeves said that it is down on the application that he is applying for transportation, but that is not true, he does not want to go back to Memphis, he wants a non-food order.

Commissioner Ossenberg asked where Mr. Reeves was working when he was in Memphis and Mrs. Dougan said at the Holiday Inn, but he is not eligible for un-employment. Commissioner Ossenberg said he would adhere to their advise and take a ticket home to Memphis.

Commissioner Willner said he sees nothing else for him to do.

Commissioner Schaad said it is the ticket or nothing.

Mr. Reeves said he does not want a ticket home. He has someone paying his rent...St. Mary's Church (they work with the Catholic Charities).

Commissioner Schaad said since they are helping you, maybe they can help you a little more, because \$6.00 is all it would be for a non-food order.

Commissioner Schaad moved we deny the request. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 11:45 a.m.

PRESENT:

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks  
By: Janice Decker

Tom Ossenberg  
Bob Schaad

Robert L. Willner  
BOARD OF COUNTY COMMISSIONERS



COUNTY COMMISSIONERS MEETING  
JUNE 26, 1978

The meeting of the County Commissioners was held on Monday, June 26th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: FULTON AVENUE PROJECT.....SIGNATURES NEEDED ON PERMITS

Ms. Dianne Daywalt of Urban Transportation appeared and said that on the Fulton Avenue Project which requires the Reconstruction of the Fifth Avenue Bridge, they have to get a permit from the Corp of Engineer's and the United States Coast Guard to build that bridge and she needs Commissioner Ossenberg's signature on these permits. She said that she is working on the permits at the present time and they are just about ready to be sent out.

Commissioner Schaad moved that Commissioner Ossenberg sign the permits. Commissioner Willner seconded the motion. So ordered.

RE: DELINQUENT TAXES TO BE PAID ON PROPERTY

Commissioner Schaad explained that Ms. Laura Schnautz called him and told him that there is a parcel of property that she owns which is Tax Sale B property and delinquent taxes is owed on it, that they were out of the City and apparently, the people who lived there should have been paying the taxes and weren't, and the tax bills never came to her attention but she doesn't want to lose her property, so she wants to make some arrangements to pay the back taxes.

Ms. Schnautz said that the tax notices have been going to 2912 Bergdolt Road but she has never lived anywhere near there and doesn't know why they have been going there, that her address is 1412 Parrett Street and the property discussed is located at 117 E. Chandler Avenue. The tax code is 21-71-13 and the back taxes due is \$1,046.57. She said she understands that there will be an advertising fee and interest added to this amount, that what she would like to do is to get the total figure on it and pay one-third of it on or before the 15th of July, one-third on or before the 15th of November and the other one-third on or before the 15th of March of next year, if this is permissible, and she would figure the fall taxes in with the November payment. She said that she and her husband will make every effort to take care of this bill in it's entirety long before the dates she has stated.

Commissioner Willner moved that the Commissioners give their approval for Ms. Schnautz to pay the back taxes owed on this property and that she go to the Treasurer's office to make the necessary arrangements. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FOR USE OF BASELINE ROAD TO HAUL COAL

Mr. Guillaum of the Wasson Coal Company in Warrick County appeared and said he would like to get the Commissioner's approval in their using Baseline Road to haul coal on, that there has been some controversy over this, that he has graded the roads and the County Engineer was out there a week or so ago and had him to cut the shoulders on it at the Vanderburgh County line, just to show how it could be done, and he understood at that time, that they would get to use it but something has now come up on it but he didn't know what.

He said they need an outlet and they can't use the Elberfeld block road because it will be closed to heavy traffic for most of the summer.

Commissioner Ossenberg explained the situation, in that the Commissioners sent out County crews to Baseline Road and they were fixing the road, digging out the potholes, and repaired that road to 57, and the next thing he knew was that the coal trucks were back out on the road that night and the next day, they were out there fixing everything again that they had fixed that same day, and at that particular time, he told Mr. Wasson that he could use Boonville-New Harmony Road for this week, that Mr. Dave Guillaum, the County Engineer, was with him and they okayed this.

He said he knows what Mr. Wasson's feelings are, but with the situation in Vanderburgh County, he has told him to use Seven Hills Road so he has had the Commissioner's permission to do this, but he doesn't want to use this road and he says it is pumping water and everything else, but the coal trucks are what tore up the road.

Mr. Guillaum said they haven't hauled any coal until recently, since the snow storm last winter.



Commissioner Ossenberg said that Mr. Guillaum told him that the Commissioners have to provide them with a road to get their coal hauled, which he realizes, but they have provided him with the Seven Hills Road but he doesn't want to go on that road.

Mr. Stephen said that Mr. Guillaum is telling it a little bit incorrect, that he told Mr. Wasson that it is up to the Commissioners, that Mr. Wasson wanted to berm the road, which is needed, and he told him that this was up to him but that the Commissioners have the last say on whether he would get to use the road or not, and he understood that and he is now trying to play one against the other and this isn't really the way it was because he and Dave Guillaum knew that he said it was the Commissioner's decision and whatever they say goes, and he has nothing to do with that, and he showed him what he wanted to do and he asked if it would be okay, while he was using the road, if he had his trucks to push that berm down and have Lou Guillaum to grade it off and he told them this was up to them, that he wasn't ordering anything, but he told them that if they were going to do it, he wanted them to do it a certain way, and this is where they left it.

Commissioner Ossenberg said he thought that the discussion between Mr. Wasson and Dave Guillaum was that Dave called him and he felt as though, even with it being a mile or two further, if they did some work on Seven Hills Road where some coal trucks have torn it up, that as far as the Commissioner's were concerned, they would permit Wasson's to travel Boonville-New Harmony Road until they got Seven Hills Road graded and then use Seven Hills Road, since Baseline Road is being repaired and is going to be repaired from one end of the County to the other and he doesn't intend to send men out to repair it one day and get it torn up the next day, but Mr. Wasson doesn't want to use Seven Hills Road, but this is the recommendation of the County Surveyor's office and also his recommendation and this is the way he feels about it, that they are providing a road in Vanderburgh County and it is Seven Hills.

He said the minute those coal trucks start running, he wishes they would get the monitor of calls that the Commissioners, the County Surveyor and the County Engineer gets from those people for permitting those trucks on those roads, so if the Commissioner's provide them with the use of Seven Hills Road, he can't see why Mr. Wasson or the other Coal Companies don't want to use it.

He said they openly admitted that they maintain a good portion and help Warrick County in their roads, that he said he spends at least \$600.00 per week helping Warrick County on their roads, and he asked why they don't do this on Seven Hills Road, that the Commissioner's are still providing them with a road.

Mr. Guillaum said that he works more time on the roads, with the grader, in Vanderburgh County and in Warrick County, than he does in the coal mines.

Commissioner Ossebneg asked Mr. Guillaum which roads in Vanderburgh County he has worked on besides Baseline Road that he worked on one day.

Mr. Guillaum said he worked on Baseline Road for several days and that last year, he also worked on the concrete block road all the way through dozens of times, that they put 50 ton of rock on the concrete block road, in one mud hole, which was Elberfeld Road.

The other Commissioners agreed that if the Commissioners provide them a road, they thought that the County should help maintain it and that Mr. Wasson should help maintain it, since it is a gravel road and this is the only thing that will hold a coal truck, and they shouldn't ruin more than one road.

Commissioner Schaad said that people told them that some coal trucks were running Baseline Road all night, that the County crew had been trying to get it in shape for repaving it the next day, and they tore it up before they could get out there. He said as far as he is concerned, they should go back to the road they are given to travel on, and they should help to maintain it and the County will work with them, since they know that the coal has to be moved.

Commissioner Ossenberg said he is sure if they did some grading it would be okay, and he is willing for the County Highway Department to help them out, that Seven Hills Road is one road they will provide them with, and he thought if they did some maintenance on it like they did on other roads and as they are doing in Warrick County, that they will sooner or later get a good road that they can travel.

He said he realizes that it may be about a mile further but by the same token, it isn't tearing up other roads that the taxpayers of Vanderburgh County do not appreciate, and he realizes that Wasson's Coal Company pays a lot of money to the state to maintain some roads, but the Commissioner's are providing them with a road and he is sure it can be settled out, and if Mr. Wasson wants to call him, he will let the Highway Dept. work with him and together they can get a good road to travel.

Commissioner Willner said there was one problem on Seven Hills Road, and he asked Mr. Siebeking if he put a culvert under the road where they had a drainage problem.

Mr. Siebeking said that where a cut was made in Seven Hills, they built a catch basin in there and that has a big tile all the way across the road, so this has been taken care of.

Commissioner Schaad said that the Commissioners see no real problem here and the Commissioners will be glad to work with them because they know it is important to move coal.

RE: WORK RELEASE PROGRAM AGREEMENT SIGNED

Judge Miller submitted an agreement for the approval of the Commissioners. He said that the agreement is among the State of Indiana, the Judge of the Circuit Court, the Sheriff of Vanderburgh County and the Board of Commissioners of Vanderburgh County. He explained, in substance, that the agreement provides that the State of Indiana will pay them approximately \$28,000.00 for the operation of their Work Release Program, on the condition that they accept certain candidates from the Department of Corrections for minimum security incarceration, however they can screen the candidates they accept, candidates being offenders that are going to be released in the community or who will be serving minor sentences in our County jail.

He said at the present time, prior to the approval of the State of Indiana, the Attorney General, the County Sheriff and himself, he has taken out insurance to protect the Sheriff and the County which is being paid from the proceeds of the operation, at this time, anticipating that this would be approved, also it would be extended to cover the County.

He said that this is about the same program they have been operating, in substance, except that they will be obtaining state funds, and in order for them to improve the operation and for them to receive compensation, they have to have this type of agreement.

County Attorney Smith said he sees nothing wrong with the agreement, that the only question he has is the aspect of the liability factor, as to if they are all adequately covered by liability insurance. He asked what the amount of coverage is.

Judge Miller said he knows it to be at least \$100,000.00 because it covered him, that it could be \$100,000.00 and \$300,000.00, that he really doesn't know.

County Attorney Smith said he didn't think that \$100,000.00 would be enough, that it should be at least \$300,000.00 or they may need an umbrella clause for more. He asked if they had checked with the County Insurance Carrier to see if they were properly insured and Judge Miller said they had, also that they have been operating since 1971 or 1972 and they haven't had any claims except for maybe one automobile claim.

County Attorney Smith said to increase the coverage wouldn't really cost that much more, and Judge Miller agreed.

Commissioner Schaad moved that the Commissioner Ossenberg sign the agreement. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of bids that are due today for the Portable Copier that was requested for by the County Auditor for use by the County offices.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITOR'S OFFICE

Mabel Winkler	7608 E. Chandler	Deputy	\$25.00 Day	Eff: 6/19/78
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BURDETTE PARK

Jean Griffin	4518 Tremont Rd.	Regular Guard	\$24.00 Day	Eff: 5/22/78
Daniel S. Kamman	400 Kings Valley Rd.	Extra Guard	\$3.00 Hr.	Eff: 6/7/78
Mark W. Head	614 S. Red Bank Rd.	Extra Guard	\$3.00 Hr.	Eff: 6/8/78
Michael K. Jones	1600 Waggoner Ave.	Security	\$7.00 Hr.	Eff: 6/9/78
Debra A. Jacobi	P.O. Box 981	Rink Cashier	\$3.50 Hr.	Eff: 6/9/78
Keith Milling	1900 E. Michigan	Extra Guard	\$3.00 Hr.	Eff: 6/10/78
Lee B. Klausmeier	423 S.E. Second St.	Security	\$7.00 Hr.	Eff: 6/10/78
John B. Reutter	759 Hebron Ave.	Security	\$7.00 Hr.	Eff: 6/10/78
Michael W. Forshee	4612 Cass Ave.	Security	\$7.00 Hr.	Eff: 6/10/78
Dwight Rounder	3318 E. Chandler	Security	\$7.00 Hr.	Eff: 6/16/78
Danny R. Hape	R.2 Hillview Dr.	Security	\$7.00 Hr.	Eff: 6/17/78
Thomas B. Shoulders	4522 Crestview Dr.	Security	\$7.00 Hr.	Eff: 6/18/78
Jean Griffin	4518 Tremont	Extra Guard	\$3.00 Hr.	Eff: 6/18/78

APPOINTMENTS...CON'T.CIRCUIT COURT

Deborah Moss 209 S. Bedford Ave. Summer Intern \$120.00 Wk. Eff: 6/12/78

KNIGHT TOWNSHIP ASSESSOR

Naomi Kreisle 4107 E. Morgan Ave. \$20.00 Day Eff: 6/19/78

LEGAL AID

Rebecca Riggs 3600 Waggoner Legal Secretary \$7,000 Yr. Eff: 6/26/78  
Beth Partridge 2632 Lincoln Ave. Recept./Bookkeeper \$130.00 Wk. Eff: 6/21/78

SUPERIOR COURT

William W. Deems 2179 E. Columbia St. Crt. Administrator \$24,000 Yr. Eff: 6/19/78

VANDEBURGH COUNTY CONVENTION & VISITORS BUREAU

Joe Warren Ellsworth 718 Chateau Dr. Tourism Director \$10,500.00 Yr. Eff: 6/26/78

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

Darryl W. Chamberlain 4355 Maxwell Ave. Truck Driver \$4.87 Hr. Eff: 6/12/78  
Thomas R. Goodman 2214 Monroe Ave. Road Inspector \$8,194.00 Yr. Eff: 6/19/78  
Thomas O. Blocker 928 Maryland St. C.E.T.A. Laborer \$4.78 Hr. Eff: 6/20/78

VETERAN SERVICE OFFICE

Susan Jane Rohner 2525 N. Heidelberg Ave. \$20.00 Day Eff: 6/12/78

RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

Patti Nunning Box 174 Roth Rd. Rink Cashier \$3.50 Hr. Eff: 6/9/78  
Jean Griffin 4518 Tremont Rd. Regular Guard \$24.00 Day Eff: 6/18/78

LEGAL AID

Ann Jenkins R.R. 1 Coal Mine Rd. Receptionist/Bookkeeper \$130.00 Wk. Eff: 6/23/78

SUPERIOR COURT

William W. Deems 2179 E. Columbia St. Exec. Dir. Legal Aid \$11,100.00 Yr. Eff: 6/16/78

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

Darryl W. Chamberlain 4355 Maxwell Ave. Laborer \$4.78 Hr. Eff: 6/12/78  
James R. Triplett 10101 Beaty La. C.E.T.A. Laborer \$4.78 Hr. Eff: 6/19/78

RE: CERTIFICATES OF INSURANCE

The following Certificates of Insurance were submitted to the Commissioners for the use of the Auditorium:

Evansville Civic Theatre - July 13, 14, 15 and 16, 1978  
Boeke Road Baptist Church Meeting to be held June 11, 1978  
Elmer F. and Zita M. Will anniversary party - August 20-21, 1978  
Grace Bible Church meeting to be held June 26, 1978  
Fidelity World Arts Co. d/b/a Affordable Arts - June 25, 1978 Art Sale  
Kerr Family Singers - Gospel Sing, June 15-17, 1978

All Certificates of Insurance received and filed.

RE: OPENING OF BIDS.....COMPUTER COPIER

There was only one bid received today for the Computer Copier and this was from Xerox Corporation, in the amount of \$7,522.00. The bid was in good order.

Commissioner Schaad moved that the bid from the Xerox Corp. be taken under advisement and referred to County Auditor, Curt John, for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORTS

The Report from the Evansville Association for Retarded Citizens, Inc. was submitted for the month of May, 1978.  
Report received and filed.

The Report from the Clerk of the Circuit Court was submitted for the month of May, 1978.  
Report received and filed.

RE: HEALTH DEPARTMENT RENT

County Attorney Wendel said the County has had a case pending with the City over the rent of the Health Department, since they claim that the County hasn't been paying their share, and in order to avoid having a trial on this, they have been working on it for about two years getting the records together, that Mr. John isn't here this morning but he has the City's final figure on how much they think the County owes which is approximately \$53,000.00.

He said he wants to present this material to Mr. John so he can go over the auditing work to see if our records agree with theirs and if they do, we may as well go ahead and pay whatever they determine the correct figure to be, because we do owe on it.

Commissioner Schaad moved that this material be referred to Mr. John so he can audit the figures. Commissioner Willner seconded the motion. So ordered.

RE: RESOLUTION ON CABLE T V FOR COUNTY RESIDENTS

Commissioner Ossenberg said that the Commissioners have a Resolution for Cable Television for County residents, that was prepared by County Attorney Smith and reads as follows:

This Agreement, made and entered into this (date) by and between the Board of Commissioners of the County of Vanderburgh, hereinafter designated as Commissioners, and Evansville Cable Television, Inc., hereinafter designated as Cable Corporation, Witnesseth:

That Whereas the Cable Corporation is in the process of constructing and maintaining a cable television system in the City of Evansville, Indiana.

And Whereas there are residences outside of Evansville and in Vanderburgh County, Indiana, who desire Cable television service.

And Whereas to provide such service it will be necessary to extend the cable along telephone or electric poles along certain highways in the County,

Now, Therefore, it is agreed that the Commissioners hereby give permission and consent to the Cable Corporation extending their lines along the highways of Vanderburgh County to furnish service to County residences,

The Cable Corporation agrees that they will not erect additional poles on any of the County highways without first negotiating the location of such poles with the Commissioners or their designated agent.

The Cable Corporation shall construct and maintain their cables or lines along existing telephone and electric light poles and they assume the responsibility of negotiating with the owners of such poles for permission to attach their lines to said poles.

That for and in consideration of the granting of this agreement by the Commissioners to the Cable Corporation, the said Cable Corporation agrees to pay a sum of cash money in U.S. currency to Vanderburgh County, Indiana in an amount equal to three percent (3%) of the gross subscriber fees received by Cable Corporation from its Vanderburgh County subscribers.

The Cable Corporation agrees to save the County harmless from any damage which may arise in the future from the construction or maintenance of their lines.

In Witness Whereof the Commissioners and the Cable Corporation have hereunto set their hands this (date) \_\_\_\_\_.

County Attorney Smith said he prepared this agreement for the County and the Evansville Cable T.V. Inc. providing for the extension of services out into the County. He said the same Company has obtained the franchise in the City and this would be an extension into the County and that it is fashioned after the one in Madison County, Cities of Anderson, Chesterfield and Edgewood, and provides for 3% of the gross fee to the County.

Mr. Bob Ossenberg of the Evansville Cable T.V. Inc. said they are in the process of building a franchise for the City of Evansville and this would be an extension of that franchise, and they are asking for this agreement on the basis that the City is presently

being mapped and will soon be constructed and they feel that with the mapping crew in at this time, that it would be to the benefit for them to go ahead and map the areas within the County as to the future for a cable system.

He said they are now in the process to where they feel they have about 450 strand miles of mapping in the City and they have done about 400 of that and are ready to move and they feel that if they have to come back at some point later on, it would be very expensive for them to have a mapping company, so what they would like is just an agreement on an extension to the City, as such, for them to be able to erect a cable system in the County and he would appreciate any consideration the Commissioners can give him.

Commissioner Schaad asked what the Commissioners authority is to charge them 3%.

County Attorney Smith explained the provisions as set out in the statute and said the Commissioners can enter into an agreement, that it is just a question of doing it. He asked Mr. Ossenberg if he has any information about the arrangement in Madison and the other counties.

Mr. Robert Ossenberg said the agreement with the Cable Company is serving Anderson and a couple of the incorporated areas in that County, that it is just an extension for the cable up there and is based on an agreement.

He said the Federal Communication guidelines prohibit anything more than 3%, that they can go to 5%, but they must show a need factor and there isn't anyone who has ever gotten the 5%, that they will pay the City of Evansville the 3% based on the same arrangement, that the problem they will have is keeping the City and the County separated, as such, but they have done this in other areas when he was with other employment.

Commissioner Schaad moved, if there is no law that says the County cant take the 3%, that the Commissioners sign the agreement.

Commissioner Willner asked what they do where the telephone lines go underground.

Mr. Robert Ossenberg said they will then go underground and that they generally share the cost with the power and bell company, that they contract with them for their pole use and sometimes they have to set their own poles but they would have to come back and ask for privileges and rights to be able to do it and where there are private easements, they go out and negotiate their private easements the same as utilities would do.

Commissioner Willner then seconded the motion. So ordered.

The Commissioners signed the agreement at this time.

RE: MEMORIAL HIGH SCHOOL....BASEBALL STATE CHAMPS

Commissioner Schaad asked Bob and Tom Ossenberg if they would like to say something about their Alma Mater as to what happened in Indianapolis last Saturday night.

Bob Ossenberg said "yes", that Memorial is the State Champs and as the superintendent of the County Garage indicated to him earlier, that he thinks Memorial could beat quite a few of the minor league clubs.

Our Congratulations to the Memorial Baseball Team !!!

RE: LETTER FROM CIVIL DEFENSE

A letter was received by the Commissioners from William F. Montrastelle, Director of the Vanderburgh County Civil Defense on the Critique of Operation "Strike" and Operation "Big Top", and reads as follows:

A County wide, multi-agency disaster drill was conducted in Vanderburgh County on May 30, 1978.

Operation "Strike" was conducted to test our county warning systems to include:

1. National Weather Service Alerts
2. Vanderburgh County Civil Defense tone alert system
3. Southwestern Indiana Emergency Broadcast Systems (EBS).
4. Establish a Civil Defense operations net with all major agencies.

All schools in the county conducted tornado drills when notified over tone alert system.

The Emergency Operations Center - EOC - was activated and manned by all agencies during the drill.

Blue Alert - at 8:02 A.M.

White Alert - at 9:25 A.M. Note: School tornado drills conducted.

Yellow Alert - at 9:46 A.M. Note: EOC activated by all agencies.

#### OPERATION "BIG TOP"

A simulated tornado touchdown was reported by Dress Regional Airport Authorities at 10:02 A.M. All agencies involved have submitted their reports as attached.

#### CONCLUDING REMARKS:

1. All agencies involved in the Vanderburgh County Operations Plan have revised their Annexes to the Master Plan. A revised Operations Plan will be printed and copies forwarded to all concerned.
2. A Civil Defense Operations radio net was formed during the drill with the following comments:
  - a. Took too long to establish for immediate needs of some agencies such as hospitals - Use IHERN.
  - b. Poor communications with some radio operators due to building interference.
  - c. Need to sit down with Civil Defense Communications personnel and representatives of all concerned agencies and devise a communications system that we need and can afford. This proposal to be presented to Mayor and County Commissioners for their input and consideration.

Much was learned from our drill and all suggestions submitted by various agencies will be reviewed to influence future planning by all agencies with a disaster mission.

Respectfully submitted, William Monstrastelle  
Director, Vand. Co. Civil Defense

Letter received and filed.

#### RE: LETTER OF COMPLAINT

Commissioner Ossenberg said he received a telephone call from Mr. Ochruch on this situation and he went out there and made a first hand inspection of this problem and that it is one for which he thinks the County is liable.  
The letter reads as follows:

Dear Mr. Ossenberg:

I am attaching copies of the estimates to repair my car. This is with reference to the accident I called you about on the telephone that happened at the corner of St. George Road and Twickingham Drive. As I drove over the drain grates in the road two of them raised out of place and struck the car. They also ruined a back tire. I have not had this repair work done and am awaiting word from you as to how we should handle it.

Thank you,

Very truly yours, Nicholas Ochruch

Commissioner Ossenberg said he did drive out there that evening and the Sheriff was out there and that drain that goes over Twickingham, as a car drove over it, it came up, that it was fixed the next morning.

Commissioner Schaad moved that this matter be referred to the County's Insurance carrier. Commissioner Willner seconded the motion. So ordered.

#### RE: NOTICE OF CLAIM

A Notice of Claim was received involving the Area Plan Commission, Frederick Weaver, Donna Weaver, Clifford Campbell, Mrs. Clifford Campbell and Beatrice Jones... Area Plan of Evansville, Vanderburgh County, Curt John, Auditor, Estelle Moss, Recorder and others.

County Attorney Wendel said this is an amended complaint involving a suit over the approval of Bell Lake Subdivision, that it is already a pending matter.

Commissioner Schaad moved that this matter be referred to County Attorney Wendel. Commissioner Willner seconded the motion. So ordered.

#### RE: REQUEST TO TRAVEL

Commissioner Ossenberg said that Mr. Volpe, the County Treasurer, was in the Commissioners office and asked permission to travel to Indianapolis on Wednesday to the



State Auditor's office on official County business.

Commissioner Schaad moved that Mr. Volpe be permitted to travel to Indianapolis. Commissioner Willner seconded the motion. So ordered.

RE: MR. JUDD .....CHECK RECEIVED

Mr. Judd said the only thing he has is that the County has been servicing the flasher light at New Harmony and St. Joe Avenue but that it is now in the City of Darmstadt.

Mr. Siebeking said in regard to this, that the County made the final payment when the thing changed hands and he has received a refund from the Gas Company for \$4.07 made out to the County Commissioners and the County Highway Department and he was wondering if it could be put back into his Utilities Account that it came out of, or if it has to go back into the General Fund.

County Attorney Wendel said that since it is a refund, it can go back into that line item.

Commissioner Schaad moved that the Commissioners and Mr. Siebeking sign the check and that Mr. John be instructed to put it back in the Highway Department's Utility Account. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees at the Highway Department for the past week, ending June 23, 1978.  
Report received and filed.

RE: MR. SIEBEKING .....REPORT ON ROADS

Mr. Siebeking reported that during the past week they repaired Baseline Road from Warrick County line and are finished to Old State Road and are working on it again this morning, also that they wedged out Volkman Road, all the way through, parts of Red Bank Road, parts of Upper Mt. Vernon Road and parts of Baseline Road, from Hwy. 41 over to Old Princeton Road, that they could wedge out with cold mix.

Commissioner Willner asked Mr. Siebeking if he had any news on the paver.

Mr. Siebeking said he talked to them this past week and they said as far as they knew everything is on schedule.

Commissioner Willner said now that they are in the process of not having any more chip and seal roads, they do make a small machine that really does a good job of patching and they are looking into the possibility of purchasing one of these pavers, where the roads will be smooth and there will be no bumps in the roads and it will be a permanent thing, so they are just checking into it now.

Mr. Siebeking said that in checking with different people this past week on it, he found that it isn't an item that is really sold in the midwest or down south, that they are primarily sold in the northern part of the country where they use them, because they can use them all winter long, that they aren't talking about a lot of money, that with the prices they came up with, they are talking about less than \$5,000.00 for the new machine.

Commissioner Willner said that if they had equipment like this, they could maybe have two men from the County garage to do nothing but repair pot holes and repair them properly and he envisions that the pickup truck should have a small vibration roller on it.

Mr. Siebeking said they were also talking about the bids for the hot bituminous this past week and he talked with Mr. Kinder who said he contacted Mr. Feigel by phone, but they never returned any of his calls, so he gave Mr. Kinder a tonage figure and he is now going out on the open market for bids, since he didn't get any response from the people that have our bids now.  
He said the unit is completely portable, a self contained unit for more permanent repair of asphalt roads.

RE: MR. BRENNER ...BRIDGE COMPARISON STUDY

Mr. Brenner said he has the Bridge Comparison Study that the Commissioners asked for and he asked them to take a look at it.



RE: REQUEST TO DELETE TELEPHONES

Mr. Brenner submitted a letter to the Commissioners, requesting that two telephones be deleted from the County Surveyor's office.

Commissioner Schaad moved that the two telephones be removed. Commissioner Willner seconded the motion. So ordered.

RE: MONEY TO BE REQUESTED FOR PORTABLE SCALES

Commissioner Ossenberrg asked Mr. Brenner if he knew whether Mr. Guillaum has made any contacts with anyone on a portable scale or not.

Mr. Brenner said that he has and he believed it was General Dynamics and that they are \$750.00 each but they need four of them for two axles but he recommended they buy six of them since they will need this number for three axles, since they must put one under each wheel, that it is prescribed by state law as to how to do it and the state police have agreed to help them do it and the Sheriff does have the manpower.

Commissioner Ossenberrg said he thinks it would be worth it.

Commissioner Willner moved that the request for the \$4,500.00 for the six portable scales be put on the Council Call. Commissioner Schaad seconded the motion. So ordered.

Mr. Brenner said he would see that it gets on the Council Call.

RE: LETTER BEING SENT TO STATE HIGHWAY COMMISSION

Mr. Stephen submitted the following letter that he is sending to Mr. Nicholas VanNielen, the District Engineer of the Indiana State Highway Commission in Vincennes, Indiana:

Dear Sir:

The drawing and letter pertaining to the improvement of the frontage road U. S. 41 is needed. They are, however, reluctant to agree to improve the frontage road for the benefit of two businesses without the owners of the businesses benefited participating in the cost of the improvement.

The Commissioners will try to work out an arrangement with the business owners so that the frontage road part of the project can be completed.

Yours very truly, L. H. Stephen, P. E.  
Vanderburgh Co. Highway Engineer

Commissioner Willner moved that Mr. Stephen sign the letter and send it to Mr. VanNielen. Commissioner Schaad seconded the motion. So ordered.

RE: EXTRA WORK AGREEMENTS

Mr. Stephen said he has extra work agreements #1 and #2 that have been approved by the Commissioners but that have never been signed. Extra Work Agreement #1 is for work done by Feigel on St. Joe Avenue in the amount of \$12,000.00 and Extra Work Agreement #2 is for work done by Feigel on Oak Hill Road in the amount of \$5,843.00.

Commissioner Schaad moved that these Extra Work Agreements be signed. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen then submitted Extra Work Agreement #3 for paving work on St. Joe Avenue by Feigel in the amount of \$12,000.00 for 615 tons of H.A.C. 9-A Paving material.

Commissioner Schaad moved that this Extra Work Agreement be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: JERRY DAVID'S BOND RECEIVED

Mr. Stephen said that he received the bond from Jerry David for his performance in elevating Nurrenbern Road, so he can now put his claim through as soon as he has him sign the blue claim form.

RE: COMMENTS ON UTILITY AGREEMENTS FOR ST. JOE AVENUE

Commissioner Willner asked Mr. Stephen if he got the Gas & Electric Company straightened up on St. Joe.

Mr. Stephen said the Commissioners received a letter, which he has copies of and that it was signed by the Director of Marketing and Area Development.

Commissioner Schaad said this okay with him as long as it is acceptable by the state and federal people.

Mr. Stephen said he would like to have the unsigned utility agreements back so he can send them along with the others with an explanation attached.

Commissioner Schaad asked if this was sort of the way that 62 was handled and Commissioner Ossenberg said that Mr. Vaughn of the Gas Company said it was.

Mr. Stephen said he got the Telephone Company's agreements back, that the Board of Works signed but in the wrong place, so they have to get the signature again for the sewer department, and he has had problems with the Water Department, that they are checking to see where it is since Mr. Mills is out of town this week. He said he told them he would make up other copies so he can hopefully get them signed tomorrow, so he could get the Commissioners signatures and send them in, so the Water Department is dragging their feet.

Commissioner Ossenberg said that the Water Board meets tomorrow, that he will call Dennis Stallings and Dan McCarthy.

Mr. Stephen said he talked to the engineer's in Indianapolis, that Guy Cantwell is away until the first of July, that they lowered one area north of the creek approximately two feet and the Water Company wondered why they lowered it that much, because the existing main line is going to have to be lowered because the road elevation ended up by being lower than it originally was and he didn't know why they lowered the road at that point, and at the present time there wasn't any use in calling up there if Mr. Cantwell was the only one who could answer this question.

Commissioner Schaad asked if the letter was sent to Mr. Van Nielsen as to whether they could supply the inspection, and Mr. Stephen said the letter has been sent to him, that it was in last week's minutes, but that he hasn't heard anything from him as yet.

Commissioner Schaad said if they get the answer they expect to get, he wondered how they would do it, so they should be working on it, that Mr. Stephen is going to have to be responsible for it, regardless of whether they contract some private firm to do it and Louie be responsible for it, or whether Louie takes it all in hand and hires people to do it, and he asked Mr. Louie Stephen what his recommendation would be.

Mr. Stephen said that he would do it either way.

Commissioner Schaad said, in his opinion, Mr. Stephen should start preparing on it, because they are sure what Mr. VanNielen is going to say, but they should have it in writing, but to be ready for it, they could speed it up that much more, and they could have that agreement signed and everything will be in order, that they have to get the utility agreements and they have the right of way, so they should soon be able to advertise for bids.

Commissioner Willner said he would kind of like for Mr. Stephen to hire men and do it himself.

Commissioner Willner moved, that providing the state says they can't do the work, that Mr. Stephen go ahead and be responsible for it, and that they then write up a contractual agreement with the state, that Mr. Stephen will take care of it and that the County will do the inspection with their own personnel. Commissioner Schaad seconded the motion. So ordered.

Mr. Stephen wondered if some of the personnel in the Surveyor's office would have some free time to where they would be available, if so, their hours would be kept separate and they would be reimbursed for their time.

Commissioner Schaad said that this is something that Mr. Stephen will have to work out with Mr. Brenner.

#### RE: COMMENTS ON BILLS FOR APPRAISALS ON ST. JOE

Mr. Stephen said he got back six of the claims for appraisals on St. Joe that is ready for the Commissioners acceptance, that they are \$200.00 each and there will be 23 of these with an "A" after some of them and they are charging \$200.00 for both, such as #7 and #7-A, each at \$200.00 and he asked where do they take the money from to pay for these appraisals. He said they have the preliminary engineering and the environmental statements which were two contracts and the amounts of monies committed to it, that nothing was said about rights of way in that and they have about \$5,000.00 left over there and that is 70% federally funded so Keith said they want to keep out of this money, so they will have to go to Council and use some R&S money to pay for the buying of the right of way.

Commissioner Schaad asked if all the money hasn't been approved for this project by Council, that he thought it had.

Commissioner Willner said they have bought some property for the St. Joe widening.

Mr. Stephen said yes, that they bought a lot of it, but that was far enough back to where it could not follow the procedures that they have now set down and it was far enough back that it didn't interfere, but these came along that they didn't get back then.

Commissioner Willner said what he is saying is that there should be some money left in that account.

Commissioner Schaad said what he is saying is that when they come up with their new estimate on the project of the new parcels that are to be purchased, he is sure that estimate was put in, that Mr. Lochmueller should have put it in, and they do have approval on the project because that money should have been approved.

Mr. Stephen said that what he is afraid of is, that they don't have any money for this, since he didn't think the money was encumbered.

Commissioner Schaad said he is talking about the new monies, that when they took this project and started over, there should have been an estimate to cover the entire cost and it should have been approved by Council and he thinks it was or we couldn't be this far along.

Commissioner Ossenberg said the only thing that concerns him about it is, that he was told from the beginning, there was only about five more parcels to buy and then Mr. Stephen comes up and said there is about 29 more parcels to buy.

Commissioner Schaad said, in his opinion, this is something that Mr. Lochmueller should work out with the engineer.

Commissioner Ossenberg explained the situation to Mr. Lochmueller who just arrived at the meeting, and Mr. Lochmueller said that when this project was discussed, no one talked about 26 parcels, that they thought they only had 4 or 5 parcels to purchase.

Commissioner Schaad said that maybe there are only 4 or 5 parcels to be purchased and maybe the others are for a temporary easement, more or less, and there is going to be a fee for the appraisal that has to be paid out of that and they are charging \$200.00 per parcel for even the temporary easements.

Mr. Lochmueller said they will first have to get the approximate amount of cost and get the money from Council, that the money should have been in there but the County wasn't aware of the fact that there were so many parcels.

Commissioner Schaad said he thought to solve this thing, they had better have Mr. Stephen and Mr. Lochmueller get together and call the state to see what the policy is and if there is a standard fee, to get this clarified first, and then to go back to these people and get an overall estimate as to what this thing is going to cost us and then they will have to go before Council to get more money, that this is the only way they are going to solve it.

Commissioner Ossenberg said he supposed this is what they will have to do, that he was told there were 4 or 5 parcels that would have to be bought and he understood that it was perfectly clear that Vanderburgh County owned everything else.

Commissioner Ossenberg asked Mr. Stephen if Feigel has started on St. Joe. and Mr. Stephen said that he should have by now, that they have been stalling because they have been having problems with the City, so they started today.

RE: LETTER ON L & N RAILROAD CROSSING

Commissioner Ossenberg said they received a letter from the L & N Railroad Co. on the crossing and that they want a year.

Mr. Lochmueller said he can't understand it, that he thinks it is entirely too long and he thinks they should make an appeal to the Indiana State Highway Commission.

Commissioner Ossenberg said the directive came down from the Indiana State Highway Commission.

Mr. Lochmueller said he thinks they must take some action but he didn't know what action they could take, that the request was on the Nurrenbern signalization and it

was to do the engineering and it looks like with the federal program over the whole United States, that there is a lot of money that has been available to the railroads, that 80% federal money, and that they don't have the engineering staff or the construction staff to go in and immediately get to these jobs.

He said it seems like every crossing takes one year for the engineering, one year for the construction, even though he saw a project built in one week, and what little he knows about it, it looked like standard drawings, so he doesn't know why it takes so long, that they have to be modified, so his question is why does it take one year to do the engineering, so what can we do to speed this up.

He said the State Highway Commission sent a letter to the Railroad Company.

County Attorney Smith said he didn't know of any authority by which they could write to the Railroad Company to accelerate their performance, unless there is something in the federal law.

Commissioner Ossenberrg said it would be his suggestion to zerox this letter and send a copy to the Indiana State Highway Commission along with a letter asking them to put pressure on the L & N Railroad, that it was their directive to begin with, that the 80% money that is available federally may run out and change and then they will never get it done.

Commissioner Schaad then moved that a copy of the letter from the L & N Railroad Co. be sent to the Indiana State Highway Commission along with a letter asking them to put pressure on the L & N Railroad Company. Commissioner Willner seconded the motion. So ordered.

Mr. Lochmueller said he will draft a letter to the Indiana State Highway Commission in the Commissioners name and bring it to them.

RE: CHUCK OSTERHOLT

Mr. Osterholt said that Sunbeam Plastics submitted for a permit on property that was rezoned, but he didn't know when, that the condition is that the driveway is next to a railroad right of way.

He said they know that once this is built, a structure there is deficient and he talked to Mr. Brenner and Mr. Stephen about it, so something will need to be done in the future for the employees coming down Kansas Road since it will increase the traffic, that there is a situation where this may be too close to the intersection, that it is right to the right of way of the railroad, that it is about 60 feet from the 57 right of way and what they would like to do is to help them get done what they need to do here. He said he didn't know if the design is sufficient to handle the traffic, but he just wanted to show the Commissioners that it is a designing problem and that they will try to work it out.

Mr. Brenner said it is just a matter of getting together with the people, that they will probably agree, since they didn't even think of the County replacing the bridge.

Commissioner Schaad said that Mr. Osterholt told him that the people may not realize that the Commissioners would be receptive in doing anything about the bridge and they were going to try to work in between it.

RE. CUTS IN

The following cuts in were submitted to Mr. Stephen for filing:

Joe Bolin Excavating Co. submitted an application to cut into Felstead Road, 1127 feet off Broadway at Sarabeth.

The Sewer Department submitted an application to cut into Old State, Eissler, Sunrise, Bujey and Sunrise Area.

These applications are noted as being received and filed.

RE: POOR RELIEF

Jacqueline Wilson.....774 Judson St.....Pigeon Township....Bob Olsen, Dep. Trustee

The Notice of Poor Relief Action from the Pigeon Trustee reads that Ms. Wilson applied for help on her utilities but was denied because she is gainfully employed, receives A.D.C. Awards and the utility bill is in name other than that of the applicant.

Ms. Wilson failed to appear today so no action could be taken by the Commissioners at this time.

John Davis.....923 Division St.....Pigeon Township.....Ms. Anslinger, Investigator

The Notice of Poor Relief Action from the Pigeon Trustee reads that Mr. Davis applied for help on his hospital bill at Welborn but was denied because his income exceeds limitations allowed by the Department of Public Welfare.

Ms. Anslinger said that Mr. Davis has \$190.00 Social Security and his wife has \$82.80 which is a total of \$272.80 and they are allowed \$250.00, that the hospital bill is \$541.00, and the doctor bill is \$75.00. She said they have a retarded son who is 24 years old and has an income of \$130.00 from S.S.I but that she didn't count this in, but that with this, their total income is \$402.80, and Mr. Davis is on medicare. She said that their house rent is \$70.00 per month, Water is \$15.00 per month and their Gas & Electric bill is approximately \$50.00 per month and their groceries run about \$150.00 per month. She said they are not eligible for food stamps.

Commissioner Ossenberg said he could see that they couldn't make it and he didn't know why they wouldn't be eligible for food stamps.

The gentleman from the Welfare Department said they have standards to go by and that they are about out of money now and are going to have to ask Council for more money, that so many people have no income at all and they have to be taken care of, but they are more liberal on food stamps than they are on medical. Commissioner Willner wondered if the Davis's couldn't get on food stamps and save that money they spend for food to apply to the hospital bill.

Commissioner Ossenberg explained to Mr. Davis that the Commissioner's hands are tied since they are over income allowed, but he thought they would refer this case back to the Trustee's office and let them go to Welfare to see if they can be eligible for food stamps and this will cut down their food bill and they could apply this money to the hospital bill, and that Ms. Anslinger will call the hospital and make some kind of arrangements so he can get his hospital bill paid.

Commissioner Willner moved that this case be referred back to the Trustee, that Ms. Anslinger see if the Davis's can't get on food stamps and that she call the hospital to make the arrangements for payment. Commissioner Schaad seconded the motion. So ordered.

Beauford Bosaw.....300 W. Illinois St.....Pigeon Township....Ms. Bowling, Investigator

The Notice of Poor Relief Action from the Pigeon Trustee reads that Ms. Bosaw applied for help on utilities but was denied because she was asked to bring in receipt of food stamps, Rent, etc. but didn't do it and returned and asked for denial slip. It was also noted that they are below poverty level and they have six children.

Ms. Bosaw said the Investigator asked her for receipts and the landlord hasn't written her a receipt since she has lived there, that he says he doesn't write receipts and he has asked them to move, and they have already shut the lights off.

Commissioner Ossenberg said she should be taken right over to Legal Aid and let them handle it, that he guarantees that they will get her the receipts, that this is the law.

A Mr. Hall appeared on Ms. Bosaw's behalf, said that the house isn't fit for a dog to live in and they have pictures to prove it, that this family should be relocated, that the place is absolutely in shambles.

Ms. Bosaw said they are on food stamps and their rent is \$80.00 per month, that she has tried to find another place to live but it is hard to find something with having six children and with her husband at work. She said he works at Owensboro Brick of Evansville and his salary is \$252.00 every two weeks.

Ms. Bowling said their problem is that they don't have any receipts and she also thinks this to be a legal problem, that she couldn't even do a budget on them, and she asked Ms. Bosaw if she had any receipts from the Water Company.

Ms. Bosaw said no, that she only received one bill of \$135.90 and this was after they shut off the water, but she couldn't pay it because her husband wasn't working at the time.

Ms. Bowling said the problem is with the landlord, that she understood that Ms. Bosaw took the money and paid for repairs on the house and the landlord won't deduct it and it is really a legal problem.

Mr. Hall asked how about some immediate help for this family, since they are really destitute and they have to have emergency shelter and he doesn't see why the Trustee or someone couldn't help them, when this family needs to be put into emergency shelter.

Ms. Bowling said they don't have emergency shelter but that there are other agencies that will help her find a place.

Mr. Hall asked why the Trustee didn't refer them to such an agency then.

Ms. Bowling said they hadn't discussed housing, that they only discussed utilities.

Mr. Hall said that if she had looked at that place, she would have seen that this family has a need for decent housing and he didn't know why the lady didn't ask for housing, that she should have and he is now asking for this family to have emergency housing through the Housing Authority or someone.

Commissioner Ossenberg said they could call the Housing Authority, but Ms. Bosaw said she called them but they told her Saturday that they didn't have anything open.

Ms. Bowling said if the family is evicted they will put them someplace, that they have emergency housing, but she didn't think they were aware of this situation either. She said they are on food stamps but that Mr. Bosaw is employed and this is the reason they can't go through Welfare.

Mr. Hall said this family should be counseled by some organization as to their rights, that he isn't a social worker and he doesn't claim to be, but people call him and ask him for help and he comes with them, if the clan was funded where they could help these people, they would, but as it is, it is beginning to look to him like these people have been mentally abused.

Commissioner Ossenberg said he totally disagrees with him on that, and he is saying that they should take her to legal aid and he bets they will get help immediately.

Mr. Hall said he would take her to legal aid then and he thanked the Commissioners.

The meeting recessed at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

Bob Schaad  
Robert L. Willner  
BOARD OF COUNTY COMMISSIONERS



COUNTY COMMISSIONERS MEETING  
JULY 3, 1978

The meeting of the County Commissioners was held on Monday, July 3rd. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenbergs 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

AREA PLAN COMMISSION

Marilyn S. Friedman 1217 Burdette Planner-In-Charge \$12,500 Yr. Eff: 7/3/78

BURDETTE PARK

George Hollander	2510 Maryland St.	Regular Guard	\$24.00 Day	Eff: 6/21/78
Daniel Waltz	6710 Hogue Rd.	Regular Guard	\$24.00 Day	Eff: 6/21/78
Susan Warren	3317 W. Michigan	Receptionist	\$6798.00 Yr.	Eff: 6/21/78
Gregory G. Kinney	1551 S. Plaza Dr.	Extra Guard	\$ 3.00 Hr.	Eff: 6/24/78
Richard S. Rippy	2763 W. Franklin	Extra Guard	\$ 3.00 Hr.	Eff: 6/24/78

PIGEON TOWNSHIP ASSESSOR...REASSESSMENT

Viola Schmahlenberger 1325 Fountain Ave. Clerk \$20.00 (One Day) 6/26/78

SCOTT TOWNSHIP ASSESSOR...REASSESSMENT.. (116.1-113)

W. Marvin Lundy	R.R. #6	Deputy	\$20.00 Day	Eff: 6/19/78
Leona M. Hudson	R.R. #5	Deputy	\$20.00 Day	Eff: 7/3/78
Norma M. Miller	R.R. #6 Box 320	Deputy	\$20.00 Day	Eff: 7/3/78

SURVEYOR'S OFFICE

Patrick John 2825 Edgewood Dr. Instrumentman \$9,880.00 Yr. Eff: 7/3/78

VANDEBURGH COUNTY R.E.S.C.U.E., INC.

Victoria L. Michaels 1516 A. Division St. Sec./Bookkeeper \$7,200.00 Yr. Eff: 7/3/78

RE: EMPLOYMENT CHANGES.....RELEASES

Marilyn S. Friedman 1217 Burdette Ave. Planner I \$10,662.00 Yr. Eff: 7/3/78

BURDETTE PARK

George Hollander	2510 W. Maryland St.	Ground Crew	\$3.50 Hr.	Eff: 6/21/78
Daniel Waltz	6710 Hogue Rd.	Ground Crew	\$3.50 Hr.	Eff: 6/21/78
Susan Warren	3317 W. Michigan St.	Rink Cashier	\$3.50 Hr.	Eff: 6/21/78
Jeff Hammond	4020 Broadway Ave.	Rink Guard	\$3.50 Hr.	Eff: 6/3/78
Charles Hertzberger	629 S. Red Bank Rd.	Ground Crew (CETA)	\$3.50 Hr.	Eff: 6/22/78

CLERK OF THE CIRCUIT & SUPERIOR COURTS

Velma Knight 3701-B Stringtown Deputy Clerk \$261.38 Pay Eff: 7/1/78  
(This employee has been on LOA without pay and has been found disabled and unable to return. Insurance coverage thru June 1978 is now terminated.)

PIGEON TOWNSHIP ASSESSOR REASSESSMENT

Alvin Walther	5019 Division St.	Field Man	\$30.00 Day	Eff: 6/27/78
Viola Schmahlenberger	1325 Fountain	Clerk	\$20.00 Day	Eff: 6/27/78

SCOTT TOWNSHIP ASSESSOR... (113)

W. Marvin Lundy	R.R. #6	Deputy	\$20.00 Day	Eff: 6/16/78
Leona M. Hudson	R.R. #5	Deputy	\$20.00 Day	Eff: 6/30/78
Norma M. Miller	R.R. #6 Box 320	Deputy	\$20.00 Day	Eff: 6/30/78



EMPLOYMENT CHANGE...RELEASE...CON'T.SURVEYOR'S OFFICE

Patrick John      2825 Edgewood Dr.      Rod Man      \$8,840.00      Eff: 7/3/78

VANDEBURGH COUNTY R.E.S.C.U.E., INC.

Donna M. Deig      7401 Mahrenholz Dr.      Sec./Bookkeeper      \$7,200.00 Yr.      Eff: 6/30/78  
Lana Goffinett           Emp. Developer      \$9,500.00 Yr.      Eff: 6/30/78

RE: CONTRACT AWARDED ON COPY MACHINE

Mr. John explained that only one bid was received on the Computer Copier which was from the Xerox Corporation, in the amount of \$7,522.00. He said he finds that the bid is in order and recommends that the contract be awarded to them.

Commissioner Schaad moved that the contract be awarded to Xerox Corporation for the Computer Copier and that the Commissioners sign the agreement. Commissioner Willner seconded the motion. So ordered.

RE: INSURANCE REPORT RECEIVED

Mr. John said he has received the Insurance Report from the Insurance Audit & Inspection Company, that there are three copies and he would like for the County Attorney's to look over one copy, that one copy is to go to the County Commissioners and one copy is to be filed in the Auditor's office.

He said the report is rather lengthy and if they saw that more copies were needed, they could make more of them, that he received this report last week and they could go ahead and make the payments now, so he will bring the claim up next week.

Commissioner Schaad moved that notation is made of having received the Insurance Report from the Insurance Audit & Inspection Company on the Insurance of Vanderburgh County and that one copy be referred to the County Attorney's, one copy to the County Auditor and that one copy be retained by the Commissioner's office. Commissioner Willner seconded the motion. So ordered.

RE: REIMBURSEMENT OF FEDERAL FUNDS

Mr. John said that at the beginning of the year they had a study done by David M. Griffith & Associates on the reimbursement of federal funds such as the 4 D program of the Welfare Department and there were certain items where the County could recoup their expenses, and they did receive a check for approximately \$25,000 of which the fee was \$12,000, since the fee was half up to \$24,000 with a maximum fee of \$12,000, that the County will receive another check before the end of the year of approximately \$12,000 and one at the beginning of next year for a little over \$30,000, so it did turn out okay for us.

RE: PUBLIC HEARING SET ON REVENUE SHARING FUNDS

Mr. John said he proposes the use of approximately \$1,300,000.00 again next year for budgets, but as to where it goes he has no say so, but he imagined that a portion of it will go to the Sheriff's Department and once again, they will probably apply some of it to the streets in Vanderburgh County, but this is up to the County Commissioners and the County Council, as to where they will apply these funds. He said that they expect to have an unappropriated amount of \$155,377.00 on hand by the end of the year.

Commissioner Schaad said he thinks they should use a certain amount of that money for the roads in Vanderburgh County to try to get them back in shape, perhaps \$300,000.00 or more, that they got some money this year but nothing for the two previous years.

Commissioner Ossenberg said he agrees and that the Commissioners are going to have to sit down and talk about it, and he asked what amount they were allowed this year.

Mr. Siebeking said there allowed \$170,000.00 for this year.

Mr. John said that this year they had \$60,000.00 in contractual services, \$170,000.00 in Revenue Sharing Funds and in the special allotment from the state they had approximately \$285,000.00 of which \$265,000.00 was an expected over-run, so there is approximately \$200,000.00 that is unappropriated at this time, but he knows that a lot of this will go for materials.

Mr. Siebeking said they had decided on special appropriations to cover the contracts and with the money they have in contractual now, they will have to ask the Council to transfer it into other accounts, so he figures they have approximately \$175,000.00 right now in their contractual account that they can use, also that they will be letting bids on bituminous material soon.

Commissioner Ossenbergh said the Commissioners will get together with Mr. Siebeking so they can see what he needs and they will work it out.

Mr. John said he will see that the hearing is published in the newspaper on July 7th. and the Commissioners will hear it on July 24th and it will also be advertised in August when they advertise their 12 line budget statement and the Council will hear in on September 5th. 1978.

He also said that a copy will be sent to the Evansville Public Library, the Council on Aging, and it will be posted in a couple of places in the Civic Center.

The ad that will be put in the newspaper reads as follows:

#### PUBLIC HEARING ON REVENUE FUNDS

The Board of County Commissioners will have a meeting at 9:30 O'Clock a.m. on Monday, July 24th. 1978, to receive ideas from County citizens concerning use of Federal Revenue Sharing funds during the remainder of 1978 and also during the 1979 calendar year.

The unappropriated balance of Federal Revenue Sharing funds on July 1 was \$155,277.00. In addition the County expects to receive about \$1,265,045 in 1979, making a total of some \$1,420,422 to be available for the remainder of 1978 and all of 1979.

All citizens, including senior citizens are invited to participate in planning the use of the money.

RE: MAINTENANCE CONTRACT.....PITNEY BOWES

Mr. John submitted a letter and an Authorization Form from Pitney Bowes and explained that it has to do with the change in postal rates and the maintenance on the postage machine.

The letter addressed To All Users of Pitney Bowes Letter and Parcel Post Scales reads as follows:

Gentlemen:

The United States Postal Service has proposed new postage rates for all classes of mail to become effective on May 29, 1978. These rates effect all classes of mail and will make all current postal scale charts obsolete.

Although no specific program of future changes in rates or classification has been released by the Postal Service, such changes must be anticipated. Pitney Bowes offers the best possible "insurance" against unpredictable rate change expense in the form of an annual Equipment Maintenance Agreement which provides all maintenance service required, emergency repair calls and replacement parts when needed, and places the responsibility for rate adaptations squarely upon our shoulders! For one fixed annual charge your scale's accuracy, performance and rate updating will be assigned to our technically qualified field service force.

For freedom from scale problems for your management people, simply check the first choice on the enclosed form and mail it to us promptly and we will initiate maintenance service at once. Our first call will be to update your scale to reflect the new rates as close to the effective date of the change as possible.

Should you prefer a one-time flat rate adaptation for each scale you may have, simply check the box for the second choice and mail it to us at the address indicated at an early date since calls are scheduled based upon the order in which authorization forms are received.

If you wish additional information you may contact our local Branch Service Manager or write directly to me in Stamford. Incidentally, if you already have one or more scales under maintenance agreement, you need take no further action concerning those scales--they will be updated without reminder and at no additional charge.

Very truly yours, R. A. Wells  
Vice President - Service

Commissioner Schaad moved that Commissioner Ossenbergh sign the Authorization Form and that it be returned to the Company. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORTS

The Report from the Bureau of Traffic Engineering was submitted for the month of May, 1978.

Report received and filed.

The Amended Report from the Clerk of the Circuit Court was submitted for the month of May, 1978.

Report received and filed.

RE: CERTIFICATES OF INSURANCE

The following Certificates of Insurance were submitted for the use of the Auditorium:

From Countryside Casualty Co. on insured, John & Dorothy Meyer for a wedding reception held on June 24th. 1978.

From Inasco, Inc. of Nashville, Tennessee on insured, House of David, also of Nashville, for a Gospel Jubilee that was held on June 23rd. 1978.

From The Young Agency, Inc. of Syracuse, N.Y. on insured, Syracuse Supply Company, for a Sales Meeting and Demonstration to be held on August 23rd. 1978.

From Southwestern Agency, Inc. on insured, Larry Aiken, d/b/a/ Aiden Management, for the Chuck Mangione Show that was held on June 27th. 1978.

A Certificate of Insurance of Renewal was received from Greene & Greene Insurance Co. on U. S. Sheet Metal & Roofing Company, which is an annual renewal for work done for the County.

All Certificates received and filed.

RE: CONTRACTS APPROVED FOR BOVINE BRUCELLOSIS & TUBERCULOSIS ERADICATION

The following letter was received by the County Auditor, from the State of Indiana Board of Animal Health:

Dear Co. Auditor:

Please find enclosed the contracts for Bovine Brucellosis and Tuberculosis Eradication Programs in your County.

The contracts are in the amount of \$1,000.00, which includes the Brucellosis and Tuberculosis Programs - - the same amount asked for last year. If funds have been used from last year's appropriation, please bring the amount up to the full \$1,000.00.

The contracts are to be signed by at least two (2) members of the Board of County Commissioners and returned to this office immediately after the Board of County Commissioners meet for their first session in July, after which the Secretary of the State Board of Animal Health will sign the contracts. One copy of the contract will be returned for your file. (Indiana Code, Title 15, Article 2.1, (Animal Health) Chapter 7 and 8.)

If any question should arise in regard to this matter or if this office can be of assistance to you in any matter, please feel free to contact us.

Sincerely, H.K. Foster, D.V.M.  
Director, Brucellosis Eradication

Commissioner Schaad moved that the contracts be signed by the Commissioners and that it be returned to the State of Indiana Board of Animal Health. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....FRED DEWES

Mr. Dewes, the manager of the Auditorium, submitted the following letter:

Dear Mr. Ossenberg:

I am asking approval to travel to French Lick, Indiana, during the period from July 10 to July 12, 1978.

The purpose of this trip is to assist the Convention and Tourist Bureau in presenting the merits and advantages of Evansville as a convention city to the Indiana Association of Association Executives and Directors.

I will be traveling with Mr. Ron Leonhardt and will spend one night at the meeting. Funds are budgeted and available for this trip.

Sincerely, Fred G. Dewes

Commissioner Schaad moved that Mr. Dewes be permitted to travel as requested. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....ROMAN GEHLHAUSEN

Mr. Gehlhausen submitted the following letter:

Dear Sirs:

On June 19th, 20th & 21st, both my Chief Deputy and myself attended the Third Annual Assessor's Session held at Lake Monroe. This is held each year in order that the Assessors and their Deputies can keep abreast of the many changes in the regulations used in figuring tax assessments.

I hereby request your approval of the trip and our claim for per diem and mileage as set out by the State Board. As you will notice, I have held my claim until your approval has been granted as required.

Sincerely, Roman F. Gehlhausen  
Kinght Township Assessor

Commissioner Ossenberg said that Mr. Gehlhausen and his deputy have already made the trip and is just late in getting the letter to the Commissioners.

Commissioner Schaad said the Commissioners can make an exception in approving this request but he thinks that in the future, Mr. Gehlhausen should do as everyone else does and get the request to them before they make a trip.

Commissioner Schaad then moved that Mr. Gehlhausen's request be approved. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED FOR RENT

A check was received from the Evansville-Vanderburgh School Corporation in the amount of \$1.00 which is for the rent of the West Heights School for the period of Sept. 3, 1978 to Sept. 2, 1979.

Commissioner Schaad moved that the check be accepted and signed by the Commissioners. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Brink's, Inc. for services rendered to the County Treasurer for the month of June, by contract, in the amount of \$253.20.

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

A Claim was submitted by Torian Agency, Inc. for Continental policy #FDP6057987 - Prop. & Institutional Form 3rd year premium, 3 year policy, in the amount of \$20,481.00 which has been approved by Mr. John.

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

A Claim was submitted by David Excavating Co. Inc. for earth work done on Nurrenbern Road, for #1 request, payment less 10% retainage, making the claim to be in the amount of \$2,250.00, which has been approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Bauer Bros. General Contractors, Inc. for structural plate and pipe on the Marx Road Culvert, in the amount of \$6,582.84, which has been approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Feigel Construction Corp. for work done on Darmstadt Road, St. Joseph Avenue and Oak Hill Road paving, Request #3 less 10% retainage fee, making the total of this claim to be \$57,335.48, which was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by the Vanderburgh Abstract Corp. for the Abstract of Title for Pleasantview Rest Home in updating the abstract, in the amount of \$93.00.

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

A Claim was submitted by Mark Mabrey of the Sheriff's Department, for his and Mike Craddock's meals while attending the Southern Police Institute in Louisville, Ky. for the period of 6/5/78 to 6/16/78, in the amount of \$236.36, which has been approved by Sheriff DeGroot.

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

A Claim was submitted by Szabo Food Service, Inc. for meals of Inmates for the period of 5/16/78 thru 5/31/78 in the amount of \$3,693.95 and for meals of the Deputies for the same period, in the amount of \$182.00, making the total of the claim to be \$3,875.95. Sheriff DeGroot approved this claim.

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

A Claim was submitted by Szabo Food Service, Inc. for meals of Inmates for the period of 6/1/78 thru 6/15/78 in the amount of \$3,615.30 and for meals of the Deputies for the same period, in the amount of \$191.10, making the total of the claim to be \$3,806.40. Sheriff DeGroot approved this claim.

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

RE: HOLIDAY CLOSING

Commissioner Ossenberg announced that all City and County offices will be closed tomorrow, Tuesday, July 4th. in observance of Independence Day.

RE: AUTHORIZED TO ADVERTISE FOR BIDS ...2-WAY RADIO'S

Mr. Bill Kinder of the Purchasing Department said he has the specifications for the 2-Way Radio's for the Sheriff's Department and he would like the bids to be opened on July 24th, and that they will be paid for from federal funds. He said the Sheriff has looked over the specifications and recommends their approval.

Commissioner Schaad moved that the specifications be approved, and that the Auditor be authorized to advertise for bids on July 7th. and 14th. with the bids to be opened on July 24th. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS...HOT MIX

Mr. Kinder said he would also like to have tentative approval to advertise for bids on 10,000 tons of hot mix which they will need for the new machine and he would like for the bid opening date to be July 17th. if he can get the specifications ready in time.

Commissioner Schaad moved that tentative approval be given and if the specifications are ready in time, that the Auditor be authorized to advertise for bids on the hot mix so they can be opened on July 17th. Commissioner Willner seconded the motion. So ordered.

RE: JACK SIEBEKING...ROAD REPORT

Mr. Siebeking reported that they are still on Baseline Road and have moved to Frontage Road and will probably finish it today, and are hoping to complete Baseline Road in a day or two, and they will then have it completed from Warrick County to Posey County. He said that last week, Commissioner Willner brought up the hot mix trailer type deals that they can get about a ton to a ton and a half of mix in to patch with and he has some information on these which he has submitted as to delivery dates and prices, that there are only two places he knows of where there are dealers for these in this part of the country and one has probably a 3-week delivery date and the other has probably an 8 to 9-week delivery date, that they are talking about less than \$4,000 here, so they won't have to advertise for bids, so it will be up to the Commissioner's.

RE: COMMENTS ON WOODEN BRIDGES  
AUTHORIZED TO ADVERTISE FOR BIDS ON BRIDGES

Commissioner Ossenberg said that he and Mr. Siebeking were up in Indianapolis and they

went to Hamilton and Madison Counties in Indianapolis, to Carmel and Noblesville and toward Anderson and they saw first hand the cut bridge construction of American Timber Bridge & Culvert Company, Inc. and he for one is very much impressed, that they had the good fortune of having the County Engineer of Hamilton County to take them all through the Counties of Hamilton and Madison and he was totally amazed at the construction of these bridges and he was more amazed that these bridges can be widened and it isn't even necessary to purchase any right of way, that they can go into their own right of way, and in their instance, they have five bridges, 2 installed and the 3rd. being built and they have two more and Madison County is going to have some, and they are putting these bridges in the vicinity of homes that cost anywhere from \$100,000 to 500,000 and they blend in very well and are guaranteed for almost 75 years and he has never seen construction per se on anything in his life as he has seen on these.

He said they are engineered by the company and they then contract with a local contractor and in Hamilton County he has bid the contract per crane operator, per laborer and per carpenter and the cost has been reduced significantly, that the first bridge he saw, he had an idea that it would cost in the neighborhood of \$70,000 to \$80,000 and he thought this bridge was built for \$25,000 plus labor of about \$10,000 and when he actually finished it with the bituminous across the top, he had a little less than \$40,000 in it.

He said the trick of the whole thing is that they put an aluminum ceiling type deal around it, underneath the bottom and they put something on it before they put the blacktop over the bridge and he could see where the construction of this bridge could go because it is treated and they come back and treat it again, and he pointed out to them that individual sections could be replaced and also he observed that the one thing he liked about it was that the bridge would take a heavy load and have more flexibility than what a natural concrete structure would take, that he has actually seen trucks come over a concrete structure and crack the concrete, particularly in winter weather, but these bridges are more flexible and tends to give with heavy weight.

He said that the American Timber Bridge & Culvert Co. wants to hire their own contractors in our community, that he would come to Vanderburgh County and hire a contractor and train him and his engineers would work with that contractor.

Mr. Guillaum asked if the removal of the old bridge is included in the cost.

Commissioner Ossenbergh said that it is all a package deal, that they went to every one of the bridges and the third one will be a four-span bridge and this is over between Madison and Hamilton County and there is participation between the two counties and they just lifted the old bridge right up with a crane and it totally amazed him and he can see a great savings and it is all engineered by them in a package deal and they will come down and get a contractor or if we want the experience of building one bridge, they will send a contractor down to put one in and the pilings and the base of the bottom of those bridges look to him like they are twice the size of a telephone pole and they are really something to see.

He said they spent over 3½ hours out there, also that they can go with wooden or metal railing and they are ready to admit that they realize there are certain areas where they can't use them, but Warrick County is apparently entertaining the idea, but he is very impressed with these bridges and the fact that the cost of them would be less. He said that in one section in Carmel, an older couple had every kind of tree that grew in Indiana, by the right of way, and this was before they decided to go with a wooden bridge and he would have had to buy the right of way which included the only Ash Tree in this yard, and he wasn't going into condemnation, and right across from this was a subdivision where the homes ranged in price from \$100,000 to \$500,000 and they even came along with the drainage on that particular deal and he didn't have to purchase the right of way, that he stayed within the right of way and he made that bridge four feet wider and didn't disturb anything that belonged to these people.

He also said that one of these bridges can be completed in three weeks time and he was very impressed with them, so he told Mr. Mark Crenn that he would talk to the other Commissioners since they are concerned with the bridge on Marx Road and he asked if they ever let a contract on the Red Bank Road Bridge.

Mr. Guillaum said they had an alternate bid on it and at the time, the American Timber Bridge and Culvert, Inc. was going to get with Barnett Brothers and Southwest Engineering and come up with something.

Commissioner Ossenbergh said they thought the contract had been let on the Red Bank Road Bridge but he told them it hadn't been let, so therefore, after talking to the other two Commissioners, he told them they were going to instruct Mr. Stephen to get in touch with them and he asked Mr. Guillaum to contact them.

Mr. Guillaum said they have another one coming up that is on Boehne Camp Road and they



could include this one, but he understands that they are going to try a different approach on the Marx Road Bridge and Commissioner Ossenberg said he talked to Mr. Stephen about this and he thought they could go with pipe on it.

Commissioner Schaad moved that Mr. Stephen draw up the specifications on the Red Bank Road Bridge and the Boehne Camp Road Bridge and that the County Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: DAVE GUILLAUM...BRIDGE AND GUARD RAIL REPORT

Mr. Guillaum said they have been working on the structure on Schlensker Road for the past week and now have it completed and open to the public and in addition to that, they have put up 189 lineal feet of guard rail, but they really made a dramatic improvement over what was there before, since the old one was completely deteriorated, so they have a much better structure there now and the people were pretty happy with it.

RE: CLAIMS

A Claim was submitted by Southwest Engineer's for structure #129 on Seminary Road, in the amount of \$8,602.15, which was approved by Mr. Guillaum, as well as the change order of increased amount of \$559.85.

Mr. Guillaum said they are working on the other bridge on Seminary Road which is a little north of this one and they will have it completed in about three weeks, but he thought the first one turned out pretty nice.

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

Two Claims were submitted for mileage, one from Buddy Young in the amount of \$69.69 and one from John Koch in the amount of \$71.71, for inspection work.

Commissioner Schaad moved that these mileage claims be approved. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON PORTABLE SCALES

Mr. Guillaum said he got some additional information on the portable scales and he thought the price mentioned earlier was \$750.00 each, which was the amount he got from the State Police but since that time it has increased to \$825.00 each, but this is a little better scale and it is actually needed for weighing tandem wheels, that what they had before was pretty good for weighing a single wheel but they had to put a block of wood or something in there with it. He said they were requesting \$5,000 from the Council in the August Council call, but they may need to increase the amount, that they will discuss this since that won't be enough with the increased cost of the scales, so he will get back with the Commissioners on this.

RE: DISCUSSION OF TRUCK TRAFFIC

Mr. Guillaum said that one thing the Commissioners may want to think about is the heavy amount of truck traffic on St. Joe Avenue since the road has been improved, and they may want to go with a ten-ton limit with no truck traffic permitted and enforce it, since he hates to see a new road get torn up this quick, that he wouldn't propose what they are doing or where they are going but it certainly isn't any deliveries they are making on the road.

Mr. Stephen said he stopped one of them but he said the man told him he lived out there, so he couldn't stop him from getting to his home.

Commissioner Willner said this brings up the question of Baseline Road too, since Mr. Wasson told him they are going to use this road regardless.

Commissioner Ossenberg said that last week a trucker called him from Mt. Carmel, Ill. and Mr. Wasson told him to use Baseline Road or Boonville-New Harmony Road and one of them had received a ticket with a fine of \$3,000.00, that he was well over the ten-ton limit.

He said the man asked him which road to take and he told him to use Seven Hills Road or he would be ticketed.

He said as far as he is concerned, this is a fight between the Commissioners and Mr. Wasson and Mr. Wasson is telling the people what to do and he is telling those same people that if they go that route, they are going to be ticketed.



He said that Mr. Wasson informed him that he was going to take a truck himself and go over those roads and he has already went to an attorney to file a lawsuit against the County Commissioners and if he does this, the Commissioners are going into a lawsuit and counter sue, that Mr. Wasson maintains he is paying taxes, but he is paying taxes to the State of Indiana, that the Commissioners can't deny him a road to haul his coal but the Commissioners have given him Seven Hills Road to travel, which he has torn up, that he gave Mr. Wasson permission to use Boonville-New Harmony Road for one week, to get his equipment out to Seven Hills to do what he was going to do on it and if he would fix up Seven Hills like he is fixing roads in Warrick County, the Commissioners have still given him a road and he would have a good road to travel, but it is a mile or two further and it is 5¢ per ton more, because he had some coal people to call him and tell him to hold his ground and refuse to let Mr. Wasson go on Baseline Road or on Boonville-New Harmony Road, and this is his intention as one Commissioner and he told Mr. Wasson so, that he has also instructed the Sheriff to ticket anyone of them that comes across that road.

Commissioner Willner said he has been out on Seven Hills Road and they need to do some work on it since it is practically impassible.

Commissioner Ossenberg said it is, but Mr. Wasson is the one that made it impassible, that he told him so and also that he could do some work out there and Mr. Wasson told him that he wasn't going to fix their road and he asked Mr. Wasson why not, since he was the one that tore it up.

Mr. Guillaum said this is correct, that Mr. Wasson was willing to get a grader out and grade Baseline Road, so why couldn't he improve Seven Hills Road.

Commissioner Ossenberg said he just graded the shoulder into the ditch so now there isn't a ditch.

He said that he and Mr. Guillaum have talked about this before and Mr. Guillaum had told Mrs. Wasson the same thing.

Mr. Guillaum said it is just a repeat of a year ago.

Commissioner Ossenberg said he had agreed that the Commissioners would cooperate and help him, but by the same token, he isn't going to continually be tearing up every road in Vanderburgh County and then expect to use another road.

Commissioner Willner said that Seven Hills Road is in good shape in Warrick County but is in terrible shape in Vanderburgh County and they need to do some work on it.

Mr. Siebeking said that Mr. Wasson worked on the road in Warrick County but stopped when he got to the Vanderburgh County line.

Commissioner Ossenberg told Mr. Siebeking to grade the road and smooth it up.

Mr. Guillaum asked the Commissioners if they should keep track of St. Joe Avenue without posting it for the present time, and Commissioner Ossenberg said they should keep track of it, but for no more than a week, to see what they are doing out there and if the truck traffic continues they will then post it for ten tons.

Commissioner Willner said they are posting the speed limit at 40 m.p.h. on St. Joe and this is wrong, so he asked Mr. Guillaum to check with Mr. Judd on this, since the speed limit should be 45 m.p.h. in the County.

Mr. Guillaum said he would contact Mr. Judd on this, also that he will come back next week to report on the truck traffic on St. Joe Avenue.

RE: DAVE GUILLAUM...COMMENT ON MILEAGE

Mr. Guillaum said that there are quite a number of mileage claims being turned in now and it is taking a toll on their traveling expenses, so he has talked to Bob Greubel and is trying to contact Bill Middleton, since apparently the City has a couple of police cars that has been turned in and if at all possible, he would like to try to get them, since they would be ideal with what he is doing and maybe the Commissioners could help him get them.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Guillaum submitted plans for the passing lanes on Green River Road at the Evansville Day School and said they are going to blacktop the entire area, not just the shoulder section, and they are going to swing the ditch line rather than to try to pipe it, that they had enough right of way and they will tie in with the new widening.

Mr. Feigel asked what thickness they were planning on, and Mr. Guillaum said they plan on 3 inches of thickness on the shoulder area and 8 inches of rock under that.

Mr. Feigel said this is a little light.

Mr. Guillaum said he would check again but he thinks they were going with 8 inches of rock, but he may have changed it to ten inches, but before they lay any blacktop, they will be certain they don't have any pumping or any soft material under there.

After some discussion, the Commissioners told Mr. Guillaum to make it ten inches of rock.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids for the passing lanes on Green River Road at the Evansville Day School. Commissioner Willner seconded the motion. So ordered. These bids will be advertised on 7/7/78 & 7/14/78, bids to be opened on 7/17/78.

RE: TRAVEL EXPENSE MONEY NEEDED

Mr. Guillaum said that Dale is going to have to go to Indianapolis and work with the plans that he is sending up there, and they don't have anything in their travel expense account, so they are wondering where they can get some money for these expenses.

Commissioner Ossenberg asked Mr. John to transfer some money from the Commissioner's travel expense account to their account.

RE: MARX ROAD BRIDGE AND OTHER BRIDGE DISCUSSION

PURCHASE ORDER APPROVED

Mr. Stephen said he checked the drainage area on Marx Road and the size of pipe that would be necessary and he went ahead so they would have a space on the manufacturing schedule where this goes and he has a purchase order initiated and if it is okay with the Commissioners he will release it for manufacturing, that the purchase order is in the amount of \$11,267.90. He explained that this is a yearly bid and they don't need to take any bids on it.

He said in getting back to the wooden bridges, they bid their bridge materials yearly too, and they really don't have to bid it if it is going to be under \$50,000, that they could go ahead and purchase the bridge, that they just need to find a contractor to install it, that they looked at the one on Red Bank Road when they were down and they gave us a price of somewhere in the vicinity of \$23,000.00, laid at the job site, not erected, so they don't need to go through bidding it to contractors because they have a yearly bid and would come under supplies and materials, that this is why he had the wooden bridges put in the annual bid, and they will do the same thing for next year, to bid the materials.

He said the old wooden railroad bridges weren't treated as they are treated today and they have been in for some 60 years and this is how they have projected the life of the new wooden bridges to be some 75 years.

Commissioner Willner said that the wood holding up isn't the problem, that the problem is holding it together, since the bolts work loose and this is the problem with wooden bridges and he would like to know how they stop this.

Mr. Siebeking said they stop it by changing the process of the way it is bolted, and he explained how it is done.

Commissioner Willner asked how long this company has been in business.

Commissioner Ossenberg said it is a division of St. Regis Paper Co. and they have been in business for many years.

Mr. Stephen said it is the Wheeler Division of the St. Regis Paper Co. but he didn't know how long the Wheeler Division has been building bridges.

Commissioner Ossenberg said he has learned that they are building bridges in Upper New York, Pennsylvania, New Jersey, Ohio, Michigan, Indiana and Illinois and the President of this division has been with them for eight years and they were in business prior to that time and they are consistently growing by leaps and bounds.

Mr. Siebeking said they also make wooden box culverts which a lot of people are going to, that is put together in sections right on the job site.

Commissioner Ossenberg said they told him if the County had trouble, on a first-time deal, they would get someone in here and he told them they would still have to take a bid type deal on it, also that they won't guarantee anything unless they engineer it and this is all in the package deal.

Mr. Stephen said if the Commissioners will approve the purchase order that he initiated, they have a spot in the manufacturers schedule now.

Commissioner Schaad moved that they place a purchase order under the contract, No. 15652 - VC 1521 for \$11,267.90 for Bauer Bros. on the Marx Road Project. Commissioner Willner seconded the motion. So ordered.

RE: GAS COMPANY REQUIRED TO APPLY FOR CUT PERMIT

Mr. Stephen said that the Gas Company wants to run a gas line from the end of their existing line which is on old Petersburg Road, off Darmstadt Road, beyond Inglefield Road and go all the way to Gibson County.

He said they looked at it and they want to bury it within the County's right of way and they were looking at the various culverts that the Gas Company would have to cross and he told them, on this one, that they should get a cut permit, that they haven't gotten very good cooperation from the Gas Company in the past, but if they want to bury in the County right of way with the new line out there, they had better figure to apply for a cut with a bond, and the Commissioners agreed that a permit for the cut and a bond be required from the Gas Company.

RE: ST. JOE AVENUE

Mr. Stephen said he got a call from the Division of State Aid on the letter he sent up there and they thought we were going to have problems because they were going to turn us down on St. Joe, which was really what we wanted, in writing, but he didn't understand that, and he said that policy hasn't been in effect for the last several years of manning these projects and he told him that we wanted a letter to this effect and he said they really didn't have to do that, so when the next job comes up we will go on the assumption that we were turned down for this one, so he told him we are taking care of it but told him that he can't find any forms for an agreement between the County and the state for construction engineering and he said he will send them down to us.

He said the Water Company is to sign the utility agreement this Wednesday at their meeting so he should have all of them ready by next Monday to be signed and then they can be submitted.

He said the September letting has passed and he is working on October and is wanting to know how the right of way situation is and if we had everything done right now, we could probably get on the October letter but since the right of way hasn't all been cleared up as yet, he didn't know what letting it would be.

Commissioner Schaad asked Mr. Siebeking if they would have to pay \$200.00 for the appraisal on a temporary easement where there is no cost, since he had asked him to find out.

Mr. Stephen said he didn't know what this situation would be but that they probably shouldn't have even given them the temporaries to process, that he has taken care of them in the past in several cases and he should have taken care of these.

Commissioner Schaad said when the parcels came down from Fink Roberts & Petrie, they didn't go through them and take out what Mr. Stephen could have done, that they just turned all of them over to Mr. Riddle and he said it should be clarified as to if this is general procedure for one owner and three parcels on it, when there is no land to be purchased, whether we should pay \$200.00 for each parcel.

Mr. Stephen said he asked about the hold up on the others and he said she had about all of them done and six were turned in.

RE: COMMENT ON CUT PERMIT FOR AALCO

Mr. Stephen said he will have a cut application next week where the cut has already been made, that this is the first time AALCO has been out in the County and he told them last week to get the application because the men were ready to go but he didn't show up, so he came in this morning and is also going to bring in a bond.

He said they were getting ready to put a new entrance into Bergdolt Road and they picked up a permit for that too.

He said they are also making a cut for the new 808 Union Hall they are building, that the City has checked it out but no one has ever come to the County for anything on it.

RE: CUTS IN

The Indiana Bell Telephone Co., Inc. submitted an application for a cut permit to Mr. Stephen to cut into County Line Road and Posey County Road.  
Application received and filed.

RE: INGLEFIELD ROAD

Commissioner Willner asked if the Water Company got the bond for Inglefield Road, since they are going to make a cut right down the middle of the road.

Mr. Stephen said he didn't think so but that he would check to see if it has been issued by the Company that has the contract.

RE: KANSAS ROAD

Mr. Stephen said that a man from Sunbeam Plastics came in and they got together with Mr. Lochmueller's group and he thinks they have decided that the drive isn't too bad and incidently the bridge has been rebuilt, that the records he has been looking at, shows that the whole bridge has been replaced on Kansas Road in the same location and he submitted plans and explained what they plan to do in using riprap there.

RE: UPPER MT. VERNON ROAD

Commissioner Schaad asked Mr. Stephen if he checked on the cut that was made on Upper Mt. Vernon Road and Mr. Stephen said he didn't know, that he asked them to get something done before the weekend and he will have to check on it.

RE: LETTER TO BE SENT ON STATUS OF NURRENBERN ROAD

Ms. Lani Etheridge of Urban Transportation appeared and said that Mr. Lochmueller told her that the Commissioners wanted a letter written to the Indiana State Highway Commission concerning the railroad and she submitted the following letter addressed to G. K. Hallock, the Chief Highway Engineer:

Dear Mr. Hallock:

In recent correspondence with the Louisville & Nashville Railroad Company concerning the status of the Nurrenburn Road and L & N Railroad crossing project (RRP-E080 (1), Item #70242) in Vanderburgh County, Indiana, we requested L & N to take immediate action regarding this project. (A copy of this letter was sent to Mr. John Bellinger, Jr. at ISHC). The request was made after a call to the Indiana State Highway Commission to determine the status of the project revealed that ISHC had apparently received no correspondence from L & N since last November. To check on the source of this delay we wrote to Mr. Pember, Chief Engineer of Design and Construction, at L & N. His response, which is enclosed, indicates construction will not begin until September, nearly two years after the preliminary engineering was authorized (PR 1240 form date 10-19-76) and ten months after construction had been authorized (PR 1240 form date 11-1-77).

We realize that for some projects such a time frame is reasonable. However for the routine installation of railroad crossing signals, two years is a rather outrageous interval. This delay is prolonging a safety hazard since the poorly marked crossing at Nurrenburn has considerable train traffic (16 crossings per day) and school buses utilize this road.

In his letter, Mr. Pember states that the L & N Railroad Company's "concern is spread out over twelve states where in all fairness we must exercise equal concern," and "such a time lag from initiation of a project to completion ...is not...unique in Indiana."

Just because the problem is not unique in Indiana does not mean that Indiana should be complacent with the inadequate status quo. It seems more logical that processing of railroad projects should be accelerated throughout all the railroad's jurisdiction. We hope "equal concern" is not in reality equal lack of concern.

The design of a rail crossing signal system is basically the same for any crossing and so it would seem fair to assume that the design phase of such a signal would require only a minimal amount of time to complete: for less than a year ---more probably a month. Mr. Pember states "one year lead time" is necessary for signal installation. With the Nurrenburn Road crossing it will actually be two years. How can such a simple improvement of a type L & N performs in twelve states be made so complicated?

Since the Indiana State Highway Commission handles the processing of federally-funded railroad-related improvements, we must rely on you to expedite these projects. We call upon you to do everything in your power to accelerate the processing of the Nurrenburn signal installation and all railroad-related projects. Swift action is vital to the safety of the motorists involved. We urge you to eliminate the unnecessary delays which accompany such projects and to work with the railroad companies to reduce the amount of extraneous paperwork and processing involved.

Sincerely,  
Board of County Commissioners

Commissioner Schaad moved that the Commissioners sign this letter. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 11:15 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Wilner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg  
Bob Schaad  
Robert L. Wilner  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
JULY 10, 1978

The meeting of the County Commissioners was held on Monday, July 10th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CENTER TOWNSHIP ASSESSOR REASSESSMENT

Kurt Karger	3115 E. Chandler	Field Deputy	\$20.00 Day	Eff: 7/1/78
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CIRCUIT COURT

Brenda Boyd	738 E. Powell	Budget Clerk	\$7,600 Yr.	Eff: 7/1/78
Martha Grunow	602 Jefferson	Sp. Reporter	\$2.75 Hr.	Eff: 7/1/78

LEGAL AID SOCIETY

Marta Provenziale		Executive Director	\$11,100.00 Yr.	Eff: 7/3/78
Rebecca Riggs	3600 Waggoner	Secretary	\$7,000.00 Yr.	Eff: 6/26/78

TREASURER

Rebecca Moore		Clerk	\$253.73 Pay	Eff: 6/26/78
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UNION TOWNSHIP ASSESSOR REASSESSMENT

Evelyn Bernard	R.R. 2 Box 152	Deputy	\$20.00 Day	Eff: 7/3/78
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VANDERBURGH SUPERIOR COURT

Virginia Lomax		Probation Officer	\$11,409.00 Yr.	Eff: 6/30/78
John Rapp	2037 W. Franklin	Bailiff	\$8,070.00 Yr.	Eff: 7/14/78

RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

Darren Reed	R.R. 8 Boonville-New Harmony	Pt. Time	\$3.50 Hr.	Eff: 6/30/78
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CIRCUIT COURT

Martha Grunow	602 Jefferson	Ass't Bailiff	\$2.75 Hr.	Eff: 6/30/78
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GERMAN TOWNSHIP ASSESSOR

Margaret Elfreich	R.R. #13	Deputy	\$20.00 Day	Eff: 7/3/78
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LEGAL AID SOCIETY

Brenda Heck	4208 E. Riverside	Secretary	\$7,000.00 Yr.	Eff: 6/30/78
Beth Partridge	2632 Lincoln Ave.	Bkpr/Recept.	\$125.00 Wk.	Eff: 6/30/78

PERRY TOWNSHIP ASSESSOR

Kurt Karger	3115 Chandler Ave.	Clerk	\$20.00 Day	Eff: 6/30/78
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TREASURER

Mabel Winkler		Part time	\$20.00 Day	Eff: 6/9/78
Viola Schmahlenberger		Part time	\$20.00 Day	Eff: 6/9/78
Martha Green		Clerk	\$253.73 Pay	Eff: 6/30/78

UNION TOWNSHIP ASSESSOR

Evelyn Bernard	R.R. 2 Box 152	Deputy	\$20.00 Day	Eff: 6/30/78
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VANDERBURGH CIRCUIT COURT

Daniel Casper	1249 E. Illinois	Work-Release Driver	\$8,200 Yr.	Eff: 6/30/78
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RE: REQUEST TO TRAVEL

The following letter was received by the Commissioners from Ron Leonhardt of the Vanderburgh County Convention and Visitors Bureau:

Gentlemen:

This letter is to request permission to travel for my Tourism Director, Joe Ellsworth and myself to French Lick, Indiana, July 9 through 12, 1978 for the Indiana Society of Association Executives to be held at the French Lick Sheraton.

Mr. Ellsworth will be leaving for French Lick on Sunday, July 9 and returning July 11. I will then relieve him at French Lick on July 11 and remain there until July 12.

The purpose of our travel is to bid on an upcoming convention of the Indiana Society of Association Executives.

Sincerely, Ron Leonhardt, Executive Director

Commissioner Schaad moved that the request of Mr. Leonhardt be approved. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF HEARING

Mr. John submitted a Notice of Hearing that he received for the Reorganization of the Penn Central Transportation Company.

This matter was referred to County Attorney Wendel, who said that no action is necessary, since two-thirds of the creditors' votes have approved the plan to reorganize the railroad. The Notice of Hearing was then read into the minutes.

RE: AUTHORIZED TO ADVERTISE FOR BIDS.....COUNTY HEALTH INSURANCE

Specifications were submitted for the County Health Insurance Program and Mr. John explained that the list includes the names of all County employees including the Welfare Department and the County Highway Department, and it states as to whether they are male or female, their marital status and birth dates, except for a few that they were unable to get.

Commissioner Schaad wondered why #10 should even be in the specifications, that it read "Employer contribution: approximately 100% single - 100% family. Employee and family contribution will be one dollar per month," since they don't care who pays for it.

Commissioner Ossenberg said they can delete it and then advertise it as such.

Commissioner Schaad said he just couldn't see what this has to do with the contract, that it is an internal matter as to who is going to pay for it and they are just going to bid one price.

Mr. John said they are probably just making sure that the County will be deducting it and paying for most of it, that they would have to increase the price if they had to collect from individuals.

Commissioner Schaad said it doesn't say that the County will collect the money and pay it in one lump sum either.

He said this was discussed before and he thought there to be a lot of double Insurance for families whose husband or wife isn't employed by the County and has family coverage and here we have two, and for just \$1.00 they take it, so this seems to him like additional cost that the County shouldn't be paying.

Mr. John said he thought it shows that the majority of County employees would be on the Insurance program because the County is picking up such a large portion and there are several cases where both, the husband and wife work for the County and both of them have the family plan.

Commissioner Schaad said this is his point, that both of them have the family plan and picks it up for \$1.00 each and the County picks up the difference and this doesn't seem right.

He said they could talk about what the employees are going to contribute and they could state in the specifications that the Insurance Company won't be responsible for collecting any premiums from the employees.

Mr. John said he would suggest they strike the second part of #10 which reads; "Employee and family contributions will be one dollar per month," since he thought the County would be locking themselves in by including this section, and one way to get a lot of dual family plans off there would be by making it \$5.00 for a family plan and \$1.00 for a single person.



Commissioner Schaad said if they raised the cost for a family plan, they probably all wouldn't take it then, that they aren't getting any additional benefits anyway, but since it is only \$1.00, they take it and the County pays about \$43.00 more per month for family coverage, so it is costing the County a lot of money. He said it could read that the employee's cost would be \$1.00 per month on a single plan and \$5.00 per month on a family plan.

Commissioner Ossenberg said it used to be like that and he didn't know how it ever got changed.

Commissioner Schaad then moved that #10 in the specifications read as follows:

Individual employee coverage contribution will be \$1.00 per month.  
Family coverage contribution will be an additional \$4.00 per month.  
The Employer will pay the remainder of the premium.

Commissioner Willner asked the County Attorney if this was legal and County Attorney Smith said it is legal since they have additional exposure there.

Commissioner Willner then seconded the motion. So ordered.

Commissioner Willner asked if there was any provision in the specifications, if the Company went, say a year, without claims, that a certain portion of the policy would be returned to the County.

After some discussion, Commissioner Willner said, in reading the policy, he finds that the only thing they have, in his opinion, is one year's insurance, that the next year, they can raise the premium, depending on pay-out the previous year, and in his small thinking, this is no insurance at all, that they are going to pay, regardless, more than their outlay is, that there is no reason that the County shouldn't be self-insured, that they don't have an Insurance policy here, that they have someone to handle the claims for them and that is all they have.

County Attorney Wendel said the raise increase would be for the year after, so they do have insurance for a year, but that is all.

Commissioner Ossenberg said that two years ago, they went out and took bids from Blue-Cross and Blue-Shield and they came in as the successful bidder and they may be the successful bidder on this particular deal, but at the particular time, with County government operating as it does, where they have to be well in advance on asking County Council for money and then waiting for the State Board's approval, and he purposely waited to see what the City was doing with their experience in self-insurance and he had meetings with Bob Koch and he read their self-insurance program over and tomorrow afternoon, he goes in front of the County Council to ask for \$2,500 for Mr. Davenport of Indianapolis to come down and do a study and write specifications for us.

He said the City's experience is that they have saved \$120,000.00 and his intention is to put this out for bid to see what bids come in and then by next year they will be able to go into a self-insurance type program, but the County's contract expires on September 1st. and they must let the company know by August 1st, so obviously they didn't have time to do it this year, but the purpose of it is to go out for bids, to see what type bids they get on Insurance and then next year, to put it out just like the City did, after the study is made by Mr. Davenport and he writes up the specifications, but he just couldn't get it done this year and get the City's experience until June. He said that the way the City's Insurance is, that they carry so much at a level and then if they get hit with a big one, they have an Insurance carrier and it costs them so much a month to carry that carrier and the successful bidder over there, which happened to be Golden Rule, and their experience has been that he doesn't possibly see how they are ever going to lose money, for what their premium is going to be.

Mr. John asked if they wouldn't just jump their rate next year to cover the cost of their loss the previous year, that this is the way Insurance Companies do.

Commissioner Willner said this is what he is talking about.

Mr. John said according to the letter he received, the County had a refund clause and they had a \$14,000 surplus on the refund agreement last year and they have retained that on an interest bearing basis but he didn't know what the percentage was, but according to him, the Commissioners had instructed him to withhold it and put it on an interest basis to offset any losses they may have this year. He suggested that whoever is awarded the new Insurance Policy, to put an agreement in there whereby information should be available to either him or the Commissioners for premiums, claims paid and expenses, since it is impossible to get this information.

He said he did get some information for the first year and they have sent in some additional information but it doesn't correspond with what he thinks it is.

Commissioner Willner asked if it wasn't New York Life Insurance Company that paid the County back if the experience wasn't so much per year, that the refund agreement isn't in the new specifications they are going to advertise.

Commissioner Ossenberg asked if the refund agreement was in the Blue Cross specifications and County Attorney Smith said he believed it was.

Commissioner Schaad said they had better hold up on the new specifications then because it should be in there, and he asked how soon this should be done.

Commissioner Ossenberg said the County is covered until September 1st. but he thinks this should be added to the specifications.

Mr. John said they have around \$17,000 surplus to date that they are holding on an interest bearing basis.

Commissioner Schaad moved that a rebate clause be inserted into the new specifications. Commissioner Willner seconded the motion. So ordered.

The rebate clause couldn't be found in the last specifications and County Attorney Smith asked how come they are holding the \$17,000 then.

Mr. John said according to the Insurance Company, they were instructed by the Commissioners to withhold it and apply it the following year.

The Commissioners said they have been unable to contact the Insurance Company and Mr. John suggested that the County Attorney call them.

Commissioner Ossenberg said that #13 in the specifications should read, "Each bidder is to furnish a specific and detailed refund agreement." and that #14 should read, "That the successful bidder must furnish the County of Vanderburgh with any requested data or information concerning premiums and claims paid under the policy."

The Specifications read as follows:

COUNTY OF VANDERBURGH GROUP HEALTH INSURANCE  
INSTRUCTIONS TO BIDDERS

1. No proposal will be considered unless the Quotation Forms attached hereto are used and properly signed by the bidder. Bidders must sign with "Official" firm name. Authorized representative must sign his name and address of company.
2. The County of Vanderburgh reserves the right to accept or reject any or all bids. Proposals which do not comply exactly with the attached specifications may be rejected. Any deviation from the specifications must be noted on a separate sheet, providing the information requested in the specifications and stating the reasons for not complying with the specifications.
3. Services provided by the company for claim handling, payment, record keeping and administration for the hospital medical-surgical segment of the program will be detailed in the proposal.
4. The successful bidder will be the only group coverage sponsored by the County of Vanderburgh.
5. Quotations should be based upon the assumption that the effective date will be September 1, 1978.
6. The initial rate shall be based upon the attached eligible employee statistics and experience data. Subsequent rating for the hospital medical-surgical segments of the program shall be related to the usage of such benefits by participants of this group on an incurred claim basis.
7. Initial rates shall be guaranteed for one year from the effective date with subsequent guarantees on an annual basis. Sixty (60) days in advance of the renewal dates, an exhibit of incurred claims for the coverage will be furnished for the experience period on which projected rates are based.
8. Quotations shall be made for the following classifications:
  - a. Employee - either male or female
  - b. Dependents
9. The successful bidder must provide adequate personnel to conduct the enrollment and will be responsible for the printing of employee literature. Each employee must receive a certificate outlining his benefits.
10. Individual employee coverage contribution will be one dollar per month; family coverage contribution will be an additional four dollars (\$4.00) per month. Employer will pay the remainder of the premiums.

11. The County of Vanderburgh shall have the option to discontinue this program by giving notice no less than thirty (30) days prior to the anniversary date.
12. All renewal rates must be predicated solely upon the previous year's experience data and upon reasonable inflationary factors. Such rates must be substantiated with an experience exhibit containing the benefit ratio for the previous 12 months and upon information regarding any changes in the standard and customary medical costs for this area.
13. Each bidder is to furnish a specific and detailed refund agreement.
14. The successful bidder must furnish the County of Vanderburgh with any requested data or information concerning premiums and claims paid under the policy.

#### ELIGIBILITY

1. All full-time and regular part-time employees and dependents.
2. Dependents shall be the spouse and unmarried dependent children from birth until their 25th birthday. Benefits for dependents will be the same as for employees.
3. Participants shall be eligible to convert from the group program to the available individual policy without prejudice for physical condition or any other reason, at the prevailing rate applicable at the time they lose group eligibility.
4. There shall be no waiting period except for maternity care, provided, however, that such waiting period shall be waived for employees holding family contract in a sponsored plan that is being replaced. The normal waiting period for maternity care will be 270 days from the effective date of membership under the family contract.
5. New employees may be added on the first payment date following the date hired.
6. A participant can be terminated only:
  - a. At the expiration of any period for which premium has been paid.
  - b. On the date the contract is cancelled by the participant or the group.
  - c. At the end of the period during which the participant ceases to be eligible as an employee.
7. A dependent can be terminated only when dependency as described herein ceases. The termination of coverage shall be without prejudice to any claim originating prior to such termination.

Commissioner Schaad now moved that the specifications be approved and that the Auditor be authorized to advertise for bids for group Health Insurance for employees of Vanderburgh County, on July 13th. & 20th. with the bids to be opened on July 31st. 1978. Commissioner Willner seconded the motion. So ordered.

#### RE: CLAIMS

A Claim was submitted by Feigel Construction Corp. for paving Darmstadt Road, St. Joseph Avenue & Oak Hill Road, Request #4, less 10% retention fee, in the amount of \$75,897.65. This was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Torian Insurance Agency for Insurance on Burdette Park, Continental Policy #FDP6639140 covering Administration Bldg. and contents of same, Rest Rooms Bldg. St. Paul Policy #113AH9476 covering Administration Bldg. Rest Rooms Bldg and contents of same. Hartford Policy #36CF372540 covering Administration Bldg. and Rest Rooms Bldg. Hartford Policy #BND1931220 which is their Public Employees Blanket Bond, the total amount of the claim being \$3,014.00, and has been approved by Mr. John.

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

A Claim was submitted by City Auto Parts for the removal of a junked car on Martin Avenue that was on County property, and is to be paid from the special budget.

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

A Claim was submitted by Brink's Incorporated for services rendered to the Clerk of the Circuit Court for the month of July, in the amount of \$102.40, as per contract.

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

#### RE: BOND RETURNED

Mr. Stephen said that Mr. Joe Bolin had filed for a cut permit on Felstead Road and he

was asked to post a bond at \$20,000 for two years, but he isn't going to do the contract, that they are going a different route and he would like to have his bond back, so he thought he had better clear it with the Commissioners before he returned the bond. He said they purchased right of way across other property and aren't going to use the County right of way and the other company that does the work is going to have to make one cut across the road so they will have to apply for a permit.

Commissioner Willner moved that the bond be returned to Mr. Bolin. Commissioner Schaad seconded the motion. So ordered.

RE: MONTHLY REPORT

Mr. Crooks submitted his Building Commission report of permits issued for the month of June, 1978.

Report received and filed.

RE: COMPLAINT ON JUNKED CARS

Commissioner Willner said he received a letter from an individual on Boonville-New Harmony Road, complaining about junked cars on Old State Road between Hwy. 41 and Boonville-New Harmony Road, on the east side of the road, behind Grumpy Pal Motel, that there are four or five parcels of property involved and he will talk to Mr. Crooks about it after the meeting.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the employees at the County Highway Garage for the week ending July 7th. 1978.

Report received and filed.

RE: MR. SIEBEKING.....ROAD REPORT

Mr. Siebeking said they are finishing Baseline Road today, that they went from the Warrick County line to Hwy. 65 and they think it is in fairly good shape as far as repair work, that they pulled oil out of the section from Hwy. 57 back over to the Warrick County line but they are out there this morning to take care of it. He also said they have done a stretch of Old Princeton Road and are heading North on it but they aren't finished as yet, that they have been concentrating on Baseline Road because they wanted to get it done.

RE: SPECIFICATIONS TO BE DRAWN UP ON A TANDEM TRUCK

Mr. Siebeking said he would like to mention to the Commissioners that the Council gave them money for equipment the first of the year and they haven't purchased anything and are in dire need of trucks, that he has ordered a plow for snow equipment and this is all he has purchased to date for this coming winter, so he is asking permission to write up specifications for a truck so they can get something done, that his suggestion would be to check into at least one tandem truck and they can use it this winter with one of their salt spreading beds, that those beds were put on the army trucks and they have had nothing but problems with them, that the beds are too large to put on a single axle truck, but they could use it on a tandem truck and they could also use it in the summer to haul materials with.

He said he has talked to several people from other counties over the state and a lot of them are going with tandem trucks because of the labor problem and one good driver, with a tandem truck, can haul as much material in a day's time as two men will with a single axle truck.

He said they have right at \$60,000 in the equipment account and one tandem truck will run about \$25,000, ready to roll, also he and Commissioner Willner have been discussing and looking into other things needed, so they would probably have enough to go with one tandem truck, and one single axle truck, plus the other things that are needed.

Commissioner Willner said he will go along with the tandem truck but he would like to hold off a little longer on the other truck because he is looking at a paver mounted on a truck and that Mr. Siebeking will get more information on it.

Commissioner Schaad moved that Mr. Siebeking draw up specifications for a tandem truck. Commissioner Willner seconded the motion. So ordered.

RE: COAL MINE ROAD DESIGNATED FOR COAL TRUCK TRAVEL

Mr. Siebeking asked if the Commissioners has made a decision as to whether the County Highway Department should do anything on Coal Mine Road or not.

Commissioner Ossenberg said he thought they should go ahead on it.

Commissioner Schaad asked what they are going in Warrick County.

Commissioner Ossenberg said that road was completely impassable and what they have done is put new ditches in there and they put some rock in it, widened the road some and put drainage in there and put the berms over and that is all they did.

Mr. Siebeking said that road went to pot last winter and he understands that Elberfeld Block applied some money to it but he didn't know, and all he could actually see that has been done is put rock on it, cut the shoulders down, did some ditching and graded it up, that it is the same as our end of it.

Commissioner Ossenberg asked Mr. Feigel if he has a contract with Warrick County on Coal Mine Road.

Mr. Feigel said he does have a contract with them on this road and it will have nine inches of blacktop on it.

Commissioner Schaad asked him if he agreed to keep half of the road open to the traffic while he was doing the work.

Mr. Feigel said it would only be closed a day or two for the initial coat of asphalt, but that it all, that it will be open to the traffic the rest of the time.

Mr. Siebeking said that as much material as the County has put on our section of it, his suggestion would be to put a little more on it and shoot it with oil and start from the bottom with a base with a road mix, that the worse part of the road was in Warrick County but we had a couple of bad spots right in the center of the road, where there was mud underneath, and it just pumped through but the base is better in Vanderburgh County than it is in Warrick County, since it has been blacktopped two or three times in the past ten years.

Commissioner Ossenberg said he didn't think they should spend any money on it, that they should put rock on it, shoot it with oil and let the County garage roll it and that is about it for us.

He said that after traveling Seven Hills Road yesterday, he could halfway agree that it is too dangerous for coal trucks to travel, that they had to pull over to let a volkswagon get by, that the County graded it down and it is in good shape but it is just too narrow.

Commissioner Schaad said there would be no way for a big coal truck and a car to pass each other on this road and Mr. Wasson only wants to get from Warrick County to Hwy. 57 and Coal Mine Road would be his best way to go.

Commissioner Ossenberg said that the Sheriff stopped one of Mr. Wasson's trucks that was empty and he exceeded the ten-ton load limit.

Mr. Siebeking asked if the reason he is wanting to use Baseline Road is because he was told to stay off St. John's Road, since it has a ten-ton load limit and Commissioner Ossenberg said he supposed so, also that some of the bridges up there have an eight-ton load limit.

Mr. Guillaum asked if the Commissioners pull the coal trucks off Seven Hills Road, what road do they want them to use.

The Commissioners agreed that they would strictly use Coal Mine Road.

Mr. Siebeking said as soon as they finish Baseline Road, they can work on Coal Mine Road and get it fixed up.

#### RE: PROBLEM IN MELODY HILLS

Commissioner Ossenberg said he has had to call the Sheriff for them to start patrolling in Melody Hills, that they have a truck sign posted in that area but they are going up Twickingham with concrete, sand and gravel and they have cracked the whole top of that road and the people up there had to sweep the road to rid it of sand, concrete, etc..

He said that he and Mr. Siebeking can't find out where they are going but they could come in Ward Road and they could cut over and wouldn't have to go up all those hills, also that they have found that there is a cut down there and they are digging up every driveway and every yard, and there is no identification what-so-ever, as to who is doing it.

Mr. Siebeking said they are using a four-inch white plastic line and they have cut across Heritage Hills where it deadends into Twickingham, and sidewalks and driveways are torn up and whoever is doing it has barricades up that were rented from the Tri State Flasher Co., and they have 40 or 50 tons of white rock and sand piled up at the end of the street.

Commissioner Ossenberg said it is a total mess and he doesn't know who is responsible for it, but they have really torn it up out there.

RE: COMPLAINTS ON CUT MADE BY WATER DEPARTMENT

Commissioner Willner said that several weeks ago, the Commissioners sent a letter to the Water Department on Red Gate Road and Boonville-New Harmony Road and he has received numerous calls on it and they said nothing has been done and he wondered if the Water Department has answered the letter as yet.

Mr. Siebeking said this is the one that he and Mr. Stephen went out to look at on Red Gate where they laid the line down right along the street and it settled and took about six inches of pavement with it.

Commissioner Willner said it is the same thing on Boonville-New Harmony Road right in that same area, that it was reported about six months ago.

Mr. Siebeking said he and Mr. Stephen went out to look at it and they made a push under the road and then went down along the side of Red Gate Road and it is where they filled in.

Commissioner Willner said his question is, have they received an answer from the Water Department and are they going to fix it or have they forgotten about it again.

Mr. Stephen said they probably forgot about it again.

Commissioner Ossenberg said once again, if they don't fix it, they are to be informed that the County will do it and will bill them.

RE: MR. GUILLAUM.....GUARD RAIL AND BRIDGE REPORT

Mr. Guillaum submitted his Guard Rail and Bridge Report for the past week and said that last week, they did some maintenance work on the Stringtown Bridge and had some pretty good accumulation of debris in the gutters that they cleaned out, but they had quite a bit of ponding and it was impossible for the water to get out, so they had to clean out the drains, and this helped it out quite a bit.

He said the guard rail crew put up a number of end sections that they had hanging fire, that they had the rail put up earlier but they were waiting on the other shipment of ends to come in from All Metal so they have been taken care of.

RE: ST. JOE AVENUE

Mr. Guillaum said that at the last meeting the Commissioners said that he should keep track of the truck traffic on St. Joe Avenue and his recommendation would be that they should go ahead and post it at a 10-ton limit with no thru truck traffic allowed, that he has been aware of the semi traffic headed North on St. Joe and he feels that this is an unfortunate thing with the amount of money they just spent on it and there are probably areas on it where the base isn't quite strong enough for a continued amount of this kind of heavy traffic, that it will be the Commissioner's decision but he feels that this something that would be warranted.

Mr. Stephen said he has also been aware of this problem and some of it could be County trucks.

Mr. Guillaum said that the trucks that he has been aware of has been regular coal semi-trucks, that he followed one of them and they went to 64, and the name on the truck looked like Bland, but he could be wrong, but there is a significant amount of semi traffic on St. Joe and he would hate to see that road get back in the condition that it was in before, in such a short amount of time, that it will eventually wear but if the trucks could be routed to the other roads that will better handle the weight, it will be a good thing to do.

He said they have been posting a 10-ton limit with no thru truck traffic on the other roads such as Boonville-New Harmony Road and Baseline Road.

Commissioner Willner asked if they could set a load limit for farm trucks too.



Mr. Brenner said that farm trucks are exempt from load limits, by state law.

Commissioner Ossenberg said that he would hate to see this road torn up and he is inclined to agree with Mr. Guillaum, as well as the other Commissioners.

Mr. Stephen said that when semi's are empty, they have enough spread on the road per axle, that they are really not a detriment, that weight per axle would be more in keeping with the damage to the road and if they get the scales, this is what they will be weighing, per axle, that the single axle trucks that are loaded, the school buses and the farm trucks will actually do more damage traveling over the roads than the semi's.

He said the state takes into account the tire area in calculating the axle weight, so he wouldn't know what axle weight they could use.

Mr. Guillaum said we aren't tied to the state's stipulations as far as load limits, that the Commissioner's can establish whatever they think is reasonable or what they think the road can safely handle, and when they get the scales, he thinks it will be pretty easy to determine what they have.

Commissioner Willner told Mr. Guillaum to come up with a recommendation next week as to weight per axle.

Commissioner Ossenberg said they will change every road if they do this and Commissioner Schaad said this will foul up the whole system.

Commissioner Ossenberg said he is inclined to go along with a ten-ton load limit and no thru truck traffic.

Mr. Brenner explained that this doesn't mean the trucks who have businesses in there, but the trucks that are just using the roads.

Commissioner Willner asked Mr. Stephen what he was going to do with those two bad places, and Mr. Stephen said if they find that there happens to be a spring there, they will need to put a french drain in there to do away with the moisture.

Commissioner Willner then moved that they put a ten-ton load limit and no thru truck traffic on St. Joseph Avenue. Commissioner Schaad seconded the motion. So ordered.

#### RE: GREEN RIVER ROAD

Mr. Guillaum said that their project for turn lanes on Green River Road was advertised last week and they have had one bidder to come in and pick up the plans, but next Monday, they will have the bid opening on it.

#### RE: ST. JOE, DARMSTADT, & OAK HILL ROADS

Mr. Guillaum said they have St. Joe, Darmstadt and Oak Hill Roads finished and Mr. Stephen has the total figures on them.

He said as to the money, they had quite a bit of over-run and Mr. Stephen turned in additional change orders for about \$12,000 on St. Joe Avenue.

#### RE: TROUBLE WITH VEHICLE

Mr. Guillaum said they have another problem with one of their vehicles, that the carburetor linkage is messed up and they have a problem with the brakes and he wondered if it could be looked at right away.

Mr. Siebeking said they could use one of his farm trucks until they get it fixed.

#### RE: MR. STEPHEN

Mr. Stephen said in regard to the water line out to the State Police Post and on up to Gibson County that was mentioned last week, he looked it up and found that they were given a permit and it is in conjunction with the City, that he wrote them a letter and they sent him the information as to what they are going to do, that it goes up Martin, across Inglefield and then up along Hwy. 41.

Commissioner Willner said the Commissioner's asked for a bond and it doesn't say anything about concrete, that it is supposed to be filled with concrete within one inch of the surface.

Mr. Stephen said that the Water Company asked for the cut permit and he put a note on it as to what the Commissioner's required, that Ryan Construction is willing to do the job, and he talked to Mr. Ledbetter concerning the utility agreement, which we won't



get signed until tomorrow, since they didn't have a meeting last week, and he was saying that they did not have the contract signed as yet.

Commissioner Willner said that he understood that they were going to start this morning, that he asked him about the bond and he didn't know what he was talking about. He wondered if they were going to ask for a bond or not.

Mr. Stephen asked if the Water Company has a bond posted. He said they work under the assumption that they put it back with no bond needed.

Mr. Brenner said they wouldn't post a bond.

Mr. Stephen asked if the Commissioners wanted the Water Company to post a bond for it.

Commissioner Willner said if he could go back far enough in the Commissioners, he could find where they asked the Water Company for a bond, and if they said they aren't going to do it, and they aren't going to do Red Gate and they aren't going to do Boonville-New Harmony, then his answer, right now, is "no", that they aren't going to cut that first bit of pavement, that he is tired of it, that they have been doing this for years and they finally thought they were getting somewhere and now they are going backwards again.

Mr. Stephen said he thought the contractor should have been the one to get the cut permit because he is out there doing the work, and another problem is that part of it is in Darmstadt, and he wondered if they asked Darmstadt's Board if they could cut their road.

Commissioner Willner said that is their problem, that he just wants to see that our problems are taken care of, but our property starts at Inglefield Road and Martin, and not necessarily past the railroad track.

Commissioner Ossenbergsaid if the contractor is being paid for the job, they should go ahead and let the contractor to be the one that posts the bond for them then.

Commissioner Schaad asked who was asking for the cut and Mr. Stephen said the Water Company asked for the cut permit and now they are contracting it out.

Commissioner Willner said that as he understands, on Martin Road, they did change it and they aren't going down the center, and he asked if this wasn't correct.

Mr. Stephen said he was under the impression now that they may be going back down the center because they can't get along the side, that he isn't too sure.

Commissioner Willner said if they go through the center, every time they tap in, they are going to have to cut in the center of the road, that this is the most ridiculous thing he has ever heard of.

Mr. Brenner said if the Commissioners have the contractor to put up the bond, he already has it, since to be a contractor in Vanderburgh County, he would have had to post a bond for anyone he does work for, that it would be posted in Mr. Crook's office. He said it would be something like \$10,000.00 which is more than adequate for this.

Commissioner Ossenbergsaid what he thought they had better do is to go out there and see what they have done, and see if they are going up the center of the road, that he agrees with Commissioner Willner, that if they are going to cut to every house, they are going to tear that road completely up.

Commissioner Willner said that Inglefield Road has a good solid base and he would hate to see every house have a cut, that it will be a real mess. He said that Martin Rd. is in Darmstadt but Inglefield is in the County, that Martin Road is the one that is pumping mud.

Mr. Stephen said he would check with Mr. Crooks on the contractors bond, and he will let the Commissioners know what he finds out.

RE: AGREEMENT ON CONSTRUCTION OF ST. JOE AVENUE ...PROJECT # M-E560(1)

Mr. Stephen submitted the Agreement on the Construction of St. Joseph Avenue, from Diamond Avenue to Mill Road in Vanderburgh County, Item #99, and he explained that when the contract is let, they will have to send 90% of the cost to the state, that amounts to \$661,800.00, that they will keep 10% here until the job is completed. He said this is the spelling out of the contract between the state and the local public agency, and it shows that the state has agreed to participate in this job.

He said when the contract is let, before it is signed, we have to send a check for 90% of that amount to the State Auditor, from which the bills are paid, that we don't pay any bills from here.

Commissioner Schaad asked about paying for engineering, since we have been paying those.

Mr. Stephen said that is something that probably ought to be worked out when we sign that agreement, as to how that is going to be billed for us to get money back out of that fund, that as he understands it, we also bill to the state and they return money to us.

Commissioner Schaad said the environmentalals were done here and handled by Mr. Lochmueller and when they paid Fink, Roberts & Petrie, they were paid here, so he wondered if those claims were sent up there and then they reimbursed us the 70%, and Mr. Stephen said this is correct.

Commissioner Schaad said as he understands it, when we receive a bill or claim for that, they have to go to the state and be approved before we can pay them, that we haven't done this in the past.

Mr. Stephen said this might be the case from now on, so they could know exactly how much progress they are making and how the work is coming along, that they also made a change in the plans going up there and instead of sending them back to Fink, Roberts & Petrie or the Engineering Firm, they send them down here and we send them up to them, so the local level knows what is going on and keeping us a little better informed and not letting the Engineering Firms get out from under their control.

Commissioner Schaad asked just where do we stand on St. Joe Avenue now, and if they got a letter stating that they can't do the inspection.

Mr. Stephen said he is supposed to have that plus the engineering agreement, so with the utilities and the right of way, they should be ready to roll. He said he hasn't received any clarification on the right of way since last week.

Commissioner Schaad said there is to be some clarification made on the rights of way that weren't purchases but just temporary easements, as to if they had to have appraisals and pay \$200.00 per parcel.

Commissioner Ossenberg said he tried to check on this but he hasn't received a return call.

Mr. Stephen said the agreement pretty well spells out that the County won't be responsible for the construction engineering as to the control of the actual construction.

Commissioner Willner said that it also says if they don't like what their engineering is doing, they can replace them and charge it to us.

#### RE: EXTRA WORK AGREEMENT #4

Mr. Stephen submitted an Extra Work Agreement on the paving of St. Joseph Avenue, the work to be done by Feigel Construction Co. in the amount of \$4,130.88, which makes the total amount of the contract to be \$302,663.89.

He said this will be the final one with the final amounts for the paving of St. Joe, that he thought he could get by with the \$12,000 he previously asked for but he didn't.

Commissioner Schaad moved that the Extra Work Agreement be approved. Commissioner Willner seconded the motion. So ordered.

#### RE: REQUEST FOR SIZE CULVERT NEEDED

Commissioner Willner told Mr. Stephen that he needed him to calculate a culvert size for a Mr. Louis Main at 921 Campbell Road, that he needs under his driveway.

#### RE: BID ON RED BANK ROAD BRIDGE

Mr. Guillaum recommended that the bid received from Barnett Brothers for the Red Bank Road Bridge on June 19th. be rejected, that the bid was in the amount of \$78,032.50.

Commissioner Schaad moved that this bid be rejected. Commissioner Willner seconded the motion. So ordered.

RE: ST. JOE AVENUE

Mr. Guillaum asked Mr. Stephen if they had any plans to go with any shoulder stone on St. Joe Avenue.

Mr. Stephen said the bid wasn't continuous, but they need some side ditch work done to help the drainage, so this will be a maintenance job for the Highway Department, so they informed Mr. Siebeking of the matter.

RE: COMMENT ON ROAD PAVER

Mr. Guillaum asked what the status is on the paver for the Highway Department.

Commissioner Willner said he understands it is supposed to be in around the 17th. of July, also that the company is supposed to send a man and the place from where it was purchased is supposed to send a man, so they will have supervision.

RE: CUTS IN

Mr. Stephen received an application for a cut permit from Industrial Contractors, Inc. to cut into Baumgart Road at the intersection of Swope Road and Baumgart Road. Application received and filed.

The meeting recessed at 11:35 a.m.

PRESENTCOUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

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

361

COUNTY COMMISSIONERS MEETING.  
JULY 17, 1978

The meeting of the County Commissioners was held on Monday, July 17th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: REZONING PETITION POSTPONED...VC-3-78

Petitioner...Guthrie May & Co. Inc.....4445 Commerce Street...Evansville, Ind. Premises affected are situated on the south side of Eissler Road a distance of approximately 900 feet east of the corner formed by the intersection of Eissler Road and Old State Road, more commonly known as 7351 Old State Road to 7501 Old State Road, 401 Eissler Road to 601 Eissler Road, excepting 501 Eissler Road; and Portions of Old State "One" Subdivision and Old State "Two" Subdivision.

The requested change is from A to R-1.

The present existing land use is vacant land and the proposed land use is for the construction of single-family dwellings.

The following letter was received from Ed Johnson, Attorney for the Petitioners, concerning above petition:

Dear President Ossenberg:

As you know the above captioned rezoning is scheduled for final action on Monday, July 17, 1978, at the 9:30 a.m. meeting. As I think you are also aware, the petitioner and his engineer, Mr. Sam Biggerstaff, have been working closely with the county engineer in order to present drainage plans that will adequately drain the area and in so doing have had to amend their plot plan on several occasions. Accordingly, we have never had a plot plan formally approved by the drainage board which we now understand that you require prior to the zoning being considered for final action.

The purpose of this letter is to formally request that the matter be continued from the county commissioners docket until the August 7, 1978, meeting of the county commissioners and instead place the matter on the agenda for the drainage board meeting on July 17 at which time Mr. Railey and Mr. Biggerstaff can appear before the drainage board and present their latest revisions concerning the drainage of the area.

I am taking the liberty of sending a copy of this letter not only to the Area Plan Commission itself but also to all the neighbors who we know to have remonstrated at the last meeting. If for any reason the request is not approved, kindly let me know prior to the meeting and I will recontact the neighbors. Otherwise we'll plan on being at the meeting for the purposes of appearing before the drainage board.

Thank you for your kind consideration.

Very truly yours, Johnson, Carroll and Griffith,  
by Edward W. Johnson

Commissioner Schaad moved that the request of Mr. Johnson be granted. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said he personally informed Mr. Johnson that he would be out of town for those two weeks so he won't be here on the given date.

RE: AUTHORIZED TO OPEN BIDS

Commissioner Ossenberg authorized the County Attorney's to proceed with opening the bids that were received today on the hot mix for the County Highway Department and also for the passing lane on Green River Road at the Evansville Day School.

RE: MR. MONTRASTELLE....EMERGENCY COMMUNICATION SYSTEM

Mr. Montrastelle said this matter has to do with an emergency communication system for Vanderburgh County, as evidenced by the lack of communication back on December 13th. when they had the tragic plane crash and during a recent disaster drill they had about a month ago.

He said it is apparent they don't have an emergency communication system to link all the various agencies together, that the Police Department, Fire Department, State Police, Hospital's, etc. have very good communications, that this proposal is to tie all of them together on a common emergency command net which can be expanded not only with Vanderburgh County but within the Tri State by allowing other cities to buy a control station and get into the net, that the cost is approximately \$5,000 for a repeater which is an amplifier and each control station around \$1,200 and mobile stations around \$950.00.

He said he went to see the Mayor last Friday and gave him a similar proposal since the Civil Defense operates under a County-City type of advisory committee and he is looking into the proposal also, so he wants to present it to the Commissioners this morning for their consideration.

He said the equipment is very sophisticated and is the most current type and with this type of communication they can put a radio in the Mayor's the disaster agencies and at any time they can pick up the radio and talk to anyone on the network.

Commissioner Schaad said he assumed this would be an independent system of anything they now have.

Mr. Montrastelle said it would and that it would also qualify for matching federal funds and they are also looking into that, so they have a \$25,000 system and are talking about \$12,500 with agencies such as the Red Cross, Salvation Army, etc. buying into it at their expense, so it wouldn't cost the City or County anything for them to buy into the system.

Commissioner Schaad said the Sheriff is getting a new communication system between his department and the Volunteer Fire Department, so he didn't know if this could be used for this or not.

Mr. Montrastelle said they are aware of it, that this is his own system and they don't want to use a police or fire network to talk about other things, since if they have multiple frequencies, once they are using it, they can't switch frequencies, that this one can be added to by tying into other agencies.

He said it can be used by the County Sheriff, and the County Coroner, two or three agencies which will be the County's share into the network and the County Garage could also use it such as during a snow storm and other disasters and they may want the County Garage superintendent to have one in his vehicle, that this is something that all communities are going to throughout the country, that it is vitally needed and they found this to be one of their glaring weaknesses during their disaster drill, that they just don't have good communications between the various agencies.

He said he is applying for a federal matching grant in October which is the fiscal year for funding for Civil Defense and he wanted to get this in the City and County budgets as a line item for expanding equipment so they will have their half in October when he applies, that he feels confident it will be approved because this is something that is very definitely needed nation-wide.

Commissioner Ossenberrg said when he entered this into the budget he entered it under Civil Defense for a \$3,000 item.

Mr. Montrastelle said this is more than enough for the County's share.

Commissioner Willner asked Mr. Montrastelle if he had anything in his budget to maintain this equipment.

Mr. Montrastelle said they do have a budget for maintenance and repair of their present system which is a Tone Alert, that they have acquired about 150 Tone Alerts for alerting people of impending disasters which is maintained by their maintenance fund that is presently a budget item, that they are constantly being stolen or broken since they are located in all the schools, that the new system will also tie in the Vanderburgh School Corporation into their command net and they also plan to expand into their own warning system, so this would give them a better warning system.

He said the Tone Alerts are good but if one isn't there or is turned off, they don't alert that school when they push the button, but they do have the funds to maintain it, that if and when they get this new equipment, it will take at least a year to program it in, so by that time, they will be able to budget for the maintenance next year. He said he is asking that the Commissioners approve it as a budget line item so he can go ahead with it.

Commissioner Schaad moved that the Commissioners go ahead with the proposal and that it be budgeted as a line item in the amount of \$3,000.00. Commissioner Willner seconded the motion. So ordered.

#### RE: XEROX AGREEMENT SIGNED

A letter was received by Mr. John, the County Auditor, from the Xerox Corporation, which reads as follows:

Mr. Curt John:

In reviewing the installment purchase contract, however, we noted a miscalculation in the price and payment section which requires revision in your stated monthly payment amount from \$131.81 to 131.80.

Line 9 should read.....1171.50  
 Line 10 should read.....7908.00  
 Line 11 should read.....8693.50

Will you please signify your concurrence of this change by signing where indicated below and returning the original of this letter to me at your earliest convenience.

Mr. John said he has checked this and finds that the change is correct, that there is a penny difference.

Commissioner Schaad moved that Commissioner Ossenberg sign the agreement. Commissioner Willner seconded the motion. So ordered.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

Commissioner Ossenberg explained that these are parcels of property that were turned back to the County from tax roles where people failed to pay their taxes.

County Attorney Wendel explained that on all this property being sold, that all the County will give them is a quit claim deed, which means they don't guarantee that they have title and they don't guarantee that there are no defects in the property, that this is the condition of the bids and all they are doing is conveying what interest the County has.

He pointed out that the deeds must be recorded and the recording fee is \$2.50 for the first page and \$1.00 for each additional page, if more than one page is needed, that the County Auditor will have them recorded and then the successful bidder will pay his bid price plus the recording fee.

County owned surplus property was sold as follows:

1. Tax Code .. 18-147-21...1811 S. Helfrich Ave. Evansville Industrial Add. L.22 Blk. 12. Appraised price of \$540.00.

The high bid on this property was from Mr. Leonard Stratman Sr. & Bernice, of 2602 W. Maryland Street. Phone number, 423-2117, in the amount of \$540.00.

Commissioner Schaad moved that the sale be approved. Commissioner Willner seconded the motion. So ordered.

2. Tax Code.. 18-147-22...Next to 1811 S. Helfrich Ave. Evansville Industrial Add. L. 23 Blk. 12. Appraised price of \$355.00.

The high bid on this property was from Mr. Leonard Stratman & Bernice also, in the amount of \$355.00.

Commissioner Schaad moved that the sale be approved. Commissioner Willner seconded the motion. So ordered.

3. Tax Code..18-148-20...1719 S. Helfrich Ave. Evansville Industrial Add. L.22 Blk. 13 Appraised price of \$340.00.

The high bid on this property was from Mr. Chester K. Winstead & Bessie M. of 1722 S. Red Bank Road. Phone number, 422-9281, in the amount of \$550.00.

Commissioner Willner moved that this sale be approved. Commissioner Schaad seconded the motion. So ordered.

6. Tax Code..21-29-13...Was listed as 410-412 E. Walnut St. North Eastern Enl. 25 Ft. L.15 Blk.14 with appraised value listed as \$200.00

The high bid on this property was from Mr. Joe Chester Jr. of 316 S. Weinbach Ave. Apt. A-8, in the amount of \$500.00 which was approved by the Commissioners, but it was later found that the address of the property should be 406 E. Walnut Street, so this property will have to be re-advertised and re-bid.

7. Tax Code..21-41-10...1019 Chestnut St. Chestnut St. Add. L.12 ½ L.11. Appraised Value of \$200.00.

The high bid on this property was from Mr. Josh Swope Jr. of 726 E. Blackford Ave. Phone number, 425-3674, in the amount of \$225.00.

Commissioner Willner moved that this sale be approved. Commissioner Schaad seconded the motion. So ordered.

8. Tax Code..21-43-19...1110 Cherry St. Dalzell Pl. L.28 & L.29, appraised value set at \$300.00.

The high bid on this property was from James Gordon & Alice of 750 Cross Street, Phone number, 425-3646., in the amount of \$320.00.

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.

9. Tax Code..21-66-28...761 Judson St. Southern Enl. L.35 Blk.9, appraised value set at \$100.00.

The high bid on this property was from Emma Hill Morgan of 651 Line Street, Phone number 423-9458, in the amount of \$100.00. She said she wants the deed in Anthony W. H. 22.

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.

10. Tax Code..21-67-13...784 Judson St. Southern Enl. L.18 Blk.16, appraised value of \$100.00.

The high bid on this property was from Emma Hill Morgan in the amount of \$50.00.

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.

11. Tax Code..21-74-8...814 Line St. Southern Enl. Pt. L.8 Blk.20..6 Ft. Vac. Alley, appraised value of \$100.00.

The high bid on this property was from Charles R. Swope of 33 W. Maryland St. Phone number, 423-2318, in the amount of \$25.00.

Commissioner Willner moved that this sale be approved. Commissioner Schaad seconded the motion. So ordered.

12. Tax Code..22-70-16...1912 S. Judson St. Oakdale L.19,20,21 Blk.4, appraised value of \$50.00.

The high bid on this property was from Emil Becker who wants the deed in the name of the Redevelopment Commission, City-County Administration Bldg. Room 327, in the amount of \$330.00.

Commissioner Willner moved that this sale be approved. Commissioner Schaad seconded the motion. So ordered.

13. Tax Code..22-70-17...1914 S. Judson St. Oakdale L.22 Blk.4, appraised value of \$50.00.

The high bid on this property was from Emil Becker, in the amount of \$150.00. He said he would like all the property that he buys today to be in the name of the Redevelopment Commission.

Commissioner Willner moved that this sale be approved. Commissioner Schaad seconded the motion. So ordered.

14. Tax Code..22-74-30...1668 S. Elliott St. Lowenthal's Add. L.43 L.44 Blk.1, appraised value of \$50.00.

The high bid on this property was from Charles R. Swope ~~Emil Becker~~ in the amount of ~~\$25.00~~ \$60.00.

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.

15. Tax Code..22-76-25...1801 S. Garvin St. Kronenberger's Add. L.31 L.32 Blk.1, appraised at \$50.00.

The high bid on this property was from Emil Becker in the amount of \$300.00.

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.

16. Tax Code..24-38-28...532 S. Morton Ave. Rietman & Schulte's Add. L.15 Blk.9, appraised value of \$50.00.

The high bid on this property was from Charles R. Swope of 33 W. Maryland St. Phone number, 423-2318 ~~at \$50.00~~

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.



17. Tax Code..24-38-43...523 S. Linwood Ave. Rietman & Schulte's Add. L.33 Blk.9, appraised value of \$50.00.

The high bid on this property was from James Gordon & Alice of 750 Cross St. Phone number, 425 3646.

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.

18. Tax Code..24-39-49...802-802½ E. Sycamore St. Ballard's Add. L.25 & Ft. L.26 Blk.2, appraised at \$150.00.

The high bid on this property was from Charles R. Swope in the amount of \$60.00.

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.

19. Tax Code..24-39-50 ...800 E. Sycamore St. Ballard's Add. 21.5 Ft. of L.26 Blk.2, appraised value of \$100.00.

The high bid on this property was from Charles R. Swope in the amount of \$40.00.

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.

21. Tax Code..24-61-25...212 S. Bedford Ave. Willard's Add. L.30 Blk.2, appraised value of \$200.00.

The high bid on this property was from James Gordon & Alice, in the amount of \$175.00.

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.

22. Tax Code..27-17-14...1013 Mary St. Jacobsville L.4 Blk.3, appraised at \$750.00.

The high bid on this property was from Mr. John Short of 1004 Mary St. who would like for his deed to be in the name of 3-M Construction Company, Phone number 425-7330. The amount of his bid was \$400.00.

Commissioner Schaad moved that this sale be approved. Commissioner Willner seconded the motion. So ordered.

There were five parcels that weren't sold today.

Commissioner Schaad noted that the price these parcels are being sold for may seem very low, but the County must clear the weeds and keep debris off of it, not getting any taxes from it, so they think it is better to sell them and to get them back on the tax roles and start collecting taxes on them.

#### RE: CONTRACT AWARDED FOR HOT MIX

There was only one bid received today on the hot mix for the County Highway Department and this was from J. H. Rudolph, in the amount of \$16.90 per ton.

Mr. Siebeking said he talked to Marlin Rudolph and he thought they stipulated on the bid that they would work with the County, that they might have to pick it up at one of the plants and they will work together, so he recommends that this bid be accepted.

Commissioner Willner moved that the contract be awarded to J.H. Rudolph for the hot mix at \$16.90 per ton. Commissioner Ossenberg seconded the motion. So ordered.

#### RE: BIDS REJECTED FOR PASSING LANES ON GREEN RIVER ROAD COUNTY HIGHWAY DEPARTMENT TO DO THE WORK

There were two bids received for the passing lanes on Green River Road at the Evansville Day School. They are as follows:

Midwest Construction Materials, Inc.....	\$15,816.93
Feigel Construction Corporation.....	\$20,968.56

Mr. Guillaum said he understands from the County Attorney that the bid from Midwest isn't in good order and the Engineer's Estimate was \$14,848.50, so he recommends that the bids be rejected.

Commissioner Willner asked if the County Highway Department could possibly do this work.

Mr. Guillaum said they possibly could, that they also need shoulder work done with a build-up of shoulder stone and they are going to re-route the side ditches.

Commissioner Willner asked if there is anything that couldn't be done with the grad-all

Mr. Guillaum said the work can be done with the grad-all, the paver and the roller.

Commissioner Willner said he really couldn't see that much money in it and no more equipment than it takes and the County having the equipment now, he hates to spend more money on it and he thinks the County Highway Department can do it, but he doesn't want to wait too late so they can't put the pavement down, but they have a couple of months.

Commissioner Ossenberg said the thing about it is, that it must be done before school starts in September.

Mr. Guillaum said what they intended to do was to go with about a ten-foot wide blister on either side of the road, have 150 foot taper on either end of the blister and roughly 100 feet of straight area at the approach to the Evansville Day School. He said they have modified the rock and the H.A.C., going with about 8 inches of rock and 5 inches of H.A.C., that they would go about three feet deep with a 1½ or 2 feet bottom.

Commissioner Willner moved that the two bids received on the passing lanes on Green River Road be rejected. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner also moved that the passing blister on Green River Road be constructed by the County Highway Department. Commissioner Schaad seconded the motion. So ordered.

Mr. Guillaum also explained that they had a pipe at the entrance, that this pipe would be moved back but yet there wouldn't be any additional pipe put in there, that he thought they just relocated the existing corrugated pipe.

#### RE: EMPLOYMENT CHANGES.....APPOINTMENTS

##### BURDETTE PARK

Donna Bowers	722 Mels Drive	Extra Guard	\$3.00 Hr.	Eff: 7/5/78
Stephen Bequette	600 Marigold Crt.	Security	\$7.00 Hr.	Eff: 7/1/78
Gary F. Kassel	1144 Shiloh	Security	\$7.00 Hr.	Eff: 7/4/78
Steven R. Schnell	3001 Hartmetz	Security	\$7.00 Hr.	Eff: 7/8/78
Daniel S. Kamman	400 Kings Valley Rd.	Regular Guard	\$24.00 Day	Eff: 7/5/78
Cathy Shrode	3029 Muensterman Ave.	Regular Guard	\$24.00 Day	Eff: 7/5/78
Audrey Emge	5508 Cynthiana Rd.	Regular Guard	\$24.00 Day	Eff: 7/5/78
Kim Knapp	3407 Sweetser Ave.	Extra Guard	\$3.00 Hr.	Eff: 7/5/78

##### COUNTY CORONER

Kathleen M. Taylor	2900 E. Gum St.	Vacation Clerk	\$100.00 Wk.	Eff: 7/17/78
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##### COUNTY HIGHWAY DEPARTMENT

Thomas L. Waterman	2768 Forest Ave.	Temp. Equipment Opr.	\$5.26 Hr.	Eff: 7/10/78
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##### PIGEON TOWNSHIP ASSESSOR

Joe Ann Benton	1309 S. Evans Ave.	Clerk	\$20.00 Day	Eff: 7/17/78
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##### COUNTY SURVEYOR

Jeff Minnette	2563 N. Bedfore	(Summer) Draftsman	\$3.50 Hr.	Eff: 7/17/78
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##### VANDEBURGH SUPERIOR COURT

Billie J. Headlee	7520 Old Boonville Hwy.	Probation Off.	\$11,409.00 Yr.	Eff: 7/17/78
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##### VOTERS REGISTRATION OFFICE

Marie Lurker	2100 Schutte Rd.	Clerk	\$20.00 Day	Eff: 7/10/78
Faith D. Hart	2600 S. Boeke Rd.	Clerk	\$20.00 Day	Eff: 7/11/78

RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

Donna Bowers	722 Mels Dr.	Regular Guard	\$24.00 Day	E66: 7/5/78
Harold Babbs	303 S. Woods	Rink Manager	\$30.00 Day	E66: 7/5/78
Daniel S. Kamman	400 Kings Valley Rd.	Extra Guard	\$3.00 Hr.	E66: 7/5/78
Cathy Shrode	3029 Muensterman Ave.	Extra Guard	\$3.00 Hr.	E66: 7/5/78
Audrey Emge	5508 Cynthiana Rd.	Extra Guard	\$3.00 Hr.	E66: 7/5/78
Kim Knapp	3407 Sweetser Ave.	Regular Guard	\$24.00 Day	E66: 7/5/78

COUNTY TREASURER

Kathy Crowe	Cashier	\$6,907.00 Yr.	E66: 7/21/78
Roberta Burkhardt	Registrar of Taxes	\$7,006.00 Yr.	E66: 7/21/78

VANDEBURGH SUPERIOR COURT ... LEAVE OF ABSENCE

Merle C. Melton	1121 Taylor Ave.	Probation Officer	\$11,409.00 Yr.	E66: 7/14/78
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RE: CERTIFICATES OF INSURANCE

The following Certificates of Insurance were submitted, for the use of the Auditorium:

From Lukens & Sons Insurance, Inc. on insured, Evansville Civic Theatre, Inc. for performances held on July 13, 14, 15, & 16, 1978.

From Insurance Agent, Robert Roebbling on insured, Conrad J. & Beverly J. Hirsch, for a wedding reception in the Gold Room on July 22nd. 1978.

From American States Insurance Company on insured, Larry Aiken, d/b/a Aiken Management for the Stars of Lawrence Welk on August 6, 1978.

From Torian Agency, Inc. on insured, Evangelist & Mrs. Larry J. Cline for the Faith & Miracles Crusade to be held on July 28 thru July 30, 1978.

Certificates received and filed.

RE: MONTHLY REPORTS

The Report of the Evansville Association for Retarded Citizens was received for the month of June, 1978.

Report received and filed.

The Report from the Bureau of Traffic Engineering was received for the month of June, 1978.

Report received and filed.

RE: CUMULATIVE BRIDGE FUND ESTABLISHED

Commissioner Ossenberg said that the Second Notice, published only after the Public Hearing, that the Cumulative Bridge Fund of Vanderburgh County has been set at \$.15 on each \$100.00 that has already been passed, but now needs the Commissioners signature. The Second Notice reads as follows:

WHEREAS, there has been filed with the State Board of Tax Commissioners of the State of Indiana a certified copy of the resolution adopted by the proper legal officers of Vanderburgh County, State of Indiana, establishing a cumulative bridge fund, together with proofs of publication of notice thereof, all under and pursuant to the provisions of the laws of the State of Indiana.

Now, therefore, the proper legal officers of Vanderburgh County, State of Indiana, are hereby requested by the State Board of Tax Commissioners to publish the following notice, pursuant to the provisions of said Act.

To the taxpayers of Vanderburgh County, State of Indiana.

You are hereby notified that on the 8th day of May, 1978, the Board of County Commissioners, Vanderburgh County, State of Indiana, pursuant to notice heretofore given, and under and by virtue of IC 8-16-3, duly adopted a plan whereby a cumulative bridge fund was established to provide for the following:

CONSTRUCTION AND MAINTENANCE OF BRIDGES IN VANDERBURGH COUNTY

Such fund to be provided for by a tax levy of fifteen cents (\$.15) on each one hundred dollars (\$100.00) of taxable real and personal property within said taxing

unit, said tax to be levied annually beginning in 1978, payable in 1979, and continuing for a total period of five (5) years, as authorized by said Act.

That pursuant to said Act, ten (10) or more taxpayers in said taxing unit, other than those who pay poll tax only, and who will be affected by said tax levy, may file a petition with the County Auditor of Vanderburgh County, not later than ten (10) days after the publication of this notice, setting forth their objections to the proposed levy. Upon filing of said petition, the County Auditor shall immediately certify the same to the State Board of Tax Commissioners, which Board will subsequently fix a date and conduct a public hearing on said proposed levy before issuing its approval or disapproval thereof.

Mr. John said this will have to be advertised and also posted in three public places.

Commissioner Schaad moved that the Commissioners sign the form. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED

A Check was received from the Hartford Insurance Co. made out to the Commissioners of Vanderburgh County and the Central Glass Company, in full settlement of all claims, due to the glass breakage on April 11, 1978, at the County Auditorium, in the amount of \$380.78.

Mr. John said he will send the check to Central Glass Company for their endorsement, since it must go in and out, so he will have a record of it and then a check will be sent to them, that the money will be put back in their account.

County Attorney Smith said that Central Glass should sign it first, and then the County Commissioners will sign it.

Commissioner Schaad moved that the check be sent to Central Glass Company for their endorsement and that they send it back to for the Commissioners signatures, so it can be deposited. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED FOR SNOW REMOVAL

A Check was received from the Treasurer of the State of Indiana, Department of Civil Defense, #2909242, in the amount of \$7,483.00, covering the reimbursement under the snow emergency of 1978. The attached letter stated...

The amount paid represents 75% of allowable expenses claimed for contracted snow removal by Vanderburgh County.

You are requested to deliver this check and attached documents to the appropriate official, have them complete the attached receipt and return same to this office.

Sincerely, Milton M. Mitnick  
Director

Mr. John said the check has already been quietused in but they didn't send our original checks back, that they have to be sent to state with the claims, that they just sent back the invoice, so he will get in touch with them.  
This is noted as having been received and filed.

RE: LETTER FROM OHIO VALLEY HARDWARE:

The following letter was received from the Ohio Valley Hardware Company, Inc.:

Our policy of carrying charges for past due accounts has not changed since May of 1968. The increase of the prime rate and interest rates charged by our banks have resulted in increased costs of borrowed money. This has forced us to review our policy. In order for us to cover our increased costs, it is necessary that we change.

Our new policy will provide that carrying charges be assessed at the rate of 1% per month on all accounts which are 30 days past due or more. We will continue as we have in the past that whenever any portion of an account becomes 30 days or more past due the entire account is subject to carrying charge. The monthly charge of 1% will be added to the statement each and every month until payments are made to bring the oldest item on the account within the 30 day past due period.

We regret that we felt it necessary to take this action, but hope that this change will not affect your account.

Very truly yours, Richard H. Becker  
President

Commissioner Schaad said this creates a problem due to the advertising requirements, and that the County doesn't pay any carrying charges.

Mr. John said this is correct, that the County is different than the City, in that they must advertise every month for claims.

Commissioner Schaad moved that Mr. John write them a letter of explanation and if they don't accept the County's terms, the County will have to do business elsewhere. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....MR. ANGERMEIER

The following letter of request was received by the County Commissioners from Mr. Angermeier:

Gentlemen:

This is a request for permission and approval for my attendance of a Property Tax Forum sponsored by I.A.A.O., to be held at the Ambassador West Hotel, Chicago, Illinois, on August 3 - 4, 1978.

This is in regard to "The Impact of Inflation on Property Tax Administration and Policy."

The following is my request of the commissioners to approve:

1. Registration fee of \$95.00
2. Mileage to and from Chicago....301 miles x 2 == 604 miles  
@ .15¢ per mile = \$90.30.
3. 2 nights at hotel @ \$24.00 per night = \$48.00
4. Meals and Parking

A receipt will be produced and returned to the Commissioners for payment.

Sincerely yours, James Angermeier  
Assessor, Vanderburgh County

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

RE: REQUEST TO TRAVEL.....MR. DEWES

The following letter was received from Mr. Dewes:

Gentlemen:

I am requesting permission to travel to Louisville on July 23, 1978 to attend the International Conference of the International Association of Auditorium Managers. The conference will cover a four-day period. Funds are budgeted for this expenditure

Sincerely, Fred G. Dewes  
Auditorium Manager

Commissioner Schaad moved that Mr. Dewes' request be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER ON VEHICLE DAMAGE

The following letter was received by the Commissioners from Mrs. Mel Gaffney

Gentlemen:

I am enclosing the following bills for damage to my car when the street collapsed under the weight of my car at the corner of O'Hara Drive and Walsh Road on April 12, 1978. The damage was to the right rear wheel and was reported to the County Garage on that day.

Cooke Chevrolet.....\$32.76	Randalls Marathon.....\$2.75
Firestone.....\$73.59	Total.....\$109.10

At the time the tire was placed on the new wheel it was put in the trunk of the car to serve as a spare. Upon checking it this week we found it contained no air so we took it to a tire company for examination. They advised that the sidewall of the tire was damaged and could not be repaired.

The car was purchased new in June, 1977, and at the time of the accident had approximately 8,000 miles; therefore, the tire was not worn.

I have been advised that the County has funds to cover such damage and would appreciate your prompt consideration to this request.

I would also like to emphasize that the damage was a result of the inferior streets in the Melody Hill Subdivision. There was about 1 foot of hollow space beneath the street when it collapsed under my car.

Thank you, Mrs. Mel Gaffney  
5821 Twickingham Drive, City

Commissioner Schaad moved that this letter be referred to the County's Insurance Company. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....THIRD READING.....VC-4-78

Petitioner and Owner of Record....Benjamin E. Buente Jr. and William Teare of Evansville E. Roy Bawel and Gervase Schwenk of Jasper, Indiana.

Premises affected are the Southwest corner of the intersection formed by Mt. Pleasant Road and U.S. Highway 41, more commonly known as 901 Mt. Pleasant Road.

The requested change is from A to M-2 and the proposed land use is for an industrial park.

This petition was denied by Area Plan with four affirmative votes, three negative votes and one abstention.

Mr. Ed Johnson, attorney for the owners and petitioners appeared and said the property is now vacant but may be used for agricultural purposes from time to time, so they are requesting a zoning of M-2 so they can construct an Industrial Park of about 13 lots. He explained the layout the location of the property and said that the old L & N mainline is good track and will make good use as an Industrial spur. He submitted an aerial drawing and said there will be no ingress-egress off Highway 41, that it will be off Mt. Pleasant Road, but it may need to be upgraded and this is something the owners and petitioners are quite willing to do at their own expense, that whatever is necessary to meet E.U.T.S. requirements in this regard, they are most certainly willing to widen the road to this extent.

He then explained the Industrial zoning along the corridor on Hwy. 41 and said he thought the planners have already decided that this area should be an Industrial corridor and this is basically where they want Industrial growth in the Vanderburgh County area where there is an easy egress-ingress off the main artery.

He said if the M-2 zoning is approved, the next step will be to have the Industrial Subdivision laid out, that it will be laid out in approximately 13 lots, each lot being very large...some lots as much as 8 acres, with the smaller lots being 4 acres, that one of the things that makes this particular Industrial Development practical to the Industry and traffic to the Evansville area is the fact that it will have rail access and there are very few Industrial areas in the area that have the potential for rail access and it will be very easy to run a rail spur in this particular area which could serve all of the lots and they could also have a common siding of lots further to the west.

He said they do have a firm commitment for one of the lots from a Lumber Company which is a new business coming into the Evansville area and they must have a rail siding before they come in and there are other businesses that just can't operate without a rail spur.

He then explained the proposed plans for the new Lumber Company, when a representative of the Company appeared and gave a brief sketch of the company and said they presently have 28 facilities and are located in 6 states and that they do require a railroad siding due to the amount of lumber they get into their facilities and it saves freight rate which, in turn, saves money for the people they sell their product to, that they not only sell to the consumer, but to the professionals also, which amounts to 50% of their sales and can carry a full line of building materials including plumbing, heating and electrical along with the lumber, etc.

He said one of the reasons they decided to look into the Evansville area is because it is a very promising and excellent area and they project and hope that by the end of the first year they can hire 30 employees from the Evansville area and their sales are anticipated to be about Five million dollars per year.

Mr. Johnson said he knows there are remonstrators here and that petitions were submitted at the Area Plan Commission, opposing the rezoning, but close scrutiny of the petitions demonstrate that most are signed by people living on Old State Road and he thinks it is important for the Commissioners, who have to decide whether this is beneficial or harmful zoning, to look at the project in relationship to the people remonstrating that they don't want to do anything that will interfere these people's enjoyment of their homes, but these people don't live in the area.

He submitted to the Commissioners that a proposed Industrial rezoning lying along Hwy. 41...7/10 of a mile away from Mt. Pleasant and Old State Road isn't going to affect the use of value of their property any more than the warehouse out there is going to affect them, the fact is that all along the corridor they have industrial use and this is why it is called an Industrial corridor and this particular piece of land has a tremendous natural barrier which is along the creek and they didn't try to rezone everything they own, that it hasn't been included in the rezoning so they can't do it and they have no desire to build anything west of the creek, also that they had the drainage plans approved by the Drainage Board.

He said there are several people who do own property in the area who have given their approval including Jasper Industrial, Greer, Eissler, Omicron, etc. and they are the



people most affected. He said this matter went to Area Plan and comes to the Commissioners with a negative vote since four members voted in favor of the rezoning and three against it but under the new code, there has to be seven affirmative votes to be counted as an affirmative vote.

Mr. Bob Becker said he appears here, both as a property owner in the area and on behalf of Mr. & Mrs. Ellis Carson who own approximately 120 acres of beautiful property just west of the proposed Industrial Park, and they feel it will be seriously affected by this rezoning petition.

He said that basically, there are four reasons they oppose this petition, first, that they don't feel there is any further need for further Industrial Parks along Hwy. 41 corridor. second, they feel that the Industrial Park would create a number of traffic hazards along Mt. Pleasant Road and Old State Road and add to the already well publicized hazards along Hwy. 41. Third, they feel that it will increase the already serious flooding problems along Little Pigeon Creek that adjoins the petitioners property along the west side and, fourth, he feels that the Industrial Park is going to discourage further residential growth.

Mr. Carson appeared and said his property adjoins the property in question, that he has 120 acres and the area has been developed as residential as is evidenced by Guthrie May's development and he has already experienced a serious problem in the flooding of Little Pigeon Creek.

He said he noticed that Soil Conservation Service said they would have to raise the property from 2½ to 15 feet to meet the flood plain level and that, in effect, would be the same as putting up a dam, so any flooding of Little Pigeon would all come on his property, which would ruin it for a residential development, which he has plans to do, similar to Guthrie May's. He said he thought there was plenty of Industrial property there without putting more on what is one of the finest areas in the County for residential purposes and certainly any Industrial area as close to their property would devalue the property, also the natural screen that Mr. Johnson talks about disappears completely in the winter, also railroad trains in a Industrial area in the fall, winter or early spring would certainly deteriorate the natural beauty of the area, so he thinks the area should remain residential and that Industry can locate in other areas that are now designated as such and are available.

Dr. Harold Gourley, Principal of Highland School appeared in remonstrating this petition and said he lives at the corner of Mt. Pleasant and Old State Road which is two-tenths of a mile from Little Pigeon Creek, and he supposed what they were talking about is progress versus change, but this isn't what they are here to contest, that they are here to contest if this is the most logical location for Industrial Park and if so, why is it always the homeowner who has to carry the burden and make the sacrifice in the name of progress.

He said those people are proud of their rolling hills, their lakes and wooded areas and they wouldn't like to see this environment changed and think it is an excellent place for the elderly and retired to reside and for young parents to rear their families and raise their children, that there are many children there who would have to share the roads with the increased Industrial traffic, that this is a rural area so there are no sidewalks and in looking to the future, he doesn't want his children and grandchildren to say, "where were you from this encroachment and when these additional safety hazards occurred."

He said Mt. Pleasant Road wasn't constructed for heavy Industrial traffic and he doesn't look forward to the day that our heavy trucks, school buses and children all have to compete for the same limited space.

Mr. Jim Brian, a remonstrator appeared and showed pictures of the traffic problems out there and in explaining them, he said that any rail spur would have to be elevated in order to accomodate the same elevation as the present railroad, also that the trucks will be turning into the road on Mt. Pleasant and they will have to wait for the trains and if there are more trucks than one at a time, there is only one place to park and that is on Highway 41.

He said the State Police has had problems with Busler's and they are going to have to widen the road in order to accomodate the trucks that turn in and out on Hwy. 41.

Mr. Kenneth Heekin who lives on Mt. Pleasant Road appeared and said they have petitions signed by the people in the neighborhood because they are angry and fearful with regard to this proposed Industrial Development and it doesn't do any good to measure the distance from his house to where the Industrial Development is to take place, that if they weren't upset about it they wouldn't be here, that it doesn't make them feel any better to tell them that the owners of the property immediately adjacent to the area have approved it's construction because they can see the same arguments being used later on and he is sure that the group will not protest if the Green Estates said that they would like an Industrial Park across the street on Mt. Pleasant Road, and so on,



while this Industrial Park encroaches on what is one of the nicest residential areas in the City of Evansville or in Vanderburgh County.

He said he doesn't think they need it, that there are some 7,000 acres in Vanderburgh County already zoned Industrial, undeveloped, available for that purpose and there are some 2600 acres along the 41 corridor available for that purpose.

He asked how badly do we need new industry, since employment has never been higher in the area and unemployment has never been lower, that what we do need is prime residential areas and prime residential development, that there is an exodus of our population to Warrick County, Gibson County and Posey County, and they know this is taking place and they know that the school roles and the other census roles are down and they are going to continue to go down if we don't protect our residential areas, that the whole area is prime residential land.

He said the strip itself is agricultural, that it should stay that way and maintained as agricultural, since it provides a natural buffer to the residential area that exists and is part of what makes it a prime residential area, also that they are immediately affected by what happens here because they live in a good neighborhood and he works in a good City and the only bad part of his day is driving up and down Highway 41 and he doesn't want to see it extended up Mt. Pleasant Road, so Vanderburgh County needs the population and he assumes this is why the City wants to annex his property, that they need the population base and he knows that federal government allotments are affected by the population base, so this is one practical reason why we need it and the North side is where it is happening, that this is where they have enjoyed the most growth in the area over the past five years, that this is good for the community and they wouldn't like to see it frustrated by the development of an Industrial Park in a residential area.

Mrs. Rita Eycamp, a remonstrator, appeared and said she is a resident at 9908 Old State Road and that the location for the proposed Industrial zoning at Mt. Pleasant Road and Hwy. 41 increases several traffic hazards that they already have, that the only access road they have to the proposed Industrial Park is Mt. Pleasant Road, from the east or from the west and they have no guarantee that Industrial traffic or private consumer traffic will only come from the east and on the east, the railroad track is very close to the highway and this crossing has a substantial difference in elevation, that if more than one truck attempted to cross it at one time, there would be a hazardous situation, similar to the Busler truck stop at I-64 that has already been mentioned, and Mt. Pleasant would become awkward and dangerous for residential traffic and with Industrial traffic they would also have the traffic from shift changes as well as the danger of the trucks coming in and out.

She said if some traffic enters from the west, it will use Old State Road, that Old State was repaired and remodernized approximately ten years ago and while this made a substantial improvement it was not built for truck traffic or any other heavy traffic, that the road is a continuous series of hills and curves with feeder side roads having very limited visibility, that truck traffic heading west on Mt. Pleasant to Old State Road would automatically feed into Stringtown or Campground Roads, and Mt. Pleasant serves as a major east-west access road to Hwy. 41 and the east side, for residents in an area including Old State Road, Evergreen Acres, sections of Darmstadt Road, Schenk Road and points west, that the people who live west take Mt. Pleasant Road to get to the Hwy. and to the east side.

She said that trains currently block Mt. Pleasant Road, usually for only brief periods but an Industrial switch track would cause an increased problem of blockage from Mt. Pleasant, with switch trains crossing and blocking Mt. Pleasant Road as they service the proposed Industrial area, and finally, Mt. Pleasant Road is narrow with ditches close to the road, not in the area east, immediately by the railroad track but farther along toward Old State Road, and if cars and trucks are to safely pass and school buses that also go along these roads, they must be widened and because of the closeness of the ditches, the expense to the County taxpayers will be increased over normal widening.

In summarizing, she said there is a dangerous east entrance from Hwy. 41 to Mt. Pleasant for truck traffic and shift changes, secondly, that the truck traffic on hilly and curvy Old State Road would make Old State Road even more dangerous, thirdly, Mt. Pleasant is a major access road to the east side for points northwest and all of Evergreen Acres and switch trains would further erode north side access and fourthly, it would be costly to widen Mt. Pleasant with it's ditches. She said for these reasons and others presented, she urges denial of the Industrial zoning for Hwy. 41 and Mt. Pleasant Road which is the land in question.

Commissioner Ossenbergh then read a letter of remonstrance that was submitted and several petitions from neighbors were submitted, who are against this rezoning.

Mr. Becker said they recognize that the petitioners, through Mr. Johnson, has presented some very eloquent arguments as to why this property should be rezoned for Industrial use, but as far as he knows, neither Mr. Johnson or any of the petitioners actually live in their neighborhood and they aren't going to have to contend with this increased traffic and safety hazards along Old State Road, Mt. Pleasant and Hwy. 41, or with the increasing flooding problems and they won't have to worry about the damage to their homes.

He wondered if they would be arguing as forcefully for their cause if this Industrial Park were going in their back yard, that the Board, as the Commissioners of Vanderburgh County, has the responsibility of making a decision that is going to have a rather profound impact upon the development of a very area of land in Vanderburgh County, and as they pointed out earlier, all of the industrial zoning along Hwy. 41, from Petersburg Road on out to Hillsdale and Old State occurs on the east side of Hwy. 41, that the area on the west side is just perfect residential-agricultural land, that if this rezoning petition is approved, the property adjoining is going to be destroyed for residential use.

He said at this time the Commissioners have the right to determine what the character of the development of this land is going to be, that after this property is rezoned, it will be too late, because they could not, in good conscience and in good faith, deny a similar rezoning request by anyone to the north, the south, or even to the west of the site, and he submits to the Commissioners that we are rapidly running out of prime residential property in this County, that they have the good fortune of being blessed with a perfect residential site west of Hwy. 41, between Petersburg Road and Old State Road and they have the opportunity to see that this land is preserved for residential use by saying "no" to this initial attempt to add industry to their neighborhood and he asks that the Commissioners spare them the additional traffic, the safety hazards, the increased flooding problems and the damage to the residential character of their neighborhood by denying this petition here and now.

Mr. Johnson, in rebuttal, answered to the points made by Mr. Becker by saying that because there is some vacant land, it doesn't mean that there shouldn't be well planned Industrial Parks to offer an alternative to new investment as more people become in the market of providing Industrial land and the price is obviously going down, that it will create competition and will make it more attractive for industries to come to Evansville, also what sets their's apart from someone else's industrial vacant land is the fact that they are right there where they have easy access to a rail siding which is necessary for certain types of Industrial development.

He said in regard to the traffic hazards, the remonstrators make it sound like the people are going to be increasing traffic on Old State Road and Mr. Pleasant Road, that the Board as the Commissioners have the power, under the local ordinances, to determine what streets and what roads the trucks will use, and regardless of whether they do or don't, it is the amount of distance between the opening from the Industrial Park to Hwy. 41 which is 330 feet to the opening which is much closer than using Old State Road and Mt. Pleasant Road, but if this is a problem, they simply close Mt. Pleasant to truck traffic and this eliminates this problem.

He said the remonstrators are attacking this like they are going to create all kinds of traffic problems along Mt. Pleasant Road, that they are only going to use 300 feet and they are going to widen it at their own expense and this is hardly the same thing as creating these problems.

He said as to the good residential growth, that this particular land can't be used for residential growth, that it lies between Hwy. 41 and Little Pigeon Creek and it will take some work for the drainage problems on the part of the Industrial Developers, He said he thinks the whole thing comes down to the fact that if the Commissioners feel that the Industrial Development along Hwy. 41, along the L&N mainline is going to pervert the residential property, don't vote for it, but if they feel as he does, that they are talking about something that is along Hwy. 41 that is a natural Industrial corridor and is so far removed from the residential areas, that they aren't perverting the residential areas at all, then this rezoning should be passed, that it is good zoning and is commensurate with the long-range plan, that it is in the best interest of Evansville and it will create more development and jobs and it will not pervert the residential areas.

Mr. Becker, in rebuttal, said that Mr. Johnson had pointed out the need for a rail siding, especially in connection with the proposed tenant they have for a lumber yard, that he just wanted to point out they do have a lumber yard at the intersection of Stringtown Road and Petersburg Road and they aren't on the rail siding and they seem to get by just fine, also that there are industrial building sites in this County with rail siding available and Mr. Johnson has been indicating that they are only going to use 300 feet of Mt. Pleasant Road, that this is where all the industrial traffic is going to be, but he forgets that the people also use Mt. Pleasant Road and they will have to contend with all the industrial traffic there, and to say that putting in an industrial corridor along Hwy. 41 is not going to affect the residential growth on the west side of Hwy. 41, it isn't so, that as soon as they put in industrial land along Hwy. 41 they are immediately going to have to create another buffer west of that before they can have any residential property, that no one is going to build a house next to this Industrial Park, so he asked the Commissioners to save this land for residential use, that this is the way it has been and this is the way it should be.

Commissioner Schaad moved that Rezoning Petition VC-4-78 be approved. Commissioner Willner seconded the motion. The vote being in the affirmative by majority, with Commissioner Ossenbergs voting in the negative, the petition was approved by 2 to 1 vote.

RE: REZONING PETITION.....THIRD READING.....VC-5-78

Petitioner and Owner of Record...Bennona Burnett of 811 Forest Glen.

Premises affected are situated on the south side of Upper Mt. Vernon Avenue, a distance of 200 feet southwest of the corner formed by the intersection of Helfrich Avenue and Upper Mt. Vernon Avenue, more commonly known as the 4320-4360 block of Upper Mt. Vernon Road.

The requested change is from A to M-2. The present existing land use is Retail Sales and is non-Conforming. The proposed land use is for storage of golf carts and possible future maintenance.

In Area Plan this petition was amended to M-1 and approved with eight affirmative votes.

There was no one present to speak on this petition so it is being held up.

RE: REZONING PETITION.....THIRD READING.....VC-6-78

Petitioner.....James C. Sermersheim of 3122 Wimberg Avenue  
Owner of Record.....Richard Maurer of 321 W. Hanover Road  
Lessee:.....Russell Bates of 3817 N. St. Joe Avenue

Premises affected are situated on the East side of N. St. Joseph Avenue, a distance of 145 feet North of the corner formed by the intersection of St. Joe Avenue and Sheridan Road, more commonly known as 3817 N. St. Joseph Avenue.

The requested change is from C-1 to C-1B. The present existing land use is a Grocery Store and the proposed land use is for a Corvette Repair Shop and Parts Sales.

This petition was approved by the Area Plan Commission with eight affirmative votes.

Mr. Sermersheim said he would like the zoning on this property to be changed from C-1 to C-1B so he can put his Corvette Shop at this location.

Commissioner Ossenbergs asked Mr. Sermersheim if they agreed to the recommendation that the ingress-egress on the proposed widening of St. Joe Avenue should be followed.

Mr. Osterholt said this should be no problem.

There were no remonstrators.

Commissioner Schaad moved that petition VC-6-78 be approved. Commissioner Willner seconded the motion.

The vote being unanimous in the affirmative, the rezoning petition was approved.

RE: REZONING PETITION.....THIRD READING.....VC-7-78

Petitioner and Owner of Record.....Guthrie May & Co., Inc. of 4445 Commerce St. City

Premises affected are situated on the south side of Eissler Road a distance of approximately 900 feet east of the corner formed by the intersection of Eissler Road and Old State Road; and other premises affected by the petition herein are situated on the east side of Old State Road both north and south of the intersection of Old State Road and Strawberry Hill Road, more commonly known as; A. 7351 Old State Road to 7501 Old State Road, both inclusive; B. 401 Eissler Road to 601 Eissler Road, both inclusive, except 501 Eissler Road; and C. Portions of Old State "One" Subdivision and Old State "Two" Subdivision.

The requested change is from A to R-1. The land is presently vacant and the proposed land use is for the construction of single-family dwellings.

This petition was approved by Area Plan with 12 affirmative votes.

Commissioner Schaad asked why, in the future, they couldn't have the Evansville Urban Transportation's recommendation on what changes that need to be made before the Commissioners hear the rezoning petitions, since it seems to him that it should be agreed upon before they grant the rezoning.

Commissioner Ossenberg said that while he served on Area Plan they always had a layout of exactly of what they intended for E.U.T.S. to do, and he asked if they didn't have this anymore, also that in the future they should send a representative to the Area Plan Commission meetings, since it should be spelled out. He said there was a question today on the Mt. Pleasant Road and Hwy. 41 zoning, that it was very vague and he didn't quite understand what they did recommend on it.

Commissioner Schaad said they didn't recommend anything, that they just said they would go along with whatever was recommended, which was very broad.

Commissioner Ossenberg said that in the future their department should recommend and see that they follow it, that this would give the Commissioners a guideline to go by.

Mr. Osterholt said that he and Mr. Lockmueller would get together and talk about it and see what can be worked out.

Mr. Becker, attorney for the petitioner, appeared and said this is a rather large tract of land and he submitted a site plan and said that it encompasses what is presently Old State One and Old State Two which are Subdivisions that have been approved, that it also encompasses what they hope will be Old State Three and Four which are just additions to that Subdivision to the North, to Eissler Road. He said the reason for the rezoning petition is to take advantage of the more liberal lot coverage requirements in a residential zone, since they can cover 30% of the lots and the way the lots vary in size, they have to calculate each time they build a home as to whether or not they are meeting the requirements, so they would like to have a little leave-way.

Commissioner Schaad said they discussed the drainage but he thought this problem has pretty much been solved, of course there will still be problems, that they have talked about it as to further down the creek and maybe making it a legal drain in the future.

Commissioner Ossenberg said he wrote to the Corp of Engineers to do a study in the possibility of cleaning Little Pigeon Creek, but he hasn't heard from them as yet, that he understands that if we request it, they will come in.

There were no remonstrators.

Commissioner Willner said he has one question on the Area Plan Commission and that is, if this rezoning petition was heard at the same Area Plan meeting as the other petitions were, since there were twelve votes cast on this one and less on the other ones.

Mr. Osterholt said this rezoning was heard on a different night than the other ones.

Commissioner Willner also said that the Area Plan voted on this petition before the Drainage Board had time to act on it, that the Drainage Board had denied it previously and then it went to Area Plan and was approved, and he didn't quite understand this.

Commissioner Ossenberg said if Commissioner Willner recalls, in the Drainage Board of last week, this petition was approved subject to final rezoning and approval of the Drainage Board.

Commissioner Schaad said they did have the Area Plan Commission meeting, that he attended it and said that the drainage hadn't been taken care of, but Mr. Biggerstaff said he could come back at last Monday's meeting, prior to this meeting, and they did approve it last Monday.

Mr. Osterholt said that the design questions, drainage questions and traffic questions were worked out between the time the Area Plan Commission met and the time they came to the Drainage Board.

Commissioner Willner said he has seen no plans that has been different from what they had before and he is reluctant to add more lot coverage to these lots and have more water run-off, that it is going to be one tremendous problem.

Commissioner Schaad read last week's Drainage Board minutes, as follows: "Louie Stephen said that Sam Biggerstaff wanted to have an audience with the Commissioners on Old State 3 and 4" and after further discussion, "Commissioner Ossenberg moved that this be approved, but I am going to stay on this until something is done. Commissioner Willner seconded the approval. So ordered."

Commissioner Willner said he is sorry but that he did not second the motion.

Mr. Brenner said they didn't even vote on Old State 3 and 4 the last time, that they just discussed that it was coming up for an R-1 zoning which would give additional lot coverage, that it had been turned down the previous week.

Commissioner Ossenbergh said it was turned down the previous week but they came back, that Mr. Biggerstaff came in with it and Commissioner Ossenbergh moved that it be approved, but he was going to stay with Citizens Realty and Guthrie May until he saw something done and in the meantime he also wrote to the Corp of Engineers.

Mr. Brenner said they were talking about the ditch down the side to help drain the water away, that they made the petitioner on the Industrial Park that was just approved adhere to the same thing they did on the east side, but they didn't do anything on this one, and now they are going to up the size another 10%, that if they remember, in using agricultural zoning for residential, they were going to get that out of the code also and this is the only lever they have.

Commissioner Willner said if they have a drainage plan that will work, he will vote for this petition but if they have one that isn't going to work, then he doesn't want any part of it.

Mr. Brenner said it is no different than when the Commissioners turned it down the first time and Commissioner Willner said this is correct, that nothing has been done and he knows they have problems there now and he hates to see the problems they are going to have in the future

Mr. Osterholt said at the first Drainage Board where this was heard he was the one that brought up the question of the problem on Petersburg Road and the motion had been made and seconded that the drainage plan be approved because it was an interior design they were concerned with, but after he brought up the problem of Petersburg Road, the question then came up as to what would happen since this would increase the water at that location. He said he didn't know if the question of the interior design has been changed, that the question was outside of the subdivision.

Commissioner Willner said he agrees that the petitioner has no jurisdiction over the ditch downstream but he is saying that something has got to be done, since if they don't do it now, it will continue to be a problem.

Mr. Biggerstaff said the drainage plans were approved at the last meeting, in fact, when they brought the very first subdivision in, which was in 1976 they had the entire plan approved at that time for the total subdivision and they submitted a plat to the Area Plan Commission and stated that since this was such a large tract of ground, that they would probably develop it in stages, that they also brought in the sanitary sewer plans and had those approved and they had the storm drainage plans approved for the total area, that they have since submitted the sanitary sewers for the second areas to the State of Indiana, that they didn't have their approval on that, but in general, they had the overall plan approved several years ago and basically, they haven't changed that plan.

Commissioner Willner said but now they are going to cover more area, and Mr. Brenner said it will be 10% more plus the 20% makes it 30%.

Mr. Biggerstaff said they have provided, as was requested at that time, a ponding area of sorts along the south side of that subdivision, because this was requested at the time they brought in the preliminary plans and they conformed with that and did it, but as far as the approval of the drainage for the subdivision, that has already been approved several years ago, but when it comes up for rezoning and comes before the Drainage Board again, which they had questions several weeks ago, but last week, the Drainage Board approved the drainage plans.

Commissioner Willner said it so stated but that he didn't second the motion that the drainage plans be approved.

Mr. Biggerstaff said maybe he didn't but he was right here and it was his understanding that they were approved and Mr. Ossenbergh was going to get further information for down stream and they talked about this, which was completely off the site, which he has no control over.

Commissioner Willner said they have tried to get the Corp of Engineers in here before but he isn't putting much hope on that, that he would rather have something more solid that he can put his teeth into.

Mr. Becker said the petitioner isn't planning to build larger homes on these lots, that they just wanted to be sure they were within the allowed area.

Commissioner Schaad said they explained that they were going to build just like they had before but if someone wanted to build a garage later, then there would be a problem.

Commissioner Willner said he thinks they have problems right now without building anything, that he doesn't mind if they say they are going to keep the water on their



own property, that this is fine, but they have showed him absolutely nothing. He said why do they ask one group of people to hold their water and they say to another group of people to go ahead and dump it, that if they can answer this question, he will vote for this petition.

Mr. Biggerstaff said they have, that they asked them to provide that ditch along that south line and they did exactly what they were asked to do.

Commissioner Willner said they are now coming back and asking for more though.

Mr. Biggerstaff said they aren't asking for more, that it is kind of confusing, that the subdivision itself doesn't need any drainage board approval, that the plans were approved, and all they want to do is to change the zoning, that the lot sizes will remain the same.

Commissioner Willner said it changes the building size.

Mr. Biggerstaff said that Don will have an extra 100 square feet on his house and this can't contribute a lot to the drainage problem, also they made the ditch wide and keep it mowed and such as that, that the problem is downstream and part of the problem is on Vanderburgh County property, as he has explained before and maybe this needs to be cleared up.

Commissioner Willner said it should be cleared up.

Commissioner Schaad said he thought they agreed that this would be looked at and they would get it done, that is why he thought they went along with it, but if Commissioner Willner says he didn't, he didn't.

Commissioner Willner said he thought this must be done first, before he considers anything else, otherwise it will just lay around again.

Mr. Brenner said when they came in for drainage board approval last week, they didn't need it, that it has already been approved by Area Plan 8 to 0 on the subdivision, so Commissioner Schaad voted for it in Area Plan after he voted no on the drainage board.

Commissioner Willner said he isn't going to ask one group of people to submit a drainage plan and to hold the water on their property, turn it loose slowly so as not to cause a problem and turn right around at the same meeting and tell someone else they can do just the opposite, that he isn't going to do this.

Mr. Becker said he thought the drainage problem was resolved, that the drainage plans had been approved and he didn't know what further response they could make.

Commissioner Ossenberg said that frankly, he thought from the minutes of last week of the drainage board that it was too, but apparently it wasn't.

Commissioner Schaad said he thought after the drainage board meeting of last week, they realized their problems, but to handicap this builder and deny him of what he wants to do, with what they had done plus what the County needs to do, even making some of it a legal drain, that because we haven't done something, why should we penalize him and this was what he thought the general feeling to be, but maybe he is wrong.

Commissioner Willner said they did ask Mr. Buente to build retention and they turn right around in the same meeting and say someone else can do ten times that much without doing anything except cleaning the ditch which they have to do anyhow, that this just doesn't make sense to him.

Commissioner Schaad said in this instance he feels that part of the responsibility is ours, as far as the drainage board is concerned in getting it to be a legal drain or whatever, Guthrie May can't do anything off his property and as far as the concrete by the golf course, they agreed this needs to be done, and if they have to do something about declaring it a legal drain, let these people as well as everyone else share in the cost of maintaining the ditch off their property, that this is the responsibility of the Commissioners and they should do something about it and not penalize the builder.

Commissioner Willner said he agrees but that it has to be done first, or at least agreed to be done

Commissioner Ossenberg said he knows that Little Pigeon has been a problem for a long long time and he knows that they could constitute it by cleaning it from one bridge to another bridge and he knows that some past surveyor's have done it, that this may be the answer, that maybe they should go in and clean Little Pigeon and not wait for the Corp of Engineers. He said he realizes the ponding area is necessary and all but it was explained to him that this was in the Area Plan Commission, passed only subject

to coming back to the drainage board.

Commissioner Schaad said it came back last week and as far as he was concerned, it had been agreed upon, but maybe he was wrong.

He asked Mr. Stephen if he had a chance to do anything on that concrete that is in the ditch by the golf course, but Mr. Stephen said he hasn't had a chance to go back and look at it, but it is on the list of things he has to do.

Mr. Blume asked if there was anything they could do, that they had talked about it but felt that the ditch was someone else's property and they had no right to go down there, that at one time they were going in there, but if it is available through the government then they should be handling it, that this is the way they felt, but if there is something they can do, they will.

Commissioner Ossenberrg the government end of it is at the very bottom of it and he took the attitude in moving for approval, that he would talk to him and Citizens Realty about cleaning it, but he knows that it is just a question of time that Citizens is going to come in and ask for a zoning, that they got it rezoned and he felt as though it was part their duty and he was told two or three weeks ago that Guthrie was negotiating with Citizens Realty, so he thought they could get the two sides together but at the same time he thinks it is the County's responsibility for Little Pigeon, that this is all he has heard since he has been a Commissioner, and Little Pigeon, directly, is in the Corp of Engineers, but as Bob will tell him, they have the right to go in and clean Little Pigeon, that he has written the Corp several times and has written Mr. Cornwell's office but he has never received a reply.

He said that Mr. Biggerstaff has worked with him on this project and he has requested that they come in and do a feasibility study on Little Pigeon Creek and clean it, and whether they adhere to that or pay any attention to it or not, he don't know, but if they don't he thinks it is the responsibility of the County to clean it from bridge to bridge, and he thinks this would help the drainage area at that particular location, plus the golf course.

He told Mr. Blume that anything that he and Guthrie May, along with Citizens Realty can do and he will get Joe Wallace to clean that into there, he thinks, "yes".

Commissioner Schaad said that was all talked about and it was agreed and promised that they would work together, that he states this is fine, and they are willing to cooperate to clean it, but then they have a maintenance problem from then on, and that is the County's responsibility, that he thinks it should be declared a legal drain or go about it so that everyone in that area will share in the cost of keeping it maintained, that they should let them clean it for now, but in the meantime, they should get to work on it and get something done, that they talked about making it a legal drain before.

Commissioner Ossenberrg told Mr. Blume that what Commissioner Schaad is saying is that many places around the County. they are asking them to be declared legal drains so they can take bids in that particular watershed and keep the ditches cleaned every year, but the people are assessed on that particular ditch, for example they had troubles in the east side so they just made it one big pot and assessed everybody, that during last rains is the first time they haven't had any calls on the east side, so if they benefit, let them share in the cost, so they are urging that these people be put in a legal drain.

Commissioner Willner said he agrees that this should be done, that there are also some building restrictions on a legal drain and some of the lots will have to be virtually wiped out, so it will affect them even if they make it a legal drain, but it will have to be done, that he sees no alternative, and in the meantime they can't build on those lots.

Commissioner Schaad said in-as-much as they thought this was worked out and the County needs to solve their end of it and not wanting to penalize the petitioner, he is going to make a motion.

Commissioner Schaad then moved that Petition VC-7-78 be approved. Commissioner Ossenberrg seconded the motion.

The vote being in the affirmative by majority, with Commissioner Willner voting "no", the petition was approved by a 2 to 1 vote.

Commissioner Ossenberrg asked Mr. Blume to contact Citizens Realty in the meantime, that they will wait another week or two for the Corp of Engineer's and if they don't hear from them, the Commissioners will just initiate their own plan.



RE: REZONING PETITION.....THIRD READING.....VC-8-78

Petitioner...Key Construction Company...2201 Covert Avenue  
Owners or Record...Carl A. & John E. Rueger & Anna M. Rankin of 914 Rueger Drive

Premises affected are situated on the east side of St. Joseph Avenue, a distance of 300 feet North of the corner formed by the intersection of Lexington Avenue and St. Joseph Avenue, more commonly known as 4201 N. St. Joseph Avenue.

The requested change is from A to M-2. The present land use is agricultural and the proposed land use is for an Industrial Park.

This petition was approved by the Area Plan Commission with eight affirmative votes.

Mr. McCray appeared for the petitioner and said this petition did go before the Area Plan Commission and was approved unanimously, that it is located roughly East of the landfill and is bounded on the North by an M-2 zoning, on the South by an M-2 zoning and on the East by the New York Central Railway.

He said that if this is approved by the Commissioners they have a plot plan they have prepared that shows about 14 one-acre lots divided down the center by a concrete street, which will service each of those lots, that all the facilities, sewer, water, storm drain and everything are available to them and the only staff recommendation before the Area Plan Commission was with reference to the storm sewer and contact has been made with a Mr. Meyers who does in fact, have a sewer adjacent to this property and a tap can be made there.

He said that the development to the South is almost completed and the one at the North is in construction now.

Commissioner Schaad said they are going to widen St. Joe Avenue and he wondered if Mr. Stephen had talked to them about it.

Mr. Stephen said he hadn't, that he didn't know anything about this petition.

Commissioner Schaad explained that St. Joe is going to be widened to four lanes and it will be federally funded 70% and that Fink, Roberts & Petrie in Indianapolis is the Engineering firm for it and he thought all the plans to have been approved and he wondered if they provided for a curb cut for them.

Mr. McCray said he didn't think they were fully aware of this but that a site plan hasn't been prepared as yet.

Commissioner Schaad said they would still have to have a road off St. Joe Avenue regardless of what their site plan is.

Mr. McCray said he is sure it will have to be taken into consideration by Key Construction Company.

Commissioner Schaad said he thought it would behoove them to get together with Fink, Roberts & Petrie at this point, with Mr. Stephens help and see what can be done because there was no plan there and if there is going to be a cut or something else, since he didn't think that after the plans are approved, that the federal government will share in any of the expense and it will be all their expense.

Commissioner Willner said that a curb cut probably wouldn't be a problem but if they need a median cut, they probably couldn't get it at all.

Mr. McCray said there is no need for a median cut.

Commissioner Schaad said he thought they should get together with Mr. Stephen and talk it out and get in touch with Fink, Roberts & Petrie to get this thing worked out, and even though they can get it worked out, there is no objection on the states' part of the federal governments part, that they have already approved the plans. He said whatever expense is involved would be theirs.

Commissioner Ossenbergs said he might add that the only recommendation from the E.U.T.S. due to the St. Joe project, should work with the E.U.T.S. concerning the intersection modification.

Commissioner Schaad said just like he was talking earlier, by saying that the E.U.T.S. should work with them, that these people should have been told at that time, that there is a four-lane highway going through there and it should have been worked out before, and to work with them after it has been approved, that don't get it.

Mr. McCray said there is nothing they could do about that after the approval by the federal government, that they couldn't do anything else and just had to go ahead and do it if they want to have an Industrial Park zoning.

Commissioner Schaad said there will have to be a curb cut, that is for sure, and that has to be approved too, that this was a real problem in one place but they finally got it shifted around and got it solved, since if there is a change after plans are made, for a median cut, the federal government has nothing to do with the cost, if it costs \$30,000, then whoever is petitioning to have it done, if it is approved, shares the cost and if it could have been done before hand, they would save a lot of money.

Mr. McCray said he understands this but in point and time there is nothing else they can do, that they have to start here and just abide by what they say and develop it, this is all that can be done, but they won't need a median cut.

There were no remonstrators present.

Commissioner Schaad moved that petition VC-8-78 be approved. Commissioner Willner seconded the motion.

The vote was unanimous in the affirmative, the motion carried.

Commissioner Schaad suggested that Mr. McCray get with Mr. Stephen and contact Mr. Cantwell and get the details worked out as soon as possible, since they may be taking bids in a very short time.

RE: REZONING PETITION.....FIRST READING.....VC-9-78

Petitioner and Owner of Record.....Chal Corporation.....401 N.W. Fourth Street

Premises affected are situated on the South side of Covert (Extended), a distance of 2242.9 feet East of the corner formed by the intersection of Green River Road and Covert Avenue (Extended), more commonly known as 5418 Pollack Ave.

The requested change is from R-1 to PUD (Planned Unit Development). The present land use is agricultural and idle, and the proposed land use is for single family residential, duplexes, apartments, recreational & storm water control, commercial.

Mr. Robert Stayman, attorney for the petitioner appeared and distributed location maps to the Commissioners.

He said they have Pollack to the south of the property, all R-1, that the Covert Extension is to the North, Hoosier Avenue about halfway to the project and Green River Road two blocks to the West and all of this property is zoned R-1 including the property covered by the petition, is currently in an agricultural use, that there is a wooded area and they propose to retain it in most respects.

He said this is a Plan Unit Development and they are asking for a zoning change to that effect and as the Commissioners can see, it covers single residential dwellings, duplexes, apartments, recreational facilities including the City storm water controlled lake and some commercial facilities to the North.

Mr. Moreley said the Commissioners may not be all that aware of it, that there hasn't been very many Plan Unit Developments for Evansville and Vanderburgh County and they recognize the need to various specific regulations to the City or County Zoning Ordinance to provide residential, commercial and industrial areas which match creative approaches in the building industry with unique land and housing demands, that this district is designed to allow more flexible regulations while preserving the purpose of the zoning ordinance.

He said this project they have on the 120 acres is set up with an area in the woods that are in the area with some 52 conventional single family homes, then in another area they have more dense populated single family homes and there is a new concept allowed by PUD that isn't allowed in conventional zoning, that they are cluster homes and actually four people share a common driveway and there are, of course, covenants between the four people but it gets away from a lot of on-street parking, so they get a better livable area and they have what might be called patio homes that utilize zero lot lines set back, since one side of these homes will be allowed to be built right against the lot line, that there would be no windows on that one side what-so-ever, so rather than having a small yard on each side of the home, they put it all on one side and there is a maintenance agreement where the person can enter onto the adjoining lot to maintain it, so they get a more usable area and there are 152 of these and they plan four-plex clusters which has parking within it and the apartments are located on Pollack and there are apartments along the lake.

He said the commercial area covers approximately seven acres which follows the guidelines recommended in the PUD ordinance, that they also plan for a permanent pool area and a high water level that would cover 18 acres, that the lake isn't just for this development, that if the Commissioners remember back to Sunday, August 3, 1975, they

had 4½ inches of water on the east side and all of Arcadian Acres was under water and on Monday morning a special meeting was called and they decided something had to be done about it and an engineering study was developed and it was determined that there was no way they could expand the storm sewers down to the K-2 pumping station, so plans were prepared for a storm detention basin for the east side and as of yet nothing has happened, that it did get to the planning stage but it didn't get to the implementation of it, that no one had approached the property about buying the land, so when they became involved in this it was one of the first considerations and since he knew about it he thought they should try to incorporate it into the plans, so the original plan for some 95 acre feet of storage, he has taken and even increased the amount of storage available. He then explained how the ponding basin would work and said it hasn't been fully worked out as to how this would work with the city but the point is that it is being set up so part of the City's problems are going to be solved in conjunction with this project.

He said that Covert off Green River Road is in the Master Plan for extension on to Newburgh Road and the engineers contract for design of the four-lane extension has already been let and it will act as a barrier to the homes in Olympic Court and Brentwood and if that goes through, Mr. Lochmueller says the plan is for it to be limited access, that there will be no individual home lots onto the four-lane at all. He then explained the type homes they plan to build and said that the covenants are listed on the preliminary plat and essentially Citizens Realty and Insurance Company is the development coordinator for this and the concept will be that they are proposing establishment since it will take three or four years to completely build out, that there is going to be a design review committee established on each segment and the design review committee would be composed of the owner, the primary realtor involved, a representative of the Area Plan Commission and an engineer or architect appointed by the owner so that throughout this thing, they make sure that the apartments and everything blends together into one really fine community.

Commissioner Ossenberg asked if this is in conjunction with the Henry B. Steeg study of the east side drainage.

Mr. Moreley said this is correct, that they have met with them and the Board of Public Works and are working out the details of the structures and the alignment of the storm sewer as it comes into the lake.

Commissioner Schaad moved that Petition VC-9-78 be passed on first reading to the Area Plan Commission. Commissioner Willner seconded the motion. So ordered.

#### RE: CLAIMS

A Claim was submitted by Feigel Construction Corporation for the paving of Darmstadt Road, St. Joseph Avenue and Oak Hill Road, Request #5, less 10% retention fee, in the amount of \$35,441.34, which has been approved by Mr. Stephen.

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

A Claim was submitted by Insurance Audit Inspection Company, for Yearly Service Contract on Liability Insurance beginning 2/6/78, in the amount of \$5,750.00.

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

Commissioner Ossenberg said one thing Ms. Juras didn't ask for and he is going to have to find out about is for money to write the specifications.

A Claim was submitted by Southwestern Indiana Mental Health Center, Inc. for the total yearly commitment, by contract, in the amount of \$83,759.00.

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

A Claim was submitted by Mr. Fred Dewes, the Manager of the Auditorium, for expenses in attending the Convention of the Indiana Society of Association Executives, in the amount of \$68.35.

Commissioner Schaad 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 second half of 1978 appropriation for the operation of the agency, less rent, according to the agreement, in the amount of \$5,467.50.

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

A Claim was submitted by the Evansville Association for Retarded Citizens, for monthly appropriation for yearly allocation of \$10,977.67, by contract.

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

A Claim was submitted by Brink's Inc. for services rendered to the County Treasurer for the month of July, by contract, in the amount of \$253.20.

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

A Claim was submitted by Xerox Corporation for downpayment Invoice for Xerox 3107 under Xerox equipment equity agreement in the amount of \$785.50.

Commissioner Schaad 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 Building Inspection at 40% in the amount of \$4,395.12, for the month of April.

Commissioner Schaad 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 Weights & Measures for the month of April, at 42%, in the amount of \$525.78.

Commissioner Schaad 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 Department of Purchasing at 50% for the month of April, in the amount of \$1,531.06.

Commissioner Schaad 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 Department of Traffic Engineer at 14% for the month of April, in the amount of \$3,418.60.

Commissioner Schaad 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 Department of Health at 17.8% for the month of April, in the amount of \$6,265.98.

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

RE: MR. CROOKS .....JUNKED CAR TO BE REMOVED

Mr. Crooks said they had talked about the junked cars and the dilapidated house on Nurrenbern and Red Bank Roads and they have been able to get the one house burned, that he contacted the owners and they have authorized him to go ahead and get rid of the junked cars so he has tried to contact the people who live there and he even asked the Sheriff to contact them but no one seems to be able to find out who this guy is, that he talked to the man at Red Bank Motors about the one car that's left there, that the rest of them are just hulls.

He said he didn't know what the cost would be but he would like the Commissioner's permission to go ahead with the project even though they don't know who they belong to, and authorize him to get someone to pull them out of there.

Commissioner Schaad moved that Mr. Crooks be allowed to have the junked car and parts pulled out of there. Commissioner Willner seconded the motion. So ordered.

RE: MR. CROOKS....HOUSE NEEDS TORN DOWN

Mr. Crooks said the other problem is the house that belongs to Lula Belle Deane, that they have talked about this before, that her progress is about one board a week and he would like to know if he should aggressively pursue it or go along with Mr. Deane, her son, that they have had no complaint in the last six months that he knows of.

Commissioner Schaad said he guessed the people learned to live with it but they did decide to do something about it and if they don't, he thinks it will come up again sometime and they will start all over again on the thing.

The Commissioners agreed that Mr. Deane be given a deadline and tell him that if he doesn't do it, they will go in there and do it for him.

Mr. Crooks said they have done this before, that Jack Deane came in and requested 60 days to complete the work because of the delay due to the bad weather, but the 60 days has now passed.

Commissioner said his time is up then and that Mr. Crooks should tell him that he hasn't done it and the County will do it for him, to which the other Commissioners agreed.

Mr. Crooks said he will contact Mr. Deane and inform him of their decision.

RE: MR. CROOKS TO ATTEND MEETING

Mr. Crooks said he will be out of town tomorrow on the review of the Building Code and the Energy Code, that it is to be held in Indianapolis.

RE: MR. HOTZ ...REQUEST TO BE ON COUNCIL CALL

Mr. Hotz submitted a letter of request that was addressed to Mr. John, the County Auditor and reads as follows:

Dear Mr. John:

Please advertise the following for the August Council Call under County General Fund:

Additional Appropriations:

Acct. No. 131-252 (repairs to equipment)	\$6863.55
Acct. No. 131-253 (repairs to Bldg. & Grounds)	\$2630.00

Thank you.

Sincerely, Herman T. Hotz  
Supt. of County Buildings

Mr. Hotz said there will be an itemized list sent to the Council members, that it is for Althoff Howard for new batteries and service on the emergency lighting at Hillcrest at about \$985.00, Evansville Wet Heat for a new pump motor at the garage which will cost about \$1408, also 30 gallons of chemical which is about \$268.95 at the Hillcrest-Washington Home and they need approximately \$638.67 at Washington and \$150.93 at Hillcrest, service calls to start up boilers and check all controls and flush boilers, adjust burners at about \$600.00.

He said that Honeywell Controls has recommended they replace 12 thermostats in the Hillcrest Home at approximately \$1200, repairs to the dryer in the jail he is estimating to be about \$500.00, however they may be reimbursed for this by the Insurance Company, that they will have to pay out about \$100.00 for routine repairs for the rest of the year.

Commissioner Schaad moved that this request go on the Council Call for August. Commissioner Willner seconded the motion. So ordered.

RE: VACATION REQUESTED BY MR. HOTZ

Mr. Hotz said he would like to take a week's vacation starting next Monday.

Commissioner Schaad moved that Mr. Hotz week's vacation, starting next Monday, be approved. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON SALT STORAGE FACILITY

Mr. Hotz said they repaired the existing salt storage facility at the County garage, that it is about to fall down and Mr. Stephen advised him that the company that builds the wooden bridges also makes a salt storage bin and another company has a silo type storage facility. He said he would like for he and Mr. Stephens to pursue this in getting some estimates and come back on it at a later date.

Commissioner Schaad moved that they investigate it and come back with a recommendation. Commissioner Willner seconded the motion. So ordered.

RE: MR. JUDD

Mr. Judd said he has had some 16 ten-ton load signs put up on St. Joe Avenue and 17

or so speed signs up.

Commissioner Willner asked if they were going to stripe St. Joe Avenue.

Mr. Judd said he and Mr. Stephen have talked about this and he thinks there is a contract in August sometime when they are suppose to come in and do it.

Mr. Stephen said if they come down within a month they may as well let them do it, but otherwise, they may have to go ahead with it.

Commissioner Ossenbergs asked Mr. Stephen to check this out as to when they can expect the work to be done and to let Mr. Judd know, so they know what to do.

RE: ABSENTEE REPORT

Mr. Siebeking submitted his absentee report on the employees at the County Highway Garage for the past week ending July 14, 1978.  
Report received and filed.

RE: MR. SIEBEKING...REQUEST TO BE ON COUNCIL CALL

Mr. Siebeking submitted a letter of request that was addressed to Mr. John:

Dear Mr. John:

Please transfer the entire balance (\$78,534.81) from account 506-201-2260, Contractual Services, into a new account 506-201-2430, Bituminous.

This transfer is necessary to meet expenses to continue resurfacing roads.

Also, we request a transfer of \$65,000.00 from account 201-2260, Contractual Services, to be placed in account 201-2430, Bituminous.

Very truly yours, Jack Siebeking  
Superintendent

Mr. Siebeking said that his revenue sharing money can't be put into his Bituminous account but that they can set up a new Bituminous account to put it in, also that the \$65,000 is what they have now in their Contractual account, and he is asking that this also be put into the Bituminous account.

Commissioner Willner asked if they could use the money that the Council has in revenue sharing and Mr. Siebeking said they can if the Council would give it to them. He said if the paver comes in Friday as he understands it might, they will be ready to start next week and if they decide to do Baseline Road and a few others that really needs it, they can use \$300,000.00 without batting an eye. He also said that the state didn't turn loose of the specifications on the R & S money that they sent to us and asked if this isn't correct, that they can't use that now.

Mr. Siebeking said this is correct, but he thinks the majority of that was committed, but Commissioner Willner said he thought they had \$300,000 left over.

Mr. Siebeking said he understands this can be used for resurfacing and Commissioner Ossenbergs said they can, that they took all restrictions off of it.

The Commissioners said they have never seen anything come in on this, and agreed that this information should come from the Division of State Aid since they are the ones we have to report to as to it's use.

Commissioner Willner asked if they had better wait on the paving until they see how it goes.

Mr. Siebeking said, yes, and it is also according to the weather, that if they can run the months of August and September and into October, they can put a lot of dollars through it.

Commissioner Schaad moved that the request of Mr. Siebeking, be put on the August Council Call. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISED

Mr. Siebeking submitted specifications and a Notice to Bidders for a tandem truck that is needed by the County Highway Department and said he would like for the bids to be opened on August 7th.



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

RE: REQUEST FOR AUGUST COUNCIL CALL

Commissioner Ossenberg asked Mr. Siebeking to give Mr. John a letter of request for \$100,000 of revenue sharing money to be placed in his Bituminous account, that this will be out of the County General Revenue Sharing Fund. Commissioner Willner said that he should explain to Council that this will be hot mix and not cold mix, and the reason some of these funds are being switched and he is asking for this additional money is due to the new machine coming in, so they can continue to resurface the roads.

RE: PROBLEM AT WESSELMAN PARK

Mr. Siebeking said that a lady from Wesselman Park called and they have a pond out there that needs to be deepened and cleaned, and she wanted to know if the County Highway Department could come out and do it, that he told her no, but that he would bring the matter to the attention of the Commissioners, that he told her that they can't go in there with county-owned equipment and do this type of work.

RE: MR. SIEBEKING.....ROAD REPORT

Mr. Siebeking said they have finished Old Petersburg Road from Baseline Road to 57, Old Princeton, North, that they road-mixed Coal Mine Road this past week, Baseline Road, all the way, and Mohr Road, from Schaefer Road to Meier Road, that these roads are finished and ready to be resurfaced, plus others such as Ridgeview Heights, Bob Court and Pleasant Road. He said they are working on Fisher Road today as well as Big Schaefer Road, St. Wendell and Outer Darmstadt Road.

RE: EASTBROOKE COURT

Mr. Siebeking said that a man that lives on Eastbrooke Court called him, that if the Commissioners remember, they have had some problems out there, that when it rained, it brought down all the mud off Aspen Drive when they were doing all that work out there and it crossed Oak Hill Road and came on down and the water settled on the street and when it dried it out, it left mud and when it dried out it left dust, and they have the same problem now.

He said he told the gentleman that they will have to find where the mud was actually coming from, that it wouldn't do any good to go out there every time it rained to clean his street off, that they would have to find out where it was coming from, that he would get together with Mr. Stephen to see what can be done about it.

Mr. Stephen said that Eastbrooke Court was accepted with the provision that the developer, for as long as he was out there, would take care of it, that the County wasn't going to do it.

Mr. Siebeking said they have went out there and scraped it up, swept it off and flushed it off with a fire hose several times, that there is no sense in having to keep doing this, that the problem has to be taken care of.

Commissioner Willner said they had the same problem out on Darmstadt Road, that the ditch needs to be cleaned.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum said that the bridge crew pretty well worked in conjunction with the guardrail crew, that they erected quite a bit of guardrail and he had them pouring the concrete for the rail posts and also did some concrete work. He said they are probably a little better than 6,000 lineal feet of rail which they have put in.

RE: CLAIMS

Mr. Guillaum submitted two claims from All Metal Mfg. Co., Inc., one for guardrail posts in the amount of \$770.00, which he has approved.

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



The second claim from All Metal Mfg. Co. Inc. was for Special End Shoes, Flared Ends and Guardrail Posts in the amount of \$5,084.00, and was approved by Mr. Guillaum.

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

RE: PROBLEM ON BOONVILLE NEW HARMONY ROAD

Mr. Guillaum told Mr. Siebeking that he notified someone at the garage, that he didn't contact him, but there was a Mr. Fahrenbacher that had some property on Boonville-New Harmony Road, East of St. Wendel, and every time we would get a considerable rain, the water opposite his property runs across the road and onto his property. He said there are two solutions that could be workable out there to solve the problem, that one of them would be to do a little ditch work on his property but the second solution would be to put the ditch on the property immediately across from him and by doing this, it would also eliminate the water coming across the pavement, which he thinks would be the most practical way of doing it, that possibly Jack would want to go out and look at it with him and he will show him just exactly what they need. He said he has notified the other people across the road that they intend to put a ditch on their property and they will have to come up with a culvert. He said that at one time there appeared to be a side ditch but over the course of time, it has been filled in, but he thinks they should look at it and get it taken care of, since there has been an accident out there due to the water coming across the pavement.

RE: PROBLEM WITH GAS COMPANY

Mr. Guillaum said that the Gas Company is trying to insist upon the County or the contractor to pay for the relocation of lines that are in conflict with the bridge projects that the County has, that plans were sent to them about six months as to what we intended to do in a given area, that in the past it has been his experience that the County hasn't paid for any temporary relocations that were necessary to do the construction, in other words, they were on the County easement do to our permission, however, when a conflict occurs, where we need a temporary relocation for safety or to complete the project, we haven't made any payments to them. He said they insisted that before they would move the line, which is a hazard, they would have to have a commitment from the County or the contractor saying that they would pay the bill for the grounding of the line, that he argued back by saying that the County hasn't done this in the past, that they have a right to be there but whenever we have a conflict, they are going to have to go along with us and move the line or whatever without any payment. He said it is within the right of way.

County Attorney Wendel said it is according to what the County grant of right of way says.

Mr. Guillaum said that if the County gets out of it and they say we won't be held responsible, we will be paying for it in the end anyway because it will be included in the bid, that he has checked the easement out and we have 33 feet from the center of the road so the poles are in the County right of way.

Commissioner Schaad said the question is, what is our agreement with the Gas Company that permits them to put their poles in our easement.

County Attorney Wendel said he would have to look into that before he could give an answer on it.

Mr. Guillaum said what he was going by was what the County had done in the past, that he hasn't had any experience with the County paying the Gas Company for any relocation.

Commissioner Willner said if they don't have an easement for it, they must move it.

Mr. Guillaum asked what they would do in a situation, such as today, they have a fairly serious situation where the contractor has his rig in and he is going to be less than the safety clearance from these lines and the Gas Company is contending they aren't going to move them and the contractor can't sit on his thumbs out there until they get back in there and decide to ground those lines, that he has to set the beams, that they have known this for six months.

The Commissioners agreed that County Attorney Wendell call the Gas Company on this matter immediately following this meeting.

RE: FIFTH AVENUE PROJECT

Mr. Guillaum said that on the Fifth Avenue Project, they are taking care of the

application and are working on the design on it in their department right now.

RE: MELODY HILLS

Mr. Stephen said that out in Melody Hills on that cut where they found out that the City had a forced main, he checked with Jack Alles and told him that he had to have a cut permit, so he filled one out, and he put down for the bond for construction, that the contractor's bond will comply for the cuts, in other words, he is saying that the contractor's bond to the City will comply for our cuts, if that is acceptable, that they are cutting the street in four places, on which this bond would apply.

Commissioner Willner said the bond is made out to the City and the County will then have to try to collect for it, but this don't do it, that they should have a bond from the contractor for the County, since if they ask one to do it, they have to ask all of them to submit a bond.

Mr. Stephen said incidently, this gets back to Ryan's bond that they were going to check on, that he has one to the County yearly for the construction, so he checked with the Building Commission and it would not cover him for out in the County right of way, that he was contacted by his bonding company and he thinks they are going to furnish us with a bond on the water line for Inglefield Road.

Commissioner asked if he was still going down the center of the road. He said that Ryan tells him they are going down the east of Martin Road, but that is in Darmstadt.

RE: MR. STEPHEN ...CONSTRUCTION PROJECT REPORT

Mr. Stephen said that apparently the Department of Commerce Bureau Census picks out a project and send forms out to various people, that he has one that ended up on his desk to be filled out, that he did fill it out but thought he had better bring it to the attention of the Commissioners. He said he put Bridge #65, that they had two bridges out on Marx Road, # 64 and #65, that one of them was completed over a year ago, that the other one was the one that was bid twice and they decided not to do it, so he made certain comments about and he will mail it to them, and he submitted a copy for filing.

RE: ST. JOE AVENUE

Mr. Stephen said he has received a letter from the Division of State Aid with copies of the agreement which he will fill out and sign, that he hasn't received the utility agreement from the Water Company, so when he receives it he will send it along with this, that this agreement is the engineering assignment for the St. Joe Avenue project.

Commissioner Schaad asked Mr. Stephen if he got a letter back saying that the state can't do it and Mr. Stephen said this is the letter he now has received.

Commissioner Schaad told Mr. Stephen that he should be sure and notify Mr. Cantwell and let him he is doing this.

Mr. Stephens said he talked to Mr. Ledbetter in the Water Company office about the utility agreement and he said they gave it to Don Mills to sign, that he didn't sign it last week and they are dragging their feet, also that he hasn't heard anything on the right of way costs, but that he would call Mr. Mills on the agreement.

Commissioner Ossenberrg said that the County isn't having to pay on the preliminary right of way, that they won't bill us at all, that Mr. Stephen will have to do that but they are having trouble with the Amoco Gas Station out there.

Commissioner Willner said maybe that should be worked out before they can get a right of way purchase, that if they have to go through condemnation this will tie it up for a long time.

Mr. Stephen said he checked with Lani in Urban Transportation on this agreement and she knew about it, that they are dealing with two railroads, that they have the County and the City, and he didn't know how they were going to work it out but Lani said the only way she knew to do it would to put it in the planning for the future to get railroad signals at the crossing at Allens Lane. He said that the letter he received from a Mrs. Williams stated that the headlights, as they come up the hill, are blinding. He said the visibility is bad but if some of the weeds were cut they would have a little better visibility.

RE: PROBLEM WITH GETTING MAIL

Mr. Stephen said there is a small lane that takes off of North of Dogtown and they have been having problems with getting their mail since there is no street name posted and he wondered how to get the name on the road.

He said that Area Plan told him they would give the lady a statement on the name of the street.

Commissioner Ossenberg said they should get the statement and the Commissioners will approve it.

Mr. Stephen said he will work with Mr. Osterholt on it.

RE: BOONVILLE NEW HARMONY & 65

Mr. Stephen said that the State Highway is getting ready, that last Thursday two people from the State Highway, himself, the Telephone Company, and the Gas Company were all out there and the Gas Company is going to move that pole on the Southeast corner of Boonville-New Harmony Road and 65 and they found that when that pole was put in, they have an easement on that power line along Boonville-New Harmony that is not in the County's right of way and when that pole was put in, there was a house on the corner and they offset the pole to keep from hanging the lines over the house, that the house is no longer there, so they are going to move the pole back in line with the others as it should have been originally.

He said the State Highway Department is going to put a flasher sign in, and for some reason they don't know where the half-section line is exactly. He said there is a hill there but they shouldn't have any trouble in moving some of it, that this would help and we own 40 feet of right of way, so he would like permission for Mr. Siebeking to go in there and level it down, because the state wants to put in another pole to hold a cable for the two flasher lights, also in there where we do have control, there are three signs that are a hazard and he would like permission to write those people letters to get those signs away from there, to give them a deadline and if they don't move them, they will take a chain saw out there and cut them down.

The Commissioners agreed that Mr. Stephen write these people a letter and that he get with Mr. Siebeking to see how far they want the hill moved back.

Mr. Stephen said he has the crew out there to stake this point and he wished they could get it established, that all the stones in the area that they have reference to have been destroyed since they can't find them, but he is pretty sure where they are.

He said the road is shoved way over on Mr. Rexing's property but he isn't complaining about it and has no qualms about giving 40 feet on that half-section lot, that the State Highway Department is going to improve the corner there and extend the culvert and bring the side ditch in, that this gentleman, in the past, has been plowing it back so he has been lowering it a little bit and anything he plants near the road he keeps low and he keeps the grass cut, so he is doing us a favor in trying to do the right thing. He said he wanted to keep the Commissioners posted on what is going on.

RE: OUTER LINCOLN AVENUE

Commissioner Ossenberg asked Mr. Stephen what the status is on Outer Lincoln Avenue, and Mr. Stephen said he has been dragging his feet from trying to put it on bid but everyone is so covered up that he hates to do it right now, since he feels they won't get good bids right now.

Commissioner Ossenberg said he thought he could go ahead with it because Feigel is almost 80% done with the City.

The meeting recessed at 1:50 p.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*Tom Ossenberg*  
*Bob Schaad*  
*Robert L. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
JULY 24, 1978

The meeting of the County Commissioners was held on Monday, July 24th, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: AUTHORIZED TO OPEN BIDS ON TWO-WAY RADIO'S

The County Attorneys were authorized to open bids that were received today, for the Hand Held Radio's needed by the Sheriff's Department.

RE: APPROVAL ON BUS DRIVERS TRAINING PROGRAM

Commissioner Ossenberg said he needs a motion to approve the Bus Drivers Training Program at \$2,341.50 that was passed by the County Council for the School Corporation, so they can get this program on the road. He said the County will be reimbursed when the state pays them.

Commissioner Schaad moved that Commissioner Ossenberg sign it. Commissioner Willner seconded the motion. So ordered.

RE: PUBLIC HEARING ON REVENUE SHARING FUNDS

Commissioner Ossenberg said this has been advertised and has also been posted in all libraries and all necessary agencies have been notified. He said that the Board of County Commissioners did receive a letter from the Southwestern Indiana Regional Council on Aging, Inc. The letter reads as follows:

Dear Sirs:

As the Area Agency for Older Americans programs in the six counties of Southwestern Indiana, we would like to refer to you some suggestions for use of the revenue sharing funds to be discussed at your July 24 meeting. To my knowledge Vanderburgh County has spent no revenue sharing money for the benefit of its senior citizens, and this is one of the causes to which the funds were designed to serve. Other Counties of our area are devoting revenue sharing funds for their seniors and it occurs to us that there are two projects that will need local help next year.

One project which started this past year, primarily as CETA project with Title III supporting money, fills one of the greatest needs that elders in this county face. It is the Handyman program run by Tom Kirkwood for the Vanderburgh County Council on Aging. With the help of CETA employees, this is a \$66,000 operation that is helping many, many old persons remain in their homes by doing the small repair jobs that most home owners do themselves until they reach a certain age. This is NOT HOME REPAIR of CAPE. This is a new project that does only small jobs, like mowing lawns, fixing locks, painting walls inside, small carpenter repair jobs, etc. CETA employment is supposed to be only temporary and loss of the six men on the staff would reduce this much appreciated program to a token in the county the size of Vanderburgh. Mr. Kirkwood could use any where from \$50,000 to \$65,000 for employment of persons to do these jobs.

A second project which is needed for Vanderburgh County is a Multi-Purpose Senior Center. Every county in our Area, except Vanderburgh, has one and some of them are already supported by revenue sharing money. Our office soon will be receiving an allocation of probably \$70,000 plus of Title V Older American money for use in our area to purchase or remodel a multi-purpose center. The City of Evansville operates senior centers through the parks and recreation department, but they do not serve the same purpose for ALL Vanderburgh County seniors as the county centers do in our other counties. Vanderburgh-Evansville SHOULD have one such spot for coordinating all services for seniors. Local match money will be necessary for the Title V money to be used here. We would be happy to discuss these matters above with you and to help in any way we can to bring greater services to our seniors.

The next allocation of Title V money for multi-purpose centers has been earmarked for Vanderburgh County's use by our Advisory Council. We have talked to some city officials about such project, but think that a city-county project would be more appropriate for the seniors of this county.

Please feel free to contact us for any further information needed to help you in making a decision.

Sincerely, Frances King, Assistant  
Executive Director

Commissioner Schaad asked if they could use federal revenue sharing to match other federal funds.

Mr. John said he knew they came out with a Bill, lifting most restrictions on revenue sharing but as far as using this match, he didn't know but that he would check on it.  
He asked the Commissioners what their suggestion is on how these funds will be used.

Commissioner Ossenberg said his suggestion would be to put \$500,000 in the budget for the Highway Department for the roads, and the balance he imagined, would be required by the Sheriff Department's office. As Mr. John suggested, however, he knew that the new guidelines on Revenue Sharing require that these people be given priority attention. He said his question here is on one of two things, and he supposed after they looked up the law as to whether they could match federal funds with federal funds, that he didn't think they could, but it is worth looking into.

He said as to CETA, he would suggest that the County Commissioners go on record that they maintain and keep their six employees.

Mr. John said he didn't believe that would be matching federal funds, that what they mean is, if the County has to come up with \$20,000 to receive \$100.00, that we use \$20,000 from revenue sharing, that the request here is that they fund some employees and that the remainder would be funded through CETA, that he didn't believe it to be a match program.

Commissioner Ossenberg said that the way it reads here, it looks like he is saying that the jobs on CETA could run out, and they are asking from \$50,000 to \$65,000 for employment of persons to do these jobs.

Commissioner Schaad said it reads that local match money will be necessary for the Title V money to be used here.

Mr. John said local match money will be needed here but if the CETA funds ran out, he thought they could use revenue sharing funds, since this wouldn't be matching federal funds. He said he would have to check on this.

Commissioner Schaad said he thought they should have a meeting with these people.

The Director of the Council on Aging appeared and said that revenue sharing has, in some instances, used for match, even for Title V, that it depends on the people that are allocating the match, also that since the time the letter was written stating they would probably be receiving \$50,000, that it appears it may be closer to \$80,000 or \$90,000, that they have met with Randy Shepard and have talked this over.  
He said the Handyman program they are talking about has Tom Kirkwood as director, who is here, and this would be to replace those people who are already working and that will lose their jobs when the CETA contract runs out for their employment, so at this point, he is under-staffed with the number of people he is trying to service and he has from 75 to 100 people on the waiting list and is usually this far behind all the time. He said as far as the Multi-purpose Senior Center, their Board and Advisory Council has earmarked all the money that is coming into the area under Title V, for Vanderburgh County, but it will not come without a match. He said in certain cases, revenue sharing money has been allowed to be used for match which is determined by the agency or the group determining the giving, but they could get a ruling on this.

Commissioner Ossenberg said they will have to, since they have always been told that they couldn't match with this money.

Mr. John said there were new guide lines that came out last year, lifting most restrictions, that they previously couldn't use it for personnel, other than law enforcement or recreation.

The Director of Council on Aging said, and especially with senior activities related to revenue sharing, simply because of the fact that nationally, less than 1% of the money went for one of the first five priorities, being seniors.

Mr. John asked if they requested a match from the City also from their revenue sharing, since the City and County both get revenue sharing money and they go through the same procedure of advertising.

Mr. Patrow, the Director, said he has talked to Randy Shepard and they are just now building up to what they are looking at, come September.

Mr. John explained to Mr. Patrow that this hearing is just for suggestions, that it will be finalized in the September budget meeting with the County Council.

There was no one else present that wanted to be heard at the Public Hearing on the Revenue Sharing funds.



RE: OPENING OF BIDS ON TWO-WAY HAND HELD RADIO'S

There were two bids received on the two-way hand held radio's for the Sheriff's Department. They are as follows:

Motorola Communications & Electronics, Inc.....\$950.00 per unit  
General Electric Company.....\$861.00 per unit

Both bids were in good order.

Sheriff DeGroote said he was familiar with both pieces of equipment and he recommended that the low bid of General Electric Co. be approved.

Commissioner Schaad moved that the contract for the two-way hand held radio's be awarded to General Electric Company. Commissioner Willner seconded the motion. So ordered.

RE: LETTER OF APPRECIATION ON USE OF AUDITORIUM

The following letter was received from the Director of the General Baptist Education and Publication, Inc. of Poplar Bluff, Missouri:

Dear Sirs:

We scheduled the Civic Auditorium for July 6, 7, 8 for our Event 78 weekend. Thank you for the fine facilities and services. Everyone helped in a splendid way to make our program successful.

Mr. Fred Dewes was a key person in helping us tie all the loose ends together. Mrs. Katie Appuhn was a joy to work with. She has a special way of making a person feel at home. With people like Mr. Dewes and Mrs. Appuhn managing the Civic Auditorium, convention guests will sense the warmth and hospitality of Evansville.

Thank you, Sincerely, Ernie Rogers  
Director

Letter received and filed.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

Commissioner Ossenberg explained that County owned surplus property was sold last week and that Mr. Chester was the high bidder on #6, tax code 21-29-13, but it had the wrong address for that code number, in that it read 410-412 E. Walnut Street and should have read 406 E. Walnut Street, and that Mr. Chester has been informed that this parcel of property can't be sold until it has been advertised properly.

Mr. John explained that a bill was passed last year that required common addresses to go on with the legals and how they did this was for the County Auditor to supply the Township Assessors with the code numbers of the properties that would go on tax sales and the Assessors would then supply the common addresses to the Auditor to go into the ad and this is how this address got on there, that there aren't common addresses in the Auditor's plat books, that they just have short legal descriptions plus code numbers and assessed valuations.

Commissioner Ossenberg said that #6...Tax Code 21-29-13 will be addressed properly at 406 E. Walnut Street, will be re-advertised and the sale of it will have to be considered at a later date, which will be on August 21st. 1978.

Commissioner Ossenberg said there are five parcels left to be sold and that he received a bid on two of those parcels, which are as follows:

#5...Tax Code 21-29-4 located at 407 Olive Street...North Eastern Enlargement...L.4 Blk. 14.

Mrs. Geneva Levels of 1112 S. Linwood Avenue bid \$50.00.....Phone 422-2709.  
There were no other bids on this parcel.

Commissioner Schaad moved that parcel #5 be sold to Mrs. Levels for \$50.00.  
Commissioner Willner seconded the motion. So ordered.

#24..Tax Code 28-49-15 located at 1602 Dresden Street...Blankenburgh...L.24 Blk.2.

Art Ritchey of Citizens Realty and Insurance Inc. bid \$300.00 in a letter which stated that the Commissioners have the authority to bid up to an amount of \$1,000 if required, but there were no other bids on this parcel.  
Citizens Realty and Insurance Inc. address is P. O. Box 99, Evansville, Ind. 47701, Phone...424-3366. The deed is to read ~~Citizens Realty and Insurance Inc.~~  
Modern Maid Foods Products of Indiana, Inc.  
Commissioner Schaad moved that parcel #24 be sold to Citizens Realty & Ins. Co. for \$300.00. Commissioner Willner seconded the motion. So ordered.

There were no further bids. There are 3 parcels left. The sale will continue next week.

RE: CHECK TO BE ENDORSED

A Check was received last week from the Hartford Insurance Company last week to cover the glass breakage at the Auditorium, made out to the Commissioners of Vanderburgh County and the Central Glass Company, so it was mailed to Central Glass Company for their endorsement and has now been mailed back for the Commissioners signatures, so they endorsed the check at this time.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Jayne Rappe 1106 Parrett St. Planner ! \$10,662.00 Yr. Eff: 7/24/78

BURDETTE PARK

Jeffrey C. Hammond 4020 Broadway Ave. Rink Guard \$3.50 Hr. Eff: 7/11/78  
Donald C. Schnabel 3127 W. Maryland St. Security \$7.00 Hr. Eff: 7/16/78

CENTER TOWNSHIP ASSESSOR REASSESSMENT

249-111.0-001 Judy Stucki 810 Adams Ave. Dep. Res. \$25.00 Day Eff: 7/15/78

COOPERATIVE EXTENSION SERVICE

Jeanne S. Callis R. #8 Baumgart Rd. Pt.time Office Help \$20.00 Day Eff: 7/17/78

PROSECUTOR'S OFFICE

Brenda Gail Lowe 5801 Brentwood Ct. Investigator \$7,717.50 Yr. Eff: 7/10/78

VOTERS REGISTRATION OFFICE

Odie F. Harlan 1611 Florence Clerk \$20.00 Day Eff: 7/24/78  
Edna Clement 3904 Clement Clerk \$20.00 Day Eff: 7/24/78

RE: EMPLOYMENT CHANGES.....RELEASES

CENTER TOWNSHIP ASSESSOR REASSESSMENT

249-114.0-00315 Judy Stucki 810 Adams Deputy \$10.00 Day Eff: 7/14/78  
249-111.0-001 Robert Westenbarger 1804 N. Weinbach Res. Supr. \$35.00 Day Eff: 7/14/78

KNIGHT TOWNSHIP ASSESSOR

Delores J. Hall 1817 S. Parker 2nd. Deputy \$5,869.00 Yr. Eff: 7/17/78

RE: MONTHLY REPORTS

The County Treasurer's Report was submitted for the month of April, 1978.  
Report received and filed.

The Report was submitted by the Clerk of the Circuit Court for the month of June, 1978.

Monthly Reports received and filed.

RE: YEARLY REPORTS

The Report on the Bob Hamilton Charitable Golf Foundation, Inc. was submitted for the years of 1974 and 1977. It was noted that the 1975 and 1976 financial statements have already been submitted previously.

The following letter from the Accountant Firm of Miles, Gould & Loehr accompanied the Report of 1974:

The accompanying balance sheet of the Bob Hamilton Charitable Golf Foundation, Inc. as of December 31, 1974, and the related statements of income and statement of receipts and expenditures for the year then ended were not audited by us and, accordingly, we do not express an opinion on them.

Miles, Gould & Loehr

Reports received and filed.



RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Indiana Insurance Company on insured, Elmer F. & Zita M. Will of 621 Blue Ridge Drive East, for the use of the County Auditorium for an anniversary party in the gold Room on 8-20-78. Certificate received and filed.

RE: EXTENSION REQUESTED ON DELINQUENT TAXES

Mr. Kenneth W. Barr of 2118 Herbert St. said the reason he owes delinquent taxes on his home is because he has been out of work for about a year and a half, that he has been trying to find suitable employment, that he worked at one firm as a chemist for about \$12,000 per year but his finances has run out and he has about borrowed all the money he can from friends and relatives, that the amount of taxes owed is only \$382.78 but it is due by August 14th.

He said he does owe the taxes but is asking for an extension of time until he can get employment and get something going, that he has been getting food stamps to try to supplement his small income from odd jobs.

Mr. John said if this is 15 months back, since it is the first time Mr. Barr has been on the list, the Commissioners won't get it until two years from now, but what can happen now is that on August 14th. an individual can come in and purchase it for the amount of taxes owed and then if Mr. Barr redeems it within the first six months, he will have to pay the amount of taxes due when they purchased it plus 10%, if he redeems it within six months to one year, he will have to pay 15% and after one year, he will have to pay 25% interest, but he will have until 10:00 a.m. on August 14th. to come up with the \$148.00, also that the County Treasurer conducts the sale.

Mr. Barr said he thought to keep this off the tax sale, that he would have to pay \$148.00 which is half the taxes owed, but that his funds are depleted, so he would like to pay some of it but he can't pay all of the \$148.00.

Commissioner Ossenberg said he doesn't think they can waive that and County Attorney Smith said that he couldn't, but that he does have the right to redeem it.

Mr. Barr said he talked to Mr. Schiff, the Deputy Treasurer, and he told him to put this before the Commissioners, that Mr. Schiff also knew he was out of money and that he is going to try to come up with the money, that he has two or three weeks yet.

Commissioner Ossenberg said on the advice of the County Attorney, the Commissioners can't waive it, so what he works out will have to be worked out with the County Treasurers office.

RE: LETTER RECEIVED CONCERNING RUTH J. CRAGGS

The following letter was received from the Law Office of Merrill, Schroeder & Johnson in reference to a Ruth J. Craggs:

Gentlemen:

I represent Welborn Memorial Baptist Hospital, Incorporated which received the above patient on or about March 7, 1977 and provided medical care and treatment at the request of the Vanderburgh County Jail. Following her admission to the Hospital, bills were incurred as a result of the treatment rendered to her in the total amount of \$1,861.62.

Subsequently, on March 28, 1977, a claim was filed asking for payment of the above amount, but no response was received. No evidence has been presented to the effect that the County is not totally responsible for the above charges. Your early attention to this matter would be greatly appreciated. I will wait to hear from you or your attorneys.

Thank you.

Yours very truly, R. Steven Krohn

Commissioner Schaad moved that this matter be referred to County Attorney Smith. Commissioner Willner seconded the motion. So ordered.

RE: EVERGLADES DRIVE AND ST. JOE ROAD

Mr. Harry Wells explained that Everglades Drive is a street about 900 feet long and that there is a Mobile Home Park, which he owns, at the end of the road, where it dead-ends.

He said there are approximately 65 residents in the park now and there will be about 90 families by fall and about 120 this time next year, because he is expanding it,

that the point he wants to make is that last winter when they had a siege of bad weather, he pulled at least 30 cars out of the mud with a tractor, that a lot of them ruined their exhaust systems or pulled their bumpers off, etc. so he is asking for this 900 feet of County road to be black-topped or repaired with chip and seal. He said the County Highway Garage was very good and sent out loads of rock and did what they could but he hates to think that they might go through the same ordeal again this winter. He also said that St. Joe Road, between Everglade Drive and Rte. 66, formerly 460, has a lot of chuck holes in it and there hasn't been any repairs made there.

Commissioner Ossenberg explained that St. Joe Road will have some repair work done on it, that this one is on the list.

Mr. Stephen said that if Everglade Drive was accepted as a gravel or stone road, that is the way it stays but maybe a traffic count out there will make a difference since more people are using it.

Mr. Wells said this property was originally owned by the state and the state transferred it to the County.

Commissioner Ossenberg said this is another one where the state transferred it to the County, another tough luck deal just like Hwy. 41 and 64.

Commissioner Schaad said yes and the state should have put in a road at their expense that was satisfactory and then gave it to the County to maintain, and the County is going to wind up building a new road.

Mr. Wells said the surface of the road is firm, that it has a good base since all the rock was put on it last winter, that it is rock but it is very solid right now, but he doesn't know what it will be next winter and practically all of those 65 families out there have at least two cars and when they get more people, there will be more traffic and with the road serving that many people, he thinks it is certainly justified in having something done to it.

After further discussion, Mr. Siebeking said they could road mix it, but Commissioner Ossenberg said St. Joe Road should be done first.

Commissioner Schaad moved that Mr. Siebeking go in there and oil mat Everglades Drive if they have a good enough base, after they get St. Joe Road done. Commissioner Willner seconded the motion. So ordered.

RE: LETTER CONCERNING TRUCK TRAFFIC ON HARMONY WAY

Commissioner Schaad said that he received a letter from Charles and Helen Wesselman concerning the truck traffic on Harmony Way but that he doesn't have it with him, but Mr. & Mrs. Wesselman wrote the letter on behalf of all the citizens on Harmony Way in regard to going out Harmony Way past Wimberg Avenue, all the way out to Casson, that heavy trucks are using that road instead of using the highway and they could just as easily use 460, that it is rather narrow, heavily congested and a lot of children are out there, so they would like to have it posted to keep heavy truck traffic off of it, that it won't be a hardship to Nunn Milling or anyone since 460 is just over a couple of blocks and they should be using it and aren't, and he is inclined to agree with them, so he suggested that Mr. Judd look at it and see if they don't agree so they can post it and have the Sheriff's Department to enforce it, that if he has any questions on it, he can call him, since he was out there.

Commissioner Schaad then moved that this matter be referred to Mr. Judd for him to look at it and come back next week with a recommendation. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

Ms. Vickie Bailey, the Executive Assistant to the County Council, appeared and requested permission to go to Indianapolis to attend a workshop sponsored by the Division of Public Service and Association of County Commissioners to be held Wednesday, July 26th. at the Holiday Inn, N.W. in Indianapolis.

Commissioner Ossenberg said this was the original request that he wanted Vickie to attend over at the Executive Inn but that was cancelled, so she is asking to go to Indianapolis.

Commissioner Schaad moved that Ms. Bailey's request be approved. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....THIRD READING.....VC-5-78

Petitioner and Owner of Record.....Bennona Burnett of 811 Forest Glen.

Premises affected are situated on the South side of Upper Mt. Vernon Avenue, a distance of 200 feet southwest of the corner formed by the intersection of Helfrich Avenue and Upper Mt. Vernon Road, more commonly known as the 4300 block..4320-4360 Upper Mt. Vernon Road.

The requested change is from A to M-2. The existing land use is for retail sales and the proposed land use is for storage of golf carts and possible future maintenance.

This was amended by the Area Plan Commission to M-1 and was approved by them with 8 affirmative votes.

Commissioner Ossenberg explained that this rezoning petition was scheduled for the third reading last week, but the petitioner thought it was to be heard on Wednesday. There were no remonstrators at the Area Plan and there are none here today.

Commissioner Schaad moved that petition VC-5-78 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: CLAIMS

A Claim was submitted by County Attorney Paul Wendel for his June office allowance in the amount of \$166.67.

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

A Claim was submitted by Maxine Ginger, the Knight Township Chief Deputy, for travel expenses in attending the third annual elected Township Assessor's Session on June 19, 20 & 21, 1978, at Lake Monroe, Indiana, in the amount of \$90.30.

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

A Claim was submitted by Roman Gehlhausen for travel expenses in attending the third annual elected Township Assessor's session, in the amount of \$90.30.

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

A Claim was submitted by Robert T. Dorsey, the Pigeon Township Assessor, for travel expenses in attending the third annual elected Township Assessor's Session, in the amount of \$91.80.

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

A Claim was submitted by Donald J. Ice, the Pigeon Township Field Deputy, for travel expenses in attending the third annual elected Township Assessor's Session, in the amount of \$91.80.

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

A Claim for Refund was submitted by a Mr. Ron Troutman in the amount of \$34.00, since the house was smaller than that for which permit #1085 was issued for.

Commissioner Schaad moved that the refund be approved. Commissioner Willner seconded the motion. So ordered.

A Claim for Credit was submitted by Torian Agency, Inc. ..Hartford Policy #36C721674 - Delete auto, a credit of \$421.00.

Commissioner Schaad moved that the credit be approved. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by Torian Agency, Inc. for Hartford Insurance Policy #36C721674 for additions and deletions on policy, less the \$421.00 credit, in the amount of \$3,033.00, which was approved by Curt John.

Commissioner Schaad 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, Hartford Policy #36C721674, Automobile Insurance, in the amount of \$12,569.00, which has been approved by Curt John.

Commissioner Schaad 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, Hartford Policy #36C721551 - Automobile Insurance, in the amount of \$751.00, approved by Mr. John.

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

A Claim was submitted by Feigel Construction Corporation for paving of Darmstadt Road, St. Joseph Avenue and Oak Hill Road, Retention Due - Progress Estimate #6 & Final, in the amount of \$30,266.26, which has been approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by SIECO of Columbus, Indiana for professional Engineering Services provided in conjunction with the Pavement Marking Demonstration Program, in the amount of \$385.08, which has been approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by P & H Construction Co., Inc. for Cypress Dale, on rental equipment 6/5/78 thru 7/7/78 - Installation of structural plate and arch pipe, in the amount of \$6,517.50, which has been approved by Mr. Stephen.

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

A Claim was submitted by Evansville Crushed Stone Company of Tell City, Indiana, for stone #23, @ \$4.85 per ton, for Cypress Dale Road, in the amount of \$435.29, which has been approved by Mr. Stephen.

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

A Claim was submitted by Torian Agency, Inc. on Insurance - Highway Department, Hartford Policy #36C721551 - Automobile Insurance, in the amount of \$1,034.00, which has been approved by Mr. Siebeking.

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

A Claim was submitted by Torian Agency, Inc. on Insurance - Highway Department, Hartford Policy #36C721674, Adding unit to policy, in the amount of \$163.00, which has been approved by Mr. Siebeking.

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

A Claim was submitted by Torian Agency, Inc.. Insurance - Highway Department, Hartford Policy #36C721674 - Automobile Insurance, in the amount of \$10,625.00, which has been approved by Mr. Siebeking.

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

RE: LETTER TO BE SENT ON JUNKED CARS BY MR. CROOKS

Commissioner Ossenbergsaid that Mr. Crooks had to leave but he did leave a letter that is being sent to Red Bank Auto Parts at 2400 S. Red Bank Road, in reference to the junked cars at Red Bank Road and Nurrenbern Road that he had discussed with them, and told them that the County Commissioners has authorized him to have them remove the junked car bodies and parts from the lot on Red Bank Road at the first house North of Nurrenbern Road, that these cars were junked and abandoned on July 20th. 1978 and that the cars and parts are to be theirs as compensation for moving them.

RE: HOUSE ON NEW HARMONY ROAD

Commissioner Ossenbergsaid that on the property of Lula Belle Deane on New

Harmony Road, across from Nunn Milling Company, he has contacted Crow, Deig, Wicks and Minton about a bid to tear down the dilapidated house there, but hasn't received any bids on it as yet.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees at the County Highway Garage for the past week, ending July 21st. 1978.  
Report received and filed.

RE: MR. SIEBEKING.....ROAD REPORT

Mr. Siebeking said this past week they road-mixed Outer Darmstadt Road, from Old Princeton to Baseline, that they wedged out Schillinger, Big Schaefer Road and Fischer Road.

RE: CONTRACT FORM DRAWN UP FOR ROADSIDE WORK...MR. SIEBEKING

He said that last week he was talking about a contract for mowing roadsides and he had County Attorney Smith draw one up, which he submitted at this time. He said he has two different people right now but that they have no agreement signed, but he will have them sign this one, that when they started this spring, Mr. Guillaum and different ones were talking about the roadsides and with only 8 operators, but one is working on the culvert gang and another one mowing, he really only has 6 operators, so if they are repairing roads, he just doesn't have anyone to operate the equipment, so he feels that this is not a full time thing, that these people will work when he needs them and he puts them in an area where he doesn't have to worry about getting any of the County equipment to that area because he knows what is going on there.

Commissioner Schaad moved that this contract form be accepted as an agreement for contractors who do work for the County, and have everyone who is now doing work to sign it and any future ones, before they do the work.

Commissioner Willner said if they are going to let the work out, they should let everyone bid on it, that he doesn't think it is fair and proper to go out and just give the bid to someone, that during the snow removal they had to do it and he will go along with it the rest of this year, but next year, they are going to have to let the work out on bid.

Commissioner Willner then seconded the motion. So ordered.

RE: CLAIM

A Claim was submitted by Siebeking Mowing Service for 50 hours of mowing at \$17.00 per hour, in the amount of \$850.00.

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

RE: MR. SIEBEKING

Mr. Siebeking said he talked to the factory this morning on the paver, that it is off the line and is to be trucked in, and he thinks they are going to have to get together, that they have their bid now for materials, so they will have to see where they want to start, that it will probably take a day or two to familiarize everyone with everything, that the manufacturer will send a man here and Reid-Holcomb will also send a man here to explain the paver.

Commissioner Schaad asked Mr. Siebeking if he had a road picked out as to where they are going to start, and Mr. Siebeking said they didn't, that this is why he thought they should get together and determine what the Commissioners want they to do.

Commissioner Ossenbreg said he thought Baseline Road would be first, that they will have to do the worst parts of it, since it is ready to pave.

Commissioner Willner said that all the places in Vanderburgh County that Mr. Siebeking has fixed is going to pot again next year, unless they put a hard surface over the top of it to keep the water out, that he thought they would have to get together also, to decide which roads have the most traffic and to do the main arteries.

Mr. Siebeking said he has a list of all the roads that the County crew has repaired that are ready to use the paver on.

Commissioner Willner asked Mr. Siebeking if he was going to get Staser Station, and Mr. Siebeking said they are going to do it, that they just haven't gotten to it as yet.

He said they are also going to get Schroeder Road since it has some bad spots, that they also have St. Joe Road on the Upper end, Vienna Road, Creamery Road, Outer Hogue Road, Outer Upper Mt. Vernon Road, that they just haven't gotten to them yet, but he thinks he can get a priority list, or how ever the Commissioners want to do it, that they will then know what to do when they start on them.

The Commissioners agreed that they will all get together and decide which roads are to be done and the priority of doing them.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum reported that the bridge crew, last week, pretty well worked in conjunction with the survey crew, that they are trying to get some information, measurement-wise and survey information on Hillsdale Ditch, that there is quite a bit of weed cutting and that type of thing to do out there too, before they can get an accurate discription of it, so they worked that crew with them.

He said the guardrail crew put up 553 lineal feet of rail this past week, that they had a pretty good week, also that he spoke with Hugh Krohn last Friday and they are going to have to put in another order for rail, that he already has this worked out with him, but he is going with the 5,000 foot order, they get a good discount, so he thinks they will go with another 5,000 lineal feet, with posts and end-sections, and they will turn in a blue claim when they receive it, that it should be tomorrow or Wednesday, that they are going to get a half order like they did before.

RE: SEMINARY ROAD

Mr. Guillaum said they are wrapped up on Seminary Road, that Mr. Nussmeyer has a couple of days remaining, in doing work on one end of the approach, that they are cutting it down and they are going to be doing a little bit of side work, but at the most, it will take a couple of days, and with any kind of luck they will open the job up today or tomorrow, to traffic.

RE: USED BEAMS TO BE PURCHASED

Mr. Guillaum said that Dick Nussmeyer had a project up around Santa Claus, Indiana and he had 8 beams up there, 4 feet wide and 25 feet in length, that he was told they are in excellent condition, that the only problem they had was that they originally set them on wood abutments and they had a problem with that, so they decided to take them out and go with a complete new concrete bridge.

He said the thing of it is that the County can get the beams for \$3,000 which is roughly what they would pay per beam and this is for all of them, plus about \$500.00 to transport them, that they are a form of a channel type beam that are perfectly good, the same thing they put on Mesker Park Drive a year or two ago.

He said he is going to make a trip to look at them to see that they are in good condition, that initially he thought they could use them on the Red Bank Road Bridge or at Boehne Camp Road, but he is afraid they wouldn't work there, that they wouldn't have the bearing they need, but there is a bridge that a person called on that had a poor width and a number of problems that is on Church Lane and it would be fine if the Commissioners decided to use it here, if not, he is sure that in the near future there will be a number of places where it would be nice to put in about a \$5,000.00 bridge.

Commissioner Ossenbergsaid Mr. Guillaum called him and Mr. Brenner thought it would be a good idea to buy them.

Mr. Guillaum said they have a couple small bridges coming up and even if they had to temporarily stockpile them, they will be way ahead, if they can build a bridge at so little cost.

He said in some cases they may not need to go with a full 32 foot bridge, that they could go with a 28 foot bridge and have two other beams left over and could possibly use them as an exterior beam like they have done before.

He said he is trying now to see how he will get them down here, that he thought it would be best for the time being, if they can't decide just where they want to put them, to include the transport price with the purchase price of the beams, to put them wherever they say, that it shouldn't be more than \$500.00 to take them out and to transport them.

Commissioner Ossenbergsaid if they can build a bridge for between \$4,000 and \$5,000 he thought they should buy the beams.

Commissioner Schaad moved that if the beams are in good condition, in Mr. Guillaums opinion, and he can use them and purchase them for \$3,500 he should go ahead and buy them. Commissioner Willner seconded the motion. So ordered.



Mr. Guillaum said they have a few inches of blacktop on them and when that is removed, if there should be any deterioration, cracking or breaking up, they will forget them right there.

RE: PROBLEM ON TWICKINGHAM COURT

Mr. Guillaum said that Tom Akin had a problem at 6100 Twickingham and as he understands it, apparently water is collecting along our road on Twickingham Court and its being piped back and underground and it empties back behind the houses along on Twickingham Court, that there is apparently supposed to be a side ditch of some type to handle this water and carry it off, but there isn't anything to speak of, so the problem is that after a hard rain they are getting a ponding behind the houses.

Commissioner Ossenberg asked if this is in conjunction with the contracting that is going on out there.

Mr. Guillaum said he didn't think so, but he knows they are making quite a few cuts out there.

Mr. Stephen said this problem existed prior to the cuts being made, also that there are two street inlets that gathers the water into a drain and it moves from the front which is at the South side of their house and the outlet is to the North side on their property adjacent to land that either belongs to the railroad or is airport property, that it is at Dusseldorf and Twickingham Court and he further explained the problem. He said these people have been assessed for drainage.

Commissioner Ossenberg said he had Mr. Guillaum check this out and the people on the South side were assessed but these people are North of that.

Commissioner Willner said even if they were assessed, we don't take care of their property drainage, that we take care of the main ditch.

Mr. Stephen said he realizes this and it is a long way from there, so he just doesn't know, but their drainage does go into the Keil Ditch which is part of the Sonntag-Stevens Ditch so they would be assessed on one of them. He said there is a lot of gravel and silt out there, off the road, that has accumulated for years and when he was out there he told them he couldn't very well see how the County could very well solve this problem and he suggested that they get together and dig a ditch.

Commissioner Ossenberg said if Mayor Lloyd wants to annex anything into the City, this is one he can have, that this is a project that would cost the County \$10,000,000.00 to go in there and straighten it out, if they could even get it done for that amount, that they can't even keep a curb out there.

He said this isn't the Commissioner's problem but he wants to know what was done about the street cuts, because Mark came in the other day and he told him that either they get them fixed or the Commissioners are going out there and do the work and then bill Deig Brothers.

He told Mr. Stephen that he wants it fully understood that the bond is going to cover those driveways, those walks and everything else because the County isn't going to be responsible for something they have done to those people's driveways and walks that go to their homes out there.

Mr. Stephen said that everything they did has been done within the County's 50 foot of right of way.

RE: ROAD PROBLEMS

Mr. Guillaum said they had a problem out on Bergdolt Road but it is satisfactory right now that they came back and patched it and the patching, according to the inspector, is in good condition and he hopes it stays that way.

Commissioner Ossenberg said what they did was to go out there and put the concrete in and left it six inches down, so the people were calling him, since their tires were getting out of line after hitting this thing, so he called Mr. Guillaum about it and they got Mark out there immediately and he thought the contractor on this was Grant, that this went on for a few days and he got some more calls and again he told Mark to go out and tell them that if they didn't fix it immediately, that the Highway Department was going out to fix it and then bill them. He asked if they have now put the concrete up to two inches.

Mr. Guillaum said they put a blacktop patch in, over the concrete, up flush with the road, that they didn't pour any more concrete.

Mr. Stephen said that saying it was down six inches was stretching it a little,



that it wasn't very wide and jarred everyone, but he measured it and it measured from 1½ to two inches, total depth.

Mr. Guillaum said Upper Mt. Vernon Road has already been taken care of. He was asked to check out Telephone Road and Boehne Camp Road, where there are problems. and Mr. Guillaum said he would check with Mark on it.

RE: COMMENT ON CUT MADE BY WATER COMPANY

Commissioner Willner said that the Water Company made a cut in the road in Darmstadt and they had a cut to Old Nationsl Bank's parking lot and they concreted the bank's parking lot and let the road go, that they just filled it with stone, that this is the darndest thing he has ever seen in his life.

RE: WESTMORE DRIVE

Mr. Guillaum said they have had some more bad luck out on Westmore Drive, that a couple of weeks ago, he mentioned that they should have signs up out there and he left a message for Mr. Judd, that maybe he didn't get it, but the rail has been hit again and this time, the accident victim called in and told him that if it hadn't been for the guardrail section they put up out there, he felt that he would have been killed, because there is a steep embankment, so he wants to point out again that they do really need to get those signs up. He said he definitely wants a curve sign on both ends of it and some sort of warning sign, that something needs to be done on it right away.

RE: BOND FOR DEIG BROTHERS

Mr. Stephen received a bond for Deig Brothers for O'Hara, Venetian and Dusseldorf Drives in Melody Hills and said that he signed it but hasn't sent it through as acceptable as yet, that the bond is for \$2,000.00 in making these cuts and he asked that the Commissioner's approve it.

Commissioner Schaad moved that the bond for \$2,000.00 on Deig Brothers be signed. Commissioner Willner seconded the motion. So ordered.

RE: LOCUST WOODS LANE ACCEPTED BY COUNTY..... AMENDMENT #38

The following letter was received by the Commissioners from Morley and Associates, Inc., Consulting Engineers, dated June 7, 1978:

Gentlemen:

We have been instructed by Mr. Ed Dunaway, developer of Locust Woods Subdivision, to inform the Board of County Commissioners that the construction of Locust Woods Lane has been completed and request that said street now be accepted and maintained by the County of Vanderburgh.

Locust Woods Lane is approximately 553.5 feet in length running east from Schutte Road to its termination at the platted cul-de-sac.

Locust Woods Subdivision was recorded on November 6, 1975 in Plat Book "K", page 198. A field inspection has been performed by the Vanderburgh County Surveyor's office. The inspection was performed by Mr. Mike Ludwig during late summer of 1976 and should be on file in the Surveyor's office.

Sincerely Stephen L. Murray, Vice President

Mr. Stephen said they did check this at the time it was being constructed and he has a certification from Feigel as to the amount of asphalt used in doing the work, as well as the Resolution incorporating Locust Woods Lane within the County Road System. He said this would be Amendment #38 if accepted and he recommended that the Commissioners approve it.

Commissioner Schaad moved that Locust Woods Lane be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen said that about the end of each year he will see that the state gets the roads that have been accepted so they can be certified.

Commissioner Willner said he would like to see them go in as the County accepts them instead of waiting until the end of the year and the other Commissioners agreed.

Mr. Stephen said if the Commissioners wish, he will send them in.

RE: PROBLEM ON CLOVER, EASTBROOKE, LONGACRE & CLOVER DRIVES'

Mr. Stephen said that Mr. Siebeking has run into a problem out on Longacre, eastbrooke and Clover Drives', that what is happening is that when they put the drive in, the developer put in a 27 inch pipe but it is too small, so dirt accumulates and the water can't drain properly and dirt is constantly the street. He said this is a branch of the Sonntag Ditch and the pipe needs to be increased in size, also the line will need to be lowered, that the dirt accumulates on Longacre and Eastbrooke Drives, also he wasn't sure if the line is a sewer or water line. He said he thought they should talk about it because a mistake has been made on this drainage and he thinks they ought to get it corrected.

Commissioner Ossenberg said the only solution is for Mr. Stephen to find out whether it is a sewer line or a water line and tell them to do it.

RE: UTILITY AGREEMENTS....ST. JOE AVENUE

Mr. Stephen said he has the utility agreements including the ones that were turned down by the Gas Company and the Water Company, which he has their letter attached to, that he will make a notation to refer them to the letter and he will send a cover letter.

He said he talked with the Division of State Aid and told him what he was going to do and asked him if this would pass with the letters, and they told him that this was about the only thing he could do.

Commissioner Schaad moved that the utility agreements be signed. Commissioner Willner seconded the motion. So ordered.

RE: ENGINEERING AGREEMENT ...ST. JOE AVENUE

Mr. Stephen said they may be a little premature on the Engineering Agreement since they don't have the right of way completed, so this will have to be held up.

Commissioner Ossenberg said he had better get in touch with Dan Riddle on the rights of way so he can get them completed.

RE: AUTHORIZED TO ADVERTISE

Mr. Stephen submitted the specifications and Notice to Bidders for the Reconstruction of Outer Lincoln Avenue.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids on July 27th. and August 3rd. with the bids to be opened on August 7th. 1978. Commissioner Willner seconded the motion. So ordered.

RE: CAMPBELL ROAD

Commissioner Willner asked Mr. Stephen if he got the pipe size on Campbell Road and Mr. Stephen said he had, that he went out and talked to the people to see what they wanted to do and made a recommendation to them as to the size of the pipe, that a 12-inch pipe would be sufficient, that this is the last he has heard on it.

RE: INGLEFIELD ROAD

Commissioner Willner asked Mr. Stephen if he got a bond for Inglefield Road yet, and Mr. Stephen said he now has one on Inglefield Road for the County, and it is filed in the County Auditor's office.

RE: MUD PROBLEM

Commissioner Willner said he has three areas on St. Joe Avenue and one on Darmstadt Road where mud is laying in the street and he doesn't think they want another law suit like they had out on Green River Road, that one boy was killed on St. Joe, that it wasn't our fault but there was another one down and it was our fault, that he didn't get hurt but he tore up his car pretty bad because of the mud, that he didn't think the County would be sued but he thinks they had better do something about them now.

Mr. Stephen said there needs to be some side ditching done out there and the Commissioners agreed that Mr. Stephen get with Mr. Siebeking and they get it done right now.

RE: DRAINAGE PROBLEM...BASSETT AVENUE

Commissioner Willner said there is a drainage problem on Bassett Avenue, off Green

River Road that he wants Mr. Stephen to look at, where it is flooded out.

Mr. Stephen said that he drew this up last year to have that side ditching cut and the only thing they can do there, he thinks, is to probably let it to contract, that he drew up the profile and the cross-section as to what was needed to get it done and he was hoping that the Highway Department could do that, but they are just covered up to get to that kind of a job.

Commissioner Ossenberg said if Mr. Stephen has it drawn up, they should go ahead and let it out on contract, that the highway department is constantly on the roads and he doesn't know how they are going to do anything else.

Mr. Stephen explained what needs to be done out there, as to moving a ditch and installing drive pipes. He also said he thought there might be some dirt to get rid of that would have to be loaded and hauled away and they need to use some type of equipment that would have room to do this work.

Commissioner Willner moved that they ask for invitational bids by the hour. Commissioner Schaad seconded the motion. So ordered.

Mr. Stephen said he would talk to someone on this and see if they can't get something worked out.

Commissioner Willner said he didn't care who they talked to, that they should just get it done.

RE: AGREEMENT.....BLACK EXPO "78"

An Agreement was submitted whereby it was made and entered into the 22nd. day of May, 1978, by and between the Board of Commissioners and the Evansville Chapter of Indiana Black Expo, Inc. in the amount of \$2,000.00 that was passed by the County Council and signed by the Board of County Commissioners and must be attested to by Mr. John.

Commissioner Schaad asked if the State Board of Accounts approved this agreement and Commissioner Ossenberg said that Mr. Beesley stated that nothing can happen until this is done and when they come in here on Wednesday.

Mr. John signed the agreement at this time.

RE: MR. GUILLAUM ...QUESTION ON PART-TIME HELP

Mr. Guillaum said that earlier he discussed the possibility of using part-time help with Commissioner Ossenberg and Commissioner Willner for when they get this paving operation going, that John Singer had mentioned to him earlier that he would like to find something part-time for the summer and in thinking the situation over, he thought that Mr. Singer could maybe give them a little help on the paving, so he wants to bring this up, for the record, so if it does come through the next week, or so, as to when they are expecting the machine, that they could possibly get him in for part-time help at his old salary, that he is retired now, but has had a lot of experience with paving and with blacktop. He said that the slots they had in the Surveyor's office were pretty well filled up, so they would like to work it out of the highway department.

Commissioner Ossenberg said that Mr. Guillaum should talk over the situation with Mr. Siebeking, but Mr. Siebeking said they couldn't bring him in as an hourly person because the union wouldn't go along with it, also he doesn't have any money in his budget for an advisory person. He said he didn't know what classification he would bring him out as, for part-time help, but they only make \$2.00 plus an hour.

Commissioner Schaad said that a new hourly schedule could be put in but it would have to be approved by Council.

Commissioner Ossenberg asked what the pay schedule is for part-time help.

Mr. Siebeking said it is \$2.55 per hour, that the Council wouldn't go any more.

Commissioner Ossenberg said if this is the case, they are going to have the Wage and Hour Division on him, that he had better get with them, because they are going to make him go retroactive and pay them everything back time, that it is \$2.65 per hour and this is federal government.

Mr. Guillaum said they will get together and see what they can work out.

Commissioner Ossenberg told Mr. Siebeking that he had better go back to Council and get the amount changed to \$2.65 per hour, because Council is in violation of the federal law.

Commissioner Willner suggested, that if this is the case, Mr. Siebeking had better get a copy of the law and take it to the Council meeting.

Mr. Guillaum asked if maybe there would be a chance of getting a part-time inspector for the summer, or whatever, and Commissioner Ossenberg said this would also need Council approval, that he can work it out with Jack Siebeking.

RE: LETTER RECEIVED ON NURRENBURN ROAD - L & N GRADE CROSSING

The following letter was received by the Commissioners from the Indiana State Highway Commission in reference to Project RRP-E080 (1), Nurrenburn Road - L & N grade crossing:

Gentlemen:

Reference is made to your letter of July 3, 1978, inquiring as to the status of the installation of active warning devices at the subject grade crossing, and to Louisville and Nashville Railroad's June 21, 1978, reply to your president.

Our staff has reviewed the times required to move the project to the point where notice to proceed was given to the Railroad and found that in comparison with 18 similar crossing projects with the same Railroad the 29 week elapsed time was less than the 35 week average for this Railroad. Also, we note in the railroad's letter that the estimates of time to obtain the materials is shorter than estimates we have been receiving from other railroads.

As the railroad indicated their work load for crossing improvements since the emphasis was placed upon this one safety item in the 1973, and subsequent Federal Aid Highway Acts. The 90 Indiana counties with railroads now have over 150 grade crossing improvement projects in various stages, while in 1973 there were less than ten. This crossing safety emphasis is nationwide and requires specialized crews to design and install the equipment. The railroad industry is in the process of hiring and training the crews necessary to handle this increase in their work load.

The crossing signal equipment including lights, gates, and devices to detect trains and activate the signals is standard, but each crossing has different tracks, roadway approaches, train speeds, etc. which require that the design of connections between the various standard components available be made for each individual crossing.

We are working with the railroad industry through the Association of American Railroads (AAR) to maintain communications so that this national program can be moved swiftly from the time one of the over 10,000 public road grade crossings in Indiana is selected for improvement until its signals are in operation. In June we joined a list of approximately 30 states which have had coordinating meetings with their railroads under sponsorship of the AAR, and additional meetings will be held in the future to follow progress of the program and the handling of the necessary paper work.

Very truly yours, G.K. Hallock  
Chief Highway Engineer

Commissioner Ossenberg said he has asked Mr. Keith Lochmueller to take this letter and send to the necessary federal authorities and ask them if they can step up or facilitate these railroads in getting them to be more cooperative with the local government.

RE: POOR RELIEF

Annette Market.....212 W. Franklin Street...Pigeon Township...Nancy Walters, Investigator

The Notice of Poor Relief Action states that Ms. Market applied for Medical relief but was denied because she wants back medical bills paid and P.T.T. do not pay back medical and it was explained to the applicant that she must come into the office for purchase order before her office visit to the doctor and that there are doctors who do not accept purchase orders from the Trustees office.

Ms. Market said that she was not aware of the fact that she needed an order before going to the doctor, but that her bill has been standing for some time, that she is out of work, has been since last October and needs some assistance in paying these bills.

Ms. Dorothy Flanders who is from the Council on Aging appeared on behalf of Ms. Market and said that she calls on seniors over 60 years of age to try to advise them, and she had advised Ms. Market to go to the Pigeon Township Trustee's office to get help with her bills since she hasn't been working, that she has also been ill and has some outstanding medical bills and has no income, that she has her application in at many places and is trying to get a job, and the Indiana law on poor relief does say that the Trustee shall pay for, in this case, her medical bills.

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Commissioner Ossenberg asked how much her bill is for.

Ms. Flanders said there are three bills, that one is for treatment for her eyes, that she was told by Dr. Slaughter that she has hardening of the arteries and he suggested she go to Dr. Sinn, which she did, so she had to have medicine to help the hardening of the arteries and she also had a bill on her foot, so she has some insurance which paid all but \$52.00 to the orthopedic surgeon and she owes \$323.00 to Dr. Sinn, and she has a \$45.00 which was for the exam by Dr. Slaughter on her eye and also when she was in the hospital which was on May 28th. to June 6th and her insurance paid all of her hospital bill except for \$133.00, and as Ms. Market has no income at all at this time, she needs a total of \$551.00.

Ms. Market said that she did work at Bernardin's and had a temporary job for two months, that she is 61 years of age, and she can't get any unemployment compensation since she drew it all out after she left Bernardin's and they don't reinstate anyone, that she can draw it after October 28th., that she is buying her home but she hasn't been making any payments for awhile, that the County did pay one installment for her and her sister has been helping her, but she can't pay all her bills.

Ms. Walters said that Ms. Market came in the Trustee's office on July 7th. and she told the clerk she wanted to talk to someone so she talked to her and Ms. Market said she had some medical bills, that she wasn't working and wanted to know if she should contact the doctors to let them know that she wasn't working and she told her that she would call the doctor for her and tell him that she wasn't working, so they would understand, and she also explained to Ms. Market that before she goes to the doctor she must come to the Trustee's office first because some doctors will not accept purchase orders. She said she told Ms. Market this when she first came into the office and she explained this to her again in January when she came in, and when she told her that, Ms. Market didn't show her any bills what-so-ever and she didn't ask for medical help, that she said she just wanted to talk to her, but then she told her that any time she had to go to the doctor, to come in to the office first, and she thanked her and she left, that if she had said she wanted to make any kind of application for medical or hospital, she would have let her talk to that caseworker, so she wasn't really denied anything, and the reason she mailed her the Notice of Action is because Ms. Flanders came in on July 12th. and wanted to know why Ms. Market was denied medical and she explained to her that she wasn't denied anything because she didn't ask for anything, but that she wasn't going to volunteer to pay anyone's bills, also that on February 15th. the Trustee made a mortgage payment on Ms. Market's home to Union Federal and paid \$52.08 for two prescriptions from Dr. Sinn as well as two others, that on June 16th. they paid the Gas Company \$33.00 and a water bill of \$4.47.

She said they made a mortgage payment because Mrs. Market came in and said she hadn't paid on her home in over a year and she knew they were about ready to take the house away from her.

Ms. Flanders asked Ms. Market if Ms. Walters ever explained to her about her four medical bills and Ms. Market said not that she recalls, that she only asked for her prescriptions to be filled and the last time she was in there she asked Ms. Walters if she would help her on her medical bills because they were mounting up and she was getting letters on them and she went to the Trustee to ask for help on her medical on the advice of Ms. Flanders.

Ms. Walters said when Ms. Flanders came in on the 12th of July, if she felt that Ms. Market had been denied by the Trustee, why didn't she pick up Ms. Market and bring her into the office with her bills instead of coming in herself to ask why Ms. Market had been denied, that she tried to help Ms. Market and she even sent her over to the Social Security Office to file for disability and to other places as well.

Commissioner Willner said what is past is of no consequence, that they should decide what to do right now and he asked Ms. Market if she will ever get back to work and Ms. Market said she is trying to go back to work but she has no job to go back to, that the job at Bernardin is very indefinite since she worked in the home canning department and they haven't worked all summer and she doesn't know when they will go back. She said she is practically blind but cannot get S.S.I. because Dr. Slaughter won't sign so she can get it, that he said she would have to be almost blind before he can sign it.

Commissioner Willner said he didn't think this to be a case for the Township Trustee, since the Trustee helps people out temporarily and this case won't be over tomorrow, so he thinks she will have to go to the Welfare Department.

Commissioner Ossenberg asked if the Welfare isn't supposed to be handling all hospital cases.



Mr. Baxter of the Welfare Department said he wasn't sure if this was one of his cases or not but he was called to come up here, that when he talked to Ms. Walters about it she said she didn't have an application on Ms. Market, that she had talked to her about medical bills and mentioned something about a hospital bill.

Ms. Flanders said that Ms. Market wasn't primarily concerned about her hospital bill at that point because her Insurance paid most of it, that it was \$902.70 and her Insurance paid \$769.70 of it so she still owes \$133.00.

Commissioner Willner moved that this case be referred back to the Trustee's office for her to make application for welfare. Commissioner Schaad seconded the motion. So ordered.

Ms. Flanders said that Welfare doesn't pay the doctor bills though.

Commissioner Ossenberg said that Ms. Market will first have to make application at the Trustee's office to see if they will help her.

Frances L. Greathouse....319 W. Tennessee...Pigeon Township....Ms. Walters, Investigator

The Notice of Poor Relief states that Ms. Greathouse applied for medical assistance but that it would be discontinued as of 7/6/78 due to her income being over the limitations set by P.T.T. standards of eligibility.

Ms. Greathouse had stated that she does not have enough money to pay her bills, to buy medicine and pay for office calls that she needs.

Ms. Greathouse said she takes eight different kinds of pills, also hormone shots and vitamin shots and she doesn't have the money for them.

Ms. Walters said the income in the home is \$581.40 net per month for four people and their standard for four people is \$320.00 per month.

Commissioner Ossenberg said this is a federal law and there is nothing they can do about that, since it is over income and they have to follow these standards and procedures as set out by the federal law. He said the Commissioners hands are tied and they are sorry but that they can't do anything for her.

Ms. Greathouse thanked the Commissioners.

Rick Jay Beige...713 "B" Washington Ave....Pigeon Twp, ....Connie John, Investigator

The Notice of Poor Relief Action states that Mr. Beige applied for assistance but was denied because;

1. Medical exams indicate applicant can perform light physical activity on a sustained basis.
2. Applicant states he would not accept any low paying jobs.
3. Applicants are required by law to actively seek employment.

Mr. Beige stated that he still has chest pains in his heart, that he has appealed his case for S.S.I. disability, that he went to the employment office and they didn't have any job referrals for him., that Connie John is saying that he isn't trying to help himself when he is doing all that his health will allow him to do.

Mr. Beige submitted to the Commissioners two Indiana Employment Security Division cards and an appointment card for him with Dr. Newsome for July 26th. He said a Ms. Thomas from Welfare referred him to the doctor after he told her of his problem and when she called Ms. John of the Pigeon Trustee's office to ask for help for him, she refused, that she lied when she said he couldn't accept a low paying job, that he told her he had pains in his chest, also that he was told that as long as he kept his card registered and go to the unemployment office, it would keep him from getting cut off, that this is what he has been doing and he was cut off anyway. He said he has receipts for xrays and other tests he has had and also a letter from his new representative, that they want more information from his mother, that he was at the Air Force Base when he had medical attention and they said he had an oversized hole in his lung and they are still trying to find information on it, that his new representative is a Mr. Hurd. He said he wasn't denied because he didn't receive a letter stating that he was denied anything.

Ms. John submitted a copy of the letter of denial that was sent to Mr. Beige and said he had never worked long enough to receive benefits and according to the doctors

he was denied S.S.I., stating that he can perform light physical activity on a sustained basis.

Mr. Beige asked Ms. John where she got this information and she said from Mr. Hurd, when he signed his authorization.

Mr. Beige said that he was told by Mr. Hurd that he does not give any information unless he says so and that she came behind his back to get the information which is against the law, that she didn't have any right to get it.

Commissioner asked Mr. Beige why Ms. John wouldn't have the right to get information on him if he is asking for something from this County.

Mr. Beige said he was told that he would be cut off if he didn't give the information so he went back and left the information for her if she wanted it.

Ms. John said she then got the information immediately, that he came into the office at 12:30 p.m. and said she could get the information so she went down and Mr. Hurd released the information to her and this is what happened on July 14th. She said basically, the reason he was denied is because on the 14th. that he made the statement that he would accept no low paying job, but Mr. Beige said this is a lie.

Ms. John said that is not enough however, but she has to have paper evidence which she has, where he refused to show up for a job interview on June 22nd. with the Indiana Employment office.

Mr. Beige said he didn't receive any card on the referral, that when he went to renew his food stamps the people there told him of the referral and he went to check on it on Friday, July 14th. and they didn't have anything for him.

Ms. John submitted a letter dated June 30th. 1978 that Mr. Beige said he didn't receive and that he had stated his profession as an auto mechanic and the doctor's report stated that this man has no limitation to stand, sit, bend, walk, stoop, carry, push, pull light objects, manipulate arms, fingers or use of transportation, that this man can perform light physical activity on sustained basis.

Ms. John said she has another doctors report that she sent for on her own, when Mr. Beige told her he had an abnormal heart. The letter was from Dr. Rosenblatt and it stated that he has a normal heart and that his chest xray is normal.

Mr. Beige said they took an EKG on him but this doesn't show that he has an oversize heart, that the only way they can find this out is to take an xray of his heart and that the Air Force Base in California has records which shows an oversized heart and a hole in his left lung and the Social Security is finding this out from his mother, that he isn't going to work until he is able to work. He submitted his appeal and other papers in reference to getting more information from his mother in California about his real name, that he was supposed to get money from Social Security, that a Ms. Geiss was supposed to take care of the business of his real identity and such as this by contacting his mother, but she said it wasn't enough so a new representative is taking care of it.

Ms. John asked if Rick Beige isn't his real name then and he said "no", that his real name is Michael Fernandez, that he had it changed to Rick Beige through the same preacher that married him and his wife, that the preacher was married to his cousin.

Ms. John asked him if the court approved his name change and Mr. Beige said he hasn't had a chance to get the papers yet because he moved from that address.

Commissioner Schaad said from everything he has seen, he can't see that there is anything the Commissioners can do, unless he has the new caseworker or someone to maybe straighten all of this out, that until then, they can't do anything, that there are too many loose ends.

Mr. Beige said that their rent was suppose to be due on the 20th. and that the landlord is getting ready to put them out.

Ms. John said that he has made an affidavit under a false name which they cannot accept and as long as Rick Beige is not his legal name, he can not sign that name on the affidavit since it is a special document, also that he has been receiving help under false identification.

Mr. Beige said that Ms. John has no right in cutting him off and Commissioner Ossenberg said they shouldn't get into that, that what Ms. John is saying is, had he ever gone to court to have his name changed.



Mr. Beige said he had it changed through a preacher that married them.

Commissioner Ossenberg said this is not the law, that the law states he must go to court to change his name.

Mr. Beige said if this is the law here, he will still use his real name which is Michael Fernandez.

Ms. John said he signed his name as Rick Jay Beige on the application though.

After further comments, Commissioner Schaad moved that the Commissioners deny this appeal. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg suggested that Mr. Beige go down and talk to Mr. Morrison, the Pigeon Township Trustee. He also suggested that the Township Trustees start using tapes, that they go to the County Council at budget session and ask for tapes, that he has heard too many different stories on different things.

Commissioner Willner said that if he wanted a job, he wouldn't wait for a letter to come, that he would be down there every day to see if they had something for him.

Mr. Beige said he did everything that he was supposed to do, that he doesn't have any wind, that this is what it's all about, but that he is going to take this to court and sue for discrimination of personal damages and he is going to sue, that he hasn't had any kind of rights here in this house from either one of them and this woman is lying, by saying that he refused to accept any low paying jobs, that he swears she is lying.

Commissioner Ossenberg advised Mr. Beige that he could go to legal aid and he can get an attorney there and do what he wants to do.

Mr. Beige said he has a lawyer already, that there is no justice, that this is what it's all about.

RE: CUTS IN

The following cut applications were received by Mr. Stephen for filing:  
 Indiana Bell Telephone Co.....for Intersection of S.R. 65 & Boonville-New Harmony Rd.  
 Indiana Bell Telephone Co.....for St. Joe Road between Hwy. 460 & New Harmony Road  
 H.A. Grant Plumbing...for 2337 Bergdolt Road  
 Water Department...for Dieffenbach Road to provide water service  
 German Twp. Water District...for Orchard Road, North of Hwy. 65  
 German Twp. Water District...for Seib Road, on the west side of the road  
 Board of Public Works...for O'Hara, Venetian and Dusseldorf Drives (all private drives)

The meeting recessed at 12:30 p.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
 Bob Schaad  
 Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
 Paul Wendel

Secretary: Margie Meeks

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

1408  
COUNTY COMMISSIONERS MEETING  
JULY 31, 1978

The meeting of the County Commissioners was held on Monday, July 31st. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenbergs presiding.

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

RE: AUTHORIZED TO OPEN BIDS

The County Attorney's were authorized to proceed with opening the bids that were received this morning on the County Health Insurance.

Bids were also scheduled to be opened today for the five Sheriff's cars, but no bids were received.

RE: COUNTY OWNED SURPLUS PROPERTY

There are three parcels of County Owned Surplus Property left to be sold and are as follows:

- #4...18-169-60...923 S. Craig Ave. Evansville Industrial Add. L.29 Blk.129
- #20...24-46-25...667 Brower St. Gordon's Add. L8 Blk.4
- #23...28-5-15...1125 W. Louisiana St. First German Bldg. Assn. Tract Pt. L.54

There were no bids on these parcels, so the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Jayne Rappe 1106 Parrett St. Zoning Administrator \$10,662.00 Yr. Eff: 7/31/78

BOARD OF COUNTY COMMISSIONERS

Doris Gaiser R.R.8 Browning Rd. Clerk-Law Library \$6,597.00 Yr. Eff: 7/29/78  
(Return from Leave of Absence which began 6/5/78)

COUNTY AUDITOR

Joane Greer 1045 E. Chandler Computer Liason \$7,692.00 Yr. Eff: 7/31/78

COUNTY TREASURER

Sally Jo Hicks	Head Cashier	\$6,907.00 Yr.	Eff: 7/31/78
Mary Hatfield	Asst. Cashier	\$6,873.00 Yr.	Eff: 7/31/78
Carmen McAtee	Registrar of Taxes	\$7,006.00 Yr.	Eff: 7/31/78

PIGEON TOWNSHIP TRUSTEE

Donna S. Jones 1314 Cody St. Clerk \$6,354.00 Yr. Eff: 7/25/78

SHERIFF'S DEPARTMENT

William C. Roland, Jr. 645 Madison Ave. Process Server \$2,650 Yr. Pt. Time Eff: 7/24/78

VANDEBURGH COUNTY R.E.S.C.U.E., INC.

James W. Loving R.R. #13 Box 360-A Employment Developer \$9,500 Yr. Eff: 7/27/78

VANDEBURGH SUPERIOR COURT

Sol Maurer 2320 E. Mulberry St. Bailiff \$8,070.00 Yr. Eff: 8/7/78

RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

Jayne Rappe 1106 Parrett St. Planner I \$10,662.00 Yr. Eff: 7/31/78

BOARD OF COUNTY COMMISSIONERS

Mary Humphrey 2917 Koressell Rd. Vacation Clk. Law Library \$20.00 Day Eff: 7/28/78

RELEASES.....CONTINUEDCOUNTY TREASURER

Peola Cage	CETA Employee	\$6,597.00 Yr.	Eff: 7/21/78
Sally Jo Hicks	Assistant Cashier	\$6,873.00 Yr.	Eff: 7/31/78
Mary Hatfield	Clerk	\$6,597.00 Yr.	Eff: 7/31/78
Carmen McAtee	Clerk	\$6,597.00 Yr.	Eff: 7/31/78

PIGEON TOWNSHIP TRUSTEE

Mary Esparza	207 S. Polster Dr.	Clerk	\$6,354.00 Yr.	Eff: 7/21/78
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SHERIFF'S DEPARTMENT

Jess Julian	Process Server (Part Time)	\$2,650.00 Yr.	Eff: 7/24/78
Timothy McGinnis	5104 Conlin Ave. Intern	\$75.00 Wk.	Eff: 7/29/78

VANDERBURGH COUNTY R.E.S.C.U.E., INC.

Thomas Short	3901 Kratzville Rd.	Social Act. Coordinator	\$8,000 Yr.	Eff: 7/28/78
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RE: REQUEST TO TRAVEL ....MR. ANGERMEIER

The following letter was submitted to the Commissioners from Mr. Angermeier:

Gentlemen:

This is a request for permission and approval for my attendance at a Seminar on the Valuation of Hotels and Motels, to be held at the Sheraton Ritz Hotel, Minneapolis, Minnesota, on August 28-29, 1978.

The following is my request of the Commissioners to approve:

1. Registration fee of \$75.00
2. Mileage to and from Minneapolis, Minnesota.
3. Hotel.
4. Meals and Parking.

Respectfully yours,  
James L. Angermeier, Assessor, Vanderburgh County

For the Record:

Mr. Angermeier submitted a letter on July 17th requesting permission to attend a Property Tax Forum in Chicago on August 3 and 4. Expenses were to be \$233.30 plus meals and parking. His Chief Deputy called the Commissioners on 7/26/78 and said Mr. Angermeier would not be making the trip since the Forum had been cancelled.

Commissioner Ossenberg said that Mr. Angermeier had talked to him and the Commissioners had granted him permission to go to Chicago, but this was cancelled out, so he is asking permission to make the trip to Minneapolis, which he thinks will be more valuable because of the Motels and Hotels involved.

Commissioner Schaad moved that Mr. Angermeier have the Commissioners approval to attend the Seminar in Minneapolis, Minnesota. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL ...MR. VOLPE

Commissioner Ossenberg said that he had a request this morning from Mr. Lew Volpe, the County Treasurer, that he would like to travel to Indianapolis this Friday, since he has an Investments meeting in Indianapolis at 9:00 a.m. on how to better invest the monies of County government.

Commissioner Schaad moved that the request of Mr. Volpe be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM LEGAL AID SOCIETY

The following letter was received by the Board of County Commissioners from Marta Provenzale, attorney for the Legal Aid Society of Evansville, Inc.:

410  
To The County Commissioners:

The Board of Directors of the Legal Aid Society of Evansville, Inc., has authorized the donation of the society's old law books to the Conrad Baker Archives. These books are currently stored in the basement of the Civic Center Complex. Thank you.

Sincerely,  
Marta Provenzale, Attorney at Law

Letter received and filed.

RE: MR. JUDD .....HARMONY WAY

Mr. Judd said that the Commissioners had asked him to check on Harmony Way as to if it could be posted at 10 ton and he can't see why it shouldn't be.

This matter came up last week when Commissioner Schaad received a letter from Charles & Helen Wesselman, but didn't have it with him. The letter read as follows:

Dear Commissioner:

We are writing this request on behalf on the residents on Harmony Way between New Harmony Road and Wimberg Avenue.

We are all concerned about the increased number of commercial trucks that have been using Harmony Way as a truck route. Most of these trucks are large grain trucks, commercial transports, brick hauling and others.

Harmony Way is not wide enough for large trucks. Also, there are many children in the homes along the street and the danger of one of them being injured is greatly increased with the presence of these large trucks.

The excessive weight is causing considerable damage to the road and the excessive speed is creating a potential hazard to those who live and drive along this road.

It is the request of the neighborhood that signs be posted along the road that limit the size of trucks that can use Harmony Way.

Sincerely yours,  
Charles and Helen Wesselman

Commissioner Schaad moved that a 10 ton limit be posted on Harmony Way from Casson to 460. Commissioner Willner seconded the motion. So ordered.

Mr. Judd said he has a Board meeting Thursday with the Safety Board and that he will request that the City section also be posted.

FE: MR. CROOKS.....HOUSE ON HARMONY WAY

Mr. Crooks said that for some time they have been following up on Lula Belle Deane's house on Harmony Way, that a couple of weeks ago, they said they would go ahead and get informal bids to raise the house and he has received three of them. They are as follows:

Deig Brothers.....\$1,150.00

Jim Wicks.....\$1,120.00

Crowe Wrecking....\$1,100.00

He said this would be to tear down the rest of the house, to level it and fill to ground level, that it would be his recommendation to give it to the lowest bidder. He said he called Jack Deane's boss, and he said Jack put a survey crew out there last week and they worked for one day, but he couldn't see that anything had been done, so he wondered what he should do.

Commissioner Schaad said they wouldn't interfere with him doing it, if he just realized that the Commissioners were sincere and they mean for it to be done, that they work a day or two and then they stop, and here we go again, and in six months they just keep on going at the same thing.

He wondered if they could give the job to Crowe and tell Mr. Deane that the first week that nothing is done, that Crowe will move in.

Mr. Crooks said he would honestly object to this, since they are leaving the option to the wrecker to determine whether Mr. Deane has been working or not and he didn't think the wrecker should take this responsibility.

Commissioner Schaad said the Commissioners agree here that they give Crowe the contract if, on Mr. Crook's authority, they haven't done the work, and Crowe can move in, that they will award the contract the first week Mr. Deane misses doing some work out there.

Commissioner Willner suggested that they award the contract 30 days from today, that if the work isn't done by September 1st. that Crowe will move in and do it, to which the other Commissioners agreed.

Mr. Crooks said there are also some refrigerators and other debris on the grounds and he wondered, what if those things aren't cleaned up.

Commissioner Willner said that is the main part as far as he is concerned.

Commissioner Schaad said the only bad thing about it is, that if they get over half of it done and then they pay Crowe \$1,100.00 to move what is left.

Mr. Crooks said they wouldn't pay him the full amount, that they would pay him for the percentage of work that he does, that he is sure they will go along with that.

Commissioner Schaad said if Crowe will go along with this, it is okay, but if not, Mr. Crooks should tell Jack Deane that if it isn't cleaned up by September 1st. he should contract with someone to get it done, that he means for it to be completely cleaned up.

Mr. Crooks said he had better write another letter to Mr. Deane then, to let him know that the Commissioners have taken action and they are awarding the contract on September 1st. to complete the job and if the work isn't completely done by that time, they will release the contract.

RE: GREEN RIVER ROAD & ENGLISH WAY

Commissioner Ossenberg asked Mr. Crooks what he has done on Green River Road and English Way, and said that he had a call from those people out there and silt and all is going across Green River Road again in different places and it has got to the point now that there is a law suit pending by all the people who owns property there, against the builders, etc.

Mr. Crooks said they were asked by one of the individuals not to stir any muddy water until after they have had a chance to get their ducts in the road, so they haven't done anything this week, so Bill Mitchener agreed that he would keep quiet until they have had a chance to get their work done.

Commissioner Ossenberg said he just wants to keep on top of it because he doesn't want another Green River Road disaster.

Mr. Crooks said he thought there were grounds and he thought they could go ahead and take steps out there regardless of what they are doing.

Commissioner Ossenberg said he wants to see it afterwards.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Report on employees at the County Highway Garage for the past week, ending on 7/28/78.  
Report received and filed.

RE: MR. SIEBEKING.....ROAD REPORT

Mr. Siebeking said this past week they wedged out West Franklin, Seminary, Roth, Vienna and Eichoff Roads'.

He said he got a call from a Mrs. Crawley who lives on North Red Bank Road and she said she was concerned about heavy truck traffic, especially about concrete trucks and this is between Old 460 and Upper Mt. Vernon Road, and it appeared to her that they were using North Red Bank Road as a short cut to maybe either getting back into town and probably coming out Upper Mt. Vernon Road and cutting through Red Bank Road and she said it was getting to be quite dangerous, plus the fact that there is a lot of heavy truck traffic on that road.

He said the reason she called was because the County has a good road and she hated to see something happen to it, that maybe they could go over there some day and find out what kind of trucks travel that road, but she said it was primarily concrete trucks that were coming through there.

He said he thought he would get back with her and have her call him sometime when the trucks are running out there and see what is going on, since there is no big construction going on out there.

RE: COMMENTS ON NEW ROAD PAVER

Mr. Siebeking said the new paver has been delivered and serviced and is ready to go, that they are delivering it to the garage this morning, so weather permitting, with a day to familiarize his people with it, they will be ready to start working on the roads.

Commissioner Ossenberg said there are several roads that must be done but he thought Baseline Road should be the first.

Mr. Siebeking said that wherever they start first, they would like to get on as straight a road as they can so his people can get used to the paver.

Commissioner Willner said one thing he noticed is that when Feigel laid a road they used some kind of tape.

Mr. Siebeking said they used what he calls binder twine and they string it and this is what their operator follows.

Commissioner Willner said they had better get some of that.

Commissioner Schaad asked how thick they are going to put it down.

Mr. Siebeking said he thought they would go with 165 pounds which is 1½ inches, that this is the way he has been getting estimates, on how much material they will get for the amount of money they have and try to get as many miles as they can. He said he goes before Council tomorrow to get the money transferred around, plus he will ask for the additional \$100,000.00 of Revenue Sharing money.

Commissioner Schaad asked Mr. Siebeking how big a crew he would need to operate the paver, the truck hauling, maintenance and everything.

Mr. Siebeking said they have it figured out, that the distributor will be out in front putting the tack coat down but when they do that, the people on that will come back and one of them will go on the small vibrapac roller to do the drives and mail box approaches where they can't get into with the big roller and then the other one will be on the paver, that they will have an operator on the paver and they have a laborer with a rake that keeps things going and they have a big roller in back plus the trucks.

Commissioner Willner asked Mr. Siebeking if he has contacted Rudolph to see when he can furnish the materials.

Mr. Siebeking said he talked to him on the day of the bid opening and all he has to do is to call him and they can pick the materials up at two different places, which ever would be the shortest distance, according to where they are working, either at the Ford Road plant or on Columbia Street, so weather permitting, they will be ready to start by the middle of the week.

Commissioner Willner asked if the factory man and company man are both going to be there too.

Mr. Siebeking said one of them called him early this morning and said they had completely serviced the machine and it was ready to go and he asked him when he thought they would be ready to go and he said he would talk to the Commissioners this morning, but that they are ready to start whenever the paver is ready, but he did tell the man that he would like a day to familiarize his people with it, so apparently they are ready when the County Highway Department is.

#### RE: MR. GUILLAUM.....BRIDGE & GUARD RAIL REPORT

Mr. Guillaum said that last week the guard rail crews put up about 473 feet of rail, that they had a real good week, also that he has another delivery of rail from Hugh Krohn, that he did have a claim he was going to submit today, but he had a discrepancy on what was delivered and what he was billed on, so before he can turn in any claims on it, he is going to have to get this matter ironed out.

#### RE: COMMENTS ON BEAMS TO BE PURCHASED

Mr. Guillaum said that he looked around a little last week and found some possible locations for using the beams they were thinking about getting from Southwest Engineers, that before they talked about possibly going with one or two structures, that he has found about four of them, but of course it will all hinge on the dimensions of the beams and if they are in good condition, that he anticipates they are, but nevertheless, he will have to wait and see, that they are going up there probably this week to try to check them out.

He said they have a structure on Nurrenburn Road right past Turdette Park going around the sharp curve that appears to be suitable for the beams, that the deck itself is in good condition structurally, also they have a structure on West Franklin Road they had talked about earlier and it would be very simple to go with two exterior beams there, that it is possible to use them on the Boonville-New Harmony structure, that he needs an accurate field check on that one before he knows for sure the beams can be used here



and probably they could be used on the Hogue Road structure, that what they will be doing, in effect, is picking up 8 feet on each one of these bridges and if they can lump them together and put them into a contract they can see what sort of a price they can get.

He said he thought the best approach would be, if the beams check out dimension-wise in width and condition-wise, is to go ahead and get the beams even if they haven't definitely determined where they are going to use them, that he thought these four bridges would be workable but never-the-less, if they check out this week, he will go ahead and get the beams.

RE: CLAIM

A Claim was submitted by Buddy Young for inspection of bridges, 384.8 miles @\$ .15 per mile which makes the total to be \$57.72, which has been approved by Mr. Guillaum.

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

RE: STRUCTURE ON BOONVILLE-NEW HARMONY ROAD

Mr. Guillaum said that Commissioner Willner brought something to his attention last week and he thought he has a good argument on the problem structure they have on Boonville-New Harmony Road about a mile west of St. Joe Avenue, that it has poor alignment, poor width and the structure itself is probably unsafe from a dead load point of view, that as he understands it, the railroad traffic has been abandoned.

Commissioner Willner said he has taken some pictures of it and this is a Penn Central underpass on Boonville-New Harmony Road just west of St. Joe Avenue and that it carries about 1400 vehicular traffic per day and what is happening is that the concrete is breaking off and falling down into the road and hitting cars, also that it is cracked clear across the top and it has been abandoned, also that it was built in 1910, that they have to do something regardless, that he knows this means contacting the railroad company but he thought that the CETA crew could possibly take this structure down, that there are no buildings within 100 yards and he believes they could get it done for just the labor, but he is sure they will need the approval of Penn Central, but they are either going to have to update the underpass or tear it down, one or the other, and he isn't too sure they wouldn't take the Commissioners recommendation.

Commissioner Schaad suggested that they do it then.

Mr. Guillaum said they have a hazard there, not only because of the structure falling down and possibly damaging cars, but just on the alignment and the fact that they can't get two cars through there.

Mr. Siebeking said while they are asking permission from the Penn Central Railroad Co. they might as well ask about the Bender Road structure, since this is the same deal.

Commissioner Willner said that Bender Road is kind of a feeder road, not a through road, but it wouldn't hurt to ask.

After further discussion Commissioner Ossenberg said that they would get together with the County Attorney's so they can write a letter to the Penn Central Railroad Co. and he will tell them who to contact in Lieutenant Orr's office and they might as well include the one on Bender Road. The other Commissioners agreed.

RE: MR. STEPHEN.....ST. JOE AVENUE

Mr. Stephen said he has submitted three copies of the utility agreements from five utilities and he also submitted a letter he has written to accompany the agreements, stating that, as in the past, Southern Indiana Gas & Electric Co. refuses to sign this form, but SIGECO has submitted a letter agreeing to comply with the plans of the project on St. Joe Avenue, so the only thing they are waiting on is the right of way. He said he talked to the Division of State Aid on the Engineer's road design and until the contract is actually let, he wondered if they consider the preliminary engineering as really 100%, but said they have accepted the plans and they are, in effect, completed, so he is under the assumption that it is alright for us to go ahead and make the payment to Fink, Roberts & Petrie, which actually is just the retainage anyway. He said he will need six copies of the County Warrant from the Auditor's office so he can send the application in for reimbursement of the 70% to the state.

Commissioner Schaad said he believes this to be the final payment to Fink, Roberts & Petrie for the Outer St. Joe Avenue improvement four-laning, and he asked Mr. Lochmueller if he didn't say they have to be submitted to the state for approval before they can be paid.



Mr. Lochmueller said this is a new policy, and beings that they are now in the stage of right of way, that everything has been approved, so on this particular one they can go ahead, because they have already let the preliminary engineering, but from now on, they will need to get approval from the state first, and he thought that all the Commissioners agreed on that.

RE: CLAIM

Mr. Stephen then submitted the claim from Fink, Roberts & Petrie, for the preliminary and final design phases on the St. Joseph Avenue from Diamond Avenue to Mill Road, in the amount of \$3,212.88, and has been approved by Mr. Stephen and Mr. Siebeking.

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

Mr. Stephen asked if they have a bill to pay and need to send it to the state for approval, who do they send it to.

Mr. Lochmueller said it should be sent to Virgil Bell for approval.

RE: LYNCH ROAD

Mr. Stephen said they are sitting at the same place on Lynch Road, with the final claim for about 10% for Lynch Road.

Mr. Lochmueller said they just had a bit of news, that they got a call from the state, that the final environmental impact statement has been approved for Lynch Road and they are requesting now, the approval of the study design report along with a request for the right of way, so the next step would be a letter on the right of way.

Commissioner Schaad asked Mr. Stephen if Engineering Associates has the parcels all ready, but Mr. Stephen said he didn't know, that they haven't sent them to him.

Commissioner Schaad said maybe they had better contact Mr. Veach over there and see if they have their parcels ready, since this will be the next step, that they should send them to Mr. Stephen.

Mr. Lochmueller said the Commissioners shouldn't approve the claim to Engineering Associates for Lynch Road until they have received a letter from the state approving the right of way.

RE: PROBLEM ON ST. JOE AVENUE

Mr. Stephen said he suspects a very serious problem with that service station on St. Joe, and he is wondering if there is a possibility of asking the state to allow as much as a three-foot to four-foot encroachment within the County right of way, since otherwise they are going to have to move the island and the canopy, that the canopy overhangs the right of way by about 24 feet in length and about four-feet in depth on the right of way, and he is wondering, rather than having to purchase that at some high figure, if they could get the state to allow the encroachment, they wouldn't have to move it.

Commissioner Schaad told Mr. Stephen to call Guy Cantwell and ask him about it, also to tell him that he has a final check coming, but the Commissioners want to know this first.

RE: LITTLE PIGEON CREEK

Commissioner Ossenberg said that he wrote the Corp of Engineer's on Little Pigeon Creek and received a reply from them which reads as follows:

Dear Mr. Ossenberg:

I am responding to your letter dated 10 July 1978 in which you requested that this office investigate flooding problems on Little Pigeon Creek.

A resume' of Section 208, 1954 Flood Control Act, which is our basic authority for investigating stream congestion problems, is inclosed for your information.

Please note that a legally and financially capable local sponsor--e.g., the city, the county, or both, depending on location of the project study--is required in order that the terms of local cooperation (as generally specified in the resume') may be met. Also, the local sponsor must forward an initial letter of intent before an investigation can be initiated.

I have also inclosed the sample copy for a letter of intent; upon receipt of a satisfactory letter, staff personnel will arrange to meet with you and others for a discussion and inspection of the problems on Little Pigeon Creek.

Sincerely yours,  
Thomas P. Nack, Colonel, Corps of Engr.  
District Engineer

Commissioner Ossenberg said with part of this being in the City, he would suppose that the City would also have to request this.

Mr. Stephen said it would be, in effect, a dual sponsorship, the City and County since they would both be involved.

Commissioner Ossenberg said this is a situation where they are going to have to do it, that it is a bottleneck at Petersburg Road and at Hwy. 41 and they have continuous flooding problems, that even before construction began out there, on Mr. Effinger's farm land, they had problems, and if it is agreeable with the Commissioners, Mr. Stephen can talk to Mr. Eifler and see if the City will go along with this, and then the Commissioners can take the necessary steps to make that a legal drain, that they can make a request for the study if the City agrees.

Commissioner Schaad asked if they are going to clean it the one time and then we have to take it from there, and Commissioner Ossenberg said this is his understanding and he asked Mr. Stephen if this is his understanding.

Mr. Stephen said this is correct, that he has been in other counties where this has happened, that it was a City and the Corp did come in and clean the river and then the City had to maintain it and ever so often they would come back to make an inspection to see if the City or County is following up, because there are sandbars that appear and they had to hire people to remove the sandbars, also they have to spray the banks yearly to keep down the noxious weeds and brush.

Commissioner Schaad said then, the first thing to be done is to join up between the City and the County to ask them to make the study and do the cleaning and then the legal drain will come about if they will do it.

Commissioner Ossenberg said that Mr. Stephen should first contact Mr. Eifler and the City and let them take it to the Board of Public Works and see if they will join in, and if they do agree, then we do ask them to make the study and do the cleaning.

Commissioner Schaad so moved. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said that Mr. Biggerstaff openly admitted to him that he cleaned it through the bridge fund, constituting cleaning it from one bridge to another bridge, but he would rather see it made a legal drain.

Mr. Stephen said if they do, they still have to appropriate those funds out of some counties' monies someplace, that it is non-recoverable.

#### RE: EAST SIDE INDUSTRIAL PARK

Mr. Stephen said that Industrial Contractors came in, wanting to know the specifications for roads on the East Side Industrial Park so they would be doing it correctly, and he told them he had never seen a print, so he now has two copies, and he said this is the street, sewer and storm water plans for the project, that the Drainage Board approved the drainage sometime ago, and he explained the plans.

He said they are saying that eventually they will ask the County to take over the road system here, and we didn't have any plans on it, and one of the requirements from the Subdivision Control Ordinance is that they submit plans for the Commissioners approval.

He said the County required them to put a dam in with a controlled outlet and a ponding area and he explained the street section.

Commissioner Schaad asked if they didn't have standards for industrial parks.

Mr. Stephen said it becomes a county road and the only classification is that they are building it the 7-inch concrete, that was what he wanted to change and get a classification for industrial parks which would increase the roads to at least 8-inches, but it never came about, that by the traffic count here, they are really in a collector classification which gives them 7-inches, but they would like a little inspection as they go along to see that they are doing it correctly. He said he would like to see the concrete thicker but he isn't sure he can tell them they want it 8 inches thick, that if they had the ordinance, they could.

Commissioner Ossenberg said about the only way they will ever do it is to have a review study, but he didn't see how they could allow one to go in and not another one, that to get an ordinance in, they would have to have a public hearing and everything else.

Mr. Stephen said this is what they were going to do, that it was included in the revision of the Subdivision Control Ordinance, that it has been sitting on the back burner and nothing has been done on it.

Commissioner Ossenberg told Mr. Stephen that the way he could expedite it would be to get with Mr. Crooks and they could bring it up, and they could do it in the future but he guarantees that they worked almost one and a half years on the thing.

Commissioner Willner said that 7 inches with a good base will be enough, to which Commissioner Ossenberg agreed.

Mr. Stephen said he wasn't sure that it would be enough with a lot of truck traffic and he didn't think there would be any reinforcement, but that they are cutting it at 15 foot intervals, which is a good deal.

Commissioner Ossenberg said he believed if Mr. Stephen talked to Mr. Morley and told him to put some aggregate under it and maybe some reconstruction in there, they will do it, that Industrial Contractors are very conscientious people.

Mr. Stephen said this is correct, that they could have gone ahead and we wouldn't even have known they were pouring out there, that they came in, and he told them that he hadn't even seen the prints and this was when they brought it in. He said if they use anything in laying concrete, they usually use sand and gravel and it is usually enough to level which is two to three inches.

Commissioner Ossenberg asked Mr. Stephen why he doesn't make a recommendation to them, that he is sure they will do it, and the Commissioners agreed that if they do, they will then be very receptive.

Mr. Stephen said he will take it back to Mr. Morley then and ask for either some aggregate underneath or 8 inches of concrete.

RE: QUOTATION FROM AMERICAN TIMBER BRIDGE & CULVERT, INC.

Mr. Stephen submitted the following letter from the American Timber Bridge & Culvert, Inc. of Fort Wayne, Indiana:

Gentlemen:

In response to your request for a quotation on two bridges for your county, based on your annual bid, we are pleased to quote as follows:

Re: Bridge #53, Red Bank Road

Treated timber bridge, 30' clear span, 26' clear roadway, 8' abutment height. Includes design drawings and all attaching hardware. F.O.B. designated siding, Vanderburgh County: .....\$25,760.89

Re: Bridge #54, Boehne Camp Road

Treated timber bridge, 32' clear span, 26' clear roadway, 10' abutment height. Includes design drawings and all attaching hardware. F.O.B. designated siding, Vanderburgh County: .....\$27,440.21

Structures provide HS-20 design load capacity. All materials cut and bored prior to treatment, pre-assembled to the extent possible to facilitate rapid installation.

Thank you for the opportunity to quote on your needs. We look forward to serving you.

Sincerely, Mark J. Krenn

Mr. Stephen pointed out that the clear roadway is not the 30' which is wider than the road itself, that it is 26', also that Mr. Krenn came out and they established the abutment types for retainage as to height and this covers part of the cost too. He said that this outfit has been working with two different contractors that are willing to bid on them, that some shy away from it because it is something new, so they have to show that they can still make a profit on installation on something like this.

Commissioner Willner asked Mr. Stephen if he had a ball park figure as to an x number of dollars per x number of feet.

Commissioner Schaad moved that the specifications be prepared for the two bridges and that bids be advertised for. Commissioner Ossenbegg seconded the motion. So ordered.

Mr. Stephen said he had a call from Attorney Steve Thomas, which was directed to him by Commissioner Ossenberrg, so he talked to him and found that on Lost Bend Lane, where he lives, he has water problems, and Howard Nunn was also complaining because two drives don't have pipes and the water doesn't drain as it should, that they ran a level along the ditch and they had a rod reading of 7½ feet but when they went back farther they had a 1/10 foot fall which makes it hard to move the water, and the ditch came up hill about 8 inches before it started back down, so they need to go in and raise it again, and maybe the ditch could be deepened a little.

He said that Lost Bend Lane is approximately 1100 feet long or just to S.I.G. & E.Co. at their driveway, after that it is private property and if there is obstruction to getting anything across there, they can't do anything about it anyway, so he explained this to Mr. Thomas and he asked him to call him back to let him know what we can do. He said he told him the only thing the County could do would be to take that 8 inch pipe out and they would have very little fall, and this is as far as the County can go and then it would be under the Highway Department as to what they can do and how soon they can do it.

He said they are having problems with the side ditch because there are two drives that do not have pipe under them or else the pipes have been covered up so they aren't functioning, that those people should be required to purchase the pipe and the County will install it which will take care of part of the problem, that they will clean the ditch the best they can and keep it level with as much fall as they can get, is as much as they can do.

Mr. Siebeking said that another thing that has created a problem there is that on Olmstead, there was a natural water way and the water would go down there to get into the creek and this guy filled it in and built on top of it and he now has water in front of his house.

Commissioner Ossenberg said they will do their part on the Thomas property, that they are threatening a law suit against the County, that the people should be contacted and asked to buy the pipe for their driveway and the County will put in, that this will eliminate a lot of the problem, but what this guy has done, the County can't do anything about, nor can they go on private property.

He said the County will do their part but the rest is up to the property owner.

There were two bids received for the County Health Insurance on employees. They are as follows:

Blue Cross-Blue Shield....Health Insurance...\$31.09 per employee  
 \$93.00 per employee and family policy  
 Life Insurance.....\$ .38 per 1000

Golden Rule.....Part Self Insurance-variable amount of premiums

Commissioner Ossenberg said at this particular time, as they have done in the past, they will have to get with the people he is going to ask to study the bids, that they are Harry Lukens, Jerry Miller and Jerry Finney.

Commissioner Schaad wondered if both bids meet the specifications.

County Attorney Wendel said he didn't think the specifications said anything about Self Insurance.

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Commissioner Ossenberg said he is also going to ask Ben Davenport, out of Indianapolis, who will be coming in to do our study and draw up specifications for Self Insurance for next year, and see if he will help in this particular case to see which is the best bid. Commissioner Schaad moved that the Insurance bids be taken under advisement. Commissioner Willner seconded the motion. So ordered.

RE: ST. JOE AVENUE

Lani Etheridge of Urban Transportation appeared and said that Mr. Lochmueller has given the Commissioners an update on Lynch Road, also that he called Mr. Riddle concerning St. Joe Avenue and he said the appraisal should be back and he would give them a report on Wednesday of this week and after they look them over, he will purchase the property needed.

RE: L&N AND ILLINOIS CENTRAL RAILROAD CROSSING AT ALLENS LANE

Lani submitted a letter for the Commissioners approval that they requested she write to Mrs. Bruce Williams concerning a dangerous crossing. The letter reads as follows:

Dear Mrs. Williams:

I appreciate your expression of concern with regard to hazardous conditions at the L&N and Illinois Central railroad crossing on Allens Lane. Indeed, there are many aspects of this crossing which make it exceptionally dangerous.

A few years ago the railroads sought to improve the situation on Allens Lane by installing flashing light signals. No doubt the flashers have been more helpful in alerting drivers to approaching trains, but even greater precautions are needed due to the especially poor visibility in the area, high speed trains, and the existence of not one but two sets of tracks.

To remedy the situation, the Vanderburgh County Commissioners are initiating the necessary steps to obtain federal aid for the installation of automatic gates at this crossing. We will work to expedite installation of the gates, but past experience with such projects has shown that installation may take as long as two years to accomplish. In our request for signal gates we will inform the Indiana State Highway Commission and Federal Highway Administration of the dire need for the improvement of this crossing and we will ask them to do everything possible to hasten the installation.

The problem of warning devices being activated when no trains are approaching is a maintenance problem. I will request that the railroads check into this malfunction and correct any defects in the system which may be causing it.

The City-County line runs parallel to the train tracks at Allens Lane. To improve sight distance for vehicles at the railroad crossing here, the County will cut the weeds within the County right of way and the City has been asked to cut the weeds within the City limits. It is hoped this will increase the visibility of approaching cars.

I respect your feelings concerning the Allens Lane crossing and am glad you took the time to write to me. If you have any further comments or questions on this matter, please contact me.

Very truly yours,

Commissioner Ossenberg signed the letter at this time.

RE: MR. MITCHELL

Mr. Mitchell said he would like some information concerning the proposed landfill out on Ruston Lane and he asked if it would have to be approved by the County Commissioners.

Commissioner Ossenberg said, not necessarily, that if they buy the land, they can annex it just like they did on St. Joe Avenue.

Mr. Mitchell said the thing came up about three or four years ago and there were about 250 or 300 people that signed against it, so it has come up again now.

Commissioner Ossenberg said he doubts that the City is going to be able to afford that kind of price for that acreage.

RE: MR. PAUL AHRENS

Mr. Ahrens, a member of the County Council appeared and said he had a few complaints and he wanted to pass a few copies of a NEWSLETTER published by Indiana Highways for Survival, Inc. and then they can see why we don't get any roads in the Southern Indiana. He said he thinks that we aren't considered Indiana anymore, that he thinks we are just Evansville, that if the Commissioners read this newsletter, they will see why we aren't getting any money out of Indianapolis, that they get all the good roads and we get nothing.

He said he has a little pamphlet that he got from Wayne Supply Co. and he talked to Mr. Siebeking who said they had a piece of machinery but it wasn't heavy enough to hold on the road, but they could eliminate that by putting some concrete big square frames on it and putting concrete in there and hold it down, that it would help out on the double ditch business they have.

He said he has a few complaints, that the weeds are getting pretty bad, that he noticed that a guard rail needs to be put at Burkhardt Road and Division Street, since there is a bad offset there and he hopes that the Commissioners see that this is taken care of, that there are weeds all along Burkhardt Road, from Division Street to Morgan Avenue that are really high and he thinks they should be taken care of. He said there is also the matter of water coming into the basement of John Emmons at 2800 Rode Road for the last six years, and he has went as far as to spend \$75.00 for fill dirt, that this can be leveled off and a curb and gutter put in there and it will take the water on by, that he thinks the man has a good complaint here and we should do something about it, since we could have another law suit, that we have too many now. He asked that the Commissioners, County Attorneys and the County Engineer get together and see what they can do about these complaints

RE: CLAIMS

A Claim was submitted by County Attorney Paul Wendel for his July office allowance in the amount of \$166.67.

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

A Claim was submitted by County Attorney Ed Smith for his June and July office expense @ \$166.67 per month, or a total of \$334.34.

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

RE: MR. MARK OWEN.....DRUG & ALCOHOL DEFERRAL SERVICE

Mr. Owen said that as of tomorrow the Drug & Alcohol Deferral Service will be a Division of the Superior Court and what they plan to do is to collect the fees at the office and deposit them at the bank in town, that they are going to ask that the Commissioners approve National City Bank as the bank they will deposit the money in, since this is the bank that the County is using this year, then on a monthly basis, they plan to use the Report of Collections form and then deposit the money with the Auditor's office on a monthly basis instead of going over to the Auditor's office to deposit it on a daily basis, that they will use the State Board of Accounts form and deposit it on a monthly basis at the end of the month, so on the last day of each month the account will be zero.

Commissioner Schaad said they had better have the County Attorney check with Mr. John to see if that procedure could be done.

Mr. Owens said that Mr. John and Mr. Volpe told him this was agreeable, that the only thing is, they want the money deposited at the bank and then quietused over here, so Mr. John said they would have to ask the Commissioner's permission to use National City Bank and at the end of the month, they will transfer the money from the bank and quietus it over to the Auditor's office in the County General Fund.

Commissioner Ossenberg said he understands that when the Finance Committee meets next year, County monies go into another bank, City monies go into another bank and school monies go to another bank, but this year the County is using National City Bank.

Commissioner Schaad moved that since this is legally okay, that the Commissioners approve the request of Mr. Owens. Commissioner Willner seconded the motion. So ordered. The meeting recessed at 11:05 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg

Bob Schaad

Robert L. Willner

COUNTY AUDITOR

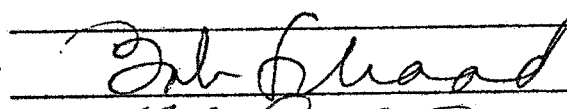

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.

Paul Wendel

Secretary: Margie Meeks

  
  
 BOARD OF COUNTY COMMISSIONERS



COUNTY COMMISSIONERS MEETING  
AUGUST 7, 1978

The meeting of the County Commissioners was held on Monday, August 7th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding, since President Ossenberg is on vacation.

Deputy Sheriff Pete Swaim opened the meeting, this being the first meeting of the month.

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

RE: REQUEST FOR REZONING PETITION TO BE POSTPONED...VC-3-78

The following letter was received from the Law Office of Johnson, Carroll and Griffith:

Re: Rezoning of 500, 600 & 700 Blocks of Kimber Lane;  
Ordinance No. VC-3-78; Forrest D. Railey

Dear President Ossenberg:

As you know, we had asked for the captioned rezoning to be considered next Monday, August 7. However, as you also know as a member of the Drainage Board, the plans were not approved by the Drainage Board until last Monday. Consequently this matter could not go back to the Area Plan Commission until the September meeting. Accordingly, we would like to appear before the Area Plan Commission on September 6, 1978, at 5:00 o'clock p.m. and before the County Commissioners for final action on Monday, September 18, 1978, at 9:30 o'clock a.m. As before I am sending a copy of this letter to the remonstrators whose names I know and most certainly if they know of any other parties they could communicate this continuance request.

I regret that the matter has to be continued again but it is difficult to be ready for the Area Plan Commission meeting only two (2) days after the drainage plans were finally approved.

Thank you for your kind consideration in this matter.

Very truly yours,  
Johnson, Carroll and Griffith  
Professional Corporation  
Edward W. Johnson

Commissioner Willner moved that the extension be granted as requested. Commissioner Schaad seconded the motion. So ordered.

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 Outer Lincoln Avenue and for the Tandem Truck that is needed by the Highway Department.

RE: SALE OF COUNTY-OWNED SURPLUS PROPERTY

There were three parcels of County owned surplus property still for sale, other than #6 which is being re-advertised due to an error on the location and will be for sale on August 21st. The three parcels are as follows:

#4...Tax Code 18-169-60....923 S. Craig Ave. Evansville Industrial Add. L.29 Blk.129  
Appraised Value.....~~\$200.00~~. 175.00

The only bid was from Charles Swope of 32 West Maryland Street in the amount of \$20.00.

Commissioner Schaad said he went out to look at this property, that it is off Claremon at the dead end and that it must be four feet deeper than the adjoining property. He said he contacted the neighbors but they weren't at all interested, that he didn't know who would want it but he was interested in getting it back on the tax roles and they haven't had any other bids on it.

Commissioner Willner then moved that the property, tax code 18-169-60 be sold to Mr. Charles Swope. Commissioner Schaad seconded the motion. So ordered.

#20...Tax Code 24-39-50....667 Brower Street, Gordon's Add. L.8 Blk.4 L & Imp.  
Appraised Value.....\$350.00.

The only bid received on this parcel was from Charles Swope, in the amount of \$75.00, but Commissioner Willner said he didn't want to accept this amount for this parcel, so the sale will continue next week.



#23...Tax Code 28-5-15.....1125 W. Louisiana St. First German Bldg. Assn. Tract  
P. L 54. Appraised Value.....\$250.00.

Commissioner Schaad said he looked at this parcel, that there is a little house next to it and the gentleman there keeps the grass cut on this lot and there is a row of trees and then there is another vacant lot and then another house, but he didn't think anything could be built on it.

The only bid received on this parcel was from Charles Swope, in the amount of \$50.00.

Commissioner Willner moved that the property, tax code 28-5-15 be sold to Mr. Swope for \$50.00 Commissioner Schaad seconded the motion. So ordered.

RE: DEEDS SUBMITTED

County Attorney Smith submitted the quit claim deeds he had prepared on the County owned surplus property that was previously sold, for the Commissioners signatures, after which time they will be recorded and the purchasers of said parcels will be contacted.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

John C. LaVanchy R.R. 1 Wadesville Security \$7.00 Hr. Eff: 7/30/78

CLERK OF THE CIRCUIT & SUPERIOR COURTS

Sharon M. Daniels 113 Keck Ave. Counter & Minute Clk. \$261.38 Pay Eff: 8/12/78

DRUG & ALCOHOL DEFERRAL SERVICE..VANDERBURGH SUPERIOR COURT

William M. Campbell	15 Willow Dr. Henderson Ky.	Director	\$21,000 Yr.	Eff: 7/31/78
Mark R. Owen	2310 Sharon Place	Asoc. Director	\$16,000 Yr.	Eff: 7/31/78
Carl A. Miller	732 Fairway Dr.	Apt.C Clinical Co-ord.	\$16,000 Yr.	Eff: 7/31/78
Vickie R. Yaser	1165 Schutte Rd.	Counselor-I	\$11,000 Yr.	Eff: 7/31/78
Debra J. Below	1517 Russell Ave.	Executive Secretary	\$8,500 Yr.	Eff: 7/31/78
Georgann Gibson	3036 West Maryland	Sec.-Bookkeeper	\$8,000 Yr.	Eff: 7/31/78

PIGEON TOWNSHIP ASSESSOR

Joe Ann Benton 420 S. Bedford Ave. Clerk \$6,835.00 Yr. Eff: 7/31/78

PROSECUTOR'S OFFICE

Robert Pigman	5112 Hoosier Ct.	Trial Dep.	\$15,200.00 Yr.	Eff: 7/31/78
Robert Carithers	5361 Stonehedge	Trial Dep.	\$18,552.00 Yr.	Eff: 7/31/78
Robert Zoss, Sr.	773 S. Lombard	Trial Dep.	\$11,000.00 Yr.	Eff: 7/31/78

SUMMER INTERN PROGRAM

Bonnie Heitzman 1004 Lohoff Summer Intern \$120.00 Wk. Eff: 7/24/78

VANDERBURGH COUNTY BAIL BOND COMMISSION

Beverly Corn 607 Chateau Dr. Adm. Asst. \$2,412.02 Yr. Eff: 8/7/78

VANDERBURGH COUNTY R.E.S.C.U.E., INC.

Jack Steele 1209 S.E. Second St. Emp. Developer \$9,500.00 Yr. Eff: 8/3/78

VANDERBURGH COUNTY WORK RELEASE

Beverly Corn 607 Chateau Dr. Adm. Asst. \$6,999.98 Yr. Eff: 8/7/78

VOTERS REGISTRATION OFFICE

Cathleen Gorman 413 Lodge Ave. Clerk \$20.00 Day Eff: 8/4/78

RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

John Clifford 7310 E. Walnut St. Zoning Admin. \$10,662.00 Yr. Eff: 7/28/78

RELEASES.....CONTINUEDCLERK OF THE CIRCUIT & SUPERIOR COURTS

Carol Nyhuise 2640 Heidelberg Counter & Minute Clk. \$261.38 Pay Eff: 8/12/78

COUNTY HIGHWAY DEPARTMENT

Mark D. Krueger 2708 "B" W. Franklin Equip. Opr. \$5.26 Hr. Eff: 8/4/78

PIGEON TOWNSHIP ASSESSOR

Joane Greer	Clerk	\$6,835.00 Yr.	Eff: 7/28/78
Viola Schmahlenberger	Part time	\$20.00 Day	Eff: 7/28/78
June Hallenberger	Part time	\$20.00 Day	Eff: 7/28/78

PROSECUTOR'S OFFICE

Robert Pigman	5112 Hoosier Ct.	Trial Dep.	\$9,400.00 Yr.	Eff: 7/31/78
Robert Carithers	5361 Stonehedge	Trial Dep.	\$15,652.00 Yr.	Eff: 7/31/78
Robert Zoss, Sr.	773 S. Lombard	Trial Dep.	\$1,300.00 Yr.	Eff: 7/31/78
Scott R. Bowers	6433 Newburgh Rd.	Trial Dep.	\$19,200.00 Yr.	Eff: 7/31/78

SHERIFF'S DEPARTMENT

Ronald McDonald 2059 Waggoner Intern \$75.00 Wk. Eff: 8/12/78

SUMMER INTERN PROGRAM

Raymond Volpe 1808 S. Taft Ave. Summer Intern \$120.00 wk. Eff: 7/28/78

VANDERBURGH COUNTY BAIL BOND COMMISSION

Joyce Giannini	1125 S. Vann Ave.	Adm. Asst.	\$2,412.02 Yr.	Eff: 8/4/78
Beverly K. Corn	607 Chateau Dr.	Prob. Intern	\$3.50 Hr.	Eff: 8/4/78

VANDERBURGH COUNTY R.E.S.C.U.E., INC.

James Loving Employment Developer \$9,500 Yr. Eff: 8/2/78

VANDERBURGH COUNTY WORK RELEASE

Joyce Giannini 1125 Vann Ave. Adm. Asst. \$6,999.98 Yr. Eff: 8/4/78

VOTERS REGISTRATION OFFICE

Faith O. Hart 2600 S. Boeke Rd. Clerk \$20.00 Day Eff: 8/4/78

RE: MEMORANDUM FROM C. G. RUSTON

The following Memorandum was directed to All Appointed and Elected Officials by Mr. Ruston:

On Saturday, August 12 and Sunday, August 13, 1978, we will completely close the parking areas in front of the Civic Center and adjacent to the School and Court Buildings.

This is necessary so we can apply two (2) coats pavement sealer and re-stripe the lines.

We would appreciate your cooperation in not using these three (3) areas on the above mentioned dates.

Signed C.G. Ruston  
Evansville-Vanderburgh County Bldg. Authority

RE: OPENING OF BIDS.....RECONSTRUCTION OF OUTER LINCOLN AVENUE

There was only one bid received for the reconstruction of Outer Lincoln Avenue from the City Limits to Warrick County, which is as follows:

Feigel Construction, Inc.....\$24,230.50

Mr. Stephen said the Engineer's Estimate was \$16,667.00 last year.

Commissioner Willner moved that the bid be taken under advisement and referred to the County Engineer for study and recommendation. Commissioner Schaad seconded the motion. So ordered.

RE: OPENING OF BIDS.....TANDEM DUMP TRUCK

There were three bids received on the tandem truck that is needed by the County Highway Department. They are as follows:

Alvey-Scott Motors, Inc.....	\$22,228.82	
Hendrickson Enterprise, Inc.....	\$20,010.53	
Key Ford.....	\$24,992.00	Invalid Bid, in-as-much as cashier's Check is less than 5% of the bid.

Commissioner Willner moved that these bids be referred to the County Highway Department for study and recommendation. Commissioner Schaad seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

The following Certificates of Insurance were submitted for the use of the County Auditorium:

From Aetna Casualty & Survey Co. on Insured, Keishval Enterprises Inc. & Millie Jackson for their performance on August 11, 1978.

From Nahm, Turner, Vaughan & Landrum, Fireman's Fund on Insured, Orion Broadcasting, Inc. for the broadcasting of the Labor Day telecast of the Jerry Lewis Telethon at WFIE, Inc. Evansville Indiana.

From Citizens Realty & Insurance, Inc. on Insured, Jaycee's of Evansville, Inc. & Evansville Jaycee's Wives, Inc. covering their event of October 8, 1978.

All Certificates of Insurance received and filed.

A Certificate of Insurance was submitted by James L. Will, Insurance on Insured William R. Nix DBA Bill Nix Construction Co. for Liability and Workers Compensation. Certificate of Insurance received and filed.

RE: ORDINANCE LIMITING NOISE OF MOTOR VEHICLES

Commissioner Schaad said it has been called to the attention of the Commissioners several times about an ordinance in the County to restrict the noise level.

County Attorney Ed Smith submitted the Ordinance and said that it was on a referral at the instigation of the City and the E.P.A., that they submitted to us and suggested a noise level restriction, and he thought the City has adopted an ordinance along these lines and requested that we also prepare one for the County, so he has prepared this ordinance that he believes is along the suggested lines of the E.P.A. standards, that it is compatible and very similar to what the City has, so there will be uniformity and they can do this under the Home Rule. He said they can have first reading on it today and can then act on it at the second meeting next week, after which time it will be published in the newspaper. The date of publication will be August 17th. at which time the Ordinance will become effective.

The Ordinance reads as follows:

WHEREAS, the Indiana General Assembly enacted House Enrolled Act No. 1343, Acts 1975 P.L. 158 (EC 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, in order to protect the health, safety and welfare of the citizens of Vanderburgh County, Indiana, and their property rights, deems it to be in the public interest to enact this ordinance providing for the regulation and control of excessive noise caused by the operation of motor vehicles.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Vanderburgh County, State of Indiana, as follows: to-wit:

Section 1. DEFINITIONS

For the purposes of this section, the following terms shall have the following meaning:

1. "Public Way" means any area over which the public has a right-of-way. By way of example and not of limitation, streets, alleys, and sidewalks are public ways.
2. "Motor Vehicle" includes but is not limited to automobiles, motor-cycles, mopeds, trucks, and recreational vehicles.

Section 2. EXHAUST SYSTEMS

The exhaust system of any motor vehicle may be modified, provided that the system as modified includes baffles or other noise suppressing devices.

Section 3. EXCESSIVE NOISE

No person shall allow a motor vehicle being operated upon a public way to emit a sound pressure level of more than eighty-five (85) dB (A) measured at a distance of fifty (50) feet, regardless of the source of the sound emitted from the vehicle, except that a vehicle may be allowed to emit a sound pressure level of no more than ninety (90) dB (A) measured at a distance of fifty (50) feet when accelerating from a full stop.

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.

Section 5. PENALTY

Whoever violates any provision of this ordinance shall be subject to a fine of up to, but not in excess of, One Thousand Dollars (\$1,000.00) and costs.

PASSED by the Board of Commissioners of the County of Vanderburgh, State of Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 1978, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

The Commissioners will sign the Ordinance the Monday following the publication.

Commissioner Willner asked if the law enforcement officers of Vanderburgh County and the City of Evansville have devices to detect the decibel of noise level.

Mr. Buster Gordon said that he and Mr. Bill Staff would be deputized by the Vanderburgh County Sheriff's Department, that the Sheriff's Deputies would have the capability of stopping a car but he or Bill would do the actual measuring and issue the citation.

RE: SUMMONS

Commissioner Schaad said a summons was submitted to the County Commissioners but he wondered if maybe it concerns the Drainage Board, that it is in regard to the Hirsch property and a law suit on a legal drain, with Charles Martin as attorney. He said they could throw it out right now since it should read the Vanderburgh County Drainage Board and not the Vanderburgh County Commissioners.

Commissioner Willner moved that this matter be referred to the County Attorney's. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said he understands they are receptive and that Mr. Don Folz said he would be a mediator for them and they will see him at the Vanderburgh County Drainage Board meeting.

RE: EQUIPMENT NEEDED FOR COUNTY JAIL

A letter was received from Sheriff DeGroote in reference to equipment that is needed in the County Jail, which reads as follows:

Gentlemen:

The following equipment is needed in the Vanderburgh County Jail to replace and update the facility. All of the below mentioned equipment is approximately ten years old and was placed in the jail during construction.

Metal Detector:

Searching Gun Metal Detector

Model #SMD-1000 W

Solid State Model

Delivered.....\$2495.00

**Intercom:**

Dukane Intercom System  
 Model #400.12  
 Solid State Model  
 Installed 2nd Floor only.....\$1075.00

**Mattresses:**

Now Mattresses by Supreme  
 Model #25 SFPRV  
 Non Flammable Poly/cotton Material  
 150 Mattresses.....\$4,042.50

Present Mattresses are a flammable material and produce a toxic black smoke.

**Combination Toilet and Sink**

Model SA-350-D.W. (Super-Secur)  
 Stainless Steel and Aluminum combination toilet and sink.  
 Replace ½ of present toilets and sinks that are unpaintable and non-sanitary.  
 Model SA-350- Approximately.....\$950.00 Installed  
 50 Total.....\$49,500.00

Sincerely: Sheriff James DeGroot  
 Captain James Moers,  
 Jail Commander

Mr. Hotz said he has another item to be added that came in too late to get on the list and he would like these figures to be published so they can be added to the other list.

He said that an inspector from the Indiana Fire Marshal's office asked for the installation of the fire extinguishing system after a recent inspection, to clear up a fire hazard in the facility's kitchen, that a set of automatic extinguishers is needed in the range hood at the jail kitchen. He said they estimate the cost to be approximately \$1,130.40.

Commissioner Schaad said this should be added to the other list, also that Commissioner Ossenbarg has a note attached to the list stating that he thought this should be referred back to the County Sheriff.  
 He said it will have to be purchased through the County Commissioners but the Sheriff should see that it is advertised so they can go before the Council to request the money.

Mr. Hotz said there was some question on some of the items that might come under one budget but since they are mixed up, Commissioner Ossenbarg seemed to think they should all be put on the Sheriff's budget.

Commissioner Willner so moved this be done. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said this is being referred back to the Sheriff's Department so they can add the other items and and go before Council to get the money and then the Commissioners can go through the advertising.

Mr. John asked if the Commissioners would request the money from the C.C.I. Fund, and said the reason he is saying this is because they are in the process of going through the hearing right now for the state on the road equipment and there is a question of whether or not they are going to allow that.

Commissioner Schaad said he isn't that familiar with it, that this is a capital equipment but it isn't a building or anything.

Mr. John said that is capital equipment but it is going to be used for highway maintenance and he didn't believe they would allow it and if this is the case, he would suggest for that fund, to use it for things of this nature and maybe the Auditorium, since they will need money.

Commissioner Willner so moved that the Sheriff's equipment being requested should come out of the Cumulative Capital Improvement Fund and that Sheriff DeGroot be so notified. Commissioner Schaad seconded the motion. So ordered.

**RE: LETTER FROM DUANE HOLDER .... SIGNAL LIGHT INDICATORS**

The following letter was received by the Commissioners from Mr. Duane Holder, addressed to Conrail Division Engineer, dated August 1st. 1978:

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Sirs:

I wish to submit several reasons that have become apparent for the critical need of electric signal light indicators at the intersection of Conrail tracks at Oak Hill Road near State Highway 57.

- 1) Two accidents including a fatality during the last six months
- 2) Extremely heavy traffic on Oak Hill Road
- 3) Increased speed limit to 45 MPH
- 4) Distractions of highway intersection within 500 feet as well as airport runway strobe lights and air traffic directly overhead.

I fully realize that these tracks are seldom used, generally at night with slow moving trains, however the recent accidents indicate that due to problems listed above it is possible not to see the train. The cost of this request, although great, is far outweighed by the problems listed above that signal lights will help alleviate.

I would appreciate your response.

Sincerely, Duane Holder

The letter that Mr. Holder wrote to the Commissioners reads as follows:

Sirs:

Enclosed please find a copy of a letter sent to Conrail Division Engineer, Indianapolis, Indiana in reference to the need of a flashing railroad indicator at the intersection near Oak Hill Road and Highway 57.

I would be most appreciative of any assistance that you might give this matter.

Sincerely, Duane Holder

Commissioner Willner moved that this matter be referred to Mr. Lochmueller of Urban Transportation and that it be added to their list. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad suggested they reply to Mr. Holders letter to tell him what they have done on it, that they have referred it to Mr. Lochmueller of Urban Transportation.

RE: PETITION TO NAME ROAD.....SCOOPS LANE

A petition was submitted, requesting that a private lane be named Scoops Lane, and reads as follows:

We the undersigned land and property owners do hereby petition the Vanderburgh County Board of County Commissioners and Area Planning Commission to hereby name a Private Road, located in Union Township Section 15 T 7 S, R 11 W leading off Old Henderaon Road to the East 1800 Feet North of Cypress Dale Road, Scoops Lane.

Signed by 11 property owners

Mr. Osterholt said that the Area Plan Commission approved this, that it is a matter of their mail boxes getting knocked down and they want to get them onto a private road so the post office needs for the street to have a name.

Commissioner Willner moved that the Commissioners approve the request and name the road Scoops Lane. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER CONCERNING REIMBURSEMENT ON SNOWPLOWING

The following letter was addressed to Mayor Lloyd and the Vanderburgh County Commissioners on the reimbursement for contracted snowplowing from January 28 to February 1, 1978, in Vanderburgh County, from William F. Montrastelle, Director of the Vanderburgh County Civil Defense:

During the period of January 28, 1978, at 11:45 a.m. to February 1, 1978, at 11:45 a.m. President Carter declared a state of emergency in Indiana as the result of severe snowstorms. During this period of six days, all city and county, in addition to public school corporations, were encouraged to apply for reimbursement of expenses incurred for contracted snow removal.

The Corps of Engineers arrived in Vanderburgh County the morning of January 29th and contracted snow removal for approximately 360 miles of highways throughout the county at a cost of \$31,204.00.

The Federal Disaster Assistance Administration processed 619 applications for reimbursement throughout the State of Indiana, for an estimated \$3,576,500.00 to plow approximately 44,100 miles of road during this six day period.

Vanderburgh County made three applications and were reimbursed as follows:

Evansville-Vanderburgh School Corporation.....	\$ 2,433.00
City of Evansville.....	\$ 41,965.80
Vanderburgh County.....	\$ 7,483.00

TOTAL	\$51,881.80
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Contracted by Corps of Engineers.....	\$31,204.00
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GRAND TOTAL	\$83,085.80
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These checks were processed through the State Civil Defense Office to the Vanderburgh County Civil Defense Office where they were forwarded to the respective treasurers and auditors concerned. As of this date, all checks have been received, processed and deposited in the respective accounts.

Commissioner Schaad noted that this money has already been received and deposited. Letter received and filed.

#### RE: REQUEST TO RE-ADVERTISE FOR MONEY FOR SCALES

Commissioner Schaad said that the request for \$5,000 from the County Council this month to buy portable weigh scales was turned down, but that Commissioner Ossenbergh wants it re-advertised.

He said he supposed there was some question about it and maybe the Council didn't understand it, but that perhaps they do now.

Commissioner Willner moved that they re-advertise for the \$5,000 for the weigh scales and that it be requested at the September Council Call.

Commissioner Schaad seconded the motion. So ordered.

Mr. John asked if this should be in the Commissioners budget or the Sheriff's budget.

Commissioner Schaad wondered if it would be highway and he asked Mr. Siebeking if he had the money to buy them.

Mr. Siebeking said he didn't know, that he would have to check.

Mr. John said the last request came out of the Surveyor's budget but Mr. Brenner didn't think it should come from there and he agrees, that it could come from the Sheriff's budget, the Commissioners budget or the Highway Department's budget.

Commissioner Schaad said if it comes out of the Highway Equipment account, they wouldn't have to go before Council, that they are really to protect the highways.

He told Mr. Siebeking that he can check his equipment account and he will contact the Sheriff and then get back with him.

#### RE: CLAIMS

A Claim was submitted by Brinks, Inc. for services rendered to the County Treasurer for the month of August, in the amount of \$253.20 as per contract.

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

A Claim was submitted by Brinks, Inc. for services rendered to the Clerk of the Circuit Court for the month of August, in the amount of \$102.40, as per contract.

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

A Claim was submitted by Industrial Contractors, Inc. for the new roof on the Vanderburgh County Auditorium, less 10% retention fee of \$4,324.25, making the total due this billing to be \$38,918.25, which was approved by Mr. Dewes.

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



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A Claim was submitted by Fred Dewes, the Manager of the Auditorium, for travel expenses and lodging incurred in attending the International Association Auditorium Managers Conference that was held in Louisville, Ky. in July, in the amount of \$176.28.

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

A Claim was submitted by Szabo Food Service for meals served to the inmates for the period of 6-16 to 6-30 in the amount of \$3,328.65 and for the period of 7-1 to 7-15 in the amount of \$3,315.00, and for meals served to the deputies for the period of 6-16 to 6-30 in the amount of \$196.95 and for the period of 7-1 to 7-15 in the amount of \$213.85, making the total of the claim for the two pay periods to be in the amount of \$7,054.45. This claim was approved by Sheriff DeGroot.

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

RE: MR. CROOKS.....REPORT ON DEANE PROPERTY

Mr. Crooks reported on the property of Lula Belle Deane by saying they are changing their approach, that a survey crew is going out there and that the people are working on it, so maybe now they will get something done.

RE: MR. CROOKS TO MEET WITH POSEY COUNTY COMMISSIONERS

Mr. Crooks said he is meeting this afternoon with the Posey County Commissioners, relative to a Building Department, so maybe this will relieve some of their pressure if he goes over there.

RE: MR. HOTZ .....LETTER RECEIVED ON INSPECTION OF JAIL

Mr. Hotz submitted a letter to the Commissioners that was addressed to the Vanderburgh County Jail and Civic Center Complex from the State of Indiana on the inspection of the jail and it stated that the following recommendations should be complied with:

1. Install approved Fire Suppression System in kitchen range hoods.
2. Replace globe for light in kitchen hood.
3. Keep stair exists clear.

It stated that they suggest these recommendations be complied with in the interest of public safety, and they asked that their office be notified when all recommendations have been complied with so that final inspection can be made.

Commissioner Schaad said a copy of this letter went to the Department of Correction as well as to the Sheriff, the County Commissioners, the Inspector and to the Fire Chief.

Mr. Hotz said he has one bid on the Fire Suppression System and that he will have the other bid this week, that he will submit them next Monday, also that Mr. Ruston will take care of replacing the globe in the kitchen hood and that it is Sheriff DeGroot's responsibility to keep the stair exists clear.

He also said that he will see that a reply is made to state, in answer to this letter.

Mr. Hotz said the problem here is that he will not have the money to make the purchase until the money he had approved by the Council is approved by the State Board of Accounts and that may be a couple of months, since they are running far behind, in fact, that the appropriation for Hillcrest, they said would be another two or three weeks before they approved that.

He said the question is, should he go ahead and get the bids and hold them until they get the money, or should it be declared as an emergency, that he didn't really think it was an emergency, since it has been going on for the past several years and the inspector just passed it by. He said he is talking about less than \$1,000.00.

The Commissioners agreed that Mr. Hotz go ahead and take bids and bring them back next week, and then they can decide how to handle it.

RE: PROBLEM AT HILLCREST HOME

Mr. Hotz said that a couple of weeks ago during a storm there was a large tree that was on the Marine Hospital side that blew down and is laying across the fence, that there is some damage to the fence, that they cleared up all the limbs and debris, but the large trunk of the tree is still there, and Mr. Reed has a man who said he will come out and saw up this truck and remove it for the wood or lumber material that is in it, so he wondered if he could have the Commissioner's approval to do it, of how they should go about it.

Commissioner Schaad wondered about their Insurance and if they should enter into a contract with the man, since something could be damaged or someone could get hurt.

County Attorney Wendel said they could cover it with a simple contract and make sure that the man has insurance.

The Commissioners agreed that County Attorney Wendel draw up a contract.

RE: COMMENTS ON OLD LAW BOOKS

Mr. Hotz said that Mr. Wendel was supposed to bring up the subject of the law books in inactive storage from the Law Library and the Legal Aid.

Commissioner Schaad said he understands that the Board of Directors of the Legal Aid Society has authorized the donation of the society's old law books to the Conrad Baker Archives and that these books are currently stored in the basement of the Civic Center Complex and they need the space down there.

He said he understands that Conrad Baker will take them if we build the shelves to put them in, that they apparently don't have the funds, and from what he is told, they will be quite expensive. He said he didn't think we had any surplus shelves we could let them use.

Mr. Hotz said he took the liberty of talking to Mr. Miller this morning and he suggested that they be sold at a specified time at his sale at the auction barn.

Commissioner Schaad said the next move would then be to declare the books as surplus, to sell them and get rid of them.

Mr. Hotz said that Mr. Miller told him, however, if the Commissioners wanted to sell them here at the building, he would cooperate with them.

Commissioner Schaad said he thought it mabe be a good idea to have the auction here rather than to take them to the auction barn, that the lawyer's could all be informed as to the time of the auction, that they may get more response here, that they hate to take advantage of Mr. Miller's generosity but he thinks they will come out better here than they would to take them out there. He wondered if the books are stored to where they can be seen.

Mr. Hotz said they are all in cartons and would have to be taken out so they could be displayed.

Commissioner Willner wondered if maybe the Museum would be interested in them, and he asked if they would be of any use to the attorney's.

County Attorney Wendel said, not really, that they are out of date.

Commissioner Schaad asked Mr. Hotz to contact the Museum to see if they may want the old law books, and said they could make a decision later on them.

RE: MR. JUDD

Mr. Judd said that last Thursday the Board of Safety did pass the 10-ton load limit on Harmony Way and it is now posted from Mt. Vernon Avenue to Highway 460.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees of the County Highway Department for the past week, ending 8/4/78. Report received and filed.

RE: NORTH RED BANK ROAD

Mr. Siebeking said that last week they brought up about the call he got from a lady who complained about the truck traffic on North Red Bank Road, that he talked to a gentleman and found out who the trucks belonged to, as well as the time of the day that they were running most commonly, so he went down and talked to the Sheriff's Department and they had the same problem on New Harmony Road and they got it stopped there, and they feel that the trucks are going over and coming out Red Bank Road rather than using New Harmony Road, so they were going to dispatch people out there in the afternoons to try to get it stopped, that the trucks are leased to Material Transport and they feel that the drivers probably live around the St. Joe or St. Wendel area, and this is a short cut for them to go home in the evening, because the gentleman he talked to said most of them are running between 4:30 and 6:30 p.m. so they feel that this is probably what it was, but it is still a serious situation.

RE: REQUEST BY JERRY DAVID

Mr. Siebeking said he got a request this past week from Jerry David, that he is going to be doing some work out off of Mt. Pleasant Road, between Baumgart and Hwy. 41, that apparently it is in that new Industrial Park that is going in, and apparently he is going to have to cross the road, that maybe he is picking up his dirt on one side and crossing to the other side.

He told Mr. David that he would bring it up to the Commissioners but that he thought the County Engineer should probably check it out, that he said if the road was torn up in any way, he would repair it and put it back like it was when he started, but he suggested to him that maybe it would have to be checked out and that maybe he would have to have a bond to assure it, that he would give it to Mr. Stephen so he can check it out.

RE: MR. SIEBEKING.....ROAD REPORT ...PAVER DELIVERED

Mr. Siebeking said this past week they did some wedge work on St. Joe Road, from 65 over to No. 6 School Road and then they picked up at Slate Road and went on in to St. Joe itself, that they worked on Middle Mt. Vernon Road, West Chapel Drive, Agathon, Roesner and Eichhoff Road.

He said they took delivery on the Paver and started it Friday and by the time the man got there, he had found out the operation of the thing themselves, so they finally got it down to where they could hold their depth the way they wanted it.

He said they are not paving this morning due to the fact that Rudolph is running what they call their No. 5 mix at the plant on Ford Road and they are also running No. 5 mix out here and this is a filler or the underlayment base of hot mix material, where he has to use either No. 11 or No. 12 for finished grade and they will probably be back mixing on their No. 11 and No. 12 mix tomorrow or Wednesday, that he is in constant contact with Mike Rudolph each evening and each morning and he thinks they will have this problem probably the rest of the year, but never-the-less they did get started with it Friday morning and he can't see any problems with it, because he thinks as long as they can get the materials, and they have the trucks to keep the materials there, he thinks they can lay down a lot of road.

RE: KIMBER LANE

Mr. Siebeking said out on Kimber Lane which runs off of Outer Division Street, that he didn't know if that road has ever been accepted by the County for maintenance or not, that he thought this would be something that Mr. Stephen should check, that the County has rocked it in the past and he thought they even graded it, but now that the new Subdivision has gone in out there, they have made a lot of changes.

He said he told the gentleman that asked about it, that he would bring it before the Commissioners so it could be checked out to see if it has been County accepted or not, and whatever else they can find out about it.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum reported that his guardrail crew, last week, put in roughly 310 lineal feet of rail, that they were doing work on No. 6 School Road, St. Wendel Road, Boonville-New Harmony and Mesker Park Drive.

He said his bridge crew has been down for a good while, that they have had backhoe problems and today, supposedly, the machine has been repaired, so he expects to be back on it again, that they did repair the pipe that had been damaged across the Crawford-Brandeis, that the flap gate on the pipe itself had been broken during the digging of the ditch and they took care of this last week.

He said they put up about three sections of rail on the St. Joe Bridge that is just before they get to 460, going North, that when they put it up, they may not have had the terminal ends put on, since they ran out of material, that he hasn't been out since they put up the rail sections, but that he would check, since Commissioner Schaad asked about it, and see that it has been completed.

Commissioner Schaad asked if they were going to pave the surface on that bridge.

Mr. Guillaum said he didn't think they had any immediate intentions of doing any paving there, that they have a fairly rough surface but they rocked in over it.

Mr. Stephen said they put a new tube in there this spring and they haven't resurfaced over it as yet, that it probably could be now, that they are a little short on dirt now too.

Commissioner Schaad asked Mr. Siebeking to help out on this thing, that it does need some attention and maybe he can smooth it up a little and maybe they can pave it when they get to it.

Mr. Stephen said it is probably ready for paving now, but when they first put the stone in, they like for it to lay for awhile.

RE: CLAIMS

A Claim was submitted by Mr. Guillaum from All Metal Manufacturing Co., Inc. for the additional rail, posts, flared ends and end shoes, in the amount of \$17,779.00, which he has approved and he said they will have an addition to that order coming in whenever they use up the quantity they have here.

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

A Claim was submitted by Mr. Guillaum from Southwest Engineer's for Seminary Road, in the amount of \$36,583.10. There was a 5% retention and it was approved by Mr. Guillaum. He said this job is essentially completed but they haven't finalized the job out, mainly because Dick hasn't gotten all of his tickets together on the thing as yet, that he collected his from the beginning of the job out there and he feels certain that the quantities he has are accurate, so he didn't final it until he has an opportunity to go over Dick's comparison of figures with his. He said they had a couple of items on this project that they didn't really anticipate in the beginning, so they will probably have a change order for approximately \$2,000.00, since the side ditches and roadway profile wasn't described on the plans exactly as to what they had, so that necessitated modifying the roadway and the approach to the bridge.

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

RE: COMPLAINT ON DUMPING

Mr. Guillaum said he received a letter and apparently there is some dumping at the North end of Jobes Lane which is a dead-end road, and Mr. Paul Sherrill would like the County to put some posts or guard rail up for barricades so that the trucks or whoever is doing the dumping, can't get back there to dump it. He said he couldn't see any problem with this, as far as putting up the rail.

Commissioner Schaad explained to Mr. Siebeking about the location and asked him how far out is the road County accepted, and said if they put a barricade up at the end of the road, that maybe people couldn't get to their houses, and he didn't know what the Commissioners could do about it because it is private property.

Mr. Siebeking said no one has ever told him how far the County goes on this road, that they always stop at the top, that it has never been determined how much of it belongs to the County. He said the front part off Middle Mt. Vernon Road is the City limits but after going back so far, it is in the County, that along where they have built all the new houses, that is the City limits and the line goes straight.

Commissioner Schaad said the line goes right down the middle of the road, that on the right side, going North, they have even put in curbs and gutters, and on the other side, it is just field, that the West side of the road is County and the East side of it is City.

Mr. Siebeking said but when they get back about a mile, then it is all in the County and they have maintained that all along, until they get to the top of the hill and this is where they stop, and he rather doubts that the road back in there is County accepted.

Commissioner Schaad asked Mr. Stephen to check into it and said that if it isn't accepted by the County they need to resolve it somehow.

Mr. Guillaum said if there would be a problem before they get there, about the only alternative they have would be to post some no dumping signs out there and have the Sheriff to be made aware of it.

RE: COMMENTS ON BEAMS TO BE PURCHASED

Mr. Guillaum said he looked at the beams last Tuesday at Santa Claus, Ind. and from what he could see, the dimensions were okay, which was what he was more concerned about, that they appeared to be in good shape, that there was minor deterioration, but he couldn't really see what he wanted to, since the blacktop hadn't been peeled off of them yet, that they will probably be doing it this week, but he got the information he needed to project where they can put them and what bridges they can use them on now.

RE: CONCERN ON PROPOSED LAKE

Mr. Guillaum said there was a Mr. Elpers that was concerned about a lake being constructed and dammed above him by Mr. Quirey, that he had some inspectors take a look at it, and apparently the compaction leaves a little bit to be desired, that he is putting in rather large lifts and track-rolling it down, that he doesn't have any compaction equipment to speak of.

He said the concern that Mr. Elpers had, is from a safety standpoint, that it is all on private property, that he is concerned that if they would have a rupture or a failure of this dammed area, that there could be damage to his property. He said that Mr. Elpers is concerned and wanted this point brought up.

County Attorney Smith said there is nothing the Commissioners can do, and if something happens he will just have to file suit against the man who built the dam.

RE: LETTER SENT TO PENN CENTRAL CONRAIL

Commissioner Willner asked County Attorney Wendel if the letter has been sent to Penn Central and Mr. Wendel said he sent letters on the bridges they want to tear down, to Conrail and to Penn Central to cover both companies, and he will see that the Commissioners get a copy for their files.

RE: MR. STEPHEN ...GAS COMPANY CUTS

Mr. Stephen said he saw in the newspaper the other day where the Southern Indiana Gas & Electric Company lost their suit and they now do not have the option of cutting state roads anytime they please without permits and bonds. He asked what the pleasure of the County is, to ask them to also provide the County with a permit and bond before they make any cuts in the County roads?

After some discussion, Mr. Stephens said he will check with some of the people over there and get their feeling and tell them that we would like to know when they are cutting, especially when cutting all the way across the county roads, that it isn't too bad when they do a push job, but if they make a big cut, he thinks we ought to know about it ahead of time.

RE: OAK HILL AND LYNCH ROAD

Mr. Stephen said that out on Oak Hill and Lynch Road when permission was given for the bank building, there is to be a development there, that they have the bank in and this is as far as it has gone so far, that they were to provide and help with a passing blister, because their part was the longest, with markings on the pavement for left turn into that.

He said we aren't getting any cooperation with them in getting anything done, since at the present time there is only the bank and there isn't much activity, so he didn't know if the County Attorney's should try to push it or not.

Mr. Brenner said that Mr. Saletta is the architect that was here on it.

Commissioner Schaad said they told them they would cooperate and do what the Commissioners had asked them to do, but they haven't done it, and he asked if this is the case.

Mr. Stephen said this is correct, that the activity probably doesn't warrant for them to go to that expense but they did agree and the plans are drawn for it to be done, so he didn't know if the Commissioners wanted to pursue it and force them to go ahead or what.

The Commissioners agreed that they should be sure that they were going to do it, and Mr. Brenner said he sent them a registered letter about six weeks ago, but they haven't received any response.

RE: CUTS IN

Mr. Stephen said that one of the cut permits he received this morning is for a cut across New Harmony and Kern Road and a water line up along Kern Road and Laurel Lane. for a six and eight inch water line to replace a two inch water line.

He said the Water Company applied for the cut permit, that they have a contract with Deig Bros., and he talked to Mr. Deig and asked if he should go ahead and apply their bond that they have for \$2,000 against this contract also, and he pointed out to them that we may require that they give us a two-year bond, renewable yearly, because by the time they get started that bond will be about three months already used up and it won't have a full year on this cut, so they said they would renew it, but we don't know that they will renew it, that they are reputable and probably would, but he is just pointing out that a contractor, when using the same bond for the year, unless they give us one at the first of the year and renew it every year, they aren't good for a full year.



He said that by the time they start working on this and get the job done, we won't be covered on part of it, that they bond will have run out, also they don't know about how many jobs the contractor are going to get through the year, that it is kind of a situation to where if they have a number of jobs, they don't like to get a bond for each one, and he asked if the Commissioners could recommend what should be done.

Commissioner Willner said that Kern Road and Laurel Lane are the two roads that they just repaved with hot mix and they are as good as any roads we have in Vanderburgh County and he certainly don't want them torn up, so as far as he is concerned, he requests a new bond for two years in the amount of \$5,000.00.

Mr. Stephen said the plans are on file in the fault, that they sent a set of plans for review in May, that they were from the Engineer's, so they have the plans, and Deig is doing the work, so he will ask for another bond in the amount of \$5,000 for two years.

Commissioner Willner so moved that they require a bond of \$5,000 for two years from Deig Brothers for Kern Road and Laurel Lane. Commissioner Schaad seconded the motion. So ordered.

#### RE: ROAD STRIPING

Commissioner Willner asked if there is any news on the road striping.

Mr. Stephen said they will be starting on September 5th. and it will take them about a week, that they are going to paint all the yellow first, in the three counties, and on September 11th. they are going to start the white edge lines which will take about another week.

He said they wanted to know about a place for the material to come in, that this is Chemtrol, that they have been here in the past, and they wondered if the paint could be delivered to the County Garage.

Mr. Siebeking said he would have room, but he wondered if there would be someone to unload the paint, since if he has to pull people in to unload the paint, it runs into a mess, that if they come in there with a truck load with 50 barrels of paint on it, he has to go out on the road and pull some people in to get it unloaded, since he never knows when they are coming in.

Commissioner Willner said they can use the facility but that they should get some labor and do the unloading themselves.

Commissioner Schaad said they should be told that they ought to co-ordinate with the supplier as to when they are going to bring the paint in and maybe he could manage to hire someone to unload the paint. He told Mr. Stephen to get in touch with them and tell them that the County can't supply help to unload the truck but they are welcome to use the County garage for storage.

#### RE: ST. JOE AVENUE

Commissioner Schaad said that last week they talked about the state allowing an encroachment within the County right of way on St. Joe avenue and he asked Mr. Stephen if he has talked to Guy Cantwell.

Mr. Stephen said he did talk to him, that Mr. Cantwell checked on the state and federal level and they think it possibly might do, except that there has to be a form filled out, that there is a form written up for each instance, so he asked Ray Bowers' office to send down a form, that it is an Allowable Encroachment Agreement. He said he checked with Mr. Lochmueller and he had one for another location that applied to the City and this being the County, he is waiting for Mr. Bowers to send the form.

Commissioner Schaad explained that they are speaking of the canopy that overhangs the right of way by about 24 feet in length and about four feet in depth, over the service station, that Guy Cantwell called him and said that it all had been handled and it wasn't any problem, but he supposed they have to go through the formalities, and if they agree to it, this won't hold up anything.

Mr. Stephen said they must sign it, since if in the future, it has to be moved or they are doing anything there, they agree to move it off at their expense, that it gives them permission to encroach now, but they can never add to it and if something happens such as the wind blowing it down, they wouldn't be allowed to put it back up.

RE: LETTER TO BE SENT IN URGING SPEED UP OF RAILROAD IMPROVEMENTS

Commissioner Schaad said that Mr. Lochmueller isn't here but he has a letter that he drafted for the Commissioners that is being sent to Mr. George Gibson, Jr., the Division Administrator, Federal Highway Works Administration, Region 5, of Indianapolis. The letter reads as follows:

Dear Mr. Gibson:

The Vanderburgh County Commissioners are concerned about the length of time needed to process federally funded railroad improvements. We are writing to you because we know that you hold a sincere interest in the welfare of motorists on our highways.

We realize that much paper work is necessary on the part of all involved in these projects; the railroads, the Indiana State Highway Commission and the Federal Highway Administration. We also realize the installation of warning devices has become more popular as of late and so the railroads may be somewhat shorthanded at times and equipment may not always be on hand.

Nevertheless, the railroad protection projects are so important to the safety of motorists that the Commissioners are often requested to "do something right now" about these crossings. The general public finds it difficult to understand why an immediate remedy cannot be found to such hazardous train crossings, especially if there have been repeated accidents.

We have written to the Louisville and Nashville Railroad Company and the Indiana State Highway Commission concerning a particular railroad crossing in Vanderburgh County where we are experiencing quite a delay-at least two years-in the installation of automatic gates and signals (the letters are enclosed for your information). We are especially concerned about the crossing on Nurrenburn Road because of the many trains which use it and the school buses which cross here. We feel that this two year delay has placed the safety of these school children and other motorists in constant jeopardy and we are genuinely concerned about the progress of signal installations at this and all railroad crossings.

Please let us know if there is any way in which we can help to speed up the implementation of such railroad improvements in the future. We would truly appreciate any effort on your part to improve the processing of such projects. We look forward to hearing from you and thank you for your consideration in this matter.

Very truly yours,

Commissioner Willner moved that this letter be approved, signed and sent to Mr. Gibson. Commissioner Schaad seconded the motion. So ordered.

RE: POOR RELIEF

Elsie Coward of 1700 N. Fulton Avenue....Pigeon Township....Ms. Bowling, Investigator The Notice of Poor Relief Action from the Trustee states that Ms. Coward's medical assistance will be discontinued effective 7/27/78 because her income meets her medical needs, due to increased social security and her Veterans check.

Ms. Coward failed to appear before the Commissioners today, so no action could be taken.

The meeting recessed at 11:15 a.m.

PRESENTCOUNTY COMMISSIONERS

Bob Schaad  
Robert L. Willner

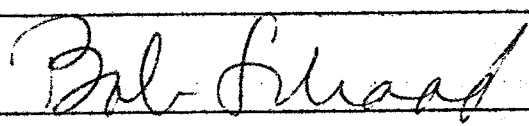
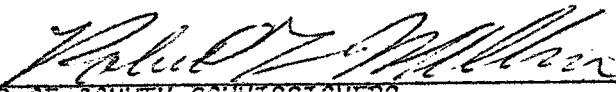
COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

  
  
BOARD OF COUNTY COMMISSIONERS



435

COUNTY COMMISSIONERS MEETING  
AUGUST 14, 1978

The meeting of the County Commissioners was held on Monday, August 14th, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding, since President Ossenbergs is on vacation.

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

RE: AUTHORIZED TO OPEN BIDS

The County Attorneys were authorized to proceed with the opening of the bids that are to be received today for vehicles needed by the Sheriff's Department.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

Commissioner Schaad explained that there is only one parcel of County-owned surplus property left to be sold which is #20, Tax Code 24-46-25, 667 Brower St. Gordon's Add. L.8 Blk.4, and he asked if there was anyone interested in bidding on it. There were no bids, so the sale will continue next week. He said there is another parcel, #6, Tax code 21-29-13 that was advertised as 410-412 E. Walnut Street, North Eastern Enl. 25 ft. L.15 Blk. 14 but should have read that it is located at 406 E. Walnut Street, so it had to be re-advertised and will be for sale on August 21st.

RE: ORDINANCE LIMITING NOISE OF MOTOR VEHICLES.....SECOND READING

The second reading is being held today on the Ordinance Limiting the Noise of Motor Vehicles. The Ordinance 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, in order to protect the health, safety and welfare of the citizens of Vanderburgh County, Indiana, and their property rights, deems it to be in the public interest to enact this ordinance providing for the regulation and control of excessive noise caused by the operation of motor vehicles.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Vanderburgh County, State of Indiana, as follows, to-wit:

Section 1. DEFINITIONS

For the purposes of this section, the following terms shall have the following meaning:

1. "Public Way" means any area over which the public has a right-of-way. By ways of example and not of limitation, streets, alleys, and sidewalks are public ways.
2. "Motor Vehicle" includes but is not limited to automobiles, motorcycles, mopeds, trucks, and recreational vehicles.

Section 2. EXHAUST SYSTEMS

The exhaust system of any motor vehicle may be modified, provided that the system as modified includes baffles or other noise suppressing devices.

Section 3. EXCESSIVE NOISE

No person shall allow a motor vehicle being operated upon a public way to emit a sound pressure level of more than eighty-five (85) dB (A) measured at a distance of fifty (50) feet, regardless of the source of the sound emitted from the vehicle, except that a vehicle may be allowed to emit a sound pressure level of no more than ninety (90) dB (A) measured at a distance of fifty (50) feet when accelerating from a full stop.

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.

Section 5. PENALTY

Whoever violates any provision of this ordinance shall be subject to a fine of up to, but not in excess of, One Thousand Dollars (\$1,000.00) and costs.

PASSED by the Board of Commissioners of the County of Vanderburgh, State of Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 1978, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

Commissioner Willner said he doesn't have a question on the Ordinance but he does have a question on the implementation of it.

He said it is his understanding that there is only one measuring device in the County.

Mr. Gordon said there will be two, that Mr. Staff will have one and he will have one.

Commissioner Willner gave an example, in that if the Sheriff is out on Baseline Road and County Line Road and he suspects that a vehicle or motorcycle is making excessive noise, what happens from there?

Mr. Gordon said that if the vehicle warrants it, the Sheriff's Deputy will issue them a ticket.

Commissioner Willner said that Mr. Gordon is missing the point, and he asked if the law officer would be able to arrest him, get on the phone and call them, or what happens?

Mr. Gordon said the law officer would have to turn them loose unless he first gets hold of them to determine if there is a violation or not and this must be done first, that they are the only ones that will have meters and one reason for this is that the cost is almost prohibitive, that they are talking about \$1800.00 for the ones they have, and to put one in every police and deputy sheriff's car in the City and County would be nearly impossible, and too, he thought this to be the reason for the size of the fine, that he thinks people realizes just how serious and expensive it is going to be to commit this offense and he hopes they don't do it, that they are going to be out there and make it a seven day a week job and they are available to the Sheriff's Department and the Police Department if they need them.

He said he would also like to put more emphasis on the enforcement of the standards they have set for the mufflers, that the Sheriff's Department and the Police Department could do an awful lot of good in that respect, since as long as they contain baffles and noise suppressors, then hopefully, this will help a lot to quiet the town down.

Commissioner Willner said, in other words, the Sheriff's Deputies or the policemen will not be able to arrest anyone for violation of this ordinance.

Mr. Gordon said "yes" for a muffler violation, or they can call them, that he has talked with Sheriff DeGroote and they are going to have direct hook-up with the Sheriff Department's radio and if the officers need them, they can call them, that he has invited Mr. DeGroote and Mr. Jackson to call them any time of the day or night, that if they are needed and called, they will be there with the noise meters but he does wish that all the cars could be equipped with the noise meters, but this would cost a fortune.

Commissioner Willner then asked how long the officer could hold a person until they got there.

County Attorney Smith said they could be held for a reasonable length of time, that a police officer can make an investigatory stop, for example when they have the inspection checker in the safety lanes periodically, even though they aren't committing a violation, the law does allow the officer to stop people and check their registration, license plates, equipment, etc., that they can do it on this basis and there is an old statute which he doesn't think has been repealed that allows any police officer to arrest a person in any vehicle that is making a "loud and excessive noise", since this constitutes a nuisance, that this was before they got into more advanced equipment such as they are going to be using now, that they previously used this "loud and excessive noise statute" on open mufflers and such.

Mr. Gordon said there is a possibility to, as time goes on, that they may be able to buy more of these meters, as money permits.

Commissioner Willner said this still didn't answer his question, and asked if the Sheriff is on Baseline Road, which is 30 miles from here, and he thinks a car is making more noise than it should, can he get on his radio and say that he will just wait for

the E.P.A. to get there to make the test? does he turn him loose? or does he make him drive to town? or what is he going to do?

County Attorney Smith said he understands that the enforcement of it won't be on that basis, that Mr. Staff or Mr. Gordon will make the initial apprehension if they detect a violation.

Mr. Gordon said this is the way it has been done all year long, that they have responded to probably some 400 complaints and he has to get in the car and physically get out to the complainant.

Commissioner Willner said that what Mr. Gordon is saying to him then, is that the Sheriff's Deputies or the City Police will not be able to make any arrests for a violation of this ordinance.

Mr. Gordon said they could for a muffler violation but it would be impossible for the City Police or the Sheriff's Department to say that anyone exceeded (85) dB (A) sound level because he and Bill Staff will be the only ones with the meters, so they will have to call them and they will run the test for them and he would think the officer could hold them for a reasonable amount of time, and he asked County Attorney Smith if he agreed with this.

County Attorney Smith said, here again, he believes under the general authority that allows a police officer to make a stop and check equipment, they could do this, but not only that, if they detect loud and excessive noise on a vehicle, they can ticket them under the existing law, that they really don't need this.

Mr. Gordon said that more than anything else, this is going to let Mr. Staff and himself to respond to complaints that they haven't been able to respond to during the past year, that they have received possibly 700 or 800 complaints on vehicles, particularly motorcycles, on the streets, that the Mayor's Complaint Office has received several hundred complaints and he hasn't had a tool to respond to these complaints, but they will now.

Commissioner Willner said he understands this, but what he was trying to pin down is, if the Sheriff and the City Police and even the State Police is involved in this Ordinance and he sees that they really will have no involvement, other than to call them to see if they can stop him some other time.

Mr. Gordon said, not at some other time, that he will get there and find him, that the mufflers must contain noise suppressors or they must have a baffle, that the Sheriff's Department and the City Police can take it on that basis, immediately, without a meter.

Commissioner Willner said that no one can look into a muffler to see if it has a baffle in it or not unless they take the muffler off, so this doesn't mean much to him, that there is absolutely no way they can tell whether his muffler has a baffle in it, unless they take it off and look down through it and he is sure they aren't going to do that, so that baffle might as well not be in there, because it doesn't mean anything.

Mr. Gordon said he is sorry but he disagrees with this, that perhaps it might be a different thing on a car since it is a long way from the tail pipe to the muffler on a lot of cars but motorcycles are the prime sources of complaints in the County and these baffles are visible and if not, the City Police or the Sheriff's Deputy can just use some object and stick it through the muffler and if there is nothing in there, it is an automatic violation.

Commissioner Willner said they may have a muffler with nothing in it and it doesn't mean anything, that the only way they can tell is to take the muffler off and look through it.

Mr. Gordon said if it comes down to this, he will also look through it, but if there is a muffler with nothing in it, this is a violation, but they could try to stick an object through it, that this is what the Police Department was doing today, that they also do this in Colorado Springs and in San Francisco, that if a stick goes up the muffler, this is a violation, that something has to stop it and 99% of their problems are going to come from motorcycles and the baffles on them are visible and they have had some complaints on trucks, that baffles on cars aren't visible but to the best of his knowledge, they haven't received complaints on cars. He said it is a matter of a vehicle making a noise and to where they actually meter it and then they have a case, and this is exactly what they want to do.

Commissioner Schaad said the way he feels is that it will just have to be tried.

Commissioner Willner said the statute reads, "a muffler in good working order", but that there must be 100 different kinds of mufflers.

County Attorney Smith said it reads, "that every motor vehicle shall be equipped with a muffler in good working order, etc. to prevent loud or excessive or unusual noise", and this is the statute they have always used.

Commissioner Willner moved that the Ordinance be approved on second reading. Commissioner Schaad seconded the motion. So ordered.

This Ordinance will be advertised on Thursday, August 17th. and will become effective at that time.

RE: MEMORANDUM

The following memorandum was submitted by C.G. Ruston, the General Manager of the Evansville-Vanderburgh County Building Authority:

Memorandum to All Appointed and Elected Officials

Due to the inclement weather, we were unable to seal the parking areas as planned. Therefore, we are re-planning to complete this sealing and striping on Saturday, August 19, and Sunday, August 20, for the following parking areas:

In front of the Civic Center abutting 7th Street  
School Building parking lot  
Courts Building parking lot

We again ask your cooperation in not using these three (3) areas on the above mentioned dates.

Signed C.G. Ruston

Letter received and filed.

RE: ANNOUNCEMENT

Commissioner Schaad announced that this month's Rezoning Petitions will be heard on the fourth Monday of the month which is on August 28th., rather than on the Third Monday, because there possibly won't be a quorum on August 21st.

RE: OPENING OF BIDS

There was only one bid received on the vehicles needed by the Sheriff's Department and this was from Cooke Chevrolet for five cars at \$29,615.00, which is in good order.

Commissioner Willner moved that the bid from Cooke Chevrolet be referred to the Sheriff's Department for study and recommendation. Commissioner Schaad seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was received from Neidig Insurance Agency, Inc. on insured, Sterling Men's Club for the use of the County Auditorium for a Social Dance that was held on August 12th. 1978.

A Certificate of Insurance was received from Crown Insurance Agency, Inc. on insured, Junior League of Evansville, Inc. for the use of the County Auditorium for Club, Service and Social activities.

Certificates received and filed.

RE: MONTHLY REPORTS

The Report from the County Treasurer was submitted for the month of May, 1978.

The Report from the Bureau of Traffic Engineering was submitted for the month of July, 1978.

The Report from the Building Commission was submitted on number of permits issued for the month of July, 1978.

All Monthly Reports received and filed.

RE: EMPLOYMENT CHANGES.....APPOINTMENTSBOARD OF COUNTY COMMISSIONERS

Susan J. Rohner 2525 N. Heidelberg Vacation Clerk \$20.00 Day Eff: 8/14/78

BURDETTE PARK

Susan Ma'ree Cobb 400 N. Boehne Camp Rd. Extra Guard \$3.00 Hr. Eff: 7/30/78  
 Judith K. Searl R. 8 Box 92 Browning Rd. Extra Guard \$3.00 Hr. Eff: 8/2/78  
 Mark Alan Sloat 1024 E. Blackford Ave. Security \$7.00 Hr. Eff: 8/5/78

COUNTY TREASURER

Cris Hahn Clerk \$253.73 Pay Eff: 8/14/78  
 Faith Hart Clerk \$253.73 Pay Eff: 8/7/78

VANDEBURGH COUNTY VETERAN'S SERVICES

Susan Rohner 2525 N. Heidelberg Pt. Time Clerical \$20.00 Day Eff: 8/21/78

RE: EMPLOYMENT CHANGES.....RELEASESBOARD OF COUNTY COMMISSIONERS

Susan Jane Rohner 2525 N. Heidelberg Vacation Clerk \$20.00 Day Eff: 8/19/78

COUNTY SURVEYOR....(CETA)

Paul Carnahan 1424 Delmar Laborer \$4.78 Hr. Eff: 8/14/78

COUNTY TREASURER

Addie L. Stewart C.E.T.A. \$253.73 Pay Eff: 8/11/78  
 Georgetta Fluty C.E.T.A. \$253.73 Pay Eff: 8/11/78

PIGEON TOWNSHIP ASSESSOR...REASSESSMENT PAYROLL

Dominic Celletti Pigeon Reassessment \$30.00 Day Eff: 8/1/78  
 Roland McCray Pigeon Reassessment \$30.00 Day Eff: 8/1/78

VANDEBURGH COUNTY VETERAN'S SERVICES

Susan Rohner 2525 N. Heidelberg Pt. Time Clerical \$20.00 Day Eff: 8/14/78

RE: CONFIRMATION ON CUMULATIVE BRIDGE FUND

Commissioner said the State Confirmation was received on the Cumulative Bridge Fund, which reads as follows: [This was Commissioner Schaad]

STATE OF INDIANA  
 STATE BOARD OF TAX COMMISSIONERS

ORDER

NO. 3899

A transcript of proceedings having been filed by the proper officers of Vanderburgh County, State of Indiana, in the matter of establishment of a Cumulative Bridge Fund and tax levy, and such transcript and all of the facts having been carefully considered, this Board does now approve the creation of such fund and the levying of a tax in the amount of fifteen cents (\$.15) on each one hundred dollars (\$100.00) of taxable personal and real property within said taxing district, subject to existing maximum levy limits pursuant to P.L. 50, Acts of 1973, such tax to be first levied in 1978, payable in 1979, and continuing annually for a total period of not to exceed five (5) years. Any levy previously established for this purpose is hereby rescinded.

All according to ordinance or resolution of the Board of County Commissioners, Vanderburgh County, State of Indiana, dated May 8, 1978.

The proper officials are hereby authorized and directed to take the necessary steps to accomplish the purposes of the law under which said cumulative fund and tax levy were established.

Dated this 8th day of August, 1978.

STATE BOARD OF TAX COMMISSIONERS  
 CARLETON L. PHILLIPPI. Chairman

ATTEST:

STATE OF INDIANA  
STATE BOARD OF TAX COMMISSIONERS

I, Gordon E. McIntyre, Secretary of the State Board of Tax Commissioners, do hereby certify that the above and foregoing is a full, true and complete copy of the order as made by this Board in the above entitled matter on this the 8th day of August, 1978.

WITNESS MY HAND AND SEAL of this Board on this the 8th day of August, 1978.

Gordon E. McIntyre, Secretary

Local Cumulative

Letter received and filed.

RE: CLAIMS

A Claim was submitted by Bob Moran, the Veteran Service Officer, for mileage in traveling to and from Owensboro to deliver a V.A. marker. The claim is in the amount of \$12.60 for a total of 84 miles.

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

A Claim was submitted by the Schmitt Refrigeration Inc. for refund of permit 9813, which is a duplicate of permit 9369, in the amount of \$25.00, which was approved by Mr. Crooks.

Commissioner Willner moved that this refund be approved. Commissioner Schaad seconded the motion. So ordered.

A Claim was submitted by Szabo Food Service for meals served to inmates for the period of 7/16/78 thru 7/31/78 in the amount of \$3,473.60, and for the deputies for the same period in the amount of \$148.85, making the total of the claim to be \$3,622.45, which was approved by Sheriff DeGroote.

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

A Claim was submitted by Lewis F. Volpe, the County Treasurer, for mileage to and from the State Board of Tax Commissioners and the State Board of Accounts, in the amount of \$50.10.

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

RE: ORDINANCE FROM STATE

Mr. John said he has received the Ordinance from the State on the last Council Call where they had the \$80,000 out of the Cumulative Capital Improvement Fund and they have determined that the Fund was set up incorrectly, so they have denied an appropriation under the C.C.I. Fund.

He said they had a discussion over the appropriation on Black Expo with the State and they take the stand that to be under Home Rule, an ordinance must be adopted, stating that they are accepting it coming under this Bill.

He said he didn't agree with this.

County Attorney Smith said this is the state's opinion, that he and County Attorney Wendel discussed this and when the County exercised this function delegated by virtue of the Home Rule Bill to make a proper reference within the Ordinance to the fact, on that basis, that it is called the Home Rule Bill, that they are grounding or basing that particular enactment, that this is really what they had reference to and he didn't think Mr. John was reading it correctly, so as he understands it, what they need to do is for Vanderburgh County to enact an Ordinance saying that they will agree to accept the Home Rule.

Mr. John said he agrees with Mr. Smith, but that this still doesn't help him any because they have denied the appropriation of \$80,000 for the road equipment plus \$40,000 for Mr. Hotz, that they denied both of these stating that this fund is not set up correctly and that they have to adopt an Ordinance adopting Home Rule.



Commissioner Schaad told County Attorney Smith to get in touch with whoever is making the policy for the state, in denying it, and get together with them on this.

This matter was then referred to County Attorney Smith, so he can get it clarified with the State Board of Accounts.

Mr. John said they aren't in trouble over the \$80,000 because it was also approved under the Highway budget, so they had the appropriation in both places, so it will have to be paid out of the highway fund.

He also said that the State implied that even if the fund had been set up properly, they didn't think they would allow it under there because it had to do with roads and streets and they consider that general fund money and they can't spend general fund money for the maintenance of roads and streets.

#### RE: BIDS RECEIVED FOR JAIL EQUIPMENT

Mr. Hotz said he received a second bid on the equipment for the County Jail and he would like time to study it, that it is from A. & F. Fire & Safety Inc. for the Protective System in the amount of \$756.00 with semi-annual service agreement offered at the cost of \$20.00 for each six months, Air Pack at \$548.00 and spare cylinder with valve at \$140.00.

Commissioner Schaad said equipment recommended for the jail was listed last week and this is one of the bids Mr. Hotz received.

There was also a bid from M & S Fire Equipment Co. for the Automatic Dry Chemical Fire Extinguisher System at \$830.50 which includes all labor and material, and they have included shut-off valves and if only one is needed, that can be deducted, also they have included one manual release station for accessibility for mainly discharging the system. An annual maintenance agreement would be necessary and it would be \$55.00 per year and inspected and billed for \$27.50 for each months inspection.

Commissioner Willner moved that these bids be referred to Mr. Hotz for study and recommendation until next week. Commissioner Schaad seconded the motion. So ordered.

#### RE: LAW BOOKS

Mr. Hotz said he has attempted to call the Museum about if they are interested in the old law books or not, but the lady he was to talk to wasn't there, but that he will follow up on it.

#### RE: MEETING TO BE HELD ON ENERGY CONSERVATION

Commissioner Schaad said he had a call from the Energy Conservation, and they wanted to know if the Commissioners would be interested in someone coming down and checking the County buildings in the way of conserving energy and as to recommendations. He said he told them that the only ones the County has are the Auditorium, Burdette Park and the Washington-Hillcrest Home.

He said the Complex isn't owned by the County but the energy bills are related to the County, and he asked Mr. Hotz if they contacted him.

Mr. Hotz said he talked to them this morning and they will be down and have arranged to meet him at the Auditorium at 12:00 noon tomorrow and he told them that he would try to have the managers of the different places, that he thought them to be essentially interested in the Auditorium, and Burdette Park.

Commissioner Schaad said it wouldn't hurt to talk to Mr. Ruston in the meantime, about them coming, in-as-much as the County doesn't own the building, never-the-less, the County pays all of the utilities and if they want to make an inspection of the Civic Center while they are at it, it would be fine.

Mr. Hotz said he will talk to Mr. Ruston about it.

Commissioner Willner asked if this is a free service.

Commissioner Schaad said it is a free service as far as he knows.

Commissioner Willner told Mr. Hotz to check with them first to be sure that it is a free service.

Mr. Hotz asked if they then should do the same thing in regards to the Court House and the Coliseum, since they own the buildings.



Commissioner Schaad said "No", that these buildings wouldn't affect them, since they don't pay the utilities.

RE: COMMENT ON WEEDS.....ACCOUNT TO BE SET UP

Commissioner Schaad said if a property owner doesn't cut his weeds, after they are notified, then in the Ordinance, the County cuts them and they will be billed for it, so he asked who will do the work, that Mr. Crooks thought maybe the County garage would do it, but he couldn't see the garage doing it because it isn't on the County road right of way, so they aren't permitted to do anything like that. He said that Mr. Hotz used to cut the grass at Pleasantview and do other things, and he asked Mr. Hotz if he has the equipment.

Mr. Hotz said he has the equipment but he doesn't have the manpower, that he just has one man now and he is busy with painting, repairing and doing jobs that needs to be done at the Civic Center.

Commissioner Willner said he thought they should get someone to do it.

Commissioner Schaad said if they contracted someone to do it, they would have to have a fund to pay them out of, since they don't have a fund set up.

Mr. John said they would have to set up a fund under the #200 account in one of the budgets such as Mr. Hotz or Mr. Crooks budget or the Commissioners budget.

Mr. Hotz said this will be privately owned lots located within the County.

Commissioner Willner asked how we would be reimbursed then.

Mr. Brenner said it would go on the tax bill and can be sold for taxes.

The Commissioners agreed that Mr. John set up an account and that they talk to Mr. Crooks to see how much money they are going to have to have in this account, also that it will be put into the Commissioners account.

Commissioner Schaad said he will talk to Mr. Crooks and tell him that this is what they are doing, and he will get back with Mr. John.

RE: MR. BRENNER...PROBLEM ON OVERWEIGHT TRUCK ORDINANCE

Mr. Brenner said there appears to be a problem on the County's Overweight Ordinance, that to his knowledge, one of the Judges, in misdemeanor Court just dismissed an overload because there is no posted truck route in the City of Evansville, through the County, to tell them which way to go.

Commissioner Schaad said he is aware of this, that he talked to the Sheriff and County Attorney Smith is supposed to work it out and see what the problem is, as to if the Ordinance has to be changed or if signing needs to be put up or whatever.

Mr. Brenner said they have to have signs posted, that this is pretty well established, that he said our Ordinance is a blanket Ordinance that covers all roads, but it doesn't, that it is specific as to what roads are posted, that they did add St. Joe the other day.

Commissioner Willner said he doubted that it was ever added to the Ordinance.

Mr. Brenner then asked County Attorney Smith if the Ordinance on weight limits doesn't call out what roads in the County are posted.

County Attorney Smith said that he and County Attorney Wendel were discussing this with Mr. Stephen.

Commissioner Schaad said that County Attorney Smith is aware of the problem and that he is working on it, that they have a problem and they just have to solve it.

RE: CONTRACT AWARDED FOR TANDEM TRUCK

Mr. Siebeking said that last week they opened bids on the Tandem Truck for the Highway Department and his recommendation is that they accept the bid of Alvey-Scott in the amount of \$22,228.82 for the G.M.C. truck.

Commissioner Willner moved that the contract be awarded to Alvey Scott for the Tandem truck. Commissioner Schaad 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, ending August 11, 1978.  
Report received and filed.

RE: MR. SIEBEKING...ROAD REPORT

Mr. Siebeking said they are paving roads this morning and they will probably be paving all week, that they are working on Baseline Road, between Old Princeton Road and Mosquito Road, so he thinks things are lined up now.

RE: BOONVILLE-NEW HARMONY ROAD

Commissioner Willner said that on Boonville-New Harmony Road where the Water Company cut that road, there is about a foot drop off and something has to be done about it, that a letter was written on this about two months ago but they haven't done anything.

Commissioner Schaad said the only thing they can do is to have the County crew repair it and bill them for it.

Mr. Siebeking said he will keep track of time and material and send them a bill.

RE: MR. GUILLAUM.....BRIDGE AND GUARD RAIL REPORT

Mr. Guillaum said that the guard rail crew put up 540 lineal feet of guard rail last week, that they worked on Schaefer Road, Orchard Road and Maasberg Road, so today, they are fulfilling the other half of the agreement that they made to straighten out a problem along the Crawford- Brandeis, that they are cutting some bleeders in that they had a problem with when the ditch was dug out there, that there was an area that tended to retain the water and they agreed to come back in when they got their backhoe and the other equipment together so they could cut the bleeders for the property owners, so they are taking care of that today.

Commissioner Schaad asked Mr. Guillaum if they got the guardrail finished on St. Joe Road, right before they get to 460, that they talked about a couple of weeks ago.

Mr. Guillaum said they are finished with it, that they added another section of rail and the terminal ends.

Commissioner Schaad then asked Mr. Siebeking if he has had a chance to resurface the bridge on St. Joe Road, and after Mr. Siebeking said he hasn't as yet, Commissioner Schaad said he thought it has settled enough now to where it could be done.

Mr. Guillaum said there will probably be a couple of areas, that he knows they just completed putting in a pipe on Marx Road and he thinks as soon as they get compaction on this pipe, they are putting in another one about one eighth of a mile from this one and they will probably want to go with the paver out there also, so they will have two of them right together.

RE: CLAIM AND CHANGE ORDER

A Claim was submitted by Southwest Engineering for final payment for the last structure on Seminary Road, along with a change order in the amount of \$1,006.90 for Item 1 which is common excavation and Item 2 which is compacted aggregate necessary to satisfactorily match profile grade of existing roadway, which makes the total contract price to be \$38,661.55, and the amount of this final payment to be \$1,925.43.

Commissioner Willner moved that the changeorder in the amount of \$1,006.90 be approved. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner moved that the claim from Southwest Engineering be approved for final payment on Seminary Road in the amount of \$1,925.43. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST TO GO BEFORE COUNCIL

Mr. Guillaum said he would like to ask the Council for \$60,000 for two new structures, one on Hogue Road, near Creamery Road, and another one on Hoing Road, about mile from the intersection of Boonville-New Harmony Road, and he thinks they can go the same route on these that they went on Emge Road and a number of them in the past, where they will be going with new beams on the structure, all the way across.

He said he doesn't want to use any of the beams that they will be getting from Spencer County, since he has four other bridges picked out for those, at any rate, these will be entirely new structures with the exception of the abutments, which appear to be in good condition, so they will cut them down, come back in and pour a padded area and then just set the new beams across the top.

Commissioner Schaad asked what the bridge numbers are.

Mr. Guillaum said that both bridges are under twenty feet, so they didn't have a number assigned, that they don't have a regular number but what they will do, is that when they put the new structure in, they will take the number of the nearest structure and add an "A" to it, according to the state's method of numbering the bridges. He said they will probably go with either 26 or 30 feet on them, and he would like the money to come from Cumulative Bridge.

Commissioner Willner moved that Mr. Guillaum be permitted to ask Council for this money. Commissioner Schaad seconded the motion. So ordered.

RE: SMITH DIAMOND ROAD

Mr. Guillaum said that Smith-Diamond Road isn't in crops right now, in the area where the trees were, that it is just grass and weeds.

County Attorney Smith asked Mr. Guillaum if he found out why there weren't any crops, and Mr. Guillaum said they just didn't seem to plant anything there.

RE: RODE ROAD

Mr. Guillaum said he talked to Mr. Stephen this morning about Rode Road, and he thought that at one time they had discussed trying to remedy a problem they had out there, with water coming off the edge of the road and going across private property and into the basement of a home out there, and he asked Mr. Stephen if he recalls this problem. He said he didn't know if they have a solution to it or not, that there have been a couple of things proposed, and he asked Mr. Stephen if he has any recommendations or what is his feeling on it.

Mr. Stephen said this is the one near Melody Hills and he doesn't think the County wants to go out and put in a curb and gutter to run the water past his property, that they could dig a side ditch and check the capacity of his drive pipe which may be too small and therefore, aggravates his problem, that if they try to contain it in the side ditch they may end up by having an erosion problem, which would indicate that a paved side ditch would be necessary, but there would be the expense of it.

Mr. Guillaum said he didn't know either, that it is kind of an unfortunate thing, and as he understands it, the man has been flooded out a couple of times now and he believes the man has a finished basement and the last time the water got in, the carpet and furniture was ruined.

Mr. Stephen said the County road starts at the end of Melody Hills and it doesn't have curbs and gutters, that it has an open side ditch and his house is sitting below the highway, and if the water doesn't continue in the side ditch, it spills over and goes against his house, that he is in a bad location, and they will just be aggravating the situation a little farther down because there is another place at the bottom of the hill where they are trying to take the water on east on Oak Hill and then down Oak Hill and the culvert sizes there are too small, so anything they do about getting the water to the bottom of the hill aggravates that situation down there. He said it looked to him like the man was aggravating his own situation without having a big enough pipe under his drive, that causes the water to spill out of the side ditch, and it would help if he had a larger pipe under his drive and if they shape the side ditch, plus digging the ditch a little deeper.

Mr. Guillaum suggested that they take another look at it, with the possibility that they go with some ditch work and if necessary, rip rap in a couple of places or whatever, since this will be better from an economic standpoint, better than going with a paved side ditch or the curb and guttering, also if he buys a larger pipe for his drive, the County can put it in.

He said they could look at it from the standpoint of just a ditch improvement which will help too, since it is along the County road right of way.

County Attorney Wendel told Mr. Guillaum that he needs the damages on the guardrail at the Delaware Bridge overpass last December where there was an accident.

RE: ROADS NOT ACCEPTABLE FOR COUNTY MAINTENANCE

The following letter, dated July 31, 1978, was received by the Board of Commissioners from Mr. James Harper of 207 W. Buena Vista Road:

Dear Sirs:

I would like to petition the county to accept the streets called Chastain Drive and Daisy Lane in Harper Heights Subdivision. This Subdivision is located on Highway 65 just south of Cynthia Heights School.

Would you please inform me of the procedure to follow in dedicating these streets?

Sincerely, James B. Harper

Mr. Stephen said he called them and got out the plat of the Subdivision and found that the names had been changed and he explained the petition to him and he looked at the streets, and he has prepared a letter to the Commissioners on his findings, so if it meets with their approval, he will send Mr. Harper a copy, since the streets aren't acceptable.

His letter to the Commissioners reads as follows:

Gentlemen:

August 4, 1978

Re: Chastain Drive & Daisy Lane

Letter from Mr. J.B. Harper received August 3, 1978, Petitioning county to accept above road for county maintenance referred to me. Visual inspection shows that these roads are not acceptable for the following reasons:

1. Construction cracks have never been sealed.
2. Some concrete sections have fracture cracks. Will need to be repaired.
3. Subgrade has settled away from slab in some places.
4. No shoulders or sideditch exist in several places (6' shoulders-min. required)
5. Cross sectional dimensions in county specifications not adhered to.
6. Pipes under drives not installed.

Until these streets are brought in to compliance with the county specifications and core test submitted, I recommend that this petition be rejected.

Sincerely, Louis H. Stephen  
County Highway Engineer.

Commissioner Willner moved that the petition be rejected. Commissioner Schaad seconded the motion. So ordered.

Copy of letter received and filed.

RE: OUTER LINCOLN AVENUE

Mr. Stephen said he talked to Mr. Feigel on Outer Lincoln Avenue and asked him if these prices would hold until they re-advertise for bids if they decide to go after more money, that he doesn't know if he will make that decision before Commissioner Ossenberg gets back or not, but the only alternative now, for them to go ahead with the project, is to ask for more Local Road & Street funds of about \$10,000 or so, that all this money is down here, so they need to ask for a revision and more money from the Division of State Aid by making an application in order to spend the money. Commissioner Schaad said they would still have to get the Council's approval to spend it, as well as the approval of the Highway Commission to spend it.

Mr. Stephen said if the Commissioners are willing to go ahead with the project, he would recommend that they do it.

Commissioner Schaad said this has been hanging fire long enough, that they have talked about it for years, and he thought they should do it.

Commissioner Willner moved that they go before the Council and ask for an additional \$10,000 for the Outer Lincoln Avenue project, and said he didn't really think they need approval from the Highway Commission, but he will so make this part of his motion, that they shouldn't ask them, that they should tell them where the money is going to be spent. Commissioner Schaad seconded the motion. So ordered.

Mr. Stephen said that Mr. Feigel told him that the present prices would hold until they get approval on the money requested.

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RE: EAST SIDE INDUSTRIAL PARK

Mr. Stephen said he has a letter to the Commissioners on the East Side Industrial Park by Industrial Contractors, that they are out there pouring concrete, that he did some checking on concrete design and with the seven inches they are strong enough except when he finds that everybody talks about strength of concrete, not bags of concrete, and in 3500 pounds he has never had a correlation between what they were actually using, and there aren't any specifications in the County Subdivision Control Ordinance. He said that in the letter, unless there is an error, they are using 4½ bags of concrete mix to get their 3500 pounds, but that is real short on cement, that 3500 pounds seems acceptable but Class B concrete for the state has 5 bags and Class A has 6 bags and the Portland Institute of Cement Manufacturers' minimum recommendation is about 5½ bags for streets out where it is weathered, which is about 520 pounds, so they are about 120 pounds of the amount of concrete per bag, that this is for cubic yards, that he just wanted to point out that the Commissioners haven't adopted a specified state specification, no place he knows of, and until now he didn't realize how little cement was being put in the concrete.

He said it seems that they are short of the tools to make them put sufficient cement in the concrete.

Commissioner Schaad asked Mr. Stephen if he feels that 3500 pounds per square inch is adequate.

Mr. Stephen said this should be the lower limit, but there ought to be some limitations or some specifications on the amount of cement in the concrete too.

The Commissioners agreed that Mr. Stephen come back next week with some recommendations, that they may need to change the ordinance.

Mr. Stephen said they could change the ordinance to include some specifications.

Commissioner Schaad said that when Mr. Stephen looks into this, he should contact some suppliers around town to get their feeling on it also.

Commissioner Willner said the farther South you go, the less strength you have to have.

Mr. Stephen said this is true, because of the freezing and thawing, but the last couple of winters, we fall in with the same as the Northern states.

He said he will contact some concrete suppliers and come back with a recommendation.

RE: LOST BEND LANE

Mr. Stephen said they are still wanting something done on Lost Bend Lane, and Mr. Siebeking said that as soon as he gets some of the paving out of the way he will get out there.

He said they can get about six to eight inches of fall in about a little over 1100 feet which is very flat, so they will have to have someone out there with a level to establish grades to make sure they are getting the grade.

RE: PROBLEM AT BUSLER'S STATION

Commissioner Schaad said he had a call from Mr. Busler and he understands that they have gone to the state and he understands there is a letter down here addressed to either Mark or Mr. Stephen, stating what the state would do on the Busler property.

Mr. Stephen said he brought this matter to the attention of the Commissioners sometime ago and it was left, that they felt without Busler's participation in some of the cause, that the County wasn't willing to spend some \$20,000 to \$25,000 to do that little section of road out there for one individual.

Commissioner Schaad suggested that Mr. Stephen search the minutes to see just exactly what happened and then he should call George Busler, since he didn't think Mr. Busler has ever had a reply to that letter, and he thinks they were willing to cooperate in some way.

Mr. Stephen said the state had designed the pavement which they were using about 11 or 12 inch bolts, maybe 16 inch, full strength asphalt and it looks to him like 75% of the traffic on it will be trucks and turning in that area, so he thinks they can pour concrete slabs in that area which would resist the movement of the trucks in hot weather, so he thinks they should change if from full strength to concrete.

Commissioner Schaad said the only thing is, that they haven't heard from anyone since the letter was written, so he asked Mr. Stephen to contact George Busler after reviewing the minutes, and see if they can sit down and work out something and see if they can't work out something and see what they are willing to do to help.

RE: LETTER IN REGARD TO ALLEN'S LANE RAILROAD CROSSING

Ms. Lani Etheridge submitted a letter that she has written to Mr. Virgil Bell, Division of State Aid in regard to Allen's Lane crossing, as requested by the Commissioners. The letter reads as follows:

Dear Mr. Bell:

Re: Allen's Lane Railroad Crossing

A Federal-Aid Program Data Sheet is enclosed for the improvement of the Louisville & Nashville Railroad-Illinois Central Railroad crossing at Allen's Lane in Vanderburgh County, Indiana. This application was inadvertently omitted when the other FA-2 forms were sent to you in February,. The improvement calls for installation of gates and signals at this crossing which presently has only flashing lights.

We cannot in good conscience wait until the next program period to apply for these funds since any delay in this improvement could contribute to a serious accident. The flashers at this crossing have been known to activate sometimes long before a train actually crosses the road and at other times to activate just seconds before a train passes. The high train speeds and the extremely poor sight-distance at this crossing make driving down Allen's Lane a game of Russian Roulette.

Although there are flashing lights at this crossing now, the presence of three train tracks and the awkward angle of the converging tracks make it difficult for drivers to determine whether or not a train is actually approaching. Additional warning devices, gates, are direly needed at this crossing for the protection of motorists.

We would appreciate your assistance in obtaining federal funds for this project. If you have any comments or need further information, please advise.

Sincerely yours, Tom Ossenberg, President  
Board of County Commissioners

Commissioner Willner moved that this letter be approved and that it be sent to Mr. Bell after Commissioner Ossenberg's name has been stamped on it. Commissioner Schaad seconded the motion. So ordered.

RE: POOR RELIEF

Sherri L. Clements of 1407 S.E. First St....Pigeon Township, C. Morris, Investigator Ms. Clements had made application with the Trustee for help on her utilities but was denied because she is living above her means. Ms. Clements failed to appear before the Commissioners today so no action could be taken.

RE: CUTS IN

The following applications for cuts were received by Mr. Stephens:

Indiana Bell Telephone Co. to cut into Plaza East Blvd. & Tennis Lane.  
Russell Seiler for Pleasant Ridge Mobile Home Estates for a water line.  
Donald R. Barnett to cut into Marigold Court.  
Applications received and filed.

The meeting recessed at 11:00 a.m.

PRESENT  
COUNTY COMMISSIONERS  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR  
Curt John

COUNTY ATTORNEYS  
Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*Bob Schaad*

*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS



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COUNTY COMMISSIONERS MEETING  
AUGUST 21, 1978

The meeting of the County Commissioners was held on Monday, August 21st. 1978, at 9:45 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

The minutes of the previous meeting were held up for approval, since Commissioner Ossenberg was gone the last two meetings, so they would have to be approved by Commissioner Schaad and Commissioner Willner, and Commissioner Schaad is gone on vacation.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There are two parcels of County owned surplus property left to be sold. They are as follows:

#6....Tax Code..21-29-13.....406 E. Walnut St....North Eastern Enl. 25 ft. L.15 Blk.14.  
#20....Tax Code..24-46-25.....667 Brower St....Gordon's Add. L.8 Blk.4.

There were no bids today so the sale will continue next week.

RE: MONTHLY REPORTS

The Monthly Report was received from the Evansville Association for Retarded Citizens, Inc. of cash receipts and disbursements for the month of July, 1978.  
Report received and filed.

The Monthly Report was received from the Clerk of the Circuit Court for the month of July, 1978.  
Report received and filed.

RE: CONTRACT AWARDED FOR SHERIFF'S CARS

Commissioner Ossenberg said he received a call from Sheriff DeGroote this morning, in that bids were taken last week for five Sheriff's cars and only one bid was received which was from Cooke Chevrolet Co. in the amount of \$29,615 for five 1978 cars, and the Sheriff has asked that the Commissioners accept the bid.

Commissioner Willner moved that the bid of Cooke Chevrolet in the amount of \$29,615.00 be approved as submitted. Commissioner Ossenberg seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Anne Ensner 5338 Nottingham Dr. Asst. Head Guard \$26.00 Day Eff: 8/14/78

CIRCUIT COURT

Martha Grunow 602 Jefferson Pt. Time Bailiff \$2.75 Hr. Eff: 8/21/78  
Larry McDowell 1101 S. Lombard Probation Officer \$4.75 Hr. Eff: 8/29/78

CIRCUIT COURT.....SUMMER INTERNS

Donald Fuchs 522 S. Boeke Rd. Pt. Time Bailiff \$150.00 Wk. Eff: 7/23/78

CLERK OF THE CIRCUIT & SUPERIOR COURTS

Etta Mae Mueller 1508 S. Red Bank Rd. Cashier \$288.84 Pay Eff: 8/25/78  
Isabel Lutterbach 2911 Mesker Park Dr. Bookkeeper \$268.92 Pay Eff: 8/25/78

LEGAL SERVICES

Brenda Heck 4208 E. Riverside Secretary \$30.00 Day Eff: 8/14/78

PIGEON TOWNSHIP ASSESSOR

Debbie Moss 209 S. Bedford Clerk \$20.00 Day Eff: 8/21/78

VANDERBURGH AUDITORIUM

Mary I. Ritter 5010 Elmhurst Secretary/Asst. Mgr. \$9,546.00 Yr. Eff: 8/28/78



APPOINTMENTS.....CONTINUEDVANDEBURGH COUNTY BAIL BOND COMMISSION

Don F. Pickett 104 Jefferson Ave. Interviewer \$4.00 Hr. E66: 8/5/78

VANDEBURGH COUNTY R.E.S.C.U.E., INC.

Theresa France 1114 W. Delaware Soc. Act. Coord. \$9,000.00 Yr. E66: 8/7/78  
 Claire M. Coddling 1012 S.E. Second #203 Week-end Aide \$3.00 Hr. E66: 8/7/78

VANDEBURGH SUPERIOR COURT-DRUG AND ALCOHOL DEFERRAL SERVICE

Roberta J.A. Cantyne 1327-C Parrott St. Secretary \$7,800.00 Yr. E66: 8/14/78

RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

Anne Ensner 5338 Nottingham Dr. Regular Guard \$24.00 Day E66: 8/14/78

CIRCUIT COURT

David Hatfield 632 S. Willow Rd. Probation Officer \$4.75 Hr. E66: 8/12/78  
 Kay O'Malley R.R. 4 Box 602, Newburgh Probation Clk. \$2.65 Hr. E66: 8/16/78  
 Larry McDowell 1101 S. Lombard Ave. Bail Bond Comm. \$524.98 Yr. E66: 8/19/78

CIRCUIT COURT.....SUMMER INTERNS

Donald Fuchs 522 S. Boeke Rd. Summer Intern \$3.00 Hr. E66: 7/21/78  
 Valentine Corcoran 2412 E. Chandler Summer Intern \$3.00 Hr. E66: 7/12/78  
 Debra Moss 209 S. Bedford Summer Intern \$3.00 Hr. E66: 8/18/78  
 Donald Fuchs 522 S. Boeke Rd. Pt. Time Bailiff \$3.00 Hr. E66: 8/11/78

CLERK OF THE CIRCUIT & SUPERIOR COURTS

Mary I. Ritter 5010 Elmhurst Cashier \$288.84 Pay E66: 8/25/78  
 Etta Mae Mueller 1508 S. Red Bank Bookkeeper \$268.92 Pay E66: 8/25/78

COOPERATIVE EXTENSION SERVICE

Jeanne S. Callis Rte. #8 Part Time \$20.00 Day E66: 8/14/78  
 Dennis Brazelton Rte. #2, Chandler Part Time \$2.65 Hr. E66: 8/14/78  
 Patty Purtzer 218 Charmwood Ct. Part Time \$2.65 Hr. E66: 8/14/78  
 Catherine Stott Rte. #8 Part Time \$2.65 Hr. E66: 8/14/78  
 Julia Schmidt 9304 Darmstadt Rd. Part Time \$2.65 Hr. E66: 8/14/78

VANDEBURGH AUDITORIUM

Katherine Appuhn 201 N. Lemcke Ave. Sec./Asst. Mgr. \$9,546.00 Yr. E66: 8/19/78

VANDEBURGH COUNTY PROSECUTOR

Brenda Gail Lowe 5801 Brentwood Crt. Investigator \$7,717.50 Yr. E66: 8/19/78

VANDEBURGH SUPERIOR COURT

Susan Metz Summer Intern \$200.00 Wk. E66: 8/11/78

VANDEBURGH SUPERIOR COURT COURT--DRUG AND ALCOHOL DEFERRAL SERVICE

Debra Jo Below 1517 Russell Ave. Secretary \$8,500.00 Yr. E66: 8/11/78

RE: QUIT CLAIM DEEDS SUBMITTED

County Attorney Ed Smith, Jr. submitted Quit Claim Deeds that he prepared on County owned property that was previously sold. One is for Geneva Levels, one for Modern Maid Food Products of Indiana, Inc. and three for Charles Swope.

Commissioner Willner moved that these deeds be accepted, that their signatures be stamped on them and that the County Attorney notarize them. Commissioner Ossenbergh seconded the motion. So ordered.

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RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by Schultheis Insurance Agency, Inc. on insured, Music Minister, Inc. DBA as Joyful Sound Supper Club, for use of the Civic Center Auditorium on August 21st. 1978.  
Certificate received and filed.

A Certificate of Insurance was submitted by Citizens Realty & Insurance, Inc. on insured, Junior League of Evansville, Inc. for the use of the Auditorium.  
Certificate received and filed.

RE: LEGAL NOTICE OF PUBLIC HEARING

A Legal Notice of Public Hearing was submitted by the Public Service Commission of Indiana, Docket No. 35366, which reads as follows:

PETITION OF THE STATE OF INDIANA, THROUGH THE INDIANA STATE  
HIGHWAY COMMISSION, FOR APPROVAL OF THE PERMANENT CLOSING  
OF ONE HIGHWAY-RAILWAY AT GRADE CROSSING TO RAILROAD TRAFFIC  
IN VANDERBURGH COUNTY, INDIANA.

Notice is hereby given that the Public Service Commission of Indiana will conduct public hearings in this cause in Room 908, State Office Building, Indianapolis, Indiana at 10:00 a.m. EST, on September 13, 1978. Public participation is requested.

PUBLIC SERVICE COMMISSION OF INDIANA  
BY Charles L. Coleman, Acting Director  
Railroad Division

Indianapolis, Indiana, August 14, 1978

Commissioner Ossenberg said he would like to know which grade crossing will be closed to railroad traffic, since the letter doesn't state which one.  
Letter will be posted and is noted as being received and filed.

RE: HEALTH INSURANCE BIDS

The following letter of recommendation was received from Mr. Harry Lukens, Vice President of the Lukens & Sons Insurance, Inc. on behalf of the Insurance Study Group, that both bids, the one from Golden Rule and the one from Blue Cross-Blue Shield, be thrown out:

Dear Tom:

Re: Group Insurance Proposals for Employees of Vanderburgh County

I have now had an opportunity to thoroughly review the material referred to me by Doris Wolf of your office. I find several items in the proposals which deserve your attention.

First, the bid received from Golden Rule does not track with the specifications in that the specifications call for an insurance mechanism whereas Golden Rule has proposed a self financed employee benefit program. Technically, the Golden Rule response to the bid specifications would eliminate their proposal since it does not track with the specifications. In other words, we have one bid on an insurance mechanism from Blue Cross-Blue Shield and another bid on a totally different mechanism (self financed employee benefit program) from Golden Rule.

Technically, you have received only one bid in accordance with the notice to bidders dated July 10, 1978, this being from Blue Cross-Blue Shield.

With reference to the proposal submitted by Blue Cross-Blue Shield, I call your particular attention to paragraph 4 under the description of benefits, in which Blue Cross has made changes in the proposal and therefore changes in your bid specifications. The first change would indicate an improvement in out patient emergency room service from 48 hours to 72 hours after the accident. The second change would indicate an improvement in the hospital maternity care provision to include premature delivery.

Frankly, I can't figure out whether Blue Cross is bidding on a straight insurance mechanism because they have added in the contract a comment "Administrative Service Only; Contract, etc." but the specifications would indicate that they are considering this to be an insurance plan.

Blue Cross also indicates that if you continue with them, they will refund the carry-over. What happens if you decide to go to another carrier? Do you lose the refund? This question should be answered before you make a decision. Frankly, I think that you should consider taking additional bids or re-advertising after you make a decision as to whether you and the Commissioners want to go to a self insurance plan or continue on a straight guaranteed cost insurance mechanism. I do not believe that you have at hand "apples to apples".

Please let me know if I may be of further service to you.

Yours truly, Horace M. Lukens III

Commissioner Ossenberg said he is therefore going to ask that the Commissioners declare an emergency and that the two County Attorney's work with County Councilman Bill Taylor in coming up with a plan in seeing how fast they can get it advertised, and if they can declare it an emergency, we will have the Health Insurance back for us in time, if not, they can then try to work out a month to month basis.

Commissioner Willner moved that the two bids received be rejected since neither one meets the specifications. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner then moved that the Commissioners declare an emergency on the Vanderburgh County Health Insurance program for Vanderburgh County employees. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg told Mr. Taylor to get with the two County Attorney's and get started on it immediately after this meeting.

(Motion to rescind rejection of bids later in this meeting...Page 16 )

RE: EASEMENT FROM GAS & ELECTRIC COMPANY

Commissioner Ossenberg said he received an easement for Burdette Park from the Southern Indiana Gas & Electric Company for the sum of \$1.00 for the moving of an easement for the Burdette Park Tennis Courts that are to be constructed the first part of September.

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

RE: STATEMENT OF ASSURANCES...REVENUE SHARING FUNDS

The following Statement of Assurances, Entitlement Period Ten, from October 1, 1978 to September 30, 1979, was submitted by the Office of Revenue Sharing, for the signature of Commissioner Ossenberg:

The recipient government assures that it will:

- (1) Establish a trust fund and deposit all revenue sharing funds received in that trust fund, according to regulations prescribed by the Office of Revenue Sharing.
- (2) Use revenue sharing funds within a reasonable time (two years from the end of each entitlement period) according to regulations prescribed by the Office of Revenue Sharing.
- (3) Not use entitlement funds for lobbying purposes.
- (4) Provide for the expenditure of revenue sharing funds in accordance with the laws and procedures applicable to the expenditure of its own revenues.
- (5) Use fiscal accounting and audit procedures as specified by the Office of Revenue Sharing, provide access to and the right to examine books, documents, papers or records for purposes of reviewing compliance with this Act, and make such reports as the Director may require.
- (6) Comply with the prevailing wage provisions of the Davis-Bacon Act on any construction project costing in excess of \$2,000 when 25 percent or more of the costs of such project are paid with revenue sharing funds.
- (7) Pay individuals employed in jobs financed in whole or in part with revenue sharing funds not less than the prevailing rates of pay for persons employed by it in similar public occupations. This provision does not apply to an employee or employees in any program category who are being paid in whole or in part with general revenue sharing funds unless 25 percent or more of the total wages paid to all employees in that category are paid from revenue sharing funds.
- (8) In case of the governing body of an Indian tribe or Alaskan native village, spend revenue sharing funds for the benefit of members of the tribe or village residing in the county area or Census district from which its revenue sharing funds were allocated.
- (9) Not exclude from participation in, deny the benefits of, or subject to discrimination under any program or activity, any person in the U.S. on the grounds of race, color, national origin, or sex. Not discriminate on the basis or age under the Age Discrimination Act of 1975, or with respect to an otherwise qualified handicapped individual as provided in Section 504 of the Rehabilitation Act of 1973, or religion except that any exemption from such prohibition against discrimination on the basis of religion as provided in the Civil Rights Act of 1964, or Title VII of the Act of April 11, 1968 shall also apply.
- (10) In the event a Federal or State court or Federal administrative law judge makes a holding, as defined in Section 51.67 of the regulations against the recipient government, provide a copy of the holding to the Director of the Office of Revenue Sharing within 10 days of receipt of such a holding by the recipient government.

I assure the Director of the Office of Revenue Sharing that with respect to payment received under the Act, the mandatory requirements of the State and Local Fiscal Assistance Act of 1972 as amended and of the regulations will be complied with by this government.

I further assure the Director of the Office of Revenue Sharing that the public hearing and public participation requirements and the accounting, auditing, and fiscal procedures requirements of the Act, when applicable, will be complied with by this government.

I understand that the acceptance of this form by the Director of the Office of Revenue Sharing does not prevent the Director from holding a recipient government responsible for noncompliance with the Act and the regulations.

Commissioner Willner moved that the Statement of Assurances on Revenue Sharing Funds be approved and that it be signed by Commissioner Ossenbergh. Commissioner Ossenbergh seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

The following letter of request was received from Sheriff DeGroote:

Dear Sirs:

We are requesting for the following officers, Captain Craddock and Detective Stanley Garrett, to attend the 38th National Armed Robbery Conference in Mobile, Alabama from October 16, 1978 to October 20, 1978.

Cost....\$80.00-Tuition...\$168.00-Food...\$150.00-Room...a Total of \$398.00.

Respectfully, Sheriff James A. DeGroote

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

RE: REQUEST TO TRAVEL

The following letter of request was received from Sheriff DeGroote:

Dear Sirs:

We are requesting for the following Officers, Sgt Marlin Beck and Paul E. Bice to attend the Juvenile Training Seminar in Merrillville, Indiana from August 30th to August 31, 1978.

Cost.....\$30.00-Tuition...\$50.00-Food....\$75.00-Room...A Total of \$155.00.

Respectfully, Sheriff James A. DeGroote

P.S. Funding will come from our travel account.

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

RE: VERN HARTENBURG.....PLAN ON UPDATING OF COUNTY PARKS AND RECREATION

Mr. Hartenburg submitted a Report to the Commissioners and spoke on the updating of the County Parks and Recreation Open Space Master Plan, by saying that in 1975 the County Commissioners, in cooperation with the City, obtained the Stewart Allen organization to prepare this report which the County and City both have been in the process of implementing since then.

He said this report and the Master Plan for the City and County is now being submitted, that they have invited Stewart Allen to come to Evansville on August 31st to visit with the City and hopefully with the Commissioners or the Burdette Park Board, so he can make his proposal for updating this plan.

He said that a plan of this type is required to be on file and accepted by the State Department of Natural Resources before the City or County can be eligible to receive any water conservation funds, that Burdette Park is using that as a source of funding right now, as is the City, so it is an important effort in that it helps to secure federal funds and it also helps in giving guidance for providing the park facilities locally, so what he had in mind to submit to the Commissioners was, if they had a recommended time on August 31st, so they could meet with Mr. Allen and could discuss with him what they think are needs or problems facing the County in terms of parks and recreation.

He said the City will do the same thing and Mr. Allen, in turn, will come back and submit a proposal to them, at which time they can decide how much the City is going to pay and how much the County would pay, and if in fact they want to retain Mr. Allen, try to do it themselves, or maybe want to hire a different consultant all-together.

Commissioner Ossenbergh asked Mr. Hartenburg that he contact Mr. Wolf and let the Park Board in on this matter, also if they could work up the time, the Commissioners

can be advised if they want to be there, but they generally listen to the County Park Board's recommendations, and since he is a member of the Board from this body, he would probably be there anyhow.

He said he feels that the Commissioners would want to retain a consultant since he has seen the source of funding received by Burdette Park from this money, so he is sure they would want to.

He said that if Mr. Hartenburg will contact Mr. Wolf and have him get in touch with him and get the time set up, that he will advise the other Commissioners.

RE: CHECK TO BE ENDORSED ... INSURANCE MATTER

A Check was received from Hahn & Becker Insurance Company, for damages to the gas dryer at the Jail, in the amount of \$488.29.

Commissioner Willner moved that the check be accepted and that it be quietused into Account 131-252... Repairs to equipment. Commissioner Ossenbergh seconded the motion. So ordered.

RE: ORDER OF GARNISHMENT

An Order of Garnishment was submitted on wages of a Larry W. Luffer who works in the Surveyors office, Cause No. 77-CIV-2041.

Commissioner Willner moved that this matter be referred to the County Auditor for proper disposition. Commissioner Ossenbergh seconded the motion. So ordered.

RE: SUMMONS

A Summons was submitted on Haubstadt State Bank VS William K. & Beverly J. Phillips.

Mr. John explained that this is on back taxes and they have the County Clerk, the County Auditor and the County Treasurer named for any judgment on delinquent taxes, that it is more or less a foreclosure.

Commissioner Willner moved that this matter be referred to the County Attorney's. Commissioner Ossenbergh seconded the motion. So ordered.

Mr. John said he called them and that they must make an appearance.

County Attorney Smith said that he and County Attorney Wendel will handle it.

RE: CLAIMS

A Claim was submitted by P & H Construction Co., Inc. for Equipment Rental for Marx Road Culvert installation, in the amount of \$2,480.00, which has been approved by Mr. Stephen and Mr. Siebeking.

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

Commissioner Willner asked if Marx Road is finished and Mr. Guillaum said one bridge is finished, that the road is open and they have another bridge that they are going to put in out there.

A Claim was submitted by Bauer Bros. General Contractors, Inc. for Marx Road in the amount of \$722.00, which has been approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by the Evansville Association for Retarded Citizens, Inc. for Monthly appropriation for yearly allocation of \$131,732 which is for the EARC facilities for September, 1978, in the amount of \$10,977.67, which has been approved by Mr. John.

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

RE: COMPLAINTS ON POLLACK AVENUE

Mr. Carl Hoge of 5500 Pollack Avenue appeared and said what he is concerned about is that he has heard that they are going to put a project out there on Pollack Avenue called the Indian Woods Project and Pollack Avenue is a very narrow road and there is

a big wide ditch on the right hand side going out, and they approved Pollack Avenue for a Bicycle Route and then they have farmers who drive their tractors up and down that road, so if this project passes, he thinks the road should be widened, also the speed limit out there is 50 miles per hour and it should be reduced. He said he won't let his children walk down that road to school and neither do the other children, because it is too narrow and dangerous, that the speed limit is 50 mph until they get to Hoosier Avenue and then it drops down to 20 mph.

Commissioner Ossenberg told Mr. Judd he had better look at this, since he thinks 50 mph is entirely too fast for Pollack Avenue.

Mr. Hoge said they would like to get Pollack Avenue widened if at all possible, and he wanted to bring this matter to the attention of the Commissioners, since, if this project goes through, it will bring a lot more traffic out there, and there is a lot out there now because people use that road to go to and from Alcoa.

Commissioner Ossenberg said the Commissioners will take this into consideration when the time comes, but he thinks it will be far in the offing.

Commissioner Willner asked Mr. Hoge if there were any center stripes and white stripes along the edge of the road out there.

Mr. Hoge said there were center stripes but no white stripes at the edge of the road.

Commissioner Ossenberg asked Mr. Judd if he could get this done too, that it was striped about a year and a half ago but of course they could be worn off by now. He asked Mr. Judd to see if he could help it in any way.

Mrs. Hoge asked if there was any way they could get street lights out there.

Commissioner Ossenberg said not in the County.

Mr. Hoge said they get to Hoosier Avenue and then at night there they are with no lights and a big ditch on the one side and that two people have been killed in the past year out there and there are other problems, that it is a rat race, so something really has to be done about it.

The Commissioners asked Mr. Judd to look at Pollack Avenue totally and report back to them on his findings, and to tell Mr. Lochmueller that they would like for him to put a traffic counter out there to see what the traffic is currently running.

Commissioner Willner asked if this is in the proposed annexation and Mr. Loge said it is.

Commissioner Ossenberg said the Commissioners have nothing to do with this.

RE: MR. CROOKS.....WEED PROJECT

Mr. Crooks said they have the Weed Project in the works, that he talked to Mr. John this morning and he thought \$1,000 should set them up. He said he got some prices and most of them are running about \$35.00 per lot but he doesn't know how many lots they are talking about, but this should take care of some 30 lots, so that should be enough. He said what he thinks they will have to do is to write to the owners of record, to give them a certain period of time to cut the weeds, the same as they do in the City, and if they haven't cleared the weeds away in the allotted time, he will have to call to get bids on it and then issue a contract for them to do the work. He said there are several lots that need attention, that one is on Drexel Drive, Oak Hill Road, at the corner of Spry Road & Polaris, another on North Elm, and others, that they are scattered all over the County, so he will first write letters to them.

Mr. John said he has already discussed this with Ms. Wolf, the Commissioners Secretary, and that she is typing a letter and they are transferring \$1,000 from the Utilities Account of the Pleasantview Rest Home, that there is around \$1,200 left in that account.

RE: MR. HOTZ.....CUMULATIVE CAPITAL IMPROVEMENT FUND

Mr. Hotz said there was mention of an Ordinance from the state in last week's minutes and he wondered if anything had been done about it, that it is in regard to an appropriation of \$40,000 and one for \$80,000.



Commissioner Ossenberg said he doesn't get the explanation of this, since when you set up a C.C.I. Account, that it is a Capital Improvement, so why aren't they approving the \$80,000 and the \$40,000.

County Attorney Smith said this involves as to whether or not we have to enact an Ordinance saying that we are under Home Rule, that he thinks there is a meeting tomorrow in the Auditor's office on this.

He said he has written a letter to Mr. Beesley on this matter after it came up last week, stating the position of the County Attorney's as a result of a meeting they had with Frank Eads, in the Auditor's office about two weeks ago, at which time he and Mr. Wendel agreed that it wasn't necessary to enact another Ordinance saying we were under Home Rule, but he hasn't heard anything from him as yet.

RE: BIDS RECEIVED FOR EQUIPMENT AT COUNTY JAIL

Mr. Hotz said that last week he had received another bid on a device to fit on the range in the County Jail and since that time, Sheriff DeGroot had informed him that he had enough money in his account and could assume the cost of the mattresses the metal detector, the intercom and also the fire retardant thing and he assured him that he would pay for these things out of his budget, so he assumed it was all-right for him to do this.

Commissioner Ossenberg said he has received two bids, one from A & F Fire & Safety for \$756.00 and one from M & S Fire Equipment in the amount of \$830.50.

The Commissioners agreed that the Sheriff should pay for these things from his budget if they are proper items that are to be purchased.

Commissioner Willner asked Mr. Hotz if Sheriff DeGroot wanted permission to let contracts today.

Mr. Hotz said he doesn't think the Sheriff is requesting anything at this time, that he just wanted to be sure that it was alright for him to go ahead and do it, that he turned the two bids over to him and said he would discuss it with the Commissioners, but that as far as he knew he couldn't see any reason that it wouldn't be alright for him to go ahead and pay for the equipment. He said the Sheriff was going to take the low bid of \$756.00.

RE: MR. HOTZ.....ENERGY CONSERVATION

Mr. Hotz said they had two members of the State Energy Commission in last Thursday and they made an inspection, along with Mr. Dewes, of the Auditorium, Washington-Hillcrest Homes and of the Burdette Skating Rink, so they will get a written report on suggestions from the members that made the inspection.

He said this is a federally funded program that will help pay for anything they do in the way of conserving energy in the various buildings of the County, such as adding insulation, along their suggestions and they have informed him that as far as this year is concerned, that there were too many buildings for the amount of money they have, so they have narrowed it down to schools and he thought hospitals, and they are almost assured that beginning next year, they will have additional funds and if their inspection and recommendations are here on file, then if we wanted to do any of these things, we would be in line and eligible for a federal grant to pay for these things to save on energy, so he is waiting for that report.

Commissioner Ossenberg asked if he said what the amount was as to the cost.

Mr. Hotz said he didn't say, that he just said it was a federal grant that would help the County pay for it.

Commissioner Ossenberg said, in other words, he is going to give Mr. Hotz a report by next year, if we make application, providing how much is involved, so Mr. Hotz would make application after their study, that the fiscal year with the federal government operates after July 1, so what they are saying is from July 1, 1978 to June 30, 1979, it is all taken up with schools and hospitals, so then if he gets his application in, the County may be eligible for July 1 of 1979, so the Commissioners will just wait and see what the report is, and what the amount of money is that is required.

Mr. Hotz said that Commissioner Schaad suggested that since we do pay the utilities in the Civic Center, that we get Mr. Ruston in on this, but Mr. Ruston was leaving on vacation, that he talked to him and they did leave an energy savings packet which he gave Mr. Ruston to study when he gets back, and if it is necessary, they can phone this man and he will come down, that he works out of the State Commerce



Division and it doesn't cost anything, so they can call him down, at his convenience, and he can make an inspection of the Civic Center if the Commissioners think it is advisable.

Commissioner Ossenberg said he thought this was a good idea.

Mr. Hotz said they discussed a few things and one of the big things would be to put thermal drapes up at the windows at the Auditorium, since he assured him that this would save a lot of fuel and a lot of energy, that it would be expensive, and he assumes this will be on the report when it comes back.

RE: SALT STORAGE DISCUSSED

Mr. Hotz said that they discussed salt storage at the County garage recently and he believed that Mr. Stephen has some prices and information and an alternate proposal on it.

Mr. Stephen said they gave him the figures on the phone and he asked them for a letter confirming the prices, that the information he received was that on a building 36 x 52 was a little more than \$16,000 plus approximately \$4,000 to \$6,000 for erection, to store 500 tons and they gave him figures for one that will hold 300 tons at \$13,000, so the 500 ton would be the better buy.

He said the thing he wants the Commissioners to consider here is that by using liquid calcium chloride instead of sodium chloride, they can use it year round and if they incorporate some calcium chloride into the base material for patching, they increase it's carrying capacity and they can make a more durable patch, that this entails using liquid and liquid storage, a pumping unit to load with and a 10,000 gallon storage which will run in the vicinity of \$10,000 and they can use this winter and summer.

He said if they use salt at a ratio of one part to three or four parts of sand, they can add calcium chloride to it and they will be very close to the effectiveness of the salt when added to three or four parts of sand, so before the Commissioners decide one way or the other, he would like to consider something they can use year round, that it won't take up near the space and it won't rust out, so they can use the material for base material in patching holes and when repairing County roads, the calcium added to the base material keeps down the dust.

He said there is going to be a meeting of the Indiana Association of Cities and Towns in September at the Executive Inn and the people who have the calcium chloride for Southern Indiana will have a room over there and he would like for the Commissioners to go over there and ask questions, that he thinks the name of the Company is Orbie of Illiana, that they can truck calcium chloride into this County year round.

Mr. Hotz wondered if this calcium is a toxic material and if it would be a health hazard to the employees or not.

Mr. Stephen said this is a 10,000 gallon storage tank and they dispense it by using a pump and it wouldn't be any more dangerous when handled by the employees than if they handled salt.

He said there are other Counties around that are putting these in, but the Northern Counties, where they have a lot more snow, have their Counties divided up into four districts and have put four storage tanks in up there and they operate out of four garages.

Mr. John said if they get the matter of the C.C.I. fund resolved, this can come under that fund.

Commissioner Ossenberg said he doesn't understand that fund anyway, since he was assured at the very beginning, when they set it up, that the County Attorney took the view that this money could be used for Capital Improvements and Mr. John said the letter they received states that they could use the money for this purpose.

Commissioner Willner said he thought they should very seriously look into the storage tank and the calcium chloride, especially if they will guarantee delivery of an X number of gallons per year, since they won't get this in salt.

Mr. Stephen said they will guarantee it, that Ed Otten of Orbie of Illiana in Crawfordsville will be here in mid-September, so they can talk to him.

RE: MR. JUDD

Mr. Judd said he talked to County Attorney Ed Smith about posting signs on both state roads, that he didn't know how long they would stay up this time but that he does

have the truck route signs on all entrances into the County and that he will inform Sheriff DeGroot of this.

County Attorney Smith said this complies with Judge Kissinger's requirements of the Ordinance for enforcement.

RE: ABSENTEE REPORT

Mr. Siebeking submitted his Absentee Report on the employees at the County Highway garage for the past week, ending 8/18/78.  
Report received and filed.

RE: COUNTY TRUCK DAMAGED

Mr. Siebeking said one of their trucks was involved in an accident a week or so ago, but it wasn't his drivers fault; that it is an insurance thing and thought the Insurance Company was trying to pull something & they said they were going to salvage the truck out, so he got in touch with County Attorney Smith and he contacted the Insurance Company, so we are to receive a check so they can have the truck fixed. He said that Krause Body Works has the bid on it, so we will be receiving the check this week.

RE: MR. SIEBEKING.....ROAD REPORT

Mr. Siebeking said they have finished with the section of Baseline Road between Old Princeton Road and St. Joe Avenue on paving, and he thinks it is a real good road but there are a couple of spots in it where they have made mistakes, but they know now what they did wrong and it can be taken care of.

He said they had a few things on the paver that the company came by and checked on, that they are having problems with one of the burners and they had a couple of fittings that were bad, so they are to be taken care of today, also they brought the machine in to the garage on Friday afternoon when they finished on Baseline Road and did some complete maintenance on it, plus they put some hooks on it so they could hang some things on it.

He said this morning they moved to Bob Court and from there they want to catch some bad spots on Inglefield Road and he thought they should go ahead then and get the big pipes paved out like they put in on St. Joe Road and it will be up to the Commissioners as to where they want them to go from there.

He said they received their materials okay last week and are to receive it okay this morning, so they have been having real good luck.

RE: TANDEM TRUCK ORDERED

Mr. Siebeking said he called Alvey Scott Motors, that the Tandem Truck has been ordered and he expects it in here within 60 days.

RE: MR. SIEBEKING

Mr. Siebeking said on the \$80,000 that has been refused from the C.C.I. fund by the State, they could, if they have to, if the state denies it entirely, they can write a letter and the money would be available in the general fund, to pay for the machine, that this is the only place he knows of to get the money.

He said they don't need the \$80,000 anyway, since when they got the final billing on the new paver, they are talking about approximately \$65,000, so he asked if he should wait until after the meeting tomorrow to see what kind of answers they come up with.

Commissioner Ossenberrg said this is what he would like to do and he would also like to know if there is an appeal for them if they deny this money tomorrow.

County Attorney Smith said he just received a call from the Auditor's office on the meeting tomorrow and he asked Mr. John if he knew what it was about.

He said if they continue to deny the money, he will figure out how much he needs to pay for the machine and the only alternative he sees is to go before Council and ask for the money to come out of the County Highway general fund.

Commissioner Ossenberrg said he would like to check the law and see if they can't appeal for that \$80,000 out of the State Board of Accounts, since they did receive a letter saying they could use this money for capital improvement.

County Attorney Smith said as he understands it, they are raising a technical question about the implementation of it.

Commissioner Ossenberrg said he would like to know, if they were not in a position to pay that bill, how do they expect it to be paid when they were taken at their word to

buy something with money they approved.

Mr. Siebeking said they will just hold up on it then to see what happens.

Commissioner Ossenberg said it urks him to no end, that this is why they set up C.C.I. accounts and from the very beginning, County Attorney Smith went to Indianapolis to find out and the opinion from the state was that the County Attorney's rule that they could use such monies and then they were able to do it and a letter was received from them covering this.

He said they would just wait until after tomorrow.

After checking, Mr. John said the state is going to be here on the sales tax tomorrow, on Burdette Park and the Auditorium.

He said that Mr. Eads will be here Wednesday so they can talk to him then.

County Attorney Smith said it would be his recommendation to refuse to pay these taxes.

RE: MR. GUILLAUM.....BRIDGE & GUARDRAIL REPORT

Mr. Guillaum said they had the Bridge Crew and the Guardrail Crew combined last week for some work they had agreed to earlier out on the Crawford Brandeis, that they cut some bleeders and they are about to get that done, and they have at least another one they should put in, and he didn't think they were going with the four that he originally agreed to put in, that he didn't think they needed them, so he thought they would just put a couple in and run the ditch around to them and serve the purpose they intended, to get the water out of there that had been contained in the area behind the ditch. He said he had the crew out there all last week, also that he has put information together for the last six months on what he has done with the C.E.T.A. crew, that altogether they have had 315 projects overall and have averaged roughly 3 per day, that he also is submitting other information of interest, since the Commissioners may want to look at it, such as examples of some of the locations at to bridge protection, curve areas, that they have done ten bridges, totally and actually did some bridge repair work structurally.

He said he made contact with a contractor and they have some more beams that look like a pretty good deal, that they are 30 feet long but he doesn't have anything definite on the prices, that he has 21 beams and it would cost approximately \$20,000 for all of them, that they are on a state highway project, so this would be something to think about and if everything looks pretty good on using the other beams they purchased, he thinks they may be wise to get these, because they are talking about one-third the price of new beams, that he understands the beams were put in 3 or 4 weeks ago on a temporary bridge that is being used as a runaround and when they get the section of roadway done that they are working on, these beams will be taken out, that they certainly won't have a problem getting rid of them and he sort of has first bid in on them.

He said it looks like a good deal but that it isn't anything definite.

Mr. Brenner said because the beams will cost about \$20,000 they have problems and he asked how can they buy them.

Commissioner Ossenberg said they will have to advertise for used beams, that this is the only person who would probably have them, but they have to do it.

Mr. Brenner said he was in Indianapolis last week and he went to the Division of State Aid and Bob Schaad had said he received a letter from Spencer County asking for us to waive some of our federal funds to them, that he didn't know what happened to it, that he went in and they explained to him how things work and it has all been changed.

He said they had a list of counties that were going to lose money and as of October 1st, Vanderburgh County is going to lose \$70,000 in federal funds because we never used it, that it used to revert back to the state, but now it goes into the pot, since the Judge made them change it because it was in the state's benefit and they can now apply for 5% of the pot for a bigger project, that it is physically impossible for us to use that \$70,000, so he thought they should consider giving it to Spencer County.

Mr. John said that it was a John Long from Spencer County that called and asked for the County Commissioners to waive their claim to that money and asked him to present it but he told them that he would just as soon they write a letter and come here to appear before the Commissioners and request it because he could better explain what they want.

He said he has never had any knowledge of the fund and never received anything on it.

Commissioner Ossenberg asked what the funds were for and Mr. Brenner said this is through Mr. Lochmueller's office.

Commissioner Willner said they could use \$70,000 tomorrow, that they would have no problem at all in spending it.

Mr. Brenner said what he found out was that the only project we have going that qualifies is Meier Road, that it could have been used for the engineering, so now they lose everything and the \$70,000 is history.

Mr. John said a week ago last Friday, Mr. Schaad called him and said he was going to refer it to Mr. Lochmueller and probably save them a trip down here, so it never hit the agenda.

Ms. Wolf, the Commissioners secretary, said Commissioner Schaad talked to Mr. John and to Mr. Lochmueller and then asked her to call Spencer County to tell them that we wouldn't have any money to give them and she wrote them a letter.

Mr. Brenner said he is telling them that it isn't true, that there is \$70,000 we lose on October 1st.

He said he thought that Mr. Lochmueller was of the opinion, that if we had put the project in, like Meier Road, it would have been obligated, but if you don't spend the federal money, it goes away within 36 months and if it has been hanging on the books that long, it is going to fall off.

He said he thought they have the engineering to where they call 60% approved, so we have done some work on it and you think that would hold it, but it doesn't, however we will be eligible for the 5% of the pot which will be a great deal more than the \$70,000, but we could have used the \$70,000 and still have been eligible for the 5%.

Commissioner Ossenbergh asked Mr. Brenner if he minded if they hold up on this till next week so he can get into it, since this is the first knowledge he has had of it.

Mr. Brenner said he doesn't mind, that it is F.A.S. money but this is just one of the problems, that they have off systems money and they aren't using any of it, that the money has been held over for three years.

Mr. Stephen said that after it has been divided up and probably any job that they do, they usually get into this which, on this, it has to be off systems and they have to come up with 30% match and if they program it, usually the projects are bigger than this and that was one reason they allowed this to accumulate up to three years, so the counties could get a little bit greater amount, because with this much they couldn't do much of a project.

Mr. Brenner said they are finding out that Meier Road is too little a project to be using federal funds on, but it is growing wider and longer.

Commissioner Ossenbergh asked if this is federal and secondary and Mr. Brenner said this is correct, that it is 15 months accumulations.

Mr. Stephen said it is actually Rural Secondary.

Mr. Brenner said it is F.A.S. that we are losing.

Mr. Stephen said back when this money was allotted it was F.A.S. but they have since called it Rural Secondary.

Commissioner Ossenbergh said he sees where a letter has been written to Mr. John Long, telling him that Vanderburgh County will be using all their allotted funds.

Mr. Brenner said he has been doing a lot of reading, that this is something new, that they used to be able to switch funds, and then after a time they just put the money back in.

Mr. Stephen said they kicked it out for a year or so and found that they had goofed, so they reinstated it.

#### RE: STRIPING AND HAZARD MARKINGS

Mr. Stephen submitted copies of the Pavement Markings Book Demonstration Program, and said they are going to start doing the striping and hazard markings on Sept. 5th. and they have already been in the County painting some of the special markers.

#### RE: MR. STEPHEN

Mr. Stephen said that Commissioner Schaad asked him to look into what happened to the State-County Project at Hwy. 41 and I-64 at Buslers, and that it amounted to about \$42,000, that he called Mr. Finch at Buslers and they had a meeting out there last Friday afternoon, and he showed them a letter that he had written

back to the state, stating that without some of their participation, we weren't interested.

He said that a couple of things came out of the meeting, that one was they think they pay an awful lot of taxes and didn't know if they should participate in this or not, that they have actually hauled in a lot of stone, so they don't know if it needs to be quite as heavy as the state has shown because they think they have enough base and it wouldn't have to be that expensive.

He said they measured out the right of way and the big sign is all in the County right of way, so if this goes ahead they are going to move the sign and they are looking for a place to move it to, that the pavement is going to be moved to the West so it gets a bigger radius for the trucks turning off the highway, going into Busler's, that they also made mention that they might like to have the extension of the widening of the drive to the North rather than to the South, and he doesn't think there is anything wrong with that, but nothing was decided and he invited them to come to the Commissioners meeting because they will be the ones that will make the decision on this, that he told them to come to the meeting in September when Commissioner Schaad comes back, so they can get this ironed out, if they so want, that this is the way they left it. He said the man that owns the Sunoco Station out there was also at the meeting.

RE: ST. JOE AVENUE

Mr. Stephen said that out on St. Joe Avenue, Key Construction Co. purchased some land and they are going to develop it, so he told them that it looks like they should apply for access, and the redesigning of the area should be done as a change order, that he doesn't want to confuse the issue at the present time, so he told them they would sit on it and when construction comes along, they will work it out at that time.

Commissioner Ossenbergh said he thought they were told at the time of the rezoning, that they would possibly have to participate and pay for that themselves if they get it approved, and they agreed to it.

Mr. Stephen said he told them if there was any additional cost, they would have to pay it themselves.

He said they want to put in a water meter for the Parkview Convalescent Center, so he was out there and talked to the new owner and they located the water meter, so it won't interfere with the construction, also that he has purchased a vacant lot that doesn't have an entrance on the other side of the church and what he is trying to do is to swap some land, which, if he does, it will re-locate one of his drives a little, that the church will want a drive in a different location, so this is another change that needs to be made during construction.

He said he didn't think it to be too bad of a deal and the additional cost will be negligible because there was going to be a drive anyway so it would just be put at a different location, that he was also able to explain to him what it would tend to look like, because he was looking at it from the point of the County having to buy right of way across his property, which we don't own as yet.

He said the man hasn't even been told how much it has been appraised at and he hasn't either, so knowing that when construction is done, he will have 17 feet in that right of way, so he feels a little better about it, since he had thought he was going to lose it all the way back.

He said he has contacted Dan Riddle and he does have all the appraisals, so he asked him to give us a list and the breakdown, that he gave him a total over the phone, also that he checked to see if they could allow an encroachment to exist if we bought the land from the filling station, that they overhang about four feet, and he asked if we could negotiate an agreement with them to allow that encroachment to exist, that it doesn't hurt the construction any, but it would reduce the total amount that we have to buy, cost-wise, about \$25,000 or one-fourth of the total.

He said he told him we need that list but he hasn't given us anything as yet, but we need it so we can fund this and start actually acquiring the right of way, that it is a little over \$101,000 for the total amount that we have to come up with to get this project going and \$25,000 of this is to move the island and the canopy at the filling station, so if we can allow that encroachment to exist it would reduce the total cost.

He said that Mr. Biggerstaff wanted this okayed, but it will be taken care of during construction, that he doesn't want to go back for any engineering changes now, that it is too far down the road for that.

RE: REQUEST TO TRAVEL

County Attorney Smith said he is handling the Busler False Arrest case on Zweisler for the County and he received a notice on the deposition last week and another one this morning, and he is to be in Indianapolis on August 29th. so he would like to



ask permission to go and request that his travel expenses be paid by the County.

Commissioner Willner moved that the request of County Attorney Smith be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: HEALTH INSURANCE...CONTINUED

County Attorney Smith said he understands that Mr. Taylor has some ideas on what he thinks should be in the specifications that should be submitted to our Insurance Committee and he asked Mr. Taylor to explain his ideas.

Mr. Taylor said he isn't talking particularly about a company, but a coverage, and that is working it out with a front-end deductible instead of the open-end like we normally have, that most of the Insurance policies that we have had, a person could have a scratch, a headache or something and they would run to the emergency room and with the coverage we had before it would take care of most of it, but what we are talking about now is that every time they go to the emergency room, or to the doctor, it costs them \$25.00 and that in itself will eliminate over 60% of our claims, and the end result will be that they will have less claims, so the claim ratio will be lower, the increase in premium will be lower and we will even start off with a lower premium, that the coverages are just as good all the way through and in some cases, even better, so what we would have is a front-end \$25.00 per incident, and it will cut down on a lot of claims, so what we are talking about doing is, with the Commissioners recommendation, to getting a packet together and giving it to the Insurance Committee and let them look it over, to sit down with them and explain it and see what their thoughts are on it, and then we can work from there.

Commissioner Ossenberg asked what about the time element.

County Attorney Smith asked if they need to try to contain Blue Cross on a month to month basis until they can get the Insurance matter resolved.

Commissioner Ossenberg said that we definitely do.

County Attorney Smith wondered if there would be any question that they wouldn't be agreeable with this.

Mr. Taylor said he sees no reason why they couldn't sit down with them and work this out in the allotted time that they have, but he thinks that Blue Cross should be contacted about a month to month coverage. He said he thought Mr. John gave him a September expiration date on Blue Cross coverage.

Mr. John said he thought they were covered through September but it expires August 31st. 1978.

Commissioner Ossenberg said there isn't a grace period, that there is a 30-day notification period, that he wants to be absolutely sure about this because he doesn't want anyone not being covered with Insurance after September 1st.

Mr. Taylor said he thought they would get better results on a month to month basis by dealing with Indianapolis rather than here, because there was a verbal agreement but that doesn't mean anything.

Commissioner Ossenberg said they agreed on it verbally but we don't have anything in writing and he doesn't want any more of this either, that he didn't understand from the very beginning why they would write such a letter on employee benefits where one picks up on the same policy over the other one.

Mr. John said the reason he was saying September 30th is because almost all of their reporting is through that date and it seems like it would be on a twelve month basis.

County Attorney Wendel said we had to give them a thirty day notice, that September 1 is the anniversary date and he sent them the notice in July.

In checking the policy, it was confirmed that the Health Insurance with Blue Cross expires August 31st.

After further discussion, Mr. Taylor said they could go to Indianapolis and get this taken care of right away.

Commissioner Ossenberg said this isn't a bad idea, that he is thinking they should go up there, rather than to make a phone call, since a phone call doesn't mean anything.



Mr. Taylor said that when they are notified that their bid for the new policy has been thrown out as a result of it not complying with the specifications, he doesn't see where the agent of record here is going to be very cooperative, that he hasn't been anyway.

County Attorney Smith said they really ought to get this resolved as quick as possible, otherwise they are going to wake up here with no coverage.

Commissioner Ossenberg said he didn't know what the County Attorney's have on their dockets but he has a feeling they will be going to Indianapolis.

County Attorney Smith said they would miss the meeting tomorrow morning in the Auditors office on the sales tax on Burdette Park and the Auditorium but they are going to refuse to pay it, that this is what he recommends.

Commissioner Ossenberg said they will then go to Indianapolis and ask for a month to month extension, to be sure that they have time enough for the Committee to work out what they come up with in the package.

He said he thinks they have to keep it under the old plan, unless they refuse, that if they do, we have no other choice but to go under the new plan.

Mr. Taylor said he thinks if they go up there and talk to them in reference to going on a month to month contract until we get the matter resolved, they can work something out.

Commissioner Ossenberg said he thinks the main thing that should be stressed is that the specifications that was written, according to our Insurance Committee, they did not meet the specifications, as per letter from Mr. Lukens.

County Attorney Smith said they will need this letter, because if they failed to submit a bid in conformance with the specifications that we have requested, then we would have further grounds to justify a request for coverage on a month to month basis.

Mr. Taylor said there should be something in the contract to where we would have an option of month to month after the expiration date.

County Attorney Wendel said that is what it provides, that's one reason the Auditor didn't cancel, that after one year we could cancel any time on 30 days notice.

Mr. Taylor then suggested that they write a letter voiding the last letter, having it signed, and taking that up there with them.

County Attorney Smith wondered if they could nullify and void their letter of cancellation.

County Attorney Wendel said he would think they could if it hasn't been up there 30 days, but the letter was sent up there on July 14th, so it has been over 30 days.

County Attorney Smith said as he understands it, they need to nullify and void their cancellation notice, that if they would do that, then they will be on a month to month basis.

Commissioner Ossenberg again read Mr. Luken's letter in part, as follows:

With reference to the proposal submitted by Blue Cross-Blue Shield, I call your particular attention to paragraph 4 under the description of benefits, in which Blue Cross has made changes in the proposal and therefore changes in your bid specifications. The first change would indicate an improvement in out patient emergency room service from 48 hours to 72 hours after the accident. The second change would indicate an improvement in the hospital maternity care provision to include premature delivery.

Frankly, I can't figure out whether Blue Cross is bidding on a straight insurance mechanism because they have added in the contract a comment "Administrative Service Only Contract, etc." but the specifications would indicate that they are considering this to be an insurance plan.

He said he thinks that they only have one choice, and that is to go up there and see what they can work out.

He said what he thinks they must do first of all, is that they are going to rescind their motion on denying the bid's received, and that they will ask what we are going to do, and then we will see if we can go month to month with it on the new plan.

Commissioner Willner explained that he made a motion earlier in the meeting that we deny both bids, from Blue Cross-Blue Shield and Golden Rule for not meeting the specification, and the Commissioners are first going to rescind this motion, then the

two County Attorney's and Bill Taylor will go to Indianapolis tomorrow and try to get the old plan or the new plan on a month to month basis, that this gives them some bargaining power.

Commissioner Willner then moved that his earlier motion to deny both bids, the one from Blue Cross-Blue Shield and the one from Golden Rule as not meeting the specifications, be rescinded. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that the Commissioners send the two County Attorney's and Bill Taylor of the County Council to Indianapolis tomorrow to Blue Cross-Blue Shield and see if they can work out a month to month Insurance coverage for Vanderburgh County, either on the old or new plan. Commissioner Ossenberg seconded the motion. So ordered.

RE: NEXT MEETING DATE UNCERTAIN

Commissioner Ossenberg explained that Commissioner Schaad will be out of town next Monday, as will Commissioner Willner, that Commissioner Schaad is due back Tuesday morning, August 29th. but he didn't know if he would be back in time for the Commissioners meeting, but if he is, the next Commissioners meeting will be Tuesday, August 29th. at 9:30 a.m. providing that Commissioner Schaad is back, if not, the next Commissioners meeting will be Wednesday, August 30th. at 9:30 a.m., so the meeting will definitely not be next Monday.

He said that Commissioner Schaad had informed that he would be back August 28th. but he found out this morning that he wouldn't be back until August 29th. and Commissioner Willner already has reservations for his vacation, so consequently August 28th. is out, so the meeting will be either August 29th. or the 30th. He said any rezonings will be heard at this meeting.

Mr. Osterholt said there is only one Rezoning, that of Chal Corporation, so he will inform them that their petition will be heard on either August 29th. or 30th.

The meeting recessed at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Robert L. Willner

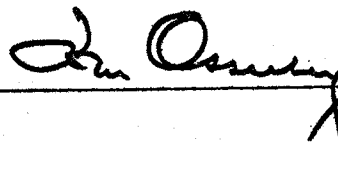
COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks



  
BOARD OF COUNTY COMMISSIONERS

464  
COUNTY COMMISSIONERS MEETING  
AUGUST 29, 1978

The meeting of the County Commissioners was held on Tuesday, August 29th, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

The minutes of the two previous Commissioners meetings were held up for approval, since some of the Commissioners have been gone and Commissioner Willner is now on vacation.

RE: REZONING PETITION.....VC-9-78.....THIRD READING

Petitioner and Owner of Record.....CHAL Corporation of 401 NW First St.

Premises affected are situated on the South side of Covert Ave. (extended), a distance of 2242.9 feet East of the corner formed by the intersection of Green River Road and Covert Avenue (extended), more commonly known as 5418 Pollack Avenue.

The requested change is from R-1 to PUD, Planned Unit Development. The present use is Agricultural & Idle, with the proposed land use being for Single-family residential, duplexes, apartments, recreational & storm water control, commercial.

The Area Plan Commission approved this petition with nine affirmative votes.

Mr. Ted Ziemer, Attorney for the petitioner appeared on behalf of the petitioner and said that this property consists of about 120 acres which is bounded by Hoosier on the West side, by what would be Brentwood Drive if it were extended on the East side, by Pollack Avenue on the South side and by Covert Avenue, extended, on the North side. He said the access to this development, from the outset, would be from Pollack Avenue into a boulevard that would go through the property, and after Covert Avenue is extended on the North side of the property, the boulevard will also have access to Covert Avenue, that it is understood that Covert Avenue is to be a limited access, so this would be the only access from Covert Avenue into the Indian Woods Planned Unit Development. He explained the kinds of units that will be used in the planned unit development by stating that there will be a commercial area which will be designed to meet the commercial needs of the people who live within the complex, and there will be adequate off-street parking to support those structures, that there will be 116 two and three-bedroom apartment units with a density of about 14.75 units per acre and again, off-street parking, that there will be 114 two and three-bedroom apartment units, about 14.96 units per acre and off-street parking, that there will be 69 two and three-bedroom apartment units, about 11.29 units per acre with off-street parking, and 84 one-bedroom apartments with a density of about 20.21 units per acre with off-street parking. He said they plan to have 89 single-family residential units of the cluster type, which he showed on the display and said that they will consist of clusters of three or four residences with a yard around each, but with a common driveway serving each of the residences in the cluster and there would be common driveway maintenance agreements signed between the owners of the various properties and parking would be in attached garages, that there will be 63 single family residential units with the new concept which is called a zero lot line concept, that the idea of this is that it will give a fuller front yard to each resident, and there is a six-foot maintenance easement to the rear of each other residence, so that maintenance can be performed, that there will be 7 four-plex apartment buildings with a density of about 9.30 units per acre, and 24 four-plex apartment buildings of about 14.90 units per acre, and finally there would be 23 single family residences of the conventional type with parking and attached garages and 29 single family residences of the conventional type with parking and attached garages.

He said it is contemplated to leave the wooded area exactly as is shown on the display to maintain the residential quality of the complex, also as far as sanitary sewers are concerned, the Northern 355 units would be connected by gravity flow through the existing 27 inch sanitary sewer along Covert Avenue extended, that the middle approximately 285 units would be connected by a lift station to the same 27 inch sanitary sewer on Covert Avenue, the southern most 70 units would be connected to a new approximately 700 feet of ten-inch sanitary sewer to be constructed along Pollack Avenue on the South, that adequate utility easements are provided to handle electricity to the area and water would be provided from existing mains in Green River Road, a unique aspect of this project is the drainage proposal which is involved, that it is the intention of the developers to distraught a lake of sufficient acreage and depth together with supportive sewer lines to provide for surface drainage of this project, that negotiations are currently in process between the City of Evansville and the developer to, in fact, enlarge the lake requirements and the drains to a size sufficient to accomplish the East Side Drainage Proposal that was originally proposed by Steeg & Assoc. and that proposal provided for a lake somewhere in the general area which provided for a line to be run from Washington Avenue down Thompson Avenue to be drained into that lake with outflows and inflows from Green River Road and an outflow into Aiken Ditch on the South.

He said it is the intention of the developer, if the negotiations are successfully concluded, to develop this lake which would have 105 acre of water storage capacity, the lake would vary in size of acreage covered by water from 18 acres at high water level to approximately 8 acres at permanent pool and it would vary in a depth during those periods of time of 5 feet to 12 feet, contemplated that the entire lake area would be landscaped with walking paths, bike paths, etc. throughout the lake area and due to the quick rise and fall of the lake, they have contemplated that large portions of it would be available during normal pool stages as playing fields and the like for the residences of the area.

He said the water would drain as proposed by Steeg & Assoc. from a line being constructed from Washington Avenue down Thompson and then through the Boulevard to drain into the lake area, that this would handle the drainage from this project and also from the Brentwood area around Thompson Avenue which has been a significant problem and East of Thompson Avenue toward Arcadian Acres, that in addition, there will be an inflow provided roughly in the area which will pick up some excess drainage from Washington Square shopping Center area which is currently a problem, and an outflow to the existing drains on Green River Road and another outflow to the Aiken Ditch.

He said this is basically the project as it is envisioned by the developers and if they are successful in their negotiations and if the Commissioners finally approve this rezoning as a planned unit development, it will not only make a very needed addition to housing facilities in the City of Evansville, but it should go along way in solving the drainage problems that have existed for a long period of time in this area.

Mayor Lloyd addressed the Board of Commissioners by saying that he would like to appear on behalf of the City and represent to the Board of County Commissioners that the City of Evansville does support and encourage the Board of County Commissioners to approve this rezoning.

He said there are many obvious advantages to a construction project of this magnitude, the new construction jobs, the increase in the tax base, the easing of a tight housing situation, but the principle reason that the City of Evansville is interested in this project, beside from those factors, is because of the tremendous drainage problems that we have had on the far East side, that this retention lake, if placed in and constructed as the City and the developers have discussed, will ease the drainage problems in the area South of Lincoln Avenue and East of Green River Road, that basically what will occur, if this project is approved, is that the City and the developer will jointly enter into an arrangement whereby the storm sewers that are in place will be connected to this retention lake, that there will be an outflow and an inflow coming into the lake and the lake will be used to store up the water during periods of heavy rainfall and then during periods of relative dryness, the water can then be filtered out into the system and ultimately discharged into the Ohio River.

He said it is estimated that a project of a magnitude of some Three Million dollars, and the City has had plans for this type of construction since back in 1975, that a Three Million dollar project can be reduced by as much as one-third if a joint venture can be arranged with the developer, that there are tremendous drainage problems in that area and the retention lake can be the solution to those problems if connected to the storm sewers, and the City and the developer are prepared to enter into that kind of arrangement, so for those reasons, the City would urge the Board of Commissioners to act favorably on this rezoning.

Commissioner Ossenberg asked if this is in contention and agreement with Steeg's East side project, and Mr. Ziemer said it is.

Mrs. Hoge of 5500 Pollack Avenue appeared and said that she talked to the Commissioners last week about Pollack Avenue being so narrow, that the kids can't walk to school and they can't ride their bikes there, that the Commissioners had asked Mr. Judd to put a car counter out there, but as far as she knows, no one has been out there. She said if this project goes through, they have got to have Pollack Avenue widened.

Commissioner Ossenberg asked Mrs. Hoge if she was aware that in the annual element of 1979 there is a study now going on with the widening of Covert Avenue, that it will take quite a bit of the traffic from the City to the Warrick County line.

Mrs. Hoge said they say this but she doesn't know, that they have lived there for fifteen years and it is so bad, that they have seen so many wrecks, and she still says that if they put this in, there is going to be that much more traffic, that if people live closer to Pollack Avenue they are likely to come down Pollack and go in.

Commissioner Ossenberg said not necessarily, that he thought she would find that the people from Alcoa and such as this will take the Covert Avenue improvement, that as a member of the Commissioners, he happened to sit on the Evansville Urban Transportation Board as Policy Committee and that is one of the main things he is pushing, that he is pushing the Covert Avenue project and for that purpose alone, and it was expressed in five public hearings, that Covert Avenue was needed and the City of Evansville, along

with the Vanderburgh County Commissioners and the Commissioners of Warrick County all seem to be in accord that Covert Avenue must be extended and widened and improved, so therefore, their complaint is Pollack Avenue, coming around Epworth Road, etc. on the Alcoa basis type deal, they are sure that the traffic, on the improvement of Covert Avenue, will be the main artery to and from Alcoa, so sincerely, as one Commissioner and a member of that body, he is trying and fighting hard to improve that Covert Avenue section.

Mrs. Hoge asked about the 50 miles per hour speed limit on Pollack Avenue.

Commissioner Ossenbergs asked Mr. Judd if he has done anything about this.

Mr. Judd said he is waiting on the traffic counter so he can get the count, that he does agree that the speed limit should be reduced, and as to the edge line, that is in the contract with STECO.

Commissioner Ossenbergs said he doesn't understand why there is a 50 mph out there, since there is a standard speed limit in the County right now of 45 mph and in some cases, they have reduced it because it is too great a speed in some places. He said that when Mr. Judd does come in with a recommendation, he is reasonably sure that she can count on the speed on Pollack Avenue being reduced and they will see that Sheriff DeGroote patrols it.

Mrs. Hoge said she feels sure that if this goes in, they will be taken into the City, that they are in on the annexation and she thinks they should also get something out of it such as getting Pollack Avenue widened, that they have farm machinery out there and 50 mph and they have to get over so far for other traffic and there is a big ditch out there, that it is really a problem.

Mr. Ziemer thanked Mrs. Hoge for coming down and told her that he can assure her that the developers are concerned for Pollack Avenue and for the urgent need to get Covert Avenue extended to the North side which will relieve traffic on Pollack Avenue, since if there is too much traffic on Pollack Avenue, this project will never go because people can't get to and from, so they are as interested, if not more interested than she is in seeing the problem solved, and the extension of Covert Avenue is envisioned as the thing that will really take pressure off Pollack Avenue, but it may well be that they need the widening of Pollack Avenue, that they will be right there with her urging that development.

Commissioner Schaad said he can also see her concern but he is sure that she doesn't want to see the project stopped, that she does have problems and has aired them, so he thinks with the Traffic Department, Urban Transportation, the City and the County Commissioners, the problems can be taken care of as time goes along.

There were no remonstrators.

Commissioner Schaad moved that petition VC-9-78 be approved. Commissioner Ossenbergs seconded the motion. The vote being unanimous in the affirmative, the motion carried and this petition was approved.

RE: REZONING PETITION.....VC-10-78.....FIRST READING

Petitioner and Owner of Record.....David Lee Holder of 311 S. Woods Avenue

Premises affected are situated on the east side of Woods Avenue, a distance of 360 feet south of the corner formed by the intersection of Zeigler Avenue and Woods Avenue, more commonly known as 334 S. Woods Avenue.

The requested change is from R-1A to R-3.

The present existing land use is a single family dwelling which is in the process of being demolished, and the authority for said existing land use is as properly zoned. The proposed land use is apartment housing of approximately twenty units.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that Petition VC-10-78 be referred to the Area Plan Commission on first reading. Commissioner Ossenbergs seconded the motion. So ordered.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

Commissioner Ossenbergs asked if there was anyone who wished to bid on the two final parcels of County owned surplus property, which Parcels #6, tax code...21-29-13 at 406 E. Walnut Street and Parcel #20, tax code...24-46-25 at 667 Brower Street.



A bid on each parcel was received from a Mrs. Geneva Levels of 1112 S. Linwood. She bid \$50.00 for parcel #6, tax code 21-29-13 at 406 E. Walnut Street which is in North Eastern Enl. 25 ft. L.15 Blk. 14.

There being no other bids, Commissioner Schaad moved that parcel #6 be sold to Mrs. Levels for \$50.00. Commissioner Ossenberg seconded the motion. So ordered.

Mrs. Levels bid \$100.00 for parcel #20, tax code 24-46-25 at 667 Brower Street which is in Gordon's Add. L.8 Blk.4.

There being no other bids, Commissioner Schaad moved that parcel #20 be sold to Mrs. Levels for \$100.00. Commissioner Ossenberg seconded the motion. So ordered.

This completes the sale of County owned surplus property for this year.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Sandra L. Jacobi	P.O. Box 981	Pool Cashier	\$3.50 Hr.	Eff: 8/23/78
Kerry Morgan	817 Prosperity Ave.	Rink Guard	\$3.50 Hr.	Eff: 8/20/78

CETA PROGRAM

Tony Lupfer	4513 N. Fulton Ave.	Laborer	\$4.78 Hr.	Eff: 8/28/78
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PIGEON TOWNSHIP TRUSTEE

Peggy S. Christmas	710 Jefferson Ave.	Clerk	\$6,354.00 Yr.	Eff: 8/21/78
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RE: EMPLOYMENT CHANGES.....RELEASES

HIGHWAY DEPARTMENT

Donald E. Harris	5900 Berry Lane	Summer Help	\$2.55 Hr.	Eff: 8/18/78
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PIGEON TOWNSHIP TRUSTEE

Jackie R. Brown	228 S. Barker Ave.	Clerk	\$6,354.00 Yr.	Eff: 8/18/78
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VETERAN'S SERVICES

Susan Rohner	2525 N. Heidelberg Ave.	Pt. Time Clerk	\$20.00 Day	Eff: 8/29/78
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RE: MONTHLY REPORT

The Report of the County Treasurer was submitted for the month of June, 1978. Report received and filed.

RE: REFUND CHECK RECEIVED ON AUDITORIUM ROOF BOND

Mr. Dewes, Manager of the Auditorium, appeared and said if the Commissioners will recall when the Auditorium was constructed, the supplier of the roofing material issued a bond in the amount of \$6,960.00, a 20-year bond to cover any possible repairs, so when the work started on the roofing of the building, on May 9th. he wrote to them to ask if there was any possible chance of refund on this existing bond and he had a reply on May 24th. and last week, a representative from the company gave him a check for \$5,732.37 that is made out to the Vanderburgh Auditorium Convention Center, that this is the balance, and the reason for the difference, these dollars were used to try to repair the roof in the last two years. He said his question is, what is the disposition of this check?

Commissioner Ossenberg told Mr. Dewes that he thought he should quietus the check with the County Auditor, and depending on him, it will either go into the general fund or in Mr. Dewes' account in the fund of maintenance.

Mr. Dewes said that is one question he had, that he wondered if there is a possibility of having that check reverting to his Repair to Equipment fund.

Commissioner Ossenberg told Mr. Dewes he would have to discuss this with the County Auditor.



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RE: LETTER FROM THE COUNCIL OF GOVERNMENTS

The following letter was received by the Commissioners from the Council of Governments:

Dear Commissioners:

Enclosed you will find a request from Tippecanoe County Board of Commissioners recommending a change in the gasoline tax structure and asking for support from other Boards of County Commissioners in regional Boards throughout the State of Indiana. We are passing this recommendation on to each Board of County Commissioners in anticipation that you be receptive to the idea and that you may find your wish to support the recommended legislation. This request will be discussed at the September meeting of the Council of Governments.

Sincerely, Mary R. Brown

Commissioner Ossenberg said that what this amounts to is as follows:

Gentlemen:

The Region Board of Development Commission of Lafayette, Indiana, the amount of funds available to local units of government for road construction and maintenance is on the decline with steadily rising prices and decreasing gasoline consumption, it is evident that the method of funding of motor vehicle highway fund must be altered. The Board of Commissioners of Tippecanoe County propose that the member of Governments of Region 4 adopt a resolution recommending to the state legislature that the sales tax be taken off gasoline and then that it be replaced with a 2¢ per gallon designated to go directly to M.V.H. This would constitute a savings for the consumer and appropriate more funds for local units of government to use on roads. Further we ask that other regions and counties join us in this effort. Local governments must have more money for roads. Through a cooperative effort of state and local officials the funds can be provided.

Respectfully, Board of County Commissioners of  
Tippecanoe County

Commissioner Schaad said he thought this was a good idea, that he never thought of it this way, but this would answer the same purpose, but he wondered why they were cutting it to 2¢, why they just didn't leave it at 4¢, that it wouldn't be costing the consumer any more and we would be getting it all in the highway account.

Commissioner Ossenberg said he didn't know, other than the fact that they would probably take the position that the general assembly would want to recommend and keep 2¢ and give 2¢ back to the M.V.H. accounts, that he did read again in the newspaper that the Governor is going to introduce to the Indiana General Assembly a 3¢ gas tax, whereby all the money is returned to the local motor vehicle highway account.

Commissioner Schaad moved that the Commissioners adopt a resolution to support this, and maybe even suggest that they increase it. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg said he thought they would have to have this resolution and to exercise it next week at the Commissioners meeting.

RE: BLUE CROSS CONTRACT TO BE SIGNED FOR COUNTY HEALTH INSURANCE

Mr. Stumpf, Senior Sales Representative for BlueCross-Shield, submitted the following:

Dear Mr. Ossenberg:

Re: Accounts 23034 and 23160

Enclosed are the Employer's Applications for renewal of your Blue Cross and Blue Shield.

I have these in sets for signatures depending on which benefits you wish to continue or install.

Set A:	Account #23034	402 Members		
		New Fee.....	Single	Family
		Old Fee.....	\$22.90	\$69.00
		Increase (5%)	\$21.80	\$65.70
			\$ 1.10	\$ 3.30
Commissioners presently pay monthly:			\$20.80	\$64.70
	Account #23160	218 Members		
		New Fee.....	\$40.40	\$121.40
		Old Fee.....	\$26.70	\$79.80
		Increase (52%)	\$20.80	\$41.60

	<u>Single</u>	<u>Family</u>
Commissioners presently pay monthly:	\$20.80	\$64.70

Each copy of enclosed application and Refund Agreement need to be signed.

Set B:

Place all employees into Account 23160 with higher benefits.

Monthly Cost.....	\$32.00	\$95.00
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Set C:

Per Bid Specifications - All employees on a benefit plan between present Account #23034 and Account #23160.

Monthly Cost:	\$31.09	\$93.00
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Please advise me when we may meet to complete the Master Policy Renewal. If you elect one set of benefits for all employees, only one Employers Application, plus one Refund Agreement is necessary.

Sincerely, David J. Stumpf, Senior Sales Representative

Commissioner Ossenberg said that the Commissioners met this morning and they have decided to accept Set A, Account #23034 as shown on previous page, that this will be an increase of 5% or \$1.10 for a single and \$3.30 for a family. He said as everyone is aware that they passed in a previous meeting, that single memberships would still remain \$1.00 and family memberships would be \$5.00 towards employee contributions. He said that Blue Cross offered these three plans as previously listed and after careful consideration, the Commissioners decided on Account #23034 with single membership at \$22.90 and a family membership of \$69.00, that the participation by the employee will still be \$1.00 for a single and the family membership will be \$5.00 participation per employee.

He said they also came to realize on their part that there would be a great savings and if they would sign a year's contract with Blue Cross-Blue Shield, they would have a refund of \$18,712.21, so the Commissioners are going to sign this contract today, but next Tuesday effectively put the contract in so that Commissioner Willner can be included, and they will sign a year's lease with Blue Cross-Blue Shield, on the low option.

Commissioner Schaad moved that the Commissioners renew the Insurance with Blue Cross-Blue Shield, as outlined in Set A, Account #23034, and that Commissioner Ossenberg be authorized to sign the contract on behalf of the Commissioners. Commissioner Ossenberg seconded the motion. So ordered. The contract is on the low option for one year.

Commissioner Schaad also moved that the low option be rated strictly on it's own, and if the high option goes in the red, the low option doesn't make up the deficit. Commissioner Ossenberg seconded the motion. So ordered.

RE: HEALTH INSURANCE REFUND

Commissioner Schaad said that Mr. Stumpf submitted a refund agreement whereby the County is to receive a refund of \$18,712.21 from Blue Cross and he said that he needs a letter from the Commissioners authorizing him to send the check to the County Auditor.

Commissioner Schaad moved that the Commissioners endorse the Insurance Refund Check. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Schaad again said, for the record, that the high option plan will stand on it's own, so that the low option won't make up any deficit on it, that the rate will vary, depending on their experience, but the two plans are separate as far as refund is concerned.

He also said that there will have to be a letter written to all the officeholders and department heads explaining this participation by the employee. He asked Mr. Stumpf when this policy becomes effective.

Mr. Stumpf said the new policy begins September 1st. 1978 and that the employees should notify the Auditor's office if they don't care to participate in the family plan.

RE: QUIT CLAIM DEED

A Quit Claim Deed was submitted to the Commissioners for their signatures. This was for a parcel of County owned surplus property that was sold to Modern Maid Food Product of Indiana, Inc. #24, tax code 28-49-15, located at 1602 Dresden Street, Blankenburgh L. 24 Blk. 2.

This deed was previously submitted but Mr. Ritchey of Citizens Realty wanted the Commissioner's written signatures on it, so Commissioner Willner and County Attorney Smith will have to sign it later.

Commissioner Schaad moved that he and Commissioner Ossenberg sign the deed at this time. Commissioner Ossenberg seconded the motion. So ordered.

RE: TELEPHONE REQUEST FROM LEGAL AID

The following letter of request was received by the Commissioners secretary from Attorney for the Legal Aid Society of Evansville, Inc.:

Dear Ms. Wolf:

At present, our office has four phones, two of which ring on 5173 one on 5174 and the other on 5246.

I would like the system changed so that 5174 would ring when 5173 is busy. The problem is that 5174 only rings in my office and if it did become the back-up line, it would have to ring on the two 5173 lines which are answered by the secretaries.

Thus, it seems that we need two phones equipped with lights and hold buttons to answer two different lines or numbers, 5173 and 5174; and the ability to transfer incoming calls to my 5174 line and the 5246 line. Perhaps it would be possible to do the same with the 5246 line.

Our budget, both current and requested, could absorb a monthly increase of approximately twenty dollars (\$20.00), but beyond that, more funds would have to be requested.

Yours truly, Marta Provenzale, Attorney at Law

Ms. Wolf said she has checked as to the cost, with the Telephone Company, and to get the instrument that she thought they wanted, it would run approximately \$20.00 per month plus a \$39.00 installation fee.

Commissioner Ossenberg said the County would have to pay the installation fee, but Ms. Wolf said she thought they had also planned to pay the installation fee.

Commissioner Schaad moved that the telephone request be approved. Commissioner Ossenberg seconded the motion. So ordered.

Mr. John asked the Commissioners if they were aware that there is another organization similar to Legal Aid that has been established in Evansville, that it is Legal Services, Inc. and it is all federally funded and is a duplication of Legal Aid, that he thinks they have 12 attorneys that work for it, so in effect, the County is funding a proportion of a duplicate agency.

Commissioner Schaad said he didn't think there was any point in duplication, and he asked who would have to do with their funding, if it would be the Council.

Mr. John said it would be the Council, probably with the recommendation of the County Commissioners, that he would think it would be a joint deal since they are already included in the budget.

Commissioner Schaad asked the County Attorney, since they are doing the same thing, could they get rid of Legal Aid, and County Attorney Wendel said they could if they wanted to.

Mr. John said he believed their request this year is for around \$44,000 for Legal Aid.

Commissioner Schaad said that maybe the Council should look into it with the thought of giving it up and discontinuing Legal Aid if the federal agency is doing a good job and that it is federally funded with more attorneys, that they may be doing a better job, so why should we be spending the County's money.

Mr. John said, plus, it may add some needed space.

Commissioner Schaad then rescinded his motion to approve the telephone request, until they determine what they are going to do with Legal Aid. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by the Evansville-Vanderburgh County Building Authority for Labor and material to repair 42 X 42 Huebsch Gas Fired Dryer, Serial FT 15182 located in jail, Safety Building, in the amount of \$588.29, which has been approved by Mr. Hotz.

Commissioner Ossenberg asked Mr. Hotz if this amount is in addition to the check he received for the amount of \$488.29.

Mr. Hotz explained that they have \$100.00 deductible Insurance, so they paid \$488.29 which was quietused into his Repairs to Equipment Account, so the full amount of the claim is \$588.29.

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

A Claim was submitted by County Attorney Wendel for his August Office Allowance in the amount of \$166.67.

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

A Claim was submitted by Ms. Vickie Bailey, the Executive Assistant to the County Council, for Registration Fee and a meal in the amount of \$12.86 and a mileage claim in the amount of \$54.90, which was incurred in traveling to and from Indianapolis to attend a workshop sponsored by the Division of Public Services, Association of County Commissioners. These were approved by Mr. Kollker, President of the County Council.

Commissioner Schaad moved that these claims be approved. Commissioner Ossenberg seconded the motion. So ordered.

#### RE: HOLIDAY CLOSING

Commissioner Ossenberg announced that the next Commissioners meeting will be held at 9:30 a.m. on Tuesday, September 5th. since all City and County offices will be closed Monday, September 4th. in observance of Labor Day.

#### RE: CRAWFORD BRANDEIS EXTENSION

Commissioner Ossenberg told Mr. Stephen that after last week's meeting, he received all the signatures and information on the E.R. Chandler out there on the Extension of the Crawford Brandeis to make it a legal drain, which he submitted to him at this time. (This matter continued at bottom of this page.)

#### RE: PERFORMANCE BOND RECEIVED

A Performance Bond was received from the American States Insurance Company on G & M Contracting in the amount of \$5,000.00.

Mr. Guillaum said this is on the Log Jam, that no payments have been made on it since the job wasn't satisfactorily completed.

Mr. Stephen said he was wondering, since they have sent the Bond in and he is now covered, he may want to come back in and finish the work so he can get paid for it, that he didn't know, that if he didn't finish the work, they now have a bond to cover it.

Commissioner Schaad said he thought he was covered originally, because they even talked to the Bonding Company and he thought they were going to see that the job was completed properly.

County Attorney Wendel said they just want to know if the job is done, or what the status of it is, so they can prod him along if he isn't finished, that this is the impression he gets.

This matter was referred to Mr. Guillaum so he can contact the Bonding Company and tell them that the work hasn't been satisfactory nor completed, since they can't release him from the bond until it is.

#### RE: MR. HOTZ...REPORTS RECEIVED FROM ENERGY CONSERVATION

Mr. Hotz said he has received the reports from the Energy Conservation group, that he would suggest they make copies of it and he will go over them with the various building managers, also that Mr. Ruston is still on vacation and he will talk to him as soon as he returns.

He said the report has some recommendations but that he hasn't had time to study them as yet, but he will study them.

#### RE: CRAWFORD BRANDEIS EXTENSION...CONTINUED

Commissioner Schaad said this matter was addressed to the County Commissioners rather than to the Drainage Board. so he moved that this matter be referred to the Surveyor's office to work on the process and then they are to bring it back before the Drainage Board. Commissioner Ossenberg seconded the motion. So ordered.

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RE: MR. HOTZ.....LAW BOOKS

Mr. Hotz said in regard to the law books that are obsolete and in storage, they have exhausted about every source to get rid of them, that he called the Museum and they aren't interested, so they are back where they started. He suggested that they take them out to the Auction Barn for 6 to 8 weeks to see if they can get rid of them, then if they aren't sold, they will have to dispose of them in some way.

County Attorney Wendel said they are worthless to the County.

After further discussion, Commissioner Schaad moved that the old law books be declared as surplus and that they be sent out to the Auction Barn, also that they be advertised as surplus. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Hotz said that before he advertises them, he will probably have more items to add to them that he wants to get rid of.

Commissioner Schaad said Mr. Hotz will have to make a list of the surplus items, that he should just let the Commissioners know what they are.

RE: EMERGENCY AT HILLCREST

Mr. Hotz said he got in touch with Commissioner Ossenberg on an emergency at Hillcrest, that they had a pipe that was leaking gas, so they had the Gas Company out and they turned off the gas to Mr. Reed's home, that it is the line that feeds off the main line and serves his home, the furnace and the water heater. He thought that perhaps it could be repaired, but the pipe was eaten up with holes, so it was necessary to install a new line of about 125 feet, that the job is completed and he is waiting for the price, that this is the last section of line to be replaced, and he wondered if the Commissioners could declare this an emergency this morning, officially.

Commissioner Ossenberg said that when Mr. Hotz called him, he told him to also get in touch with Commissioner Willner to get his approval, since they had to get to it because it was leaking gas, so they will have to declare it an emergency.

Mr. Hotz said that when he receives the bill, he won't have enough funds and he asked if he should then proceed to request the money from the County Council, and the Commissioners agreed that Mr. Hotz would have to ask Council for the money for the emergency repairs. Commissioner Schaad moved that this be declared an emergency. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. JUDD

Mr. Judd said that he posted the "Truck Route" signs out on the state highway as he was requested to do, and he received the following letter concerning them after receiving a phone call from Mr. Higgins:

Dear Mr. Judd:

This is to confirm our telephone conversation, this date, in which you were advised to remove the "Truck Route" signs recently placed on Indiana State Highway Commission right-of-way. There are three reasons:

1. The signs are non-standard
2. There is no agreement between the Indiana State Highway Commission and the the County Commissioners concerning the subject.
3. Our standard requires an alternate route for passenger vehicles when "Truck Route" signs are used; consequently, they are confusing.

Very truly yours, H.L. Higgins, P.E.  
District Traffic Engineer

Nicholas VanNielen, P.E.  
District Engineer

Mr. Judd said that Mr. Higgins told him that state highways are not posted, that they are automatically truck routes and the only time they post signs is on alternate routes.

Commissioner Ossenberg wondered if he was reading this correctly, in thinking that an agreement needs to be made between the Indiana State Highway Commission and the County Commissioners concerning the subject.

Mr. Judd said that Mr. Higgins told him that there should have been an agreement on it, but he intimated through their conversation on the phone, that the state does not post state highways as "Truck Routes" because they are automatically "Truck Routes."

Commissioner Ossenberg said they were only posting the signs by orders of a court, that Judge Kissinger ordered them to post them.

County Attorney Wendel said that the Judge didn't order them to post the signs, that he just said that the Ordinance wasn't any good if Truck Routes weren't posted as "Truck Routes".

Mr. Judd said he went through this once before when they posted truck routes in the City and his assistant had to get on Virginia Street and Franklin Street and the signs had to be taken down because they were highways and they were automatically truck routes.

County Attorney Wendel said he thought it might work if our signs would say, on roads that are restricting to truck traffic, would say, "Use State Highways Only", that he can check with Judge Kissinger and see if this wouldn't satisfy him. He said that it also says that the state standards are if they have a highway marked, "Truck Route, that they have to have a separate route for passenger cars and they wouldn't have a separate one on roads such as Hwy. 41, that he doesn't think they would ever agree to it.

Mr. Judd his opinion is what he got from the telephone conversation with Mr. Higgins, that they would have to put an alternate route for passenger cars because it would be a Truck Route.

After some discussion, this matter was referred to County Attorney Wendel, so he can talk to Judge Kissinger.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the County Highway employees for the past week, ending 8/25/78.  
Report received and filed.

RE: CHECK RECEIVED FOR REPAIR OF TRUCK

Mr. Siebeking said he received a check from the State Automobile Insurance Association, made out to the Vanderburgh County Commissioners, in the amount of \$3,312.30 for the repair of one truck they have that was involved in an accident on August 4th, 1978. He said they were wanting to total it out and County Attorney Smith talked them into paying for the repairs, that he would like for this check be put into Account 201-4252, Repair to Trucks.

Commissioner Schaad moved that this check be endorsed and that it be deposited into account #201-4252. Commissioner Ossenberg seconded the motion. So ordered.

RE: SPECIFICATIONS TO BE DRAWN UP FOR TRUCKS

Mr. Siebeking said also they have some money left in the New Truck Account that was the Revenue Sharing money they had received the first of the year, and with the permission of the Commissioners he would like to advertise for bids on either one Tandem Truck or he thinks they have enough for two new straight trucks that they can use bad, that the snow plowing is finally catching up with us and they have had a lot of truck problems this summer on the older trucks.

Commissioner Ossenberg asked Mr. Siebeking if he would be better off with, one tandem or two straight trucks, and Jack said he thought they would be better off with two straight trucks instead of the one, that they have the one new tandem ordered, so he thought they would be better off right now with two single axle trucks. He said he just got some ball park figures this past week and on the tandem truck they are talking about \$23,000 and on a straight single axle truck he thought from \$13,000 to \$14,000, so there is about a difference of \$10,000 between a tandem and a single axle truck. He said he thought they would have enough money for two trucks with single axle.

Commissioner Schaad asked what would be wrong with asking for bids on both kinds and see what they get.

Mr. Siebeking said he would like to get the Commissioners permission so he can draw up the specifications, that he hasn't prepared them yet.

Commissioner Schaad moved that Mr. Siebeking draw up the specifications for the two single axle trucks and a tandem truck to see what kind of bids they get. Commissioner Ossenberg seconded the motion. So ordered.



Commissioner Ossenberg asked Mr. Siebeking if he has any four-wheel drives out there.

Mr. Siebeking said they have one that they haven't received as yet, that it is in town and they will be getting it, that it is a four-wheel drive weapons carrier from the Civil Defense which is a real good vehicle, but it is still out at their garage on Harmony Way and as soon as they get the paper work done and the license taken care of, they will get it, that Fred Herman saw that they got one, that it is an army surplus vehicle.

RE: COAL TRUCKS STILL USING BOONVILLE NEW HARMONY ROAD

Mr. Siebeking said he has had several calls last week about the coal trucks still running Boonville-New Harmony Road, from Warrick County into Green River Road and the Sheriff has come out there and when he does, they stop for awhile and then they start up again and they have had several calls from people stating that the road is showing wear and tear again because of the coal trucks.

Commissioner Schaad said until they get the Ordinance straightened out, he thinks everyone is just wasting their time and there is no point in making arrests because they aren't going to get any place anyway.

Mr. Siebeking said they went out and repaired Coal Mine Road and they were using that road, that he doesn't know how Warrick County is getting along on construction on their end but our end was in good shape, but several people did call and said they were running Boonville-New Harmony Road again. He said he told the people he would mention this to the Commissioners but their hands are pretty well tied.

Commissioner Ossenberg said the only thing he knows is if the Sheriff is seen out there, the truck drivers would be more apt to take the other way around.

RE: MR. GUTLLAUM

Mr. Guillaum said they are still working on their leaders on the Crawford Brandeis and he thinks they have about got it wrapped up, so consequently, they haven't done a lot of bridge and guardrail repair. He said that last week he and Bob made a trip out to Hamilton's Golf Course to take a look at what they had discussed earlier and they found a number of things out there, that there is an area that has been dammed up and he has some pretty good concrete sections in there, that this is just south of the pump station that he uses for pumping the water out and onto the golf course for irrigating the grass, but never the less, this concrete has dammed up the water for several hundred yards behind it, that he had two areas dammed up, and he didn't think it would be that much of a problem for him to remove them, that he does have a good sized rig out on the job but he doesn't know if it is there permanently or if he rents it but it would be very little trouble to remove the concrete with that machine.

Commissioner Schaad said they have no authority on Little Pigeon, that this would be the Corp of Engineers.

Commissioner Ossenberg said not necessarily, that they had a notification last week while Commissioner Schaad was gone and the Corp of Engineers will come in and clean Little Pigeon Creek, however after they clean it, it is then our baby, and they can come in at any given time and tell us what to do, etc. that it is a one shot deal, that they are looking to us as a unit of government, that we can actually clean it ourselves, that they can order Hamilton's Golf Course to move those articles in there.

Mr. Guillaum said the trash and garbage out there is another item all together, that he tried to get as near as he could to the creek and there is a number of areas where there has been a lot of garbage dumping all up and down the creek and flies all over the place, so it should be straightened out.

Commissioner Schaad said if that is the case he would suggest that the County Attorney write Mr. Hamilton a letter and tell him to clean up the trash, the dumping and the garbage along the west bank of Little Pigeon Creek and also to remove that dam just south of the pumping area.

Mr. Guillaum said it looked like he attempted to dig some pits farther on down where he was probably going to put some of it underground, that they were about 8 to 10 feet across and maybe 10 feet deep, but in other areas the trash was just on top of the ground.

Commissioner Schaad moved that the County Attorney write Mr. Hamilton a letter. Commissioner Ossenberg seconded the motion. So ordered.

RE: BRIDGE ON MIDDLE MT. VERNON ROAD

Mr. Guillaum said there are a couple of bridges on Middle Mt. Vernon Road near Boehne Camp that they looked at the past week and he'd like to get those posted for a four-ton limit because they have really taken a beating since the last study they did, that they had poor stringer conditions on one of them especially, that it is in really bad shape, that the structures have no number since both of them are under 20 feet, but never the less with all the new beams they are going to get, they will either use beams or a pipe but until then they definitely don't want to go with much more than a four-ton limit from the County's standpoint.

Commissioner Schaad moved that Mr. Guillaum be authorized to write a note to Mr. Judd requesting that he post a four-ton load limit on these two bridges. Commissioner Ossenberg seconded the motion. So ordered.

RE: RODE ROAD

Mr. Guillaum said he had another call on Rode Road by Mr. Evans and in discussing this with Mr. Stephen, he thought they had been over this before and he thinks at least for the time being they decided they could go with ditch work out there and he would have to come up with a different pipe.

Mr. Stephen said he will agree to purchase a larger pipe.

Mr. Guillaum said he will inform Mr. Evans then that they will do the work as soon as they can get to it.

RE: EMERGENCY DECLARED...BEAMS AND BRIDGE RAILS TO BE PURCHASED

Mr. Guillaum said he looked at the beams in Vincennes that they discussed previously, that he has also talked to County Attorney Wendel about them and the contractor has had other inquiries on them but he got to him first so he more or less felt that if we could get everything worked out, we could have them, that it is really a good buy since they are three or four months old and would only be one third the cost of new ones and these are like new, so he recommends that they buy them, since they really need them for some of the bridges.

He said they can either go with the \$21,000 for the 20 beams as is, or he has some brand new bridge rails that costs about \$18.00 per foot and he said they can have all of the 200 feet for about \$2,000, so for \$23,000 they can have all the beams and the bridge rail.

County Attorney said that if Mr. Guillaum needs them badly, they can declare them an emergency.

Mr. Guillaum said they are certainly working on a number of bridges that are in very bad condition and they could sure use these beams on them.

After further discussion, Commissioner Schaad moved that it be declared an emergency and that they buy the beams and the bridge rail. Commissioner Ossenberg seconded the motion. So ordered.

RE: MEADOW VILLAGE SUBDIVISION

Mr. Stephen submitted plans for the streets and drainage system on the Meadow Village Subdivision and he recommended that the Commissioners approve the street plans. He said that this is located off Allen Road and 11th. Avenue and the Subdivision has already been approved and the drainage has been before the Drainage Board and he thought it had been approved.

Commissioner Schaad moved that the street plans be approved on the recommendation of Mr. Stephen. Commissioner Ossenberg seconded the motion. So ordered.

RE: WESTERN HILLS

Mr. Stephen said that he went out in Western Hills to look at the concrete work, that they had part of it laid and it looked to him like they had a crown in the subgrade and he watched when they put in two expansion joints, so when they opened up the concrete and out at the side they had it pretty close to six inches but in the center they had from 3½ to 4 inches of concrete over half of the road, that it's no wonder that the streets are wanting to crack right up that slab, that it is because it is the thin spot and he thinks this is what is happening on some of the other streets. He said he called Andy Easley on it, since he is the one that drew it up, and the plans call for 6 inches. He said at the present time this isn't our street and he has no way of calling their attention to it, but he is marking on the prints what he has found, so when they come in and ask that it be accepted, the Commissioners don't have to accept it.

He said he told Mr. Easley that he had better do something about it.

Commissioner Ossenberg said this is the Boehne Camp and Upper Mt. Vernon Road deal and that he got a call on it, that they are laying that concrete right on clay.

Mr. Stephen said what they aren't doing is keeping their subgrade straight and not getting it down to grade, that what he saw them laying, the concrete on was good and solid, that it was packed, but they have to take a pick and dig into the subgrade to be able to put the six-inch expansion joint in place.

Commissioner Ossenberg said they might as well know right now that the Commissioners aren't going to accept those roads.

Mr. Stephen said this is what he told Mr. Easley, that the ones that are already laid aren't acceptable, that he has the prints in his office and he has made a notation on them about the thickness of the concrete.

Commissioner Schaad said that the engineer certifies it if it was built according to specifications.

Mr. Stephen said this is what he told him and he asked him if he was going to certify it, that he is seeing it out there right now that it isn't according to specifications. He said it is a bad situation and he told one man that he doesn't know who is cheating who, because someone is getting cheated right now, that if the guy that took the contract to put the concrete in is doing it by the yard, he is cheating himself, because he isn't putting enough down, but if he took the job on contract then he is cheating the people who are paying for it.

He said he didn't know who the developer is, but he did know that they were Mr. Easley's drawings so he put it back in his lap and he said he would get in touch with the developer to see that it was done right, that this is Boehne Camp Road extended as they cross Middle Mt. Vernon Road.

RE: EAST SIDE INDUSTRIAL DEVELOPMENT

Mr. Stephen said he has been watching the work out on the East Side Industrial Development and they are doing a good job, that once in a while they get concrete that is a little too wet that he isn't too happy about when he sees it go in, and the Superintendent out there assured him that if they get any more truck loads that is too wet, they would reject it, but they are getting the full 7 inches on good subgrade out there.

He said he has asked for a beam test on that concrete. He said he had mentioned to the Commissioners that the concrete content was low, that they are using flash and it can be used on a ratio of one pound per pound and they are using 30% and he didn't know if this was beyond the limit or not, so he has asked for some beam tests to be run on that particular mix.

RE: AUTHORIZED TO ADVERTISE

Mr. Stephen said he would like to advertise for bids for the installation of two bridges which are located on Boehne Camp Road and on Red Bank Road. He submitted the Notice to Bidders for same.

Commissioner Schaad moved that Mr. Stephen be authorized to advertise for bids. Commissioner Ossenberg seconded the motion. So ordered.

RE: QUESTION ON AMOUNT OF BOND

Mr. Stephen said that Peyronnin Construction Company is operating under a permit from the Sewer Department in the City and they really don't have a bond. He said this job is the one that is coming out of Boonville Highway and they are cutting about 12 feet deep and plan to fill it back with sand and stone on top and he asked if a \$1,000 bond would be enough, that he doesn't know how many cuts they will make and they may end up with about six cuts across the road, that they are pretty reputable and he thinks they are going to do a pretty good job, but he wanted to know what amount the bond should be.

Commissioner Ossenberg asked what the amount of the bond was that they asked for from Deig Brothers.

Mr. Stephen said they asked for a \$2,000 bond for two years, and incidently, they wrote him a letter and they are trying to get by with one bond to cover everything they are doing in the County, that they sent him one with a bigger amount which may have been the \$20,000 bond for two years and they want the smaller bond returned. He said he wanted to find out if the Commissioners want a bond on each particular

one or if they can have a bond to cover them for the whole year.

Commissioner Schaad said he thought a blanket bond would be just as good.

Commissioner Schaad then moved that they request a \$2,000 bond from Peyronnin Construction Company. Commissioner Ossenbergs seconded the motion. So ordered.

RE: MR. LOCHMUELLER

Mr. Lochmueller said he was reading last week's minutes since he arrived late at that meeting, and he would like to discuss the process they go through in developing an annual element, or the County Commissioners annual element, that back on February 14th. all jobs for that year, using federal money, is to be submitted at that time, but of course they can amend it, that if they remember, Commissioners' Ossenbergs, Schaad and Willner were at that meeting, that they went over the priorities and to put a little background, our County is kind of fortunate that the County itself, can use Federal Aid Urban, that the Federal Aid Urban route limits are way out in the County to St. Joe, Meier Road, so there is a lot of the County where they can't use Federal Aid Secondary but they can use Federal Aid Urban which is fine, that there is more money in that pot.

He said there are Federal Aid Urban funds, there are Safer Road Funds, there are Roadside Obstacle Funds, High Hazard Funds, High Hazard Elimination of Roadside Obstacle Funds, Special Bridge Replacement Funds, Pavement Marking Funds, 2 different Rail Funds at 90%, Transitional Quarter Funds that we were able to get and then Railroad Highway Protection, also Rural Secondary which are only eligible for projects outside the Urban area limits, and the annual element we had for 1979 which also went over in Warrick County, Warrick was able to use some Rural Secondary funds, but in Vanderburgh County they had the problem of the local match which has always been his concern, that it looks like we have a lot of federal funds that is available but we don't have the local match as available to match all the federal funds that we have, so when they were developing the program, if he remembers correctly, what was told to him was that Lynch Road and St. Joe were jobs that were put in for construction, that they are very large jobs and are over One Million dollars each, one is \$1.9 million and the other is \$1.7 million.

He said they have of course Lynch Road Railroad, they have Nurrenbern Railroad crossing and that is 90-10 money, they have, in fact, five railroad crossings, that they did not use any R & S because they didn't have the local match but to clear the record the County Engineer and the County Surveyor both were asked to submit projects for the annual element, they were not submitted and he didn't know what they would have done if they had received them because the Commissioners already had priority, that he had already come to them to ask about Safer Off System money, that the County Commissioners have spent \$18,000 to do a road sign inventory and they are deficient in many of the areas with signs, that they looked at it, that it is a \$150,000 project, that the Commission President said at that time, we don't have the money to go in that area, that we have to go in another area, so what he is trying to say is that we are using all the federal funds but one thing we probably did not find out was that the State is now taking that third year of money away from us and putting it in the general pot, that he didn't know if this is good or whether it is bad, that he thinks we have to be very conscious and take a very hard effort when we go to prepare the annual elements and we have been doing this, that when he says "we", he doesn't mean the E.U.T.S., he means the County Commissioners and the Warrick County Commissioners.

He said that one other statement is that we have Federal Aid Urban money that is obligated on some County jobs and lets go to St. Joe-Meier to begin with, that the minutes so state that the County Surveyor said that Rural System Funds can be used on that project, and this isn't true, that when they are in urban limits, they can only use urban money, that they are using urban money, that he does have a concern because if he remembers correctly, at the County Commissioners meeting when this project was discussed and it was to be done in house, that the County Surveyor mentioned that he would do it in three months, that the project is over fifteen months old and we are only 60% complete on the engineering, so he thinks the important is that they don't want to lose any money, but just to obligate the money and not complete the work does not mean a thing. He said they will be going on for years and the money will be going to other places, so he thinks we can all probably take a lesson, particularly the planners and the engineers, that they try to meet their deadlines, that he just wanted to go over the program because we aren't far away from doing this again, that this must be ready by February of next year, that he thinks they need to take a look, and if it is alright with the Commissioners, he would like to look at their commitments of R & S funds now, that they have a series of jobs that they are committing to and he thinks they need to go in and see how much money they have there today and what needs to be committed because if we had used all of the R & S money, that they have weakened the strings on this money, and if they had taken it and just repaved all the roads, they wouldn't be using any federal money, and there had been some proposals to come out to use the Local Road & Street money, of which Commissioner Ossenbergs and he thought they had all stated that they were already committing to major capital projects, and he thinks it is important that they get the jobs completed and contract it and he thinks the

Commissioners have said this to them many times, but he just wanted to reiterate this and express his concern about projects, and how the funding mechanism is developed, that this was more for the record.

Commissioner Ossenberg said he thought essentially what Mr. Lochmueller is saying is that if the County loses their F.A.S. money, it goes back into the pot and they could possibly receive more money than they actually had in there, that when the Surveyor was talking last week about Meier Road, he didn't quite understand what he was saying, that if he had said St. Joe & Meier Road, he could have informed him then that it was Federal Aid Urban and that is where the annual element is.

He said as far as the balance, he would like for Mr. Lochmueller to know what they have in the balance of R & S monies because there is a possibility of the extension of Covert Avenue and certainly the extension of Lynch Road, that he would also have Mr. Lochmueller find out if the Commissioners' participation could be on the Lynch Road Project Extension using bridge funds for the County's percentage of the match.

Mr. Lochmueller said he will check on this for them.

RE: CUTS IN

The following applications were received by Mr. Stephen for permission to make cuts:

The Water Department to cut into Ridgeway Avenue off Fuquay Road for Water Main extension.  
The Water Department to cut into 2819 North St. Joseph Avenue to install water service.  
The Water Department to make a cut at the corner of Baumgart Road & Swope Road, in the Burch Industrial Park Addition.  
These cuts are noted as being received and filed.

The meeting recessed at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Paul Wendel

Secretary: Margie Neeks

Tom Ossenberg  
Bob Schaad

BOARD OF COUNTY COMMISSIONERS



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COUNTY COMMISSIONERS MEETING  
SEPTEMBER 5, 1978

The meeting of the County Commissioners was held on Tuesday, September 5th. 1978 at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Clarence Cotton opened the meeting, this being the first meeting of the month.

The approval of the previous meetings are as follows:

Commissioner Schaad moved that the minutes of the meeting held on August 14th. be approved as written and that the reading of them be dispensed with. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner moved that the minutes of the meeting held on August 21st be approved as engrossed by the Auditor and that the reading of them be dispensed with. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Schaad moved that the minutes of the meeting held on August 29th. be approved as written and that the reading of them be dispensed with. Commissioner Ossenberg seconded the motion. So ordered.

RE: LAW SUIT TO BE FILED

Commissioner Ossenberg said that he was just in front of County Council for the proposed 1979 budget and for the benefit of the County Attorney's, the County Council along with the County Commissioners, would like to join in a joint law suit pertaining to the \$60,000 that the State of Indiana is demanding from Vanderburgh County on the sales tax, and likewise, they would like for the County Attorney's to get together with their attorney, Mr. Jones, on the contention of the letter the County Commissioners have from them in good faith, of the \$65,000 they have asked from the C.C.I. Account and file law suit on the basis of the letter that the Commissioners received from the State Board of Accounts, giving them permission to purchase that out of that account, so he asked the County Attorney's to get with Mr. Jones, so the joint law suit of the County Commissioners and the County Council can be filed against them.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Kenneth Alan Goodhew                      121 W. Indiana St.   Planner I   \$10,661.00 Yr. Eff: 9/7/78

BURDETTE PARK

Chris Arnold	2431 N. Lafayette	Extra Guard	\$3.00 Hr.	Eff: 8/28/78
James Robert Hayes	1709 Johnson La.	Security	\$7.00 Hr.	Eff: 8/26/78

CIRCUIT COURT

Terry Golding	1210 Vann	Probation Counselor	\$3.00 Hr.	Eff: 8/26/78
Margaret Goulet	1436 Lincoln	Typist	\$2.75 Hr.	Eff: 8/26/78
Gregory Cullison	2325 S. Weinbach	Probation Counselor	\$3.00 Hr.	Eff: 9/5/78

CLERK OF THE CIRCUIT & SUPERIOR COURTS

Edye J. Wilkie                      6617 Kratzville Rd.   Deputy Clerk   \$261.38 Pay   Eff: 8/25/78

COUNTY AUDITOR

Loretta Townsend                      1607 Taylor Ave.   Posting Clerk   \$6,597.00   Eff: 9/5/78

VANDERBURGH COUNTY CIRCUIT COURT...WORK RELEASE PROGRAM

K. Allan Henson	4603 Mesker Pk. Dr.	Director	\$17,500.00 Yr.	Eff: 8/28/78
Harris R. Howerton	1707 S. Vann Ave.	Asst. Director	\$12,200.00 Yr.	Eff: 8/28/78
James R. Keating	2881 Washington Ave.	T.O.	\$ 9,900.00 Yr.	Eff: 8/28/78
Beverly K. Corn	607 Chateau Dr.	Adm. Asst.	\$ 7,000.00 Yr.	Eff: 8/28/78

VANDERBURGH COUNTY SHERIFF'S DEPARTMENT

Leroy H. Walker                      1155 S. Kentucky   Civil Process Serv.   \$2,650.00 yr. Eff: 8/26/78



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APPOINTMENTS.....CONTINUEDVANDEBURGH SUPERIOR COURT

Mary O'Daniel Summer Intern \$150.00 Wk. Eff: 8/28/78

RE: EMPLOYMENT CHANGES.....RELEASESBURDETTE PARK

JoAnn Kunkel	5804 Shelbourne	Pool Cashier	\$3.50 Hr.	Eff: 7/1/78
Robert Myer	3725 Waggoner Ave.	Regular Guard	\$24.00 Day	Eff: 8/3/78
Jeffrey Hammond	4020 Broadway Ave.	Rink Guard	\$3.50 Hr.	Eff: 8/7/78
Joe Shrode	3029 Muensterman	Ground Crew	\$3.50 Hr.	Eff: 8/16/78
Linda Dreier	510 Williams Rd.	Ground Crew	\$35.0 Hr.	Eff: 8/17/78
Kathy Dreier	510 Williams Rd.	Ground Crew	\$3.50 Hr.	Eff: 8/17/78

CETA VI...WORK RELEASE PROGRAM

Roosevelt Brant	428 S. Kentucky Ave.	T.O.	\$8,200.00 Yr.	Eff: 8/31/78
Harris R. Howerton	1707 S. Vann Ave.	Asst. Super.	\$9,850.00 Yr.	Eff: 8/28/78
Beverly Leavell	533 S. Garvin	Secretary	\$7,000.00 Yr.	Eff: 8/31/78
Gregory Cullison	2325 S. Weinbach	T.O.	\$8,200.00 Yr.	Eff: 8/31/78
Jeffrey Johnson	2700 N. Court Dr.	T.O.	\$8,200.00 Yr.	Eff: 8/31/78

CIRCUIT COURT

Larry McDowell	1101 S. Lombard	Probation Officer	\$380.00 Pay	Eff: 8/25/78
Martha Grunow	602 Jefferson	Pt. Time Bailiff	\$2.75 Hr.	Eff: 8/9/78
Terry Golding	1210 Vann Ave.	Probation Counselor	\$3.00 Hr.	Eff: 8/25/78
Margaret Goulet	1436 Lincoln Ave.	Typist	\$2.75 Hr.	Eff: 8/25/78

CLERK OF THE CIRCUIT & SUPERIOR COURTS

Sharon Yunker 5313 Sherbrooke Deputy Clerk \$261.38 Pay Eff: 8/25/78

COUNTY BOARD OF REVIEW

Martha Scheesele	2169 S.E. Blvd.	Clerk-Typist	\$20.00 Day	Eff: 8/18/78
Nancee Scheible	523 East Meade	Clerk-Typist	\$20.00 Day	Eff: 8/25/78

SURVEYOR

Patrick John 2825 Edgewood Dr. Instrumentman \$9,880.00 Yr. Eff: 9/4/78

VANDEBURGH COUNTY CIRCUIT COURT.....WORK RELEASE PROGRAM

K. Allan Henson	4603 Mesker Pk. Dr.	Director	\$14,500.00 Yr.	Eff: 8/26/78
James R. Keating	2881 Washington Ave.	T.O.	\$ 8,200.00 Yr.	Eff: 8/26/78
Beverly Corn	607 Chateau Dr.	Adm. Asst.	\$ 7,000.00 Yr.	Eff: 8/26/78

VANDEBURGH COUNTY SHERIFF'S DEPARTMENT

Ed Rhoades Civil Process Server \$2,650.00 Yr. Eff: 8/25/78

VANDEBURGH SUPERIOR COURT

Mary O'Daniel Summer Intern \$115.00 Wk. Eff: 8/25/78

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from Torian Agency, Inc. on insured, the Fraternal Order of Police of Jasper Indiana, for the use of the Auditorium for their dance, effective from October 13-15, 1978.  
Certificate received and filed.

RE: CLAIMS

A Claim was submitted by G.H. Allen, Inc. for 21 pre cast beams and 200 lineal feet of bridge rail, as per emergency by Commissioners on 8/29/78, in the amount of \$23,000.00 which has been approved by Mr. Guillaum.

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

A Claim was submitted by County Attorney Ed Smith for travel expenses to and from Indianapolis, in the amount of \$67.25.

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

A Claim was submitted by County Attorney Ed Smith for his August Office Expense Allowance in the amount of \$166.67.

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

RE: LETTER TO BE SENT TO THE COUNCIL OF GOVERNMENTS

Commissioner Ossenberg said that the Commissioners received a letter from the County Commissioners of Tippecanoe County last week, whereby they asked them to adopt a resolution. The letter read as follows:

Gentlemen:

The Region Board of Development of Lafayette, Indiana, the amount of funds available to local units of government for road construction and maintenance is on the decline with steadily rising prices and decreasing gasoline consumption, it is evident that the method of funding of motor vehicle highway fund must be altered. The Board of Commissioners of Tippecanoe County propose that the member of Governments of Region 4 adopt a resolution recommending to the state legislature that the sales tax be taken off gasoline and then that it be replaced with a 2¢ per gallon designated to go directly to M.V.H. This would constitute a savings for the consumer and appropriate more funds for local units of government to use on roads. Further we ask that other regions and counties join us in this effort. Local governments must have more money for roads. Through a cooperative effort of state and local officials the funds can be provided.

Respectfully, Board of County Commissioners of  
Tippecanoe County

Ms. Brown of the Council of Governments had enclosed the letter from the Board of County Commissioners of Tippecanoe County, stating that they are recommending a change in the gasoline tax structure and asking for the support from other Boards of County Commissioners in regional Boards throughout the State of Indiana and are passing this recommendation on to each Board of County Commissioners in anticipation that they be receptive to the idea and that they may find their wish to support the recommended legislation, that this request will be discussed at the September meeting of the Council of Governments.

Commissioner Ossenberg said that through research they found that the resolution they asked for must go through the Southwestern Indiana-Kentucky Regional Council of Governments, therefore they have submitted the following letter to be mailed to the Council of Governments:

Dear Ms. Brown:

The amount of funds available to local units of government for road construction and maintenance is on the decline with steadily rising prices and decreasing gasoline consumption, it is evident that the method of motor vehicle highway fund must be altered. The Board of County Commissioners propose that the member of governments of Region 4 adopt a resolution recommending to the state legislature that the sales tax be taken off gasoline and then that it be replaced with a 2¢ per gallon tax designated to go directly to the Motor Vehicle Highway Fund. This would constitute a savings for the consumer and appropriate more funds for local units of government to use on roads. Further we ask that other regions and counties join us in this effort. Local governments must have more money for roads. Through a cooperative effort of state and local officials the funds can be provided.

Sincerely, Board of Commissioners of  
Vanderburgh County

Commissioner Schaad moved that this letter be signed and mailed. Commissioner Willner seconded the motion. So ordered.

RE: MR. JUDD.....SPEED LIMIT SET ON GREEN RIVER ROAD

Mr. Judd submitted the following letter of recommendation on the speed limit on Pollack Avenue:

A Study was made of Pollack Avenue and it is my recommendation that the 50 mile an hour speed limit be reduced to 45 mile an hour limit to coincide with the County Ordinance.

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As to the Traffic Count I was asked to take the Count and it was taken from 11 a.m. August 30 to 3 p.m. September 1, a 28 hour period, and a total of 4,125 vehicles were clocked.

The Board of County Commissioners approval is requested.

William T. Judd, Traffic Director

Commissioner Ossenberg said this is only a reduction of 5 miles per hour and he really feels that Pollack Avenue is too narrow for even 45 miles per hour.

Mr. Judd said he has driven the road out there several times and they are driving around 45 miles per hour.

Commissioner Schaad said that with all the problems out there, he feels that the speed should be lower also.

Mr. Judd said that the count has dropped since the count taken last year was around 5,200, that what he would do is to get the Sheriff set up radar out there.

Commissioner Ossenberg said they could do this for the time being, but then he would ask that Mr. Judd sit out there with the Sheriff for the next two weeks.

Ms. Hoge asked why they made Pollack Avenue a bicycle route, since it is so narrow out there.

Mr. Judd said that the Recreational Department set that up.

The Commissioners said they didn't think the Recreation Department could do this in the County.

Commissioner Schaad said that something really needs to be done out there.

Commissioner Ossenberg said that he wants to go with 40 miles per hour and that he still wants a study done, and if the Sheriff has to ticket them, let him do it.

Commissioner Willner moved that they set the speed limit on Pollack Avenue at 40 miles per hour and that a study be made by the Sheriff. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said that maybe Ms. Hoge needs to talk to Vern Hartenburg about the bicycle route, since apparently the Park & Recreation Department did that.

#### RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees at the County Highway Department for the past week, ending September 1st. Report received and filed.

#### RE: MR. SIEBEKING ....AUTHORIZED TO ADVERTISE FOR BIDS ON TRUCKS

Mr. Siebeking said that last week he asked permission to draw up specifications on trucks and the Commissioners told him to go two ways, one for a tandem truck and also for two single axle trucks to see what kind of bids he gets, that he now has the specifications, so he would like to ask permission to advertise for bids, that he has the money, and they will do whatever the Commissioners decide, either take the tandem or the two single axle dump trucks, that he will ask for separate bids.

Commissioner Schaad moved that the specifications be approved and that bids be advertised for, on September 8th and 15th, with the bids to be opened on September 18th. Commissioner Willner seconded the motion. So ordered.

#### RE: SNOW ROUTES FOR SCHOOL BUSES

Mr. Siebeking said that the School Corporation called him and they are implementing their alternate snow routes again, the same as last year, and they ask that the Commissioners cooperate with them, also they asked if it was okay for the County Highway to go with the same alternate routes they went with last year, so he told them that he would bring it before the Commissioners this morning, so with their approval, he will work with them again the same as he did last winter.

Commissioner Schaad moved that the Highway Department work with the School Corporation, the same as they did last winter. Commissioner Willner seconded the motion. So ordered.

RE: PAYMENT OF ROAD PAVER DISCUSSED

Mr. Siebeking said that the \$80,000 from the C.C.I. Fund was denied by the state, for the paver, but the money is available, that he has it in his Account, since when they asked for it the first time through the Council, Mr. John suggested they also appropriate \$80,000 out of the General Fund into that account in case something like this would happen, so with the permission of the Commissioners, he can go ahead and pay for the paver from that account, or if they would rather, he will hold up on it.

Mr. John said that County Attorney Smith was in Indianapolis this past week on this fund and he may want to explain what happened.

County Attorney Smith said that the procedure the Commissioners have been using to operate procedures such as the C.C.I. Account is satisfactory and meets with their approval, except they disallowed Items 3, 4 and 5 in there, so anything they use under those specific Items, they will disallow, otherwise the ordinance will stand. He said they didn't know that we adopted an ordinance, that they thought we still had a resolution, and as far as the highway question is concerned, in talking to the head man up there, he showed them a copy of the June letter of last year where they gave us the authority to go ahead and use these funds for highway improvements or equipment, and they finally just said that it was a mistake on their part to have included that last paragraph in the letter which tended to give us authority to do it, if the County Attorney's so gave their opinion that it was satisfactory, so they finally just admitted that it was a mistake on their part to have put that last paragraph on the letter, that they didn't write a letter to this effect, that they just said it is of their opinion that the County definitely cannot use these funds for highway maintenance use or equipment under the existing statute.

Mr. John said they don't really have to write a letter to this effect, deleting the last paragraph, since they have the final say-so on the appropriations anyway.

County Attorney Ed Smith said he really questioned whether or not a law suit would be effective on that because we would be basing our suit on the authority given in that letter, so he didn't know if this would hold up or not.

Commissioner Ossenberrg said he still doesn't understand the difference between the C.C.I. Account in the City and the County, that the C.C.I. Account is for Capital Improvement, that they buy trucks for the Highway Garage, they buy graders and everything for the highway from their account, so what is the difference between the City and the County.

County Attorney Smith said he wants to talk to Mr. Eads and asked Mr. John to have Mr. Eads get in touch with him if he comes in, since he would like to discuss this with him.

Mr. John said there's lots of instances where rules governing the City are different than those of the County, for example, in advertising claims, that the County must advertise every claim they pay and the City doesn't have to, so there may be a specific statute stating that they are allowed to use these funds on highways.

Commissioner Ossenberrg said he thought that under the Home Rule, the law could read that through the County Commissioners, the same could be done for highway, after all they get percentage on their highway garage like the County gets percentage on theirs, so he can't see why they would discriminate against one unit of government, while another unit of government can do it.

Commissioner Willner asked why they don't ask the Council to take \$80,000 out of revenue sharing, the money that has already been appropriated for roads, and switch that amount to the other account, and take the money from the C.C.I. account and put it into something else.

County Attorney Smith said the state told him what we can do, to accomplish the same thing, is to use revenue sharing funds for these purposes and to take this money and use it for what they would use the revenue sharing money for.

Commissioner Willner asked Mr. Siebeking if the Council didn't give him something to start with, out of revenue sharing, for roads.

Mr. Siebeking said they denied it, that all they did was to transfer the money he had in revenue sharing and changed the account number for bituminous.

Mr. John said that maybe next year, Mr. Siebeking may want to work with the Council and state, that he will take an x number of dollars out of the C.C.I. fund and put into the General Fund, if they will remove some of the items they are allowing under

revenue sharing, to the general fund, and then give that allocation to the highway for repairs.

He said that this would be difficult to do at the present time though, since all of the revenue sharing is set up in the Sheriff Department's salaries, or a majority of it is.

Commissioner Ossenbergh said he thought they had a balance of about \$130,000, that basically all we are asking is that they give it to us in revenue sharing and then we permit them to take the C.C.T. Account and give them \$80,000 back, and according to County Attorney Smith, the State Board of Accounts says it is permissible.

Mr. Siebeking said, in other words, they go ahead and pay for the machine, but to ask them to replace that \$80,000 out of revenue sharing to put it back into that account.

County Attorney Smith said that under the ordinance, he isn't sure they can do this.

Mr. John said, here is what they are saying, for example, Burdette Park has \$100,000 appropriated under revenue sharing for improvements to Burdette Park, what they are saying is to take that \$100,000 appropriation from Revenue Sharing and allow them to spend it out of the Cumulative Capital Improvement Fund and then go through and get an appropriation for that \$100,000 that they originally had under Revenue Sharing to buy this equipment or use for road repairs or whatever, that they just transfer the appropriations, they don't transfer the money.

The Commissioners agreed that this could probably be done.

Mr. Siebeking said that he will go ahead and process the billing on the paver then, since they can go ahead and pay it, since the money is there, but he wouldn't get to go before Council until October to ask them for the other appropriations. He said he will go before Council next Tuesday to ask them for money to be put into his bituminous accounts and his rock accounts, that he is asking them to take it out of the General Fund because they denied him on the Revenue Sharing, that it is to be taken out of the Highway General Fund in the amount of \$150,000.

Commissioner Willner asked Mr. Siebeking how they were doing on the paving of the roads.

Mr. Siebeking said they just got to work a day and a half because of the rain during the past week, that they worked Monday and then Friday afternoon, on the roads, also that they have finished on the short ones, that they are having to haul from Ford Road which is all the way across the County, so he decided they should go to the west side and pick up one out there because it is a short haul, so when they finish that, they may be ready to run on Columbia Street, and then he will go back to the east side. He said they also have three or four culverts and bridges that were installed this year, plus there was one last year on Baseline Road that they want to pave over, and he thinks they are ready to cover up now, so they are in pretty good shape there.

Commissioner Schaad said there is a bridge on St. Joe Road just south of 460, that there is guard rail up on the one side, but there isn't one on the other side.

Mr. Guillaum said that as he understands it, that bridge is on a curve and they only put the rail up on the right hand side, with the traffic, that on the other side, that was tapered back and spread out so they have good width there.

Mr. Stephen said there is a drop off where Old Mill Road junctions in there at the culvert and there is no shoulder, also the Telephone Company came in and made it worse by putting their cable back in.

Commissioner Schaad said this needs to be looked into since there is a severe drop-off, that the telephone cable is still hanging there, so he supposes they are going to bury it.

Mr. Stephen said this is only temporary, that they have buried a new section.

Commissioner Schaad asked Mr. Guillaum to check it out, since going North, there is no shoulder on the right hand side and with that drop off, someone could come around that curve and not see it.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum said they spent a good part of the week on Millersburg Road and Oak Hill Road with some guardrail, that the other crew was still working on the bleeders, that they wrapped them up and it ran into more time than he had anticipated to start

with, but they did live up to their end of agreement they signed with the fellow out on the Crawford-Brandeis.

RE: LETTER RECEIVED FROM RAILROAD

Mr. Guillaum said he got a letter from the Railroad that was forwarded to the Surveyor's office by County Attorney Paul Wendel, concerning St. Joe Avenue and the other project they were discussing, that of Boonville-New Harmony, that the Railroad contends that this line has not been abandoned by them, so what he has done this morning, is that they have a crew out in the field that is going to physically walk from the project on St. Joe Avenue, which they feel is the same track, and if it is, he doesn't know how they can maintain that it isn't an abandoned line, since they have the thing blocked with about 30 feet of fill, but never-the-less, to be completely safe, and to know what they are doing, they are going to physically check it to see if it is the same track, that there could be a spur, a switch, or something that would take them off the one and onto another but as far as he knows, he thinks it is the same line.

He said their contention that it is not abandoned and not releasing it may be a problem as far as taking it out.

Commissioner Willner asked if they said, even though it is not abandoned, they aren't going to let us take it out.

Mr. Guillaum said they stated that they did not indicate that the railroad has any abandoned lines in Vanderburgh County, concerning the removal of the two railroad structures on the abandoned lines in Vanderburgh County.

County Attorney Wendel said they submitted maps so they can confirm it, that maybe they thought their records to be out of date and maybe thought that the L & N was using some of that track, that their maps are probably out of date.

Mr. Guillaum asked Mr. Wendel if it is his responsibility to bring their maps up to date.

County Attorney Wendel said it isn't his responsibility to bring them up to date, but he thought they would have to go out of their way to get this accomplished, since they will just sit back there in Philadelphia and do nothing.

Mr. Guillaum asked if he should inform them that the line is blocked, and County Attorney Wendel said they may say that it is blocked illegally.

Commissioner Ossenberg said the Commissioners had a letter from them giving permission for that.

County Attorney Wendel said that a copy of this letter, some photographs and some kind of sketching would be helpful by sending them to the Railroad, when their letter is answered.

Mr. Guillaum said they looked at some of the pipes and this type thing on the projects they have been thinking about and it looks like at least three of them, they will be able to go with the beams, and hopefully, with the beams they are going to be buying as to the length of them is concerned, which are Hoppe, Bayou Creek and Nurrenbern Rds. He said he discussed this matter with Dan and Louie and they felt that the pipes they had projected may be pretty tall, so they thought they would be about as well off to go with beams in there, so this is probably the route they are going to take on them. He said they will be driving piling on Adler Road probably tomorrow, that the contractor has moved in and taken the old bridge out, also as he understands it, Jerry David will probably begin his work on Nurrenbern Road within a couple of weeks. He said that Deig Brothers has the Adler Road contract.

Mr. Guillaum said they had a bill to come in on Kleitz Road for \$647.00 from Midwestern Engineers with the check to be made payable to the German Township Water District for the engineering they did in relocating a water main on Kleitz Road. He said that no one in their department authorized or approved anything for the engineering on this, that the bill was sent on August 7th. but this would be in regard to the Kleitz Road project they tried to get going, but Mr. Schmitt had some property out there and they couldn't get the right of way, so they more-or-less let it go, and they haven't done anything with it. He asked the Commissioners if they had given any permission on the engineering for the relocation of the pipe, since they haven't authorized anyone to do it.

Commissioner Ossenberg said he never even heard of this engineering company.

Commissioner Schaad said that Mr. Guillaum should write to them and ask who authorized them to do this work.



Mr. Stephen said that what he thought may have happened, in their discussion with the German Township Water Department, in that bridge, they were going to have to do some relocation and thinking it was going ahead, they got their engineering work done for the change of their water line, that they took it upon themselves to get it engineered for the new bridge and now they are sending the bill to the County.

Mr. Guillaum said he thought they were getting a little ahead of themselves on that.

Mr. Stephen said they have to do this on their own.

Commissioner Ossenberg said this was the total agreement when they were in his office, that this was all the German Township Water District's idea, that the Commissioner's didn't agree to pay anything out on it, and as he recalls, that all the Commissioner's told them was that they had to put things back the way they were.

Commissioner Schaad said it wasn't authorized to be done by the Commissioner's and the bill should be sent to the ones that authorized the work to be done.

RE: MR. CROOKS

Mr. Crooks said, in regard to Lula Belle's property out on New Harmony Road, that the building is down but it hasn't been cleaned up, so he wondered if he should let them complete the clean up operation, since the time element is up and he told them he was going to move in and have it cleaned up if they didn't.

Commissioner Schaad said they are at least making some progress, so he might as well keep the heat on them and maybe they will finish the job.

Mr. Crooks said it is a question of when Jack takes time out to work on it, and if he went in there now, a new contract would have to be obtained to clean up the mess.

Commissioner Schaad asked Mr. Crooks when he last had any correspondence with them.

Mr. Crooks said that he wrote to them on August 4th. telling them they had until August 31st to clear the property, and if not completed by that time, they have requested him to let the contract.

Commissioner Schaad told Mr. Crooks to write them a letter telling them that he sees the building is down but they haven't cleaned it up, so he is going to let a contract to clean it up, and to then see if they call him and move in then and complete it, that he should hold up on the contract for awhile to give them time to act on it.

Mr. Crooks said that another approach they might take is to issue them a citation, for not having it done, that it will cost them \$25.00 or else they will have to go to court.

The Commissioners agreed that Mr. Crooks send the Dean's a citation.

RE: MR. STEPHEN ...E.A.R.C. BUILDING LEAKING

Mr. Stephen said he received a letter concerning the leaks in the roof at the Evansville Association for Retarded Citizens, and the Commissioners should have received a copy, which they didn't.

Commissioner Ossenberg read the letter as follows:

This is to inform you County Commissioners, there are still nine leaks in the building roof deck, main entrance, inside lobby, back hallway, head of ramp, hallway to Johnson Hall, closet in room 109, rest rooms, 204, 205, 208 and 301, southwest office against the ramp wall. We wish also to inform you that the seam installed in May with a new product is beginning to separate in the decking but is not leaking yet however.

Signed, Thomas J. Jones

Mr. Stephen said he talked to Mr. Crooks about it and he thought that maybe they should go over and look at it to see what needs to be done. He said that evidently the company that made the materials didn't get the right information to the designer when it was designed and consequently the expansion joints needed more space to make the material work. He said it was built like it was designed so it is really the architect's fault, that the company that built it said it wasn't spelled out to him sufficiently, since they built it like it was designed.

Commissioner Schaad said they may have to file suit and include them all and that Mr. Stephen should tell them that there will probably be a pending law suit.

The Commissioners agreed that Mr. Stephen and Mr. Crooks look at it and come back with a recommendation.

RE: MARX ROAD CLOSED TODAY

Mr. Stephen said that Marx Road will be closed today, that they are going to be putting in a tube for Bridge #65. He said he wanted to point out that they are having problems out there trying to keep signs up saying that the road is barricaded, that he put the "Road Closed" signs at either end and the one on the east end at Korressell, he put up at 11 O'Clock and went past there at 12:30 and the barricade and the sign were both gone, so they furnished another one and within a couple of days the sign was gone from there and eventually, the sign was gone from the other end. He said the contractor took a piece of cardboard and made a "Road Closed" sign and tacked it on there and they stayed for awhile, but the barricades were pushed out of the way and no one is authorized to move them. He said this makes the people from Posey County very unhappy when they come down there and can't get through.

Commissioner Schaad asked if there shouldn't be a detour sign placed there someplace.

Mr. Stephen said there probably should be, but one of them would have to be way over in Posey County, the other one right there at Korressell, so when they come up to where the road is closed, they are going to have to come that far anyway, so he isn't too concerned about warning them ahead of that point, but it was the one at Korressell that kept disappearing more frequently than the other one, and unless they can catch someone physically removing the signs, they can't do anything about it, and the bad situation at night is that the pots will not stay out there for more than an hour or so, therefore there is hardly any use in putting tar pots at these locations.

Commissioner Schaad said they still have to do it though.

Mr. Stephen said that Mr. Siebeking will have to start putting them up then, but he thinks they will lose them every night.

RE: ST. JOE AVENUE PROJECT

Mr. Stephen said that on the St. Joe Avenue Project, he needs a tabulation of the amount on the property they will need, that he consulted with Mr. Lochmueller on this, that the only place they have to fund this is from the Local Road & Street money and they have made a request to Council but it will not be on this month, since they got the information too late to get it on this month's Council call, so it will be in October before they can get the money appropriated, unless they can get it moved up a little faster. He said he has checked with Dan Riddle for that \$300 per parcel for acquisition and they have requested funding in the amount of \$4800. to cover them out of Local Road & Streets. He said that his figures show the balance from the various projects plus the special distribution at \$1.4 million and that the construction of St. Joe and Lynch Road has been taken out of that, along with Outer Lincoln Avenue for the right of way, leaving the total to be \$1.2 million appropriated, so they have an unappropriated balance of \$198,895.65 plus the monthly distributions that have been coming in since back in April.

Commissioner Schaad asked about how much this amounts to per month.

Mr. John said it will average over the year, about \$30,000.00, that they need to get the project approved by the state and then by the Council and then they are allowed to spend the money.

Mr. Stephen said the project is already approved, that all they need to do is to get the money appropriated and he made application to the Division of State Aid, that they aren't asking for any money, that it is getting it approved here which will be pretty much automatic, that the only thing is, that until they get this done, they are stalled to tell Mr. Riddle to go ahead and purchase the right of way, since they can't do that until they get the money.

He said some of the easements for the temporary right of way have been sent back, notarized and he has them here, but the one that went to the Gas Company for temporary easement, our form doesn't fit very good because in there we have an irrevocable easement which on a permanent right of way is probably not correct and should probably read revocable so he supposed they could mark off the ir so it reads correctly, so they can get them accepted and go ahead and have them recorded or else wait till they get the complete batch after all the temporary easements are acquired.

County Attorney Wended said if they are all recorded at the same time it saves someone a lot of work later, if they need to research it, but then there is one problem, in that if someone that doesn't know an easement has been granted, he may purchase some property from someone granted an easement and if they don't have them recorded, they wouldn't know about them and they might run into trouble, so on second thought, maybe they had better have them recorded.

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Mr. Stephen said in that case they need to be signed by the Commissioner's and attested to by the County Auditor.

Commissioner Schaad moved that the seven easements be signed. Commissioner Willner seconded the motion. So ordered.

RE: LYNCH ROAD

Commissioner Willner asked Mr. Stephen when the Public Hearing will be held on Lynch Road.

Mr. Stephen said he hasn't been notified.

Mr. Lochmueller said the opportunity for the Public Hearing was some time ago and they went through that requirement so there won't be a Public Hearing, that he just called today to see where it is, that they are waiting for the okay from the state to buy the right of way.

Mr. Stephen said he did get the drawings and descriptions of the various properties along Lynch Road that they are going to have to acquire and there is very little permanent right of way needed, but there is some temporary and that is the question, that there are some permanent drainage easements that might be to their benefit and he asked if we have to pay for permanent drainage easements.

Mr. Lochmueller said he thought that maybe the approach out there is that he should get with them, that the comment he has recieved from the majority of the people is that they are wanting the road to be done and they are willing to sign a waiver off.

Commissioner Schaad asked, if since there is federal money, don't they have to go through the process of appraising and purchasing.

Mr. Lochmueller said they still have to go through the process, but they have weakened it a little bit, that it was to where he was right, but they have backed down now to where the guy has to be notified that he has a right to an appraisal, that the Public Hearing is an opportunity, that it was publicized in the newspaper 30 days before the time to have the hearing and when there was no response and no one asked for a Public Hearing, then they didn't hold one, that this is normal, and the only Public Hearing they have held in all the jobs they have worked at, so far, is St. Joe and that was because they weren't following procedure supposedly, that procedures have now changed.

Mr. Stephen asked if they have to put a value appraisal on a permanent drainage easement that would probably be for their benefit rather than ours, that there might be a great deal of it being drained into the street for the street drainage to pick up, which means they can't cut it off eventually or build across it and he is wondering if we even have to make them an offer for something like that.

Mr. Lochmueller told Mr. Stephen that Mr. Cox has the federal guidelines and he can contact him so he can check them.  
He asked Mr. Stephen if the people signed off on the easements.

Mr. Stephen said that practically everyone has so far but K Mart hasn't returned theirs yet, that he thinks there are about six, that the Gas Company has one and Empire Steel also has one of them.

He said there is a question about the recording of these easements, on the one on Lincoln Avenue he did get them to record them at no fee, since he had no money to have them recorded and he asked if it is normal for one department to bill another one and if so, where do we get the money to pay that recording fee.

Commissioner Ossenberrg said he would think if it was understood by the Recorder, that we must go before County Council to appropriate money to get this done, from one department of County Government to another, he would say that she would probably go ahead and record them, that if they had to have the money, they would have to go before County Council and ask for an appropriation to give to her and then it goes right back into the General Fund.

Mr. Stephen said he will go to the County Recorder and point out that if they don't do it, he will have to wait until the County Council approves the money and that it will come out and just be put right back in, so they won't gain anything.

RE: CUTS IN

The following applications for cuts to be made were submitted to Mr. Stephen for filing:

Evansville Indiana Water Department.....to cut into Kansas Road to provide Water Service.

Evansville Indiana Water Department to cut into Fuquay Road to install Water Main to provide water service for Newcomb Subdivision.

Evansville Indiana Water Department to cut road off Bergdolt Road to provide Water Service to North East Industrial Park.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberrg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY'S

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

Tom Ossenberrg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
SEPTEMBER 11, 1978

The meeting of the County Commissioners was held on Monday, September 11th. 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg 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 Smith was authorized to proceed with the opening of the bids that were received today for the 3/4 Ton Four-Wheel Drive Truck that is needed by the Work Release Program.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CLERK OF THE CIRCUIT & SUPERIOR COURT

Victoria E. Davis      2801 Ashwood Dr.      Deputy Clerk      \$261.38 Pay      Eff: 9/9/78

COUNTY RECORDER

Edna Mae Castrup      426 Richardt      Photo Copy Deputy      \$6,539.00 Yr.      Eff: 9/4/78

LAW LIBRARY

Marilyn Merchant      3113 Cherry St.      Vacation Clerk      \$20.00 Day      Eff: 9/11/78-9/15/78

PROSECUTORS OFFICE

Tim E. France      1113 Oxford Sq.      Investigator      \$6,871.62 Yr.      Eff: 9/4/78

SHERIFF'S DEPARTMENT

William Henze      525 S. Kerth Ave.      Process Server      \$2,065.00 Yr.      Eff: 9/5/78

VANDERBURGH COUNTY ELECTION OFFICE

Perry A. Neale	2849 Edgewood	Ballot Assembly	\$2.50 Hr.	Eff: 9/11/78
Marilyn Hatfield	316 Sheridan Rd.	Deputy Clerk	\$2.50 Hr.	Eff: 9/8/78
Susan K. Kirk	8302 Spry Rd.	Supervisor	\$3.10 Hr.	Eff: 9/5/78
Edward L. Knight	1113 S.E. Riverside	Supervisor	\$3.10 Hr.	Eff: 9/5/78
Sharon Yunker	5313 Sherbrooke	Deputy Clerk	\$2.50 Hr.	Eff: 9/11/78

RE: EMPLOYMENT CHANGES.....RELEASES

CLERK OF THE CIRCUIT & SUPERIOR COURT

Deborah A. Rogers      3357 Lodge Ave.      Deputy Clerk      \$261.38 Pay      Eff: 9/9/78

COUNTY RECORDER

Dorothy Lindsey      1712 S. Bosse      Photo Copy Clerk      \$6,539.00 Yr.      Eff: 9/2/78

SHERIFF'S DEPARTMENT

Leroy H. Walker      S. Kentucky      Process Server      \$2,065 Yr.      Eff: 9/1/78

SURVEYOR'S OFFICE

Jeff Minnette      2563 N. Bedford      Draftsman(summer)      \$3.50 Hr.      Eff: 9/9/78

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter of request was received by the Commissioners from Shirley Jean Cox:

Dear Sirs:

Please consider this request for a Leave of Absence for Deborah Rogers effective September 9, 1978 thru October 6, 1978.

She underwent surgery and will be released by her physician October 4th pending no complications.

Thank you for your consideration.

Most Sincerely, Shirley Jean Cox, Clerk of  
Vanderburgh Circuit & Superior Courts

Commissioner Schaad moved that the request of Ms. Cox be approved. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by the Old Republic Insurance Company on insured, Fuqua Industries, Inc./WTWV-TV of Atlanta Georgia for Lease Agreement for Fall Premier Party.  
Certificate received and filed.

RE: BUSLER ENTERPRISES.....COUNTY ROAD

Mr. Stephen said this matter concerns a meeting he had mentioned before, that he had with Mr. Busler and Mr. Radcliff on the revision of a drive and the County road. He said as he understands it they are wanting this project and it is the consensus of the Board of County Commissioners that the County doesn't want to stand all of the expense.

Mr. Donald Finch, Vice President of Busler Enterprises, said that on that particular road there has been a number of accidents, that they have met with the Indiana State Police, the Indiana State Highway Department, Chief Traffic Engineer out of Indianapolis and on two different occasions, with Mr. Stephen, and the last conversation he had with the State Highway as of July 18, 1978, the Chief Division of Traffic came down and he was wanting to install truck entrance signs on both, the North and South of that location on the highway, that he also received a letter in his office from the standpoint of an accident that happened up there and Mr. Finch told him that they didn't have anything to do with that frontage road or the condition of that entrance of exit, that they referred this back to the Insurance Company so they could contact the State, the County and the Federal Government. He said the letter stated, "Please accept this letter as our formal notice to your company, that you may be a party to the above captioned accident." He said that road is in bad need of repair up there from the standpoint of the taxes they pay to the State, Federal and County Governments, that they pay \$587,122.79 in a fiscal year in taxes and thinks the County should repair the road. He said that Mr. Malcolm Radcliff of Radcliff Oil of Washington Indiana who owns the Sunoco Station is here also and he asked him to express his opinion.

Mr. Radcliff appeared and said they do own the property south of Busler Enterprises and they have been very concerned about this approach too, that when they opened up, this road was in very good condition but due to the tremendous increase in traffic, it has become very dangerous and they are afraid someone is going to get killed there if something isn't done pretty soon and it really needs some repairs. He said that he also feels, in his opinion, this should be at the County's expense due to the fact that it is County property, that the State has been kind enough to agree to go ahead and make major changes in the approach which will help them a lot if they can just get a good entrance road by the County, that if this is done, he thinks they will be in very good shape.

Commissioner Ossenberger asked Mr. Stephen what the State has agreed to do.

Mr. Stephen said the existing right of way is their permanent right of way and anything outside this point, they are apparently going to have to increase the bridge and everything above it.

He said that by using full depth asphalt here, it amounted to the items which he calculated existing prices on.

Commissioner Schaad asked where the accident happened, on which there is a law suit.

Mr. Finch said it actually happened on Highway 41, that it is the one where they tried to involve Busler, that there have been a number of accidents up there due to the increase in traffic.

Commissioner Schaad said, in other words, the accident did occur on the State Highway or State right of way, to which Mr. Finch said, this is correct.

Commissioner Schaad said he wanted to clear this up, because he couldn't see how the County enters into it any more than Busler does.



Commissioner Schaad said he knows these gentlemen pay a lot of taxes as they have said, as a lot of other people do, but he didn't know if they realize it or not, but it isn't those taxes that go to fix the roads, that it is only the gasoline tax that does this and he thinks it is 6¢ on the gallon that they get to fix all the roads in the County, that some people say they have a home and pay a lot of taxes so they deserve a good street, but the taxes they pay on the home has nothing to do with the money that builds streets, so in speaking for himself, to bring up this much money to benefit just three people, would be a little steep and the Commissioners thought they may want to share in the cost because they do derive revenue from it.

Mr. Finch said he would like to give the Commissioners a copy of the taxes they have paid to the State, the County, and the property taxes.

Commissioner Schaad again told Mr. Finch that the County taxes they pay doesn't build roads.

Mr. Finch asked what percentage of Indiana gas tax the County is paid.

Commissioner Schaad said 6¢ on a gallon, but Mr. Stephen said the County doesn't get that much, that the 6¢ goes into the pot and the state takes out about 55% of it, that only about 3¢ comes back for the operating of highways.

Mr. Finch said if the County receives 3¢ back on the gallon, the County has received from Busler and others at that location about \$100,000.

Commissioner Schaad said that Busler Enterprises use a lot of other roads in the County too, that it helps maintain, that they don't use just this road.

Mr. Finch said with the number of locations that Busler has in Vanderburgh County, the County is possibly getting between \$200,000 to \$300,000 per month off of Busler in taxes for the roads.

Commissioner Ossenberg said he can't agree with this, that they get \$1,100,000 per year to operate the County Highway Department, all of it, which includes the maintenance of all Vanderburgh County roads.

Mr. Stephen explained that the 3¢ on the gallon goes into the pot that is divided back to all counties, so in the formula, it goes to the state first.

Mr. John said this is plus the R & S money.

Commissioner Schaad said R&S money can't be used for repair of roads though, that this would be for new highways or the upgrading of them and he didn't think this road would qualify since it isn't a thru road and it doesn't go any place.

Mr. Stephen said it probably could qualify, since they have removed the restrictions, this road may pass for reconstruction.

Commissioner Schaad told the gentlemen not to misunderstand him, since he thinks it needs to be done and the County is strapped for money since there are a lot of chuckholes and a lot of other roads that are used by thousands of people that need attention, and if they use the money here instead of some place else, if they had money for all of them it would be different, but this is the Commissioners problem too.

Commissioner Ossenberg said he thinks the unfortunate situation here is, that by law, this road was abandoned to Vanderburgh County by the State of Indiana and at that particular time, the Commissioners insisted on it, that the road be put back into good top shape which the State never did do, which they did to many parts of Gibson County and Highway 68, and the law says that if the State abandons a road back to a County, they have to put it in first class condition, but they never do. He said when this was first brought to his attention, it was brought to him by Randy Busler and at that particular time, Randy asked the Commissioners to abandon the road to Busler Enterprise, but the State wouldn't permit that because of the ingress and egress of the man that lives back there in his home, but if a covenant could have been put in there where that man had access to it, but then the trouble was between the two gas stations, so consequently Randy did want the road, but they couldn't work it out where they could get him the road, but by the same token, the state abandoned something to the County and they know Vanderburgh County is strapped for money and the Indiana General Assembly does nothing to help us to get any more money, that the Commissioners are about to adopt a resolution to Council on Governments on a A-95, asking that 2¢ of the sales tax money go directly to Motor Vehicle Highway Accounts so that hopefully we can get more into these Highway Accounts to do more road work, and in the meantime, that pays salaries, labor, administrative and equipment, that the whole budget is \$1,100,000 and everything

has to be bought from this, that everything keeps going up and ten years ago, it was \$1,100,000, that he would like to help these gentlemen also.

Mr. Finch asked how much the County would be willing to participate in the repair of that road, because back in the winter and the spring they had a number of loads of rock, graders and what have you, on the County road and they didn't turn in any expense for maintaining that road last winter or in the spring, so how much will the County be willing to participate in repairing that road, that it is a County road.

He asked if the Commissioners feel that the State should be brought into it in conjunction with the County and they along with Busler and Radcliff to participate in the repairing of this road.

Commissioner Ossenberg said he certainly does, that he didn't think the state would do it but he does think they should have put the road in good shape.

Mr. Finch asked how they go about getting all this participation.

Commissioner Ossenberg said he didn't think the state would listen, that they will probably do their share and say the County should do theirs, but the state has money and the County is strapped for money, that the state writes us a letter giving us the okay to buy a \$65,000 grader and then reneged on their letter, so now we have to use \$65,000 out of the General Fund that could have been used for highways.

Commissioner Schaad asked who drew these plans and Mr. Stephen said they were drawn at the district office in Vincennes.

Commissioner Schaad said this would probably be the way to solve the problem once and for all, since if they put in 9 inches of concrete, there shouldn't be any maintenance on it for a long time.

Mr. Stephen said he thought that concrete would be more desirable because of the type of traffic and the number of trucks and semi's on it and he thinks it could also be done at a slightly lower cost, but they will have a problem with the use of the drive during construction, that a temporary access would be the only alternative and it should be for at least two weeks to let the concrete cure. He said if the road was going back where it was they probably wouldn't need that much asphalt, because they have a good base at the present time but that it is shown as moving it nearer our right of way which gets into an area that has not been used for a road, that what they did was to take the turning radius of trucks and designed it so the trucks could stay on their own side of the road, since as it is now, by the time they get around the corner they are on the opposite side of the road, that this is why the state recommends it be moved over, which puts it on an area that has not been used for a road, that it is really a reconstruction of a road.

Commissioner Willner said he thinks something needs to be done, that he understands that during the first three months, at this road and at Highway 41, there were 22 accidents, however he feels that there are some county roads that needs the money first and he really feels that the County should sue the State for giving us such a problem and we don't have the finances to handle it, that this is his personal opinion, that he thinks they gave us a lemon and he doesn't think we should stand still for it. He said he doesn't blame these gentlemen here, that he has been at their station many times and the dust is so bad that some of the cars are white and it is just pitiful, that the trucks are cutting across and when one is going out the other one can't get in, and all our problems are what the state has given us, that he really doesn't think it is right, that the gentleman that lives out there needs ingress and egress, that the State has caused this problem, not the County and not the business places but the State, that the entrance off Highway 41 was inadequate and the whole thing was a farce, so he sees no reason why they shouldn't be held liable.

He said the Commissioners had the County Attorney's check the statute and at the time they gave them this information, it was mandatory that we take it, but it was also mandatory that the road be in top shape.

Commissioner Schaad said that even if it were in top shape, this wouldn't solve the problem.

Commissioner Willner said if the design and the construction were right, it would solve the problem.

Commissioner Schaad said what we are talking about though is the change and construction of it.

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Commissioner Willner said not necessarily, that if the trucks leaving the Busler facility were directed to stay to the right instead of cutting across to the left lane, that would solve the problem, if there were a median or something in there, and he asked Mr. Stephen if we don't have enough right of way to do this.

Mr. Stephen said he isn't sure whether we have or not.

Commissioner Willner said there is a flower bed there, he believes at the Standard Station, and it is on County right of way, and there is enough room between there and the highway right of way to get two lanes in there, so he thinks that Busler and the other stations should join in with the County in a suit against the state.

County Attorney Ed Smith said he would look into it and research it and report back.

Commissioner Ossenbergs asked if Busler and Mr. Radcliff would be agreeable to join in a law suit with Vanderburgh County against the State of Indiana.

Mr. Radcliff said the Commissioners know more about this than he does, but he thought it would be a losing cause.

Commissioner Ossenbergs said he thought it to be a losing cause too, but we have been on the short end of so many losing causes that he thinks it is high time that counties all over this state starts suing that highway department up there.

Mr. Radcliff submitted pictures he had taken when the stations were opened out there and he said the road was okay for passenger cars but it is very inadequate for truck traffic. He said they want the road fixed, very badly, that they would hate to get in a situation where they have to maintain the road for heavy truck traffic and they will try to work out something the best they can to help.

Mr. Finch asked Mr. Stephen, that with the existing road base that is there, did he think 6 inches of asphalt on top of it should stand up.

Mr. Stephen said yes if they were using all of it, but the problem is that the new road doesn't all fall on the existing road, that part of it does and part of it doesn't, that if it stayed on the existing road, he would say yet, that 6 or 8 inches would probably stand up as well as the full strength they have on the plans.

Mr. Finch said that if Mr. Stephen would get a cost estimate on what it would cost to do that on the old road, he is sure that Busler Enterprises would be willing to participate in the expense of it.

The Commissioners agreed that this wouldn't solve the problem, so after some discussion, Commissioner Ossenbergs said the Commissioners have reached a decision and what they are going to do is to have their attorney file suit against the State of Indiana, and if they care to join in, they can, or they can get their own attorney, but what they are first going to do is to file a suit against the State of Indiana.

Mr. Finch asked, if while they are going through this process, would the County be willing to put some rock in there and maintain this road.

Commissioner Ossenbergs said he thought they would be willing to do that for them.

#### RE: OPENING OF BIDS

The following bids were received on the 3/4 Ton Four-Wheel Drive Truck for the Work Release Program:

Titze Truck Sales.....\$7,300.00 for a Jeep	Both bids are in order.
Key Motors Inc.....\$7,268.77 for a Ford	

Commissioner Schaad moved that these bids be taken under advisement and referred to Mr. Kinder for checking and recommendation. Commissioner Willner seconded the motion. So ordered.

#### RE: WILLIAM TAYLOR.....HEALTH INSURANCE

County Councilman William Taylor submitted copies of the three Health Insurance Policies that the County is presently under. He explained the Retention Agreement by stating that this is an agreement between the County Commissioners and Blue Cross-Blue Shield, that in the event that we would like to cancel our Insurance Policies, that any monies left in the retention fund, as a balance, should be returned to the County, in one of three options, that he and the County Attorney's were in a meeting

for a lengthy time last week and they went through this, and what it says is, that we have a refund coming and regardless of whether we cancel the coverage with Blue Cross-Blue Shield or not, this refund is ours, under the options there, on #01-23034. He said he and the County Attorney have an understanding that the County is entitled to those refunds, that they can't keep them, regardless, and if they go to the other policy, it also has the same type of retention agreement, so our problem now is that they feel there is an amount somewhere in the neighborhood of \$54,000 that was applied to that particular policies experience from the other policy experience, on #01-23034, and they don't believe they could do this, simply because the high option program has to have 50% participation before they can put it on the books, that the agent of record put it on the books regardless, so there is something like \$54,000 that is due the County.

He said there is no doubt in his mind, according to the minutes, that the agent misrepresented our right under these particular policies and he thinks that we are in a position to where the taxpayers of Vanderburgh County has been charged over \$50,000 for something the Commissioners did not agree to, and his thoughts on this are that the Commissioners instruct the County Attorney's to get a letter off to Blue Cross-Blue Shield asking that they show some type of evidence as to why they took that money that was incurred under the Low Option or the #01-23034 Program and applied it to the #01-23160 Program which wasn't a part of any contract that we have in writing with them. He said he thought we should be refunded the \$54,000 plus interest and this is one act that should be taken, and also he would think that we are in a predicament right now to where our premium has been raised, that some people are looking at a 40% increase in a High Option Program and he thinks there are programs that would be less premium to the County with all the benefits of a High Option and looking toward going into Self-Insurance, that he thinks it would be a big mistake for us to go Self Insurance, simply because if they look at places that have gone to somewhat a Self Insurance Program such as the Welfare Department, they will be back before the end of the year, needing more money, but that there are Insurance Programs with front-end deductables that would eliminate the claim activity and the increase in premium every year, that the only increase they will be looking at is the monetary cost of living increase.

He said if the Insurance Policy was set up like the County budget is, to where we would run from calendar year to calendar year, then he wouldn't be here in front of the Commissioners because they would be looking at an increase in January, not one last week, that he thinks we are at a state because of the increases, that there is an increase in tax dollars that is going to have to go out and also an increase in dollar participation from the County employees and the increase is outrageous. He said his feeling would be that they go into another emergency, inform Blue Cross and try to pick up a temporary policy of if they have to sign some type of contract with another company, to do it, because they definitely need to get out of this 40% increase that we are now under.

Mr. Schradwondered if the County Auditor had ever received the \$18,000 refund from the Insurance Company and Mr. John said not to his knowledge.

Commissioner Ossenberg said that his contention from the very beginning was that 60% of the high option had to be picked up, that last year there was \$15,000 that they apparently applied to the premium to keep it at the same rate, that he and Mr. John felt as though, in that particular meeting, that they were using the High Option to over-shadow this and the Low Option came up with over \$30,000 profit, plus the \$15,000, and the agent so stated at that particular time that if we dropped and didn't go on a yearly policy, we would lose all refunds.

Mr. Taylor said that by the agent saying this, he misrepresented the Company to the County, that it also reads in the contract that no agent has the authority to alter this policy and the conditions of this policy without the signed signature of the Chairman of the Board or Blue Cross-Blue Shield, so if it isn't in writing in the policy, he has no right to make any changes.

Mr. John said if the Commissioners will remember, at that time, he said he found it rather difficult to believe that with a refund clause, if they didn't renew the policy, that they wouldn't receive the refund, that he couldn't see the purpose of the refund clause if they can't get their money back.

Commissioner Ossenberg said this is why he was working this out in front of the agent that day, that he and Mr. John both felt that they had the refund coming and they both felt as though his high option, he shouldn't have been taking from the policy that they originally wrote up with.

Mr. Taylor said he thought there was also another company involved in the bidding but due to the retention, they went with Blue Cross-Blue Shield, that he also feels that Golden Rule still owes us money and he thinks this to be another area where the attorney's need to get into, that he brought to the attention of the Commissioners

some time ago, that there was a retention and a reserve factor and they haven't refunded either one of them, that the retention is the profits and the reserve is money to set aside in the event that they are sued within a year after the policy's cancellation and we haven't received any of that money, that it has been almost two years, and at that time he thinks he had figures of something like \$80,000, and it would pay for the paver we just bought.

He said he would work right along with the two County Attorney's to show them exactly the agreement, of which he has a copy, on the Golden Rule Program, that this one had a retention and a reserve while the Blue Cross-Blue Shield only put the retention in theirs, but he thinks the Commissioners should seriously consider declaring another emergency and looking at other Insurance Programs, that he thinks they have one where the bid was in but due to the retention factor in the policy of Blue Cross, the other one was disqualified, that they should consider that or something similar to that, so they can get the monies that are due the county, plus the increase off the books from the employees of the County, that this is the main thing, since they are taking a 40% increase in their Insurance and they can't afford it.

He said this is his opinion and he thinks it is clearly backed up in relation to the copies of the policies that the Commissioners have in front of them, and it is up to the Commissioners as to what they want to do about it.

Commissioner Schaad moved that the Commissioners ask the County Attorney's, in working with Mr. Taylor, to look into this Golden Rule thing to see if they have a justifiable law suit for reserve as well as the retention, and also as far as Blue Cross-Blue Shield is concerned, as to if they were correct in using the profit in the Low Option to offset the loss in the High Option, whether we are due that as well as to whether we are due the full amount, whether we renew the policy or not. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said in the meantime he thought they should be looking at some other plans as Mr. Taylor has suggested, and see if they can come up with something, that he does think they need a High Option plan offered to people that want it.

Mr. Taylor said that even if the Commissioners don't cancel Blue Cross right today, he believed they should put Insurance under emergency situations, so in case something comes up, they are covered, that if an emergency situation is placed in effect now, if after discussion and things that has held with Blue Cross, they could very easily cancel, and we could be stuck without coverage, that he doesn't mean that they have to write a letter right now or make a public statement that they are cancelling Blue Cross, but he believes we should be in a situation where if that need be necessary, they could pick up a carrier right away.

There was discussion as to whether the Commissioners should declare an emergency in the event that Blue Cross-Blue Shield would cancel out, but Mr. John said they have a 30 day grace period on the policy, for maintenance if they have a 30 day written notice of cancellation from either party.

Commissioner Schaad said this should give them time to get something settled.

Commissioner Ossenberg said, for the record, the Commissioners had written into the Union Agreement \$1.00 for family membership, therefore if they are going to do this for the Union, then they feel that they must do it for the County employees, that is the Union Contract and it was negotiated and signed, so consequently this is on a family plan and it will be a \$1.00 deduction, so it is being reduced from \$5.00 to \$1.00 for the employees since they must treat everyone alike.

Mr. Bob Goff of Time Insurance Company appeared and said he would like to propose a policy with coverage similar to the High Option of Blue Cross at \$87.38 on a family plan, which is lower than Blue Cross, that it does specialize in Group Insurance and one of their accounts is the City of Seymour Indiana and they write the Group Insurance for Kenny Kent Chevrolet, so they are familiar with this area. He said that one thing they need to be aware of, if they do change carriers, is the fact that there are pre-existing conditions in the people that they have now and Blue Cross will have a cancellation on that and Time Insurance Company will pick up where Blue Cross cancels out, that if they have someone such as a person with an as asthmatic condition and they have a lot of drugs to buy year in and year out, then Time picks up where Blue Cross leaves off, so there would be no shortness of coverage to the individual employee.

Commissioner Schaad asked Mr. Goff if they had a Low Option plan to offer.

Mr. Goff said "no", that he does have a proposal there that does have a \$50.00 deductible in the plan and that would be \$6.00 per month less. He said that Time Insurance Company can structure a policy to provide whatever type benefits they



want and if they would be interested, he can work with the Insurance Committee and come back with a proposal for the exact coverages that the County would want to provide for their employees.

He said the plan with the \$50.00 deductible might be of interest because it will help to hold down the claims because of that deductible, and if they go with one plan, then all the employees would be more inclined to go with it if this was their only choice.

Commissioner Ossenberg said that frankly he likes the plan but they won't get all the employees to go with it, that he thinks there are less than 200 employees that's going with the High Option plan right now with Blue Cross-Blue Shield, which is only an additional \$15.00 of \$16.00 per month, out of approximately 600 people, and the High Option plan would cost the County a lot more money, for example, the Unions will not go with High Option, also the County Council would have to appropriate the money, but they can't say they will take this plan and then not have the money to take the plan.

He said it is true, if they are successful with Golden Rule in getting some of that money back, plus what they feel they have coming back from Blue Cross-Blue Shield, that would be sufficient enough to cover the increased cost.

Commissioner Schaad told Mr. Taylor that he is sure the Council has talked about this since it is a problem that we are all concerned with and it would be nice if the County could afford to give every employee a High Option plan and he asked him if he has any feeling on this.

Mr. Taylor said that prior to their budget hearing, there was a discussion and everyone was in agreement that they were willing to go up and there was a dollar figure of something like \$23.00 to \$25.00 since they felt that it was necessary and they would probably be bound to do it.

He said he can really only speak for himself and he thinks that if a minor cost would be involved, with the understanding that the premiums would remain steady, then he is almost sure that the Council will go along with it.

Commissioner Schaad said maybe the thing for Mr. Goff to do would be to come back with two plans.

Mr. Goff said he would be limited in the fact that he can come back with only one plan and if it is a Low Option that is chosen and someone wants additional coverage, they could make it available on an individual policy but he could only have one option.

Commissioner Schaad asked, since it is \$6.00 less for a \$50.00 deductible, how much would it affect it to have a \$100.00 deductible.

Mr. Goff said he didn't know but that he could find out.

Commissioner Schaad said that maybe if they even went to a \$100.00 deductible and get this High Option plan in line, then maybe even more people would go that way, so this could be pursued.

Commissioner Ossenberg said that pursuing it is one thing but doing it is something else and he told Mr. Goff again, that if he comes up with that type of deal he is sure they will have all kinds of problems with the Union, that he would like to see the cost differences, but personally he feels that there are a lot of people who can't afford the \$50.00 deductible much less a \$100.00 deductible, but he would like to see the difference, that he would like to see a Low Option policy and what the options would be for the High Policy like they have now.

Mr. Goff said he will have these figures and bring them back next week.

Commissioner Willner said that if they are going to dispense with the \$5.00 Insurance cost to the employee and only charge them \$1.00, then he thinks it should be made in the form of a motion.

Commissioner Schaad then moved that they go back to the charge of \$1.00 to everyone. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

Mr. John submitted the following letter from the State Board of Accounts and requested that he be allowed to travel:

TO: ALL COUNTY AUDITORS

In compliance with IC 5-11-14-1 the State Board of Accounts is calling a



conference of all County Auditors to be held on Thursday and Friday, September 21 and 22, 1978, at the Holiday Inn, Columbus, Indiana. The Thursday session will be devoted to County Auditors only. The Friday session will be a joint meeting with the County Treasurers.

The meeting will start promptly at 9:00 a.m. Eastern Standard Time on Thursday and Friday.

Mr. John Gellhaus, Clark County Auditor, and Mr. Robert Williams, Miami County Treasurer, have mailed informational material for your use.

Each County Auditor may (2) attend in person alone, (b) attend in person and also require the attendance of one deputy or assistant, or (c) require attendance by a deputy or assistant alone, if he does not attend; provided, if more than three deputies and assistants are employed, the County Auditor may (d) attend in person alone, (e) attend in person and also require the attendance of not more than two of his deputies or assistants, or (f) require the attendance of not more than two deputies or assistants if he does not attend.

Each County Auditor and each authorized deputy or assistant shall be entitled to reimbursement for actual lodging expense for the nights of September 20 and 21, in an amount equal to that allowed for state employees. The current amount equal to that allowed for state employees in travel status is as follows: (1) If occupied by one person actual room rate not to exceed \$25.00 per day; (2) if a room is shared with a person who is not a state employee, single occupancy room rate not to exceed \$25.00 per day; (3) if a room is shared with another state employee one-half of the room rate not to exceed \$25.00 per day. Mileage at 15¢ per mile from the county seat to the meeting place and return will be certified for payment to the Auditor, deputy or assistant furnishing the conveyance.

The conference is called for the purposes stated in the above referenced law. Your attendance at this meeting is respectfully requested. We would appreciate receiving from you suggested topics to be covered at these meetings.

State Board of Accounts...Kenneth R. Beesley  
State Examiner

Commissioner Schaad moved that the Commissioners give permission for both, Mr. John, the County Auditor and Lew Volpe, the County Treasurer, to go to this conference. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

The following letter of request was received from Sgt. Mark C. Mabrey of the Vanderburgh County Sheriff's Department:

Re: Law Enforcement Hypnosis Seminar, Atlanta, Georgia

I would like to request your permission to attend the above mentioned Seminar held in Atlanta, Ga. from September 21 through the 24th. The cost of the tuition is \$395.00.

Thank you, Mark C. Mabrey

James A. DeGroote, Sheriff  
Vanderburgh County Indiana

Commissioner Schaad moved that the request of Mr. Mabrey be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Bauer Brothers General Contractors, Inc. for a Structural Plate Arched Pipe in the amount of \$11,267.90. This is for Structure #65 which is located on Marx Road, and has been approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Evansville Crushed Stone Company, for stone that is to be used on the Marx Road culvert in the amount of \$520.41, which has been approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Szabo Food Service, Inc. for meals of Inmates for period of 8/1/78 thru 8/15/78 in the amount of \$3,292.25 and for the meals of the Deputies for the same period in the amount of \$149.50, which makes the total of the claim to

be \$3,441.75, which has been approved by Sheriff DeGroot.

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

RE: MONTHLY REPORT

Mr. Crooks submitted the Building Commission Report for the month of August, 1978, and said that the value of the permits are up about 277 from last year, so they are still comparatively in business on construction. Report received and filed.

RE: MR. CROOKS

Mr. Crooks said they had three weed requests they have sent letters on, that the ten days were up Friday and they are checking today to see whether or not the property has been mowed. and if they aren't mowed, it is his request that they get a price from someone to mow them and then issue a contract for the work to be done.

Commissioner Schaad moved that Mr. Crooks request be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Crooks said he didn't issue Lula Belle Deane a citation last week, that he talked to a Mr. Culp and told him if it wasn't cleaned up this week that he would get one today and he said he does have a contractor out there with a bulldozer, so they can go out there and bury it and he is ready to go, that all he has to do is to tell him to do it, so he doesn't know if he has done it or not, that this is where they stand on it, so if it isn't done today he will give them a citation.

RE: LETTER FROM VANDERBURGH COUNTY AUDITORIUM

The following letter was received from the Vanderburgh County Auditorium:

Gentlemen:

We have a three hanger rack that is surplus which could be used in a number of County operations. The rack is available for inspection at the Auditorium.

Yours truly, Fred Dewes  
Auditorium Manager

Mr. Hotz said he would like to make copies of this letter and put it on all the bulletin boards in the building, since maybe some office could use it, that it is a clothing rack.

RE: REQUEST TO ADVERTISE FOR COUNCIL CALL

Mr. Hotz submitted the following request and asked that it be addressed to the County Auditor and to the County Council:

Dear Curt:

Will you please advertise the following for the October Council Call:

County General Fund - Additional Appropriation  
\$1,584.70 - Acct. 131-253 (Repairs to Buildings and Grounds)

Thank you, Sincerely, Herman T. Hotz, Supt. of County Buildings.

CC. Members of County Council  
Miss Vicki Bailey

Note to County Council Members: This amount is needed to cover the cost of installing a new gas main to the administrator's home at Hillcrest-Washington. When it became obvious that there was a severe gas leak, the Commissioners declared this an emergency and I was able to get Evansville Wet Heat & Piping Company to do the necessary work. A bill from Evansville Wet-Heat & Piping Co., Inc. for this work was attached, which shows it to be in the amount of \$1,584.70.

Commissioner Schaad moved that Mr. Hotz request 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, ending 9/8/78. Report received and filed.

500

RE: MR. SIEBEKING...ROAD REPORT

Mr. Siebeking said they will be finishing up their culvert work about the middle of the week, so they will be moving back on Baseline Road to start paving again and he asked the Commissioners where they wanted him to start. He said he just ran some mileage checks on it from Old Princeton Road to Petersburg and they are talking about 4.8 miles or from St. Joe to 65, they are talking about 3.5 miles.

Commissioner Schaad asked Mr. Siebeking where can he get the mix.

Mr. Siebeking said that they never know until they call him on the morning they are to pick it up.

Commissioner Schaad said that where they pick it up would have to do with where they will work, he would think.

Mr. Siebeking said if they run from Columbia Street they will work on the East side and if it is coming from Mt. Vernon they will work on the West side then.

Commissioner Ossenbergsaid this is the way he would leave it.

Mr. Siebeking said they have some bearings and things going out on the front drum of the roller but it hasn't caused any problems as yet, so with the permission of the Commissioners he would like to check around and see if there is a possibility of either leasing one or something for the remainder of the year in case they need it, since if theirs goes out, they have to shut down, so if they can lease one they will have it to use until theirs is repaired.

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

Commissioner Ossenbergsaid Mr. Siebeking if he was familiar with St. Joe Avenue North of Baseline Road, that he got a call yesterday about it and they said that the road is completely gone, so he asked him to take a look at it.

Mr. Siebeking said he knows what it is, since he had been over it, that they will either have to road mix it or smear it, that road mixing would probably be best.

Commissioner Willner said lets not have any more road mix, and Mr. Siebeking said they can't pave it.

Commissioner Willner said that's right but they can't road mix it either as far as he is concerned, that he has lived in this area for five years and during that time it has been road mixed twice in that time, so why do it again, that it won't stay there, that they shouldn't do anything until they can put the blacktop on it, but he doesn't care if they want to patch the holes, so that when they do have the money to blacktop it, the road will be ready to go, but as far as road mixing it, they would just be throwing their money away.

Mr. Siebeking said they can patch it out, so he will see what they can do.

Commissioner Willner asked Mr. Siebeking if they are going to patch Schroeder and that area.

Mr. Siebeking said this is where they can smear because they have enough surface there to do it, and the same way with Kansas Road between McCutchanville and 57, that this is the same thing.

Commissioner Willner asked Mr. Siebeking if they didn't promise a pastor of a church on Millersburg Road that they would repair that bridge while they are building a new church, that there is just a one-lane bridge there and he believed that Mr. Siebeking wrote him a letter and said he would take care of it, and it hasn't been done. He wondered if those beams they bought would match one of those bridges, that they have to do something since that church will be finished before very long.

Mr. Guillaum said they had long range plans for putting a new structure in there, and unless they are mistaken they have better than a 30-foot span there, that it seemed to him that it had a 32 to a 33 foot span, and if this is the case, they may be in a little trouble with the 30-foot beams, so they will have to take another look at it.

He said they had some beams that were 23 foot and they have a bunch of new ones that are all 30 foot. He said he hasn't brought it up to the Commissioners as yet but he knows where there are some 34 foot beams right now that could be bought at a good price.

Commissioner Ossenberrg asked Mr. Guillaum why he doesn't check this bridge out, because they did promise they would go in construction at the same time they were going into construction on that church.

Mr. Guillaum said he knows where there are 8 beams that are 4-foot wide, 34 foot long, that could be bought in the vicinity of \$7,000.

Commissioner Willner asked Mr. Guillaum to check both of those out and come back next week so the Commissioners can see what he has.

Commissioner Schaad asked Mr. Guillaum if he said that he has the guardrail up at the culvert on St. Joe Road, right off 460.

Mr. Guillaum said they did go ahead and put up a section of rail but at one point of the project there they are probably going to need three or four truck loads of fill, that as of Thursday they still needed some.

Mr. Siebeking said his crew hauled fill in there on Thursday and all day Friday, so that has been done.

Mr. Guillaum said they held up on putting one or two sections of rail in there, due to the fact that it needed this fill.

Mr. Siebeking said that Mr. Guillaum can get the rail work done then, since he asked them about the fill this morning and they said they didn't feel that it needed any more, so when they are finished he will see that the bridge gets paved.

Mr. Guillaum said if this is the case and Mr. Siebeking has the fill in there, he can see that the remainder of the rail is put in, and he said that it will protect that area they were concerned about.

RE: MR. GUILLAUM .....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum said that last week it was brought to his attention that they had another accident on the Columbia-Delaware Bridge, that apparently a man whose name was James Hinton had the accident, that he hit the concrete with a lot of impact and he could understand how he totaled his car out, that he looked at it to see what they could do in terms of the type and cost of repair.

He said there are two approaches they could take, that one would be to try to up-end the end section that he broke off and repair the deck area, the rail sections and one panel of the bridge, but he believed that just as good a solution would be to come in and actually go with the guard rail posts and sections right up to the next concrete post, to cut the bars and to shove the old section over, and they will need to form in and re-pour an area of the side walk that was broken off.

He said he has a figure of about \$700.00 for the latter choice of going with the new rail and one about \$1,100.00 for the other one.

He said he has turned them over to the Insurance Company involved before, but in this case, he supposed it would be turned over to the individual since he has no Insurance.

He said what they are going to have to do rather than to replace the section that they borrowed previously, he checked into the manufacturer and couldn't even find anything close to it, so they will probably be going with some conduit sections and possibly a piece of channel across the top, that they will have to improvise with something close to what they had, since they don't manufacture that type of paneling anymore, so this will be taken care of.

Mr. Siebeking submitted the layout of the Crawford-Brandeis to County Attorney Ed Smith and explained it to him as to what they had to do to show what occurred.

Mr. Guillaum said that the beams they were going to get from Southwest Engineering will be removed sometime this week, that he talked to Mr. Nussmeyer on this and he thinks for the time being, they have a number of bridges picked out that they are working on and drawing up, and they are probably going to make plans to take them to the Highway Department temporarily, and when they let the contract they will have a provision in it that the contractor will be responsible for picking up the beams from the Highway Department and take them to the job site.

Mr. Guillaum said they have their piling driven on Adler Road, that they seem to have good bearing on it, that they are roughly 40 foot, that it varies anywhere from 5 feet to under on the length per pile.

RE: CLAIM FROM GERMAN TOWNSHIP WATER DISTRICT

Mr. Guillaum said the only other thing he has is the engineering claim that they discussed at the last meeting, that was turned in by the German Township Water

District which was on the engineering that no one recalled making a commitment on, that no one in their department had any knowledge of it and apparently the Commissioners didn't either, that Midwestern Engineers supposedly did the engineering in relocating a water main on Kleitz Road and the amount of the claim is \$647.00. He said that no one in their department authorized or approved anything for the engineering they did on this job.

Commissioner Willner asked Mr. Guillaum if he checked out the claim, and Mr. Guillaum said he did and that no one in that department knew anything about it including himself.

Commissioner Willner asked Mr. Guillaum if he checked with the German Township Water Department, and Mr. Guillaum said he hadn't talked to them.

Commissioner Willner said that maybe the claim was sent here by mistake and they may be looking for it.

Mr. Stephen said that Mr. Oates of the German Township Water District, sent him the claim, that he mailed it back in after he told him he had to have a claim for it.

After the Commissioners said they didn't know what this claim was for, Mr. Brenner explained that they were trying to take a right angle out on Kleitz Road and they couldn't get the right of way from Mr. Schmitt, a question was asked of the German Township Water District as to what it would take to relocate the water lines, so evidently they went ahead and hired an engineer to relocate their water lines.

Mr. Guillaum said this was discussed last week and the Commissioners nor anyone else here had any knowledge of it.

The Commissioners said that the claim should be returned to the German Township Water District with a letter stating that the Commissioners didn't authorize any engineering to be done on that project.

RE: HEALTH INSURANCE....CONTINUED

Mr. Guillaum said in regard to the County Health Insurance, the Low Option is in some aspects a little bit below coverage of what they want, that it is as far as he personally is concerned, that he just did a little comparing, and Mutual of Omaha had an additional supplemental plan which would give him, in effect, about the same coverage that he would have with the High Option with Blue Cross, that it would pick up on the intensive care on the hospitalization, surgical, Miscellaneous in amounts of \$200 to \$250.00, cancer and all emergency room at \$8.00 per month, that this was just for him personally, that it wasn't through any group or anything at all, but he is paying \$5.00 now for the Low Option, so totally he is paying \$13.00 for the same coverage, which with the High Option he would have been paying \$18.50, so it looks like with the High Option there, that it isn't really that competitive.

Commissioner Ossenberg said that the \$5.00 has now been reduced to \$1.00 for the employees, also that he received a call from them and he invited them to come over to get out experience but they didn't bid on it, but he thinks that the main trouble is, since several of them called him, that bids were advertised for but they just overlooked it.

Mr. Brenner said that a lot of the bids don't meet the specifications and Commissioner Willner said the bids that we did get didn't meet the specifications, that he thought they shouldn't even have specifications, that they should just ask them to send us the best plan they have for the least money.

Mr. Guillaum said he talked to the agent here from Mutual Omaha and he said he would like to come by at a time when it would be convenient and discuss what sort of proposal he could make on the County Health Insurance, that he felt that he could beat the rates we have.

Commissioner Ossenberg said that is what he told him on the phone but he never did come in that he knows of, that he told him that everything including the experience was available in the Auditor's office.

RE: MILLERSBURG ROAD

Mr. Stephen said in mentioning Millersburg Road, he has the name of the owners on both sides there and he talked to the owner on the North but he hasn't contacted the one on the South side, that he was looking at that bridge as to the low characteristics at that point and if they look back maybe 300 feet west of the bridge, the main channel comes in and turns and flows along the road for that distance down to the bridge and

makes a 90 degree angle and it flows on South. He said he was wanting to see how the fellow on the South felt in the way of selling land so the channel could be relocated. He said it seems to him that if the bridge is in line as it flows from the North and it was diverted on the South side, they have a better place to put a bridge, that the channel on the North side of the road then could be filled in eventually and the road widened in there. He said that from Heddon Road, West, they have 30 foot of right of way, total.

He said they have to put in a lift station at the church for their sewage disposal, and they also have to buy right of way there and along Heddon getting up to another lift station up on 57 someplace, so they are looking at how much right of way we have, that it presents a problem out there as to how the drainage ought to be handled through a new structure at that point.

Commissioner Willner said not only that but that the ditch is dangerous since it is about 8 feet deep, that he agrees with Mr. Stephen, and this ditch should be reconstructed.

Mr. Stephen said he thought Mr. Letterman who is on the North side, is very agreeable with what we want to do, but he didn't know about a Mr. Herr on the South side, since he hasn't been in touch with him as yet, but he suggested that he and the property owners as well as anyone else that is interested, to meet and discuss the situation as to which way would be the best way to go to improve that road, so this is the status at the present time.

Commissioner Willner said why don't they ask him to do that for next week and he should also call Mr. Herr.

#### RE: EASEMENTS

Mr. Stephen submitted a temporary easement that he received back from K-Mart for the reconstruction of St. Joseph Avenue, and he recommended that the Commissioners accept it.

Commissioner Schaad moved that this easement be accepted. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen submitted an easement for the reconstruction of St. Joseph Avenue from the County Garage.

Commissioner Schaad moved that this easement be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen said that the County Recorder will record these easements at no cost.

#### RE: COMMENT ON BIDS FOR STRUCTURES #53 & 54

Mr. Stephen said that on the bids that should have been in today for Bridges #53 and #54, the plans couldn't be submitted that soon, so they are now going to advertise for bids on September 14th and 21st. with the bids to be opened on September 25th.

#### RE: MARIGOLD COURT

Commissioner Ossenberg said that on the call he got the other day on Marigold Court, did they ever locate that Donald Barnett on that cut.

Mr. Stephen said he called his house and found out where he was and he sent the inspector out to find him so he could go back out and repair it, and he didn't ask him as yet whether he had done it or not.

Commissioner Ossenberg said he sent the County Garage out there to put some barricades up, because of the way he cut that road up, but of course, he had a bond permit, but he thought this was suppose to be a push job on the side of the road.

Mr. Stephen said this was a cut along the road and then across it, that they are putting in a sewer system that came up along the road aways and then cut across, but he knew they had a big cut, that he will follow up on this.

#### RE: STRIPING

Commissioner Willner asked Mr. Stephen if he is co-ordinating with the striping of the County highways.

Mr. Stephen said he should be notified as to when they get started, that they should be starting today.



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Commissioner Willner said they have put the signings on the road such as the "passing zones", and they have also put them on Baseline Road, but if we intend to pave that road, they shouldn't be striping that.

RE: COUNTY HEALTH INSURANCE.....CONTINUED

Mr. Bill Taylor said that he has one other little problem, that if the Commissioners decide to go with the High Option for everyone, the premium is going to be running from \$13.00 to \$20.00 more, and they need to have someone to get a letter to the Council so it can be on next month's agenda and the 15th is the last day, so it will need to go out this week for it to be advertised, so they should put some kind of figure in there so they can get it started, and if they don't go along with it, the money will just relate back, but will be there if needed. The Commissioners agreed that the letter should be written.

RE: LAW SUIT FILED AGAINST COMMISSIONERS

A Notice of a Law Suit was submitted that is being filed against the County Commissioners by Central Glass Company.

This matter was referred to County Attorney Ed. Smith.

Mr. Smith said it looks like a lien foreclosure, that apparently they supplied some material for some building project and probably the Commissioners are named because some real estate taxes are due and owing.

RE: POOR RELIEF

Donald Ray Clark....1718 S. Garvin St....Pigeon Township, P. Dougan, Investigator

The Notice of Poor Relief Action from the Trustee's office stated that Mr. Clark applied for help on rent but was refused because his income is over limitations that are set by the Pigeon Township Trustee standards of eligibility.

Mr. Clark isn't present but Commissioner Ossenbergsaid that the Pigeon Township Trustee has asked Mr. Clark to come back down.

Judy Hughes.....1706 Grove St. ....Pigeon Township.....R. Anslinger, Investigator

The Notice of Poor Relief Action from the Trustee's office stated that Ms. Hughes applied for medical help but was refused because her income exceeds limitations allowed by the Department of Public Welfare.

Ms. Anslinger said that Judy was in the hospital from 8/21/78 to 8/26/78, that her bill is \$812.20, that she has one child and in the month of August, she said she received \$300.00 which would have put her over income for two people, that she works at Chayes Virginia and brings home \$100.00 per week.

She said Ms. Hughes has a sister that lives in the home with her, that they inherited this home and her sister brings home \$95.00 per week and her sister has an 18 year old that is still in school, that they share all the expenses and her share runs \$171.50 per month, not counting groceries for which they allow \$60.00 per week.

Commissioner Ossenbergsaid explained to Ms. Hughes that the Commissioner's hands are tied, that they simply can't overrule the federal government, that they have consistently told the Welfare Department that they feel as though the \$240.00 limitation for two people is too low and it should be raised but they just will not raise it and since her income was \$300.00, they are going to deny it and the Commissioner's hands are tied.

Ms. Anslinger said she is sure that Ms. Hughes can work out something with Deaconess Hospital, since some people don't have the money and if they can prove they can't afford it, they can go under this charity fund that Deaconess has.

Ms. Hughes said she was told that she makes too much for that too.

Commissioner Ossenbergsaid told Ms. Anslinger that she can call Deaconess and see if she can work out some kind of a pay plan with them, that he knows they do it and he knows people on that Board out there and he knows that there are people who pay on their bills, even if it is only \$5.00 per month.

Ms. Hughes said they charge interest on the bills though and \$5.00 wouldn't even pay the interest on \$800.00.

Commissioner Willner asked how much her doctor bill is and Ms. Hughes said she owes Dr. Cobb \$200.00 but she hasn't received the bill from Dr. Scaggs as yet, so she doesn't know how much that one is.

Ms. Anslinger said she thought if Ms. Hughes went out there and talked to Jerry Wise who is in patients accounts, that they could work out something.

Commissioner Ossenbergh asked Ms. Anslinger if she would call him and make an appointment for her.

Commissioner Willner moved that this case be referred back to the Pigeon Township Trustee. Commissioner Schaad seconded the motion. So ordered.

Ms. Antonia Vinson....Y.W.C.A. ....Pigeon Township.....Mr. Olsen, Deputy Trustee  
Ms. Mary Ellen Mueller of Knight Township Trustee's office was also present.

A Notice of Poor Relief Action was filed by both, Knight Township and Pigeon Township. Ms. Vinson applied for Housing but was denied because there was a question of her residency, since she had lived in Knight Township and prior to that she lived in Perry Township, but is presently living at the Y.W.C.A. which is in Pigeon Township.

Mr. Steve Culley appeared and said he is with the Attorney's for the Legal Services Organization and that last Friday, Ms. Vinson applied for emergency housing and when she went to the Trustee's office for help she was told she wasn't eligible because of residency and she was told by Knight Township that she isn't a resident there any longer and by the Pigeon Township Trustee that her last permanent address was in Knight Township and although she was at the Y.W.C.A. with her three children, which is in Pigeon Township, she was told that she isn't eligible, so he asked just where she should go.

Mr. Olsen said that Mr. Morrison and Mr. Culley talked at length on the phone and Mr. Morrison brought the case to the attention of the Commissioners simply because he is looking for a definitive of where persons have lived for a considerable length of time in other townships and established a permanent residence and are suddenly "dumped" into Pigeon Township and he said this matter has been running like an ulcer for some period of years and he would like to see the Commissioner's view of the matter as to clarification.

Mr. Culley said that Mr. Morrison is more or less leaving it up to the Commissioners as to which Trustee should help.

Ms. Mueller said the man lived in Parkside Terrace and had a job with the Apartments, that his apartment was furnished to him and he refused to work until 5:00 p.m., so his work wasn't satisfactory and they asked him to please vacate the apartment and at that time, they told him his money would be at Attorney Trimble's office, so he vacated his apartment and then someone moved them but the last application they received showed that they were living at the Y.W.C.A. at that particular time and that is not in Knight Township, and that is where they claimed their residence to be, that they came to the Knight Trustee and asked him to pay their rent for another house in Pigeon Township.

Mr. Culley said he would contend probably, that based on their last residence, where they are the day they applied, that they were in Pigeon Township and also, that it was Ms. Vinson and her three children that applied, that her husband is no longer living with them, that he wasn't living at the Y.W.C.A., and whether he quit his job and how they ended up in the Y.W.C.A. when they applied isn't necessarily relevant to the fact that they, at the time of application, they were without a place to live and in the need of housing and he doesn't even think that is an issue, that it is just a question of who should be responsible for providing them some help.

He said they were brought over by the Inter City Ministries and they had assisted in helping Ms. Vinson with her children at the Y.W.C.A. in finding a place they could possibly rent and he understands that they went ahead and paid the security deposit and the rent she was seeking and it was his understanding that this kind of arrangement was carried on with both, Knight Township and Pigeon Township in the past quite a few times.

Mr. Olsen asked where they are living now and Ms. Vinson said they are living at 1206 S. Bedford Avenue, that she has been in Vanderburgh County since May and that she and her husband are separated.

Commissioner Schaad asked Ms. Vinson if she has filed for divorce and she said "no" that her husband left her a week ago and she doesn't know where he is.

Commissioner Schaad asked her how old her children are and she said two of them are six years old and one is four years old.

Ms. Mueller said that Ms. Vinson has been out of the states almost two years and

and then returned, that the children are american citizens but she isn't, that this however doesn't have any bearing on the case.

Commissioner Ossenbergh asked how about ADC and Ms. Anslinger said she can't apply for ADC until she has a permanent address and they didn't have one until last Friday at 3:00 p.m. so they are going to apply for ADC early tomorrow morning.

Commissioner Ossenbergh asked how much the rent is at the new location and Ms. Anslinger said it is \$115.00 plus a \$50.00 deposit and that she will have to pay the electricity.

Ms. Mueller asked Ms. Vinson where they stayed last Tuesday and Ms. Vinson said they stayed at the Regal 8 Motel.

Ms. Mueller said that is in Center Township and that she received a call at that particular time from some man who said he had no place to move his wife and three children and she referred him to Center Township and Ms. Schnute said she had no place for them and she referred them to the Rescue Mission, but they no longer take families and she had nothing on this until last Friday. She said she asked the man how he was able to stay at the Regal 8 and he said he had sold some tools he had.

Commissioner Willner said she is now living in Pigeon Township so they should release everyone except Pigeon Township, and the other Commissioners agreed.

Commissioner Willner so moved that all but the representative for Pigeon Township be released. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner said it is his contention that Pigeon Township has no choice but that they must take care of this lady, to guide her and assist her in every way they can. He asked Mr. Olsen and Ms. Anslinger if they are going to help her with ADC or if they needed someone else from the Trustee's office to do that.

Mr. Olsen said "no", that they would probably be able to do it but that there will be an ADC question because of the citizenship and it will probably have to be Child Welfare.

Ms. Anslinger said she thought that Ms. Vinson was told at ADC that she will get it for her children because they are american citizens.

Commissioner Ossenbergh asked Mr. Olsen if he knew how much Ms. Vinson would be getting, and Mr. Olsen said they would be getting approximately \$225.00 to \$250.00.

Commissioner Ossenbergh asked if she would be entitled to food stamps and Mr. Olsen said this is another question, that the last one that came up on this, they had to present form number 1091 or 1096 which is a Bureau of Immigration Naturalization Registration form, showing legality in the country, not for the children but for Ms. Vinson.

Commissioner Schaad said, of course the Trustee will keep track and watch to see if Mr. Vinson shows up again.

Mr. Olsen said they would, that his second wife is also looking for him because of bigamy.

Commissioner Willner asked Mr. Culley if his services cover the possibility of helping her get a job or some day care service or something, so she may earn a living in the future.

Mr. Culley said they are strictly lawyers and para-legals and they try to handle the legal problems and they try to work with them and refer them to the proper agencies.

Commissioner Willner said he understands there will be some complication and they have got to work something out on a long range plan.

Commissioner Ossenbergh said he agrees and he asked Mr. Culley if he goes to the trouble in assisting in finding Ms. Vinson a job.

Mr. Culley said they can refer her to such programs such as CETA and on occasions they have been able to get people on it, that it depends on their eligibility, number of children, etc.

Commissioner Ossenbergh asked if the two six-year olds are in school and Ms. Vinson said they will be in kindergarten.

Commissioner Willner said that what he thinks they need is a guardian for all their problems, somewhere here, but he didn't know if it should be the Trustee's job or not.

Commissioner Schaad said it looks like someone should take her in hand and help her.

Commissioner Ossenberg asked Mr. Culley if it wasn't more or less his job to advise and Mr. Culley said partly, that they get so many families and it is difficult to spend the time that is required, but that if she gets on ADC, her ADC caseworker should really coordinate.

Commissioner Ossenberg said that what he is trying to point out is that when the six year old's are in school, they will be eligible for free lunches, etc, that with her being from out of the country, someone must see that Ms. Vinson understands all of it and the legal part goes so far, that the Trustee can't do it all and some agency has to be a guardian.

Commissioner Willner asked if there will be a divorce filed here and Mr. Culley said that would be up to Ms. Vinson and if she wants to get his services for this particular thing, he will help her.

Commissioner Willner asked County Attorney Smith if there isn't something Ms. Vinson can do now to file for support and try to find her husband.

County Attorney Smith said "yes", that it is his opinion that the one who should be supporting her isn't the taxpayers of the state or the County but her husband, the father of her children.

Ms. Vinson said what if he doesn't and County Attorney Smith said to put him in jail, that they have to look at the person responsible.

Commissioner Willner said Mr. Vinson should be helping support her or he should be in jail, one or the other.

County Attorney Smith asked Mr. Culley why he didn't find Mr. Vinson and have him arrested for non-support.

Mr. Olsen said they can also file desertion against him and his other wife can file a bigamy charge against him.

Mr. Culley said the usual way is to go through the Prosecuting Attorney on the 4-D Program.

Commissioner Willner said he for one wants this done the very first thing, before any assistance is given through the tax dollar and he wants the necessary papers filed.

Commissioner Ossenberg said if he has a job he can be found by computer with Social Security.

Mr. Olsen said he worked for a number of years on a barge line, it is believed, according to one member of the family, that this is probably what he returned to and in that case he won't be too hard to locate.

Commissioner Schaad said he agrees, that this should be pursued first, that there is no point in the taxpayers paying for it when he should be doing it and he shouldn't be let off scot-free, since she will be getting some money now.

Mr. Culley said he will go down and talk to the Prosecutor and he will know how to proceed with that.

Commissioner Willner said she needs to have someone who will give her overall assistance.

Ms. Kennan who is with the Ministry Association appeared and said that she will take care of the overall problem and will make sure that Ms. Vinson has made all the contacts possible.

Commissioner Schaad moved that this case be referred back to the Pigeon Township Trustee. Commissioner Willner seconded the motion. So ordered.

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 RE: MR. LOCHMUELLER

Mr. Lochmueller received a letter from the Division of State Aid on Item #115, Project #M-E090(1), Lynch Road, from US-41 to Oak Hill Road in Vanderburgh County. He submitted the letter to the Commissioners which reads as follows:

Dear Mr. Lochmueller,

Be advised that Location-Design approval has been received on August 23, 1978, for the above referenced project from the Federal Highway Administration. Therefore, in accordance with the Federal Highway Administration's Federal-Aid Highway Program Manual, the County may now proceed with the acquisition of right of way.

Sincerely yours, Virgil A. Bell  
 Chief, Div. of State Aid

Mr. Lochmueller said this is the letter that the Commissioners have been waiting for and now they can get their right of way people and get started.  
 Letter received and filed.

RE: CUTS IN

The following applications for cuts were submitted to Mr. Stephen for filing:

German Township Water District for Schmidt Lane on North side.  
 German Township Water District for Bromm Road North of Creek Bridge.  
 Evansville Indiana Water Department for 7811 Baumgart Road to install water service.  
 Evansville Indiana Water Department for 8424 Baumgart Road to install water service.  
 Evansville Indiana Water Department for 2337 Bergdolt Road for Water Main Extension.  
 Evansville Indiana Water Department for 8906 Old State Rd. to repair Water Main Break.  
 Floyd I. Staub, Inc. for St. George Road-Center South Lane at Cunningham Court.  
 All Cuts received and filed.

The meeting recessed at 12:00 noon.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
 Bob Schaad  
 Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
SEPTEMBER 18, 1978

The meeting of the County Commissioners was held on Monday, September 18th, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: BILL KINDER

Mr. Kinder said last week they received bids for the Work Release Program. The Work Release Program recommends that the County Commissioners approve the bid from Titzer for \$7300.00. He said it is \$32.00 over the other bids but there is more passenger room.

Commissioner Schaad moved they accept the bid from Titzer, seconded by Commissioner Willner. So ordered.

RE: BIDS FOR TRUCKS FOR THE HIGHWAY DEPARTMENT

Commissioner Schaad moved that the County Attorneys open the bids for the trucks for the Highway Department and they will return to it as soon as they are ready.

RE: EMPLOYMENT CHANGES

APPOINTMENTS

AREA PLAN COMMISSION

Karen A. Swails	2800 Lodge Ave.	Part-time	\$ 3.25	9/20/78
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VANDEBURGH - GIBSON CO. YOUTH SHELTER

Judith Ellen Cherry	R.R. 2 Lake Rd.	Teacher	\$7200.00	9/1/78
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CIRCUIT COURT

Denise Hagenseiker		Typist	\$ 2.75	9/11/78
Greg Culleson		Intern	4.00	9/11/78

SURVEYOR

Mark Tuley	1524 S. St. James	Instrumentman	\$8,840.00	9/18/78
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BURDETTE PARK

Barb Koressel	1719 Conlin Ave.	Receptionist	\$6,798.00	9/1/78
Susan Warren	3317 W Michigan	Ground Crew	3.50	9/1/78
Jean Browning	1375 E Chandler	Extra Guard	3.00	9/3/78

HIGHWAY DEPARTMENT

Thomas Waterman	2768 Forest Ave	Laborer	4.78	9/18/78
Larry Babbs	2510 W Virginia	Eq. Operator	5.26	9/18/78
Cecil Sills	708 N Eleventh Ave.	Trash Acct.	4.87	9/18/78

RELEASES

AREA PLAN COMMISSION

Lynn Pitts	508 E Gum	P/T Receptionist	3.25	9/15/78
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CIRCUIT COURT

Denise Hagenseiker		Typist	2.75	9/15/78
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SURVEYOR

Mark Tuley	1524 S. St. James	Draftsman	\$8,840.00	9/16/78
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PIGEON TOWNSHIP ASSESSOR

Deborah Moss	209 S Bedford	Extra Help	\$20.00	9/4/78
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HIGHWAY DEPARTMENT

Thomas Waterman	2768 Forest Ave.	Temp Eq. Op.	\$5.26	9/18/78
Larry Babbs	2510 W Virginia	Truck Driver	\$4.87	9/18/78
Cecil Sills	708 N 11th Ave.	Truck Driver	\$4.87	9/18/78

COUNTY AUDITOR

Martha Calkin (Leave of Absent)		Transfer Clerk	\$7059.00	9/11/78
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RESCUE

Victoria Michack	1516 A Division	Secretary	\$7200.00	9/8/78
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BURDETTE PARK

James Stewart	852 S Alvord	Extra Guard	3.00	9/5/78
Sandra Jacobi	P.O. Box 981	Pool Cashier	3.50	9/5/78
Chris Arnold	2431 N Lafayette	Extra Guard	3.00	9/5/78
Jean Browning	1375 E Chandler	Guard	3.50	9/4/78
Cutee Gostley	R.R. 2 Box 40	Extra Guard	3.50	9/5/78
Barb Koresel	1719 Conlin Ave.	Guard	24.00	8/12/78
Audrey Emge	5508 Cynthia Rd.	Guard	24.00	9.5.78
Joan Biggs	301 Lincoln Ave.	Guard	24.00	8/15/78
Keith Milling	1900 E Michigan St.	Guard	24.00	8/20/78
Scott Kamman	400 Kings Valley Rd.	Guard	24.00	8/30/78
Mark Head	614 S Red Bank Rd.	Extra Guard	3.50	9/3/78
Lisa Peter	9613 Petersburg Rd.	Extra Guard	3.50	6/19/78
Cindy Peter	9613 Petersburg Rd.	Guard	24.00	8/6/78
Janna Gartner	1931 Carol Dr.	Guard	24.00	9/4/78
Candy Garnett	1200 April Dr.	Extra Guard	3.50	9/5/78
Marcia Frellick	4914 N Fourth Ave.	Extra Guard	3.50	9/5/78
Tricia Fleener	5120 Westlake Dr.	Extra Guard	3.50	9/5/78
Sarah Waltz	6710 Hogue Road	Extra Guard	3.50	9/5/78
Jean Griffin	4518 Tremont Rd.	Extra Guard	3.00	9/5/78
Dean Hart	726 Plaza Drive	Guard	3.00	8/15/78
Brent Hawkins	908 N Kelsey	Guard	24.00	9/5/78
Judy Searle	R.R. 8 Box 92	Extra Guard	3.00	9/5/78
Maribeth Willett	2358 Boeke Road	Guard	24.00	8/21/78
Mary Jane Little	1601 Glendale	Extra Guard	3.50	9/5/78
Cathy Wilson	R.R. 8 Box 150 B	Extra Guard	3.50	6/25/78
Marcy Simons	7521 Taylor Circle	Guard	24.00	8/28/78
Rick Lancaster	3725 Joan Ave.	Guard	3.50	9/5/78
Cindy Vescovi	3524 Laurel Ave.	Guard	24.00	9/5/78
Anne Esner	5338 Nottingham Dr.	Asst. Guard	26.00	9/5/78
Kim Knapp	3407 Sweetser	Guard	3.00	7/31/78
Scott Rippy	2763 W. Franklin	Extra Guard	3.00	9/5/78
Karrye Knapp	3407 Sweetser	Cashier	3.50	8/21/78
Judy Overhausen	4218 Tremont	Guard	3.00	8/5/78
Greg Kinney	1551 S. Plaza Dr.	Extra Guard	3.00	7/30/78
Donna Bowers	722 Mels Drive	Extra Guard	3.00	7/1/78
John Voorhees	2166 Adams Ave.	Asst. Guard	28.00	9/5/78
George Hollander	2510 W Maryland St.	Guard	24.00	8/15/78
Dan Waltz	6710 Hogue Road	Guard	24.00	9/1/78
Jennifer Oberhausen	4128 Tremont Rd.	Ground Crew	3.50	9/5/78
Kimberly Lilly	2601 Magnolia Dr.	Guard	24.00	8/21/78
Carol Hewig	10351 Browning Rd.	Pool Manager	27.00	9/4/78
Jan Hudson	4240 Bellemeade	Pool Cashier	3.50	8/19/78
Julie Hudson	4240 Bellemeade	Guard	28.00	8/16/78
Susan Cobb	400 N Boehne Camp	Guard	3.00	9/5/78

Burdette Park Releases continued

Joann Kunkel	5804 Shelbourne	Pool Cashier	3.50	7/1/78
Robert Myer	3725 Waggoner Ave.	Ground Crew	3.50	8/3/78
Joe Shrode	3029 Muensterman Ave.	Ground Crew	3.50	8/7/78
Jeff Hammond	4020 Broadway Ave.	Rink	3.50	8/16/78
Linda Dreier	510 Williams Road	Ground Crew	3.50	8/17/78
Kathy Dreier	510 Williams Rd.	Ground Crew	3.50	8/17/78
Jennifer Jacobi	P.O. Box 981	Ground Crew	3.50	8/29/78
Susan Warren	3317 W Michigan St.	Receptionist	6,798.00	8/31/78

Commissioner Schaad moved the above employment changes be approved, seconded by Commissioner Willner. So ordered.

RE: MONTHLY REPORT

President Ossenberg said they have a monthly report from the Evansville Association for Retarded Citizens, and let the record show it is received and filed.

RE: INSURANCE CHECK

President Ossenberg said they have an insurance check from the Highway Garage for where lightning hit at the base station for the radio for \$225.00, he said this check should go into account number 201-4210.

RE: PROSECUTORS OFFICE

President Ossenberg said they received the following letter from Mr. Lantz:

County Commissioners  
Vanderburgh County  
Room 305  
Civic Center Complex  
Evansville, IN 47708

Gentlemen:

Please take this letter as an official request from the Prosecutor's Office for the installation of two additional telephone lines for the Prosecutor's Office as well as a request for the telephone company to install telephone numbers 426-5150 and 426-5151 and the new lines on a rotary basis.

Our request encompasses a new telephone line for the Prosecutor's Office to be for the Consumer Complaint Division and a new line to supplement the Prosecutor's Office main telephone line.

With the addition of a full time deputy some months ago, we have found that our incoming line, 426-5150, is constantly busy thereby depriving the public of their ability to contact the Prosecutor's Office. We have contacted the telephone company and been informed that these matters will require additional orders from the Commissioners. Thank you for your cooperation in this matter.

Yours very truly,  
Jeffery Lantz

President Ossenberg said installation is \$83.00 and monthly rates are \$32.70.

Commissioner Schaad moved it be approved, seconded by Commissioner Willner, so ordered

RE: NOTICE OF CLAIM

President Ossenberg said they received a notice of claim from the State of Indiana.

He said it is Vera Herren vs Theodore L. Sendak, John Cox, County Commissioners and Paul Wendel.

Mr. Wendel said this is the result of an accident on August 18th. at South Kentucky and Southlane Drive. He said they are claiming that the traffic light was faulty, but he doesn't believe this is in the County Commissioners Jurisdiction, but belongs to the city. He said he will inform Donald Ewers that this was in the City Limits.

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RE: REZONINGS

President Ossenberg said this is the third and final reading on the following rezoning petition:

Docket No. 78-36-PC VC 3-78 Petitioner: Forrest D Railey  
Premises affected: (Complete legal on file). More commonly known as 500, 600, 700, block of Kimber Lane. Nature of Case: Petitioner requests change from an A zone to an R-3 zone for an apartment complex.  
This was an amended petition and was denied with two affirmative votes and seven negative votes.

Mr. Johnson, the attorney for Mr. Railey was there and said he wanted to introduce Mr. Railey, he also said Mr. Culley is there to represent some of the owners. He said there are several owners of this real estate and Mr. Railey has an option to purchase this real estate which is a rectangular shaped parcel located about 1100 feet north of the intersection of Kimber Lane and Division Street. This particular property is in part across from property that is already zoned for multi-family use and is now being used as the Executive Manor Apartments. He said just to the west of the property they seek is already zoned for apartment use. He said with regard to the property itself is agriculture and is vacant at this time. He said this is an area in which they have had a number of multi-family unit zonings approved in the past.

He said he would like to talk to them about the project itself as he thinks it would be a good development for this community if this zoning is approved and Mr. Railey exercises his option to purchase this real estate. The plans call for 224 units, 1/2 which will be one bedroom and the other 1/2 will be 2 bedrooms. The parking in this plan will show 382 units which is more than 1.5 per unit. In addition to that the actual space taken up by the buildings is under 20%, which they feel represents a very low density type of planned apartment complex unit. In addition to that they have been here before with Mr. Sam Biggerstaff who has done at least three and maybe four sets of drainage plans until he got plans that were approved by the Drainage Board.

At this time Mr. Johnson showed the plans to the Commissioners.

Commissioner Schaad asked about traffic problems because the plans said a traffic study would be made. He said he feels the traffic thing should be done first, he said they should have recommendations from Area Plan as to whether traffic can be handled properly.

Mr. Osterhold, from the Area Plan Commission gave President Ossenberg a report on Kimber Lane. The report said that Kimber Lane is a local dead end road that was constructed to provide excess to the Executive Manor Apartments. Kimber Lane carries less than 100 vehicles a day, and intersects with Division south of the property proposed for rezoning. Division carries approximately 14,500 per day. The effects could be determined due to lack of information such as the number of bedrooms. The recommendation is that the developer should be aware that the Evansville-Vanderburgh County Area Plan Commission has produced a report "Growth Management Information Report" one that should be consulted before the land is developed. The County Commissioners have accepted a plan which provided for a skeleton road system in this area, this plan developed by the Evansville Urban Transportation Study calls for the extension of Virginia Street. The extension of Virginia Street will bysect the property proposed for rezoning. Kimber Lane should be extended and used as excess for the proposed apartment complex. When a bought plan is developed it should be submitted to the Evansville Urban Transportation Study for recommendations.

President Ossenberg asked if there were any remonstrators in the audience.

Mr. Thomas Hirsch who lives at 220 N. Burkhardt Road said he is opposed to this apartment complex because of drainage. He said the holding bonds he didn't feel they have proved to successful anywhere. He said if they build this project they will have trash, and will have to furnish a playground for all the children.

Mr. Gayle Taylor, 508 Kimber Lane. Mr Taylor said he opposes this project. He said he does not want to sit on his porch and see an apartment complex. He said this is farm land and he thinks they need to keep it that way because there is plenty of land in Vanderburgh County that won't grow crops like this land because this is some of the best farm land in Vanderburgh County. Mr Taylor said he also objected because of the drainage. He said Mr. Stephens objected to the drainage, but he understands that Mr. Crook said it would work, but if they run this south then west then north, every drop of it will have to go into Stofleth Ditch, which is on his west boundry. He said the traffic that has been discussed in previous meeting is going to be a problem. He said they have one complex in that area and he feels that is enough. Mr. Taylor said he owned a house one time at Jefferson and Governor and he had to move because of traffic problems and he would hate to have to move again.

Mr. Johnson said he would like to respond to the questions that have been raised by the remonstrators, as for as this remaining farm land, he can appreciate the fact that it may be good farm ground but the people that own that property would rather use it for some other purpose than farming, and they are the people who have invested their money and they are the people who are best to decide how their property is used. He asked if this was going to have an adverse effect on the people around there, he doesn't think so, if they go out there and look they will see it is basically surrounded by agriculture areas and some single family dwellings. He said this community needs apartment complexes, he said this will help alleviate what is a critical apartment shortage.

Mrs. Inez Holder of 500 N. Burkhardt Road. She said if they pass this then she will have flooding, pollution and people running all over her property.

Commissioner Willner moved the petition be approved, seconded by Commissioner Schaad. Roll call vote was; Schaad, No; Ossenberg, No; Willner, No. Petition denied.

The second rezoning petition was docket number 78-89-PC VC-10-78, David Lee Holder, President Ossenberg said this is the City of Evansville, and was filed in error.

President Ossenberg said they have the following rezonings for first reading:

VC-11-78	Guthrie May & CO., Inc. Single Family Dwellings	A to R-1
VC-12-78	Jerry Allen Whipple Apartments	R-1 to R-3
VC-13-78	Mr. & Mrs. Robert Lindauer Apartment Complex	A to R-3
VC-14-78	Donald Stucki Manufacturing	A to M-2
VC-15-78	Donald Stucki Single Family Dwellings	A to R-1

Commissioner Schaad moved that the above petitions be referred to Are Plan, seconded by Commissioner Willner. So ordered.

#### RE: CLAIMS

President Ossenberg said the first claim is a refund of permit #1505. This job is in Warrick Co. The claim is in the amount of \$8.00.

Commissioner Schaad moved the claim be approved, seconded by President Ossenberg. So ordered.

A claim for the Evansville Association for Retared Citizens Inc. in the amount of \$10,977.67. Commissioner Schaad moved it be approved, seconded by Commissioner Willner. So ordered.

A claim for James Angermeier for Registration for IAAO School 8/27-8/28, Lodging and tax 8/26-8/28 14 nights and Food 8/26 thru 8/30. The amount of \$238.83. Commissioner Schaad moved it be approved, seconded by Commissioner Willner. So ordered.

A claim in the amount of \$253.20 for Brinks Corp. for the Treasurers Office.

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Commissioner Schaad moved it be approved, seconded by Commissioner Willner.  
So ordered.

A claim for Azabo Food Service in the amount of \$4,295.85 for meals for the jail. Commissioner Schaad moved it be approved, seconded by President Ossenberg.  
So ordered.

A claim for Torian agency in the amount of \$388.00 for Insurance for the County Highway Department. Commissioner Schaad moved it be approved, seconded by Commissioner Willner. So ordered.

RE: INDIANA ASSOCIATION OF COUNTY COMMISSIONERS

President Ossenberg said he received the following statement from the Indiana Association of County Commissioners:

SOUTH WEST DISTRICT MEETING

Date: Tuesday, September 26, 1978  
Time: Social Hour 5:00 P.M. (EST)---Dinner 6:00 P.M. (EST)  
Monroe County Commissioners and their friends  
will be your hosts.  
Place: Inn of 4 winds  
LAKE MONROE  
S. of Bloomington  
E. of SR 37  
Program: Arranged by State Officers of  
County Commissioners Association

Discussion Items:

Safety Re-Inspection of County Bridges  
Keeping Informed through the Indiana Register  
County Insurance Programs & Costs  
Study of Indiana Local Governments Organized  
(Counties-Cities-Towns-Townships)

Warren Henegar, President  
South West District

Mr. Stephens said he was going to attend the conference.

RE: CLAIM

A claim for Reid Holcomb Co. in the amount of \$65,325.00 was before the Commissioners, Commissioner Schaad moved it be approved, seconded by Commissioner Willner. So ordered.

RE: BIDS OF TRUCKS FOR HIGHWAY DEPARTMENT

Mr. Smith, County Attorney said they had a question on the bids. He said the bids provide for 2 dump trucks but Alvey Scott only bid for one. It gives a unit bid with a ea written in which he feels means each, but their unit bid is lower than Key Motors.

President Ossenberg said for the tandem one truck, Key Motors bid was for \$24,992.00. Alvey Scott Motors is \$22,172.67. For the 2 dump trucks which was legally advertised for 2, Key Motors is \$26,998.00 and Alvey Scott bid only on one for \$13,775.59. The unit price from Key Motors for one would be \$13,499.00.

Commissioner Schaad moved they refer these bids to Jack Siebeking to take under advisement, seconded by Commissioner Willner. So ordered.

RE: PENN CENTRAL

President Ossenberg said they had a letter from Penn Central, they were talking about tearing some bridge overpasses in Vanderburgh. The letter is to Mr. Paul

Wendel. He said the letter said they were requesting permission to remove two Railroad overpass structures in Vanderburgh County, Indiana. The Railroad at this location was conveyed to the Southern Railroad Co, on April 1, 1976, therefore you should contact that company regarding the above matter.

Mr. Wendel said he would follow through with it.

RE: DAVE GULLIAM

Commissioner Willner asked Mr. Gulliam if he had made that survey they were talking about and Mr. Gulliam said he doesn't feel like there is any way they can use that line. He said they had a man to walk it and physically got down and walked the tracks at St Joe Avenue and walked the line over to the one they are talking about on Boonville-New Harmony and the line has been cut in a couple of places plus the fact that when you get to St Joe Avenue, they have the fill section so there is no way it can be an active line. Maybe they should bring it to their attention in the letter Mr. Wendel is going to write to them.

Mr. Wendel asked Mr. Gulliam if he would make some notes that he could send along, and Mr. Gulliam said yes.

RE: COMMISSIONER SCHAAD FOR TOM JONES

Commissioner Schaad said he had a call from Tom Jones with the Evansville Association for Retarded Citizens regarding that building that he addressed the letter to us about.

He said this was just a day after the rain and he along with Herman Hotz, Jesse Crook, and Louie Stephens. He said something is going to have to be done. He said they had talked about suing everybody involved, but after looking at it, the downstairs had 10 or 15 places where the water is coming down, one spot over the door where you come into the building it is quite obvious because he had two buckets to catch the water and each bucket had 3 inches of water in them. He said some places where they have tile on the ceiling they become so soggy and saturated that they fell out of the Ceiling completely. He said in some places where they have some kind of plastic covering on the wall water has gotten behind the plastic and when you push it it has water behind it. He said upstairs, sometime ago Key Construction came over and cut out part of the roof, which is concrete, he thought maybe the expansion joint wasn't wide enough so they cut it wider and put a new compound in there, but that is not holding up either because the compound is pliable and has pulled away from the concrete. He wondered if it would weaken their suit if they go over there and work on it. He said he called Paul Wendel and asked for his advise. Mr. Wendel thought maybe they should go over there and take pictures.

Mr. Wendel said he has an appointment with Mr. Bob Lorelien, with Key Construction this afternoon.

Commissioner Schaad Condit and Fosse were the architects on the building and that firm no longer exists.

Paul said they can not let the building get any worse, because they have a duty to legitate the damages as much as possible so it is a matter of taking corrective action and documenting what is wrong in case they do have to go to court.

Jesse Crook ask if it would be in order, to protect themselves, to write to whomever and say the damages are continuing and leaks are deteriorating the building and corrective action has to be taken.

Commissioner Schaad asked who did the repair work on widening the roof and Mr. Crook said Key Construction did it.

Paul Wendel said he could have the meeting at the Civic Center if the Commissioners wished so they can attend the meeting and was told to set up the meeting.

RE: JESSE CROOK

Mr. Crook said Mr. Hotz has work to be done at Washington Home and he has specs for that work if the Commissiners approve he will advertise on September 21 and 28, 1978. Commissioner Schaad moved they advertise and the specs be approved, seconded by President Ossenberg. So ordered.

Mr. Crook said he will be on vacation next week and the following week he will be at a conference so he will not be back for two weeks.



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Commissioner Willner asked Mr. Crook how the clean-up detail come out and Mr. Crook ask if he meant the one on Harmony Way and Mr. Willner said yes.

Mr. Crook said he has not been out there since but if it is not done this week they are going out there and do it.

RE: HERMAN HOTZ

Mr Hotz said sometime back they had a large tree blow down at Washington Home and it destroyed approximately 100 feet of fence, this fence and the tree both belong to the Federal Government and they have contacted them several times and they have sent someone out to inspect it but he suggested to them that it might be a good idea to send them a certified letter of some kind that this thing is a hazard due to the fact that the kids can run up that tree and cross over into this wooded area at the old Marine Hospital and there is danger in that area with snakes and everything else. He said there are also two or three other trees, this fence that he has wondered why they didn't blow down instead of this big tree. So he feels in order to protect themselves they should write them a letter.

President Ossenberg said he thinks they have left it because they say this property will be the City of Evansvilles the first of the year.

Mr. Smith said he would send the letter asking them to remove all trees.

RE: JACK SIEBEKING

Mr. Siebeking presented an absentee list and President Ossenberg said to let the record show it received and filed.

Mr. Siebeking said he had two CETA employees and he has put them on as regular employees as laborers, and he understands they can keep them on the CETA payroll for 30 days if they so desire. He said the reason he was late this morning is because the union representatives were out and they met from 8.00 until 9.30. He said this has been the procedure for CETA employees if they want to do it this way, he asked them if they want to hold those 2 CETA slots out there. He said they are laborers and they can always use them. He said they gave a lot of their slots up, as they had 13 to start with and are down to 2 now, and they do have 2 laboring slots as they are called.

President Ossenberg said he met with the union leaders and the union said they did need more laborers.

The Commissioners agreed they should keep the 2 CETA slots until they can get some one to fill them.

RE: BIDS ON TRUCKS FOR HIGHWAY DEPARTMENT

Mr. Siebeking said he was reading the bids and that Alvey Scott's bid was for per unit on the two trucks.

He said for Alvey Scott for the two trucks would be \$27,551.00 for single axle trucks. Key Motors bid is for \$26,998.00 or about \$553.00 cheaper than Alvey Scott. He said on the Tandem, Key is about \$2800.00 higher than Alvey Scott.

Mr. Siebeking said personally he thinks they can use the 2 single axle trucks to more advantage.

Commissioner Schaad moved they go with Key Motors, seconded by Commissioner Willner. So ordered.

Mr. Siebeking said they have received their pot hole patcher, but they have not received their snow plow yet. He said there was \$80,000.00 transferred into their machinery account and the paver was \$65,000.00 so they have \$14,600.00 left in that account, he said there was \$61,000.00 in the other account and by the time they transfer it around with their trucks, they have about \$29,000.00 available for trucks and if they go with this \$26,000.00 bid they have another \$3,000.00, so there is about \$17,000.00 if they can transfer by letter to equipment or whatever.

President Ossenberg asked if these 2 new trucks would put him in good order or could he use another truck.

Mr. Siebeking said their problem is in the winter time, if they mount the snow equipment on their trucks they have 4 or 5 trucks tied up that just have to sit there and they can't use them. With the 3 new ones, the 2 that they will order and the one already ordered, will put them in pretty good shape as for as paving and hauling rock next summer. He said they have some trucks that have got some age on them and the expense has been high on them but the snow plowing is finally catching up with the trucks, because they have had a lot of transmission trouble.

President Ossenberg asked Mr. Siebeking if they had any 4-wheelers out there and Mr. Siebeking said they have the one that they got from Civil Defense, he said they do not have it in their possession yet, there was some file up on paper work.

President Ossenberg said his personal opinion is that they could use another truck, he said they don't know how much snow we are going to get this year and he feels they will be better off with another truck.

Mr. Siebeking said he would look and see which one needs to be replaced.

Commissioner Willner asked Mr. Siebeking if they have come up with a solution about the salt for this winter.

Mr. Seibeking said they have never received a bid on salt.

Commissioner Willner said his personal opinion is that they have got to take care of this now, instead of the trucks.

President Ossenberg said he is more agreeable to go Mr. Stephens way.

Mr. Seibeking said there is a meeting this afternoon with the people with the calcium chloride thing.

Mr. Stephens said the meeting is over at the Executive Inn. He said they are going to have a hospitality room. He said Mr. Evans will be over there for this City and Town meeting. He said they will be available this afternoon and if any of them could come over he would talk to them. Mr. Stephens said they will be there about 3:30.

President Ossenberg said he couldn't make it at 3:30 but he would be over there a little past 5:00, because he is interested in it, moreso than salt, as this salt has become a highway ripoff.

Commissioner Willner asked Mr. Siebeking if he would have money in his budget if they buy this other truck, to install this tank and fill it.

Mr. Siebeking said this would come out of his salt account, he said they always try to keep \$20,000.00 in that account.

President Ossenberg asked how much is that tank and Mr. Stephens said it runs a little over \$10,000.00, but the county has to furnish the base and the electric to it. He said they will also have to set the tank up so they will have to have crane equipment that will elevate the tank in the right position.

Mr. Siebeking said since he talked to Mr. Stephens about that tank, he thinks they can cut that figure in half. He said he talked to some tank people and he thinks this guy is trying to hold somebody up.

Commissioner Willner said winter is just 3 months away and did they think they could erect this tank and have it ready to go in just 3 months, and Mr. Stephens said yes. Commissioner Willner said they should make up their minds as how they are going to go, so they can get some prices.

Mr. Siebeking said he is to understand that salt has went to \$20.00 to \$21.00 a ton. He said last year they were paying \$14.00 a ton.

Mr. Stephens said using calcium, you take your sand and you add about \$3.00 which is about 10 gallons of calcium Chloride to a ton of sand, so you have about \$4.00 compared to about \$8.00.

Commissioner Schaad asked if this calcium chloride is a liquid, and they said it was liquid and you spray it on your sand right in the truck.

Mr. Seibeking said they say that there is no problem to the availability of the calcium chloride.

Commissioner Willner asked Mr. John Fiegel if there is any harm to the road using calcium chloride, and Mr. Fiegel said he didn't think he could answer that but if he had to give an answer he would say salt was safer. He said the state doesn't like to see calcium chloride around asphalt.

President Ossenberg said Mr. Fiegel's statement is well taken so he would like to go over and talk to these people, because calcium is being used all over the upper part of the state, all over Illinois and Michigan.

Mr. Seibeking said he knows where there is a gigantic pile of salt and they won't give a price. He said the articles he has read on calcium chloride if used in the liquid form it hardens like concrete.

President Ossenberg asked Mr. Seibeking if he is available this afternoon and Mr. Seibeking said yes he was going to attend this meeting.

The Commissioners agreed that they should hold up the money in the equipment account until they check further into this calcium chloride deal.

Commissioner Willner said he has had several calls from Joe Gatewood on St. Joe Avenue and he did ask him about 3 months ago to cut them trees, and Mr. Seibeking said they did go back off of the right of way, and did Mr. Gatewood want them to go back on the other side of that ditch. Mr. Seibeking said there are trees standing in that ditch, which is Locust Creek and if he wants those trees down they will have to go back in there.

Commissioner Willner said they should do something as his drive-way is right north of the bridge and he has no visability coming on or off of the highway.

Mr. Seibeking said they will go back out there and trim back as far as they can.

Commissioner Willner asked Mr. Seibeking if the paver has been working and Mr. Seibeking said it worked last Monday and they went out again this morning, he said they just cannot get the materials.

Mr. Stephens said he recommended to Mr. Seibeking to run all the paving of the bridges, they are working on the one that was funded with a pretty good account, Bridge #65 out on Larch Road and if it ok with the Commissioner's that when he paves these bridges, have them all billed to the one bridge so they pay it out of the bridge account. He said they have plenty of money in this account, and Mr. Seibeking won't deplete his account.

Commissioner Willner said they used cold mix on the holes on St. Joe and they need an overlay on them as they are sinking again.

#### RE: PUBLIC BOAT LAUNCHING

President Ossenberg said they got a letter from the Department of the Army, Corps of Engineers to Paul Wendel which says that they have enclosed 2 sets of plans specs for the Angel Mounds and Dogtown public act access sites on the Ohio River. Construction is currently planned to begin in the fall of 1978.

Mr. Wendel said the Corps wants approval from the county to go ahead with those projects. He said he doesn't see where they any permission to give or deny on this.

Commissioner Schaad the Corps is going to build them and he thinks the City agreed to take them over and operate them.

President Ossenberg says he thinks they should refer this to Mr. Stephens and let him look at the situation.

Mr. Seibeking said he owned property right next to the one down there and they got letters on it if they wanted to remonstrate against it if they so desired, and the letter they wrote said the one in Dogtown is going to be a big park and the one

off of Lenn Becker Road is just going to be a launching facility and that is all.

He said the one in Dogtown will have toilet and shower facilities and 10 or 12 launching facilities and who ever takes it over will have a full time job to maintain it.

Commissioner Schaad said he doesn't believe the Corps would build it unless someone agreed to take over the maintenance and the County hasn't.

Commissioner Schaad moved they refer this to Louie Stephens, seconded by Commissioner Willner. So ordered.

RE: DAVE GULLIAM

Mr. Gulliam said they repaired the Columbia-Delaware Bridge last week, he said he made mention of that the week before that they had an accident out there and the information he gave Mr. Wendel, they are going to hold to that and go with the \$700.00. Mr. Smith said it was given to him.

He said this was pretty accurate as far as expenses are concerned.

Commissioner Schaad asked if there were another one of those concrete things leaning over and Mr. Gulliam said they took it out.

Mr. Gulliam said there is another span at the other end down there where it panels out, he said they got the one that had been hit there and what they done was spanned it.

Mr. Smith said they would go to the individual and he doesn't think they have an insurance company.

Mr. Gulliam said he talked to them last week about emergency bids. He said they had a bridge on Baseline Road just west of 65 that had been washing out for a period of time and it has been getting worse all the time, and it finally got to the point where it has taken out a 2 to 3 foot area into the road way so they had to do something in a hurry. He said he contacted 3 contractors, he said they are talking about ark of sheet piling from where the old wing originally joined in to your ground line to protect the roadway and keep it from washing out any more. He said Deig Brothers gave him a figure of \$13,700.00, Key did not give him any information, and Southwest Engineering gave him a figure of \$6,840.00. Just from the information he has there he would recommend going with Southwest for the work. He said something has got to be done soon or they are going to lose the road.

President Ossenbergsaid first thing they declare it an emergency, so moved by Commissioner Schaad, seconded by Commissioner Willner. So ordered.

✓ Commissioner Schaad moved they give to the low bidder, seconded by Commissioner Willner. So ordered.

Mr. Gulliam said he got a letter from the James Drew Corp. on used guard rails. He said last year this came up and he called him and he got there a little to late. By the time he got the letter it had already been sold, but for their program they are doing it would occasionally come in handy. He said he doesn't feel they would have the quantities they would need but never the less they were wondering about a yearly bid, or this type thing.

Mr. Stephens suggested that they ask Mr. Kinder to include guard rails when they ask for bids so they would be covered for the year.

Commissioner Schaad said this was a good idea.

Mr. Gulliam said he had a question today on Boehne Camp and Red Bank as to route they were going to take as far as re-location or not re-locating.

✓ Mr. Stephens said they were going to get bids for installation of bridges with flashers on both sides of railroad. He said they will be going with the same location.

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President Ossenberg asked Mr. Gulliam if he checked on those beams on the Millersburg Road Bridge and Mr. Gulliam said he did and he has a firm price of \$7500.00 for the beams and he is working on getting them delivered for that price. He said he believes he can talk him into delivering them for that price.

Mr. Gulliam said he will persue this further.

President Ossenberg said he received a call from the German Township water Dept. and apparently it came out of the surveyor's office, but the surveyor's office maintains they didn't give them permission to go out and hire an engineer. He said he told the gentleman that if there was any engineering done, we would have done it themselves and he said they went FHA and we couldn't have done it and he ask him where he thought we were going to get the money and he wanted to know where they were going to get the money and that is where it stands.

Commissioner Willner said he talked to him to he said they couldn't have done the work even if they wanted to because there is federal money involved.

Mr. Gulliam said it appears they will have trouble with one land owner, Clero Schmitt, he won't sell at any sum of money.

Commissioner Willner said then it is up to them to either condemn it or back off the project.

Commissioner Schaad moved they proceed with condemnation proceedings, seconded by Commissioner Willner. So ordered.

President Ossenberg said he was told that FHA would not let them permit them to come in, that once once they make a contract with an association, the same engineering firm has to do the work.

Commissioner Willner suggests they check on this.

Commissioner Willner asked Mr. Gulliam if he would bring the engineering report to the Commissioners next week and Mr. Gulliam said he would.

Commissioner Willner asked if they had to have a right-of-way purchaser in order to condemn and Mr. Wendel said they had to make an offer of purchase before they can condemn.

Paul Wendel said Dan Riddle tried to get in touch with him last week and when he got back from court he had already left, he needs some easement forms like they were using that allows them to take trees or anything that is in the right-of-way. He said he doesn't have any. He said Mike Ludwick would have been the last one to use them. He said he thinks they should be in the surveyor's office.

Mr. Stephens said the one he is using does not say anything about trees and such, but they have to have the space to insert the information from the engineering company. But if there is one that mentions trees he has never seen it.

RE: LOUIE STEPHENS

Mr. Stephens said they are asking to give temporary right-of-way to Empire Development at no cost to the county. Commissioner Schaad moved it be approved, seconded by Commissioner Willner. So ordered.

Mr. Stephens said back when they had a cut permit from Dieg Brothers, they sent them a bond and they ask them to send them a 5000.00 bond for coverage for the year and they are asking that they send back the 2000.00 bond because they can send it back in for credit.

Commissioner Schaad moved they send the \$2000.00 bond back, seconded by Commissioner Willner. So ordered.

Mr. Stephens said this is a new outfit, Dauby Construction, they are doing the sewer work on Lynch Road and Oak Hill Road. He said they are lifting the man-hole and this is to cut into Oak Hill Road and repair. He said they will see that it is done correctly.

President Ossenberg said he wanted Mr. Stephens to watch and see that this is done correctly.

Commissioner Schaad moved it be approved, seconded by Commissioner Willner. So

ordered.

Mr. Stephen said there is concrete underneath and when they cut through the concrete, it shows in there eight inches, but they pour the concrete from the depth that is existing, up to the asphalt.

Mr. Stephen said he told them they would have to use steel plates and leave that intersection open.

He said he talked to the Division of State Aid on St. Joe Avenue and three of them have to be signed. What they did was re-typed it because they mentioned they were holding off signing this because of the fact that it said in there that certified we had the right-of-way already purchased, which they don't have. He said they could re-type it omitting that part.

Mr. Stephen said he had specifications for installation only of the two wooden bridges that they are taking bids on. He said they are furnishing the actual plans and they are supposed to have them down to him, so he is going to have to check on them.

Commissioner Schaad moved they advertise for the bridges.  
Commissioner Willner seconded the motion.....so ordered.

Meeting recessed at 11:40 a.m.

MEMBERS PRESENT:

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert Willner



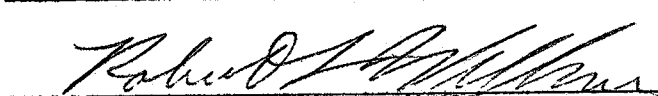
COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Paul Wendell  
Edwin Smith Jr.

Secretary: Margie Meeks  
By: Jean Wilkey

  
  
  
BOARD OF COUNTY COMMISSIONERS



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COUNTY COMMISSIONERS MEETING  
SEPTEMBER 25, 1978

The meeting of the County Commissioners was held on Monday, September 25th. 1978, at 9:30 a. m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: OPENING OF BIDS

Commissioner Willner moved they allow the County Attorney's open the bids and come back to them later, the motion was seconded by Commissioner Schaad. So ordered.

President Ossenberg said these bids are for structures #53 and #54.

RE: EMPLOYMENT CHANGES

APPOINTMENTS

AUDITOR

M. Catherine Day	R.R. #5 Wortman Road	Extra Help	\$20.00	9/20/78
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VOLUNTEER SERVICES, SUPERIOR COURT

Mary C. Abell	739 S. Englewood	P/T Secretary	\$ 3.25	9/19/78
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HIGHWAY DEPARTMENT

Thomas O. Blocker	928 W. Maryland	Laborer	\$ 4.78	9/25/78
Larry W. Schaad	1121 N Main St.	Laborer	\$ 4.78	9/25/78

COUNTY SURVEYOR

Larry Lupfer	4513 Fulton	Asst. Mechanic	\$ 5.19	9/25/78
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VANDERBURGH COUNTY R.E.S.C.U.E, INC.

Joseph G. May	113 LaDonna Blvd.	Counselor	\$ 3.00	9/23/78
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RELEASES

VOLUNTEER SERVICES, SUPERIOR COURT

Katherine Fuchs	Red Bank Road	P/T Secretary	\$ 3.50	9/14/78
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HIGHWAY DEPARTMENT

Thomas O. Blocker	928 W. Maryland	C.E.T.A. Lab.	\$ 4.78	9/25/78
Larry W. Schaad	1121 N. Main St.	C.E.T.A. Lab.	\$ 4.78	9/25/78

COUNTY SURVEYOR

Larry Lupfer	4513 Fulton	Laborer	\$ 4.78	9/25/78
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RE: MONTHLY REPORTS

President Ossenberg said they had monthly reports from Legal Aid Society, County Clerk, and the County Treasurer, and to let the record show they be received and filed.

RE: CERTIFICATE OF INSURANCE

President Ossenberg said they received Certificates of Insurance from the Evansville Council of Garden Clubs for Coverage provided for November 14, 15, & 16, 1978 at Vanderburgh Auditorium Convention Center for Flower Show, The Inland Yacht Club for Lease Agreement for Gold Room on evening of 9/14/78, The Board of Higher Education and Ministry of the United Methodist Church, et al for U of E leasing from Lessor the Vanderburgh County Auditorium & Convention Center on 10/18/78 and for Christian Athletes Ministries for Concert to be held at the Vanderburgh Auditorium September 26, 1978.

President Ossenberg said to let the record show the Certificates of Insurance be received and filed.

RE: REFUND CHECK---BLUE CROSS-BLUE SHIELD

President Ossenberg said they have received a refund check from Blue Cross-Blue Shield in the amount of \$18,712.21 made out to Vanderburgh County Board of Commissioners.

He asked what was the advise on this from Mr. Smith, County Attorney, and Mr. Smith said this must have been the response from his letter and the Commissioners said no, this was the original offer, and his letter was in two different accounts. President Ossenberg said they maintain they owe them more.

Commissioner Schaad asked if they should accept this check or send it back.

Mr. Smith asked the Commissioners if they received a copy of his letter which is as follows:

Blue Cross and Blue Shield  
120 West Market Street  
Indianapolis, Indiana 46204

Re: Account No. 01-23034  
Account No. 01-23160

Gentlemen:

The Vanderburgh County Commissioners are concerned about your failure to make refunds under the retention agreements contained in the above policies. As County Attorney, I have been instructed to contact you relative to this matter. From my examination of the two policies I am of the opinion that the county is entitled to a refund under each of the policies and that the two policies cannot be consolidated for the purposes of determining the amount of refund. Our records disclose the amount of refund payable to the county.

I would appreciate your early response to this letter. Thanking you very much, I remain.

Cordially yours,

Edwin R. Smith, Jr.  
Attorney at Law

CC: Mr. Tom Ossenberg  
Mr. Bob Schaad  
Mr. Robert Willner  
Mr. Bill Taylor

The Commissioners said they all received copies of this letter.

Mr. Smith said if they accept this check it might constitute some sort of trouble, and President Ossenberg said under policy 23034 which county carries, and his figuring with Mr. Stump and Curt Johns, too, he is combining those and he says they owe \$53,000.00, they were combining those and giving them this check for \$18,000.00.

He said they owed them \$15,000.00 from last year, and \$38,000.00 to \$39,000.00 on the 3-4 policy, but the experience on the high option, which they had to have at least 60 per cent or 80 per cent, in the combined deals showed a \$3,000.00 surplus. So with the \$15,000.00 and the \$3,000.00, that is where they are coming up with the \$18,000.00.

Commissioner Willner moved they refer this to the County Attorney's, seconded by Commissioner Schaad. So ordered.

RE: CANCELLATION OF BOND

President Ossenberg said he received the following statement from the Toriam Agency, Inc., for the Cancellation of Public Official Bond for Katherine Appuhn:

Gentlemen:

In order that we can cancel the above bond we need to have the attached Bond Release signed by the President of the Board of Commissioners and returned to us in the self-addressed envelope as quickly as possible. Thanks.

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Commissioner Schaad moved it be signed and returned, seconded by Commissioner Willner, so ordered.

RE: BIDS ON STRUCTURES #53 & #54

President Ossenberg said they have the bids on Structures #53 & #54. He said they only have one bid and it is from Nalley Coal Corporation. He said on Bridge #54, the amount is \$29,500.00 and on Bridge #53, the amount is \$27,500.00.

Commissioner Schaad moved they refer this bid to Mr. Stephen, seconded by Commissioner Willner. So ordered.

RE: UPDATE: PARK AND RECREATION MASTER PLAN

President Ossenberg said they have a copy of a letter to Mayor Lloyd from Vern Hartenburg which is as follows:

As previously discussed Mr. Stewart Allen, of the Allen Organization, has submitted the proposal in a total amount of \$9,000 to prepare the 1984 park, recreation and open space Master Plan for the City of Evansville and Vanderburgh County.

It is necessary that we enter into an agreement with the Allen Organization no later than November of this year if we desire to complete the report by budget time, 1979. In view of this, this is to request an indication on how the consultant fee of \$9,000 be divided between the City and the County. Previously, the City assumed 60% of the cost and the County 40%. Tom Ossenberg was included in our preliminary discussions with Mr. Allen on August 31st and indicated the County's enthusiasm for participating in the Plan update.

This is to also request funding in an amount of \$10,000 from the Park District Cumulative Building and Sinking Fund be approved to retain Mr. Richard Wiebe as Park Planner to aid locally in the preparation of this plan update, as well as to continue his design work and planning function in relation to the St. Joseph landfill, Kleymeyer Park, etc.

If you need additional information on these items, please telephone.

CC: Suzanne A. Nicholson, President Board of Park Commissioners  
Tom Ossenberg, representative County Council

President Ossenberg said the County's share would be \$3,600.

Commissioner Willner asked what are they going to update in the County and President Ossenberg said it is not necessary that what they update in the County, but it is necessary if they are going to get B.O.R. money, you have to have an updated park plan, and they have been fortunate receiving B.O.R. money and they are phased one and two, and continue to go through phase three and four, out at Burdette they have given them money for tennis courts and roads to the swimming pool and several things.

Commissioner Schaad moved they go before before the County Council and ask for the \$3,600 which is their 40%. Seconded by Commissioner Willner, so ordered.

RE: AMEND MINUTES

President Ossenberg said go ing back to last weeks minutes, referring to Jesse Crooks, they had some work to be done at Hillcrest home instead of Washington Home as was in the minutes.

Commissioner Schaad moved the minutes be corrected, seconded by Commissioner Willner. So ordered.

RE: JERRY ALLEN WHIPPLE

President Ossenberg said they received the following letter from Mr. Whipple:

County Commissioners  
Civic Center Complex  
Evansville, Indiana 47708

Dear Gentlemen:

Please accept this letter as notice that Jerry Allen Whipple is trying to rezone 5906 N. New York Avenue, 5912 N. New York Avenue and 5918 N. New York Avenue (lots 6, 7 and 8 in Skydeal Terrace Subdivision) all in Evansville, Indiana from R-1 to R-3. The R-3 zoning is being sought so that fourteen one bedroom apartments can be constructed at 5906, 5912 5918 N. New York Avenue in an attempt to alleviate the housing shortage in Evansville, Indiana. There will be a public hearing on this matter at the Area Plan Commission Meeting on October 4, 1978 at 6:00 p.m. The location of this meeting will be Room 301 of the Civic Center Complex, Evansville, Indiana 47708.

If you have any questions in regards to this matter, please feel free to contact me at 1-812-425-0599 at any time.

Sincerely,  
Jerry Allen Whipple

President Ossenberg said he assumes that they own property around there.

He said it is really a City rezoning.

He asked Mr. Hotz if they own property around there and Mr. Hotz said he did not think they owned any property on North New York.

President Ossenberg said let the record show it be received and filed.

Mr. Curt John said he would check the code numbers and run it down, he said this may be a peice they sold some time ago on tax sale. He said he would check it out and let them know.

RE: CLAIMS

President Ossenberg said the following claims are before the Commissioners for approval:

P & H Construction for Equipment Rental as Per yearly Bid in the amount of \$3,930.00.

Velmont Claridge for Charge for mowing weeds at 609 Drezel in University Heights in the amount of \$35.00.

Bauer Brothers Contractors, Inc. for the Highway Department in the amount of \$1,012.00.

Foster Construction for Refund for Permit #1418, Duplicate of Permit #783 in the amount of \$85.00.

Commissioner Schaad moved the above claims be approved, seconded by Commissioner Willner, so ordered.

RE: COUNTY ATTORNEY ED SMITH, JR.

Mr. Smith said he had a letter for the Commissioners, Mr. Smith said for President Ossenberg to read it and then he would try to explain it.

President Ossenberg said it is Anna Jachol vs Board of County Commissioners. He said they are hereby ordered that Paul Hatfield, 1290 Hatfield Drive, Walter Day, 4615 N. 4th Ave., and Emerson Reed, 401 Tyler Ave. be allowed and paid the sum of \$175.00 each for services rendered herein as appraisels. He said it is signed by Terry Deitsch, Vanderburgh Superior Court Judge.

Mr. Smith said he received this letter in the mail and apparently this is for services as appraisers on those trees. The only thing is there is no trees for them to look at.

Commissioner Willner asked if the court had ordered them to pay this and Mr. Smith said this was a court order.

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Mr. John said on several occasions they have been ordered to pay court appointed appraisers.

Mr. Smith asked if they wanted to wait on this and let him check with the judge on it.

President Ossenberg said he would like to know why the judge would order them to pay something they cannot even see.

Mr. Smith said the appraisers did and came back with a figure of \$22,500.00 for damages.

President Ossenberg asked Mr. Gulliam about the trees and Mr. Gulliam said those trees were taken down several years ago.

President Ossenberg said he explained to the judge that he was out there at the time the job was being done and he couldn't even see the trees.

President Ossenberg said he read the entire transcript of that court hearing, which was 131 pages and the only witnesses that she had was her relation.

Mr. Smith said he and Mr. Wendel resisted this from the very beginning, and they took the position that the trees were included within the easement grant for which the county paid her.

Commissioner Willner asked who the contractor was and President Ossenberg said it was Barnett Brothers.

Mr. Gulliam said they had that broken down and Andy Hazelwood had the clearing and the dirt work, so he would have been the sub-contractor.

Mr. Smith said they have a pre-trial coming up on October 23rd with Judge Dietsch, and he said that is to assign a trial date on the question of damages.

President Ossenberg said he doesn't see how she can get any damages, because she signed to sell when they bought her right-of-way.

Mr. Smith said that is their position and they are prepared to appeal, and have already done the work for an appeal.

Commissioner Schaad moved they have the county attorney's take it under advisement, seconded by Commissioner Willner. So ordered.

RE: HERMAN HOTZ

Mr. Hotz asked what was the status on the retarded citizens building and Mr. Wendel said they are still waiting word from the manufacturer of that sealant that goes in the expansion joints. He said he talked to the contractor again Thursday and he still hasn't received word from the manufacturer.

RE: HILLCREST-WASHINGTON HOME

Commissioner Schaad said he received a letter from the Hartford Insurance Company and he talked to Mr. Hotz about it this morning and it is in regard to inspection on Hillcrest - Washington Home. He said there are a few things that they suggest to be changed. The letter is as follows:

Mr. D. Reed, Director  
Hillcrest-Washington Home  
2700 W. Indiana  
Evansville, In.

Dear Mr. Reed:

This letter will confirm my visit to your location in August, 1978. I wish to thank you and the county building superintendent for the time and consideration shown me during my annual re-survey of the premises. In reviewing the suggestions offered in my last survey of September 9, 1977, I find that all have been completed or we discussed that some of them would be dropped with the exception of 77-60, which dealt with guardings of the floor mounted fan in the Washington Home dining room. Since this is a older fan with large blade guards I would suggest that a netting be secured from one of the local supply houses and this cover the blade guard to lessen the chance of a child ticking their hand or object in the

moving blades.

The following new suggestions which were discussed with you are again offered for your future consideration.

#### HILLCREST HOME

- 78-16. We again found that in the laundry room there was an older type fan that had the wiring in need of repair and also a large open blade guard. Since this fan is outdated I would suggest that the power cord be cut off from it so that it would not be used if it is to be kept on the premises.

#### WASHINGTON HOME

- 78-17. We noted that there are some cane type stools in this building that some were being used as stepping type stools to retrieve items off of higher shelves. Due to the problems of these cane stools being used for this purpose I would suggest that they be removed from the building as it is very possible that they could give away under a persons weight from standing on them.
- 78-18. Also we noted that there was a fan located in the dining area that needed the mesh type smaller blade guard on it. Suggest you have this done.
- 78-19. In the basement storage area where the washer and dryer are located some makeshift wiring had been done to the washer in that the cord had been extended, and the tape joint was pulling apart exposing some of the conductors. Suggest you have the county electrician properly extend this wiring and be sure that it is grounded.
- 78-20. We noted that in the women's lounge area that one of the wall receptacles had been damaged. I would suggest a new cover and receptacle be installed along this wall.

I was very happy to see that the outside grounds, equipment, and housekeeping throughout the building was in excellent shape.

These suggestions refer to conditions observed at the time of the survey which could cause injuries or property losses. Although we have undertaken to assist you in the area of Loss Prevention and Loss Control, the observations are not meant to imply that every loss producing condition has been uncovered nor that we are in a position to advise as to whether you are in compliance with the Occupational Safety and Health Act of 1970, or any similar law, and no act or statement made by us or on our behalf should be construed in this manner. The most effective way to prevent accidents is for your personnel to recognize and promptly eliminate accident causes.

If you have any questions about the above items, please do not hesitate to give me a call.

Sincerely,

Wayne Fox  
Resident Loss Control Surveyor

Commissioner Schaad asked Mr. Hotz if he received this letter and He said they have already taken care of most of them.

Mr. Hotz said the guards for the fans are on order and he will follow through with it, and see that it is done.

RE: BILL JUDD

President Ossenberg said they have the following letter from Mr. Judd:



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To: Board of County Commissioners

From: William T. Judd

Subject: Locust Tree Lane and Schutte Road

At the present time there is no traffic control at the intersection of Locust Tree Lane and Schutte Road. Due to the added Streets and additional traffic in Ed Dunaway Subdivision it is my recommendation that Locust Tree Lane STOP for Schutte Road.

The Board of County Commissioners approval is requested.

William T. Judd  
Traffic Director

Commissioner Willner asked if Locust Tree Lane is a county accepted road, and Mr. Stephen said yes it was the last one accepted just recently.

Commissioner Schaad moved the request be approved, seconded by Commissioner Willner. So ordered.

Mr. Judd said on Pollack Avenue, it is still being worked on and he will give them a full report on it next week, he said the average speed out there is 45 m.p.h. and the 85% job is 53 m.p.h., so they are going to have to stay within 8 miles either way, up or down.

Commissioner Schaad said when they were out on Ruston Lane, there are no railroad signs of warning of a railroad crossing of any kind out there. He said he guessed it was up to the railroad to put those up.

President Ossenberg said they might as well put them up, because if they wait for the railroad, it may never be done.

Commissioner Willner said he thinks they should inform the railroad that they are doing that, and give them a copy of the letter so it can be put in the minutes.

Commissioner Schaad so moved, seconded by Commissioner Willner. So ordered.

RE: JACK SIEBEKING

Mr. Siebeking said he had an absentee report and President Ossenberg said let the record show it received and filed.

Mr. Siebeking said some time ago they gave him permission to have someone come out and give him some bids on some of the salvage stuff they have in the yard and Liberty came out and he called a couple of others and they were not interested. He said there is the van that belonged to the Surveyor's Office, those old ones that they have salvaged out, and Liberty gave them a bid of \$1,000.00, for all the salvage out there and they will pick it up.

Commissioner Willner asked if this was auctioned off at one time and Mr. Siebeking said no this has been since the auction and he said he doesn't think they will get a bid on an auction on this because it is just salvage. He said they have stripped everything they could.

Commissioner Willner asked if they could accept a bid like this or do they have to go for auction.

Mr. Smith said they will have to advertise for bids and auction it off as surplus property.

Commissioner Schaad moved they advertise and take this bid they have as one of the bids, and if someone wants to bid higher, that is alright.

Mr. Siebeking said should he do the same on those culverts and was told yes.

Mr. Siebeking said Liberty said they might be able to move that old belt loader, but did not give him a price on it.

Commissioner Willner asked if this was the third belt loader and Mr. Siebeking said they only had two. Commissioner Willner asked if they just put a new motor in that one and Mr. Siebeking said about 2 years before they got the new one. Mr. Siebeking said this one was out there when he went out there, but someone said it was about

25 years old. He said they used it until they got the new one.

Mr. Wendel said it will have to be advertised four times.

President Ossenberg said it will be advertised September 28, October 5, 12, 19, 1978.

Mr. Siebeking said Don Finch from Buslers has been calling him and said he was going to call Commissioner Schaad. He said come to find out they were in agreement to pay for the material if they would put it down, but he found out they were only going to do it right in front of their business and it wasn't going to come on out into the radius of the curbing so He told him that they couldn't come out there and do just right in front of their property, that it would have to be a combined effort between all of them and with that he said he would get with the Commissioners.

Commissioner Willner said he asked the attorney's to look into that and see if a suit was justified and Mr. Smith said he talked to President Ossenberg and after researching it he came to the conclusion that there was no such requirement that the road be placed back in its original condition when it was abandoned by the state.

Commissioner Schaad asked if there wasn't a law passed that they did not have to accept the road if they did not want to.

President Ossenberg said that came after this.

Mr. Siebeking said they said when they were up there two weeks ago that they could put rock on it if it got bad enough, and he called him two days later and said the Commissioners said they would come out there and oil it. Mr. Siebeking said he told him he didn't remember the Commissioners saying that, so they got into a little hassle over that.

President Ossenberg asked Mr. Stephen if he had talked to the man who had the service station and if he would be willing to pay for the material in the same way that Busler does if we put it down and Mr. Stephen said he had not got in touch with him.

President Ossenberg said he talked to Mr. Crook and told him the proposal and Mr. Crook said that 7 or even 8 inches of black-top isn't going to do them any good. He said the only thing he thinks will hold is black-top and concrete.

Mr. Seibeking said he would like permission to take the rest of the week off for vacation.

Commissioner Schaad so moved, seconded by President Ossenberg. So ordered.

RE: DAVE GULLIAM

Mr. Gulliam said they had a pretty good week last week, they put in about 364 feet of rail, and they had one bridge down on Happe Road that the farmers are complaining about and having trouble getting through so they are in the process now of taking the rails down and widening it out and put new rail up and they should have that done this week sometime.

Mr. Gulliam said he got ahold of Quinton Stahl last week and he is right now working on the intersection that they discussed on Oak Grove and Burkhardt. He said he is going to attempt if he can work it in, to get some fill out there and try to take care of some of the areas on the road, they have had several places that have washed out and need to be graded down.

Mr. Gulliam said the City is in the process of doing some work in regard to Akin Ditch. He said it looks like they are going to get a good section of the ditch in the county taken care of, about 300 feet, he said they were supplying the control stationing and the stakes on it and they are going to clean it out or dig it to our specs, whatever they want.

Mr. Gulliam said he has three cut applications, two for the city and one for Don Barnett. He said the utilities have all been notified on these and the bonds are in order, so they recommend they be approved.

Commissioner Ossenberg said if they are all in agreement then their stamp can be used.

Mr. Gulliam said the last thing he has is that they have their petition put together with the names of all the people involved in regard to the Chandler Extension.

Commissioner Schaad said this was for the Drainage Board.

Mr. Brenner said the Commissioners have to petition the Drainage Board even though they are the Drainage Board.

Commissioner Schaad moved they petition the Drainage Board, seconded by Commissioner Willner. So ordered.

Mr. Gulliam said their project on Adler Road is going pretty well, they have their abutments poured and the wing areas poured and they will probably be setting their beams and getting the deck taken care of within the next week.

President Ossenberg ask Mrs. Shirley Cox if she had anything to bring up before the Commissioners and she said she sent a letter to the Commissioners on Health Insurance, and she didn't know if they were going to bring it up or not. Mrs. Wolf said they did not get the letter.

President Ossenberg asked Mr. Gulliam if he checked on those beams from Millersburg and Mr. Gulliam said they can get them for the price he told them, the only thing they needed to check into was the transportation costs on it and he has his vehicles tied up right now, he said he thinks they can get a better price for the delivery if they let the contractor they are getting them from deliver them too.

Commissioner Willner asked Mr. Gulliam if he brought those blue prints of the German Township Water District and Mr. Gulliam said he would go and get them.

RE: LOUIE STEPHEN

Mr. Stephen said he and Keith Lochmueller and Lonnie Etheridge met with a group of the businessmen along Lynch Road last Thursday afternoon and they are wanting to push this project to its upmost and they are willing to meet and get signed off for the various right-of-ways. He said they need three types of right-of-ways, temporary right-of-way, permanent drainage right-of-way and permanent right-of-way. He said he didn't think they would have to pay very much for the permanent right-of-way and they shouldn't have to pay anything at all. He said he called Ray Bower, at the state and questioned him about the permanent drainage easement, it is so designed that the area cannot get to the inlets at the curbs, so therefore they have to put an inlet lower but still into the new storm sewer and that is the reason for those permanent ones and Ray Bowers said he didn't think they should have to pay anything for those, but for the permanent ones they will unless they are willing to donate and they know about the option.

Mr. Stephen said Mr. Don Cox is wanting to get going right away. He said Mr. Lochmueller does not like the particular easement form that he did find that had been used in the past, and they have been using, because it didn't mention anything about trees, but they don't have any trees on this project anyway, but Mr. Wendel is supposed to have a copy of the new easement forms in which he can use which does mention something about trees. He said if it is alright he will go ahead and use that form and make it up like they did for St. Joe for the permanent sections only, and get them to Don Cox for acquiring and they should be able to take care of the other two forms of right-of-ways they need, unless they want Mr. Cox to take care of all of them.

Commissioner Schaad asked about federal money being involved and Mr. Stephen said Mr. Lochmueller does not want to use federal money on this, as they have sufficient funds for this.

Commissioner Schaad asked if those minor changes have been made and Mr. Stephen said they have been and he has so informed Bill Nicholson that he wanted five sets of those plans run off so he can take them to the utilities.

Mr. Stephen said he needs to know whether they are going to ask Mr. Cox to do all three of the types of right-of-ways or only the permanent ones only, because on the permanent ones there are only eight people he has to see. He said only the permanent ones need be appraised.

Commissioner Schaad if they can meet legal requirements and do it themselves, why should they pay someone to do it. He suggests doing it themselves and let Mr. Cox do the permanent ones.

President Ossenberg said he personally would like for Mr. Stephen to draw up the specs and advertise for the next two weeks on salt storage.

President Ossenberg said he went over to look at this with Mr. Stephen and Commissioner Schaad and Mr. Siebeking and this is to him the way to go. He said it is not only good for winter, they can take a dirt road and grade it and spray this calcium chloride and in about two minutes it is like concrete.

Mr. Stephen said for Commissioner Willner's information, if they have a gravel or stone road and for each vehicle per day per year per mile you would lose one ton of stone. He said with calcium chloride it binds and holds that in and you don't lose that stone.

Mr. Stephen said one main thing about calcium chloride is that it keeps melting, and salt stops melting snow at 20 degrees.

Commissioner Willner if he could have the specs by next Monday and Mr. Stephen said they can have the specs ready to advertise this Thursday, if they so desire.

Commissioner Schaad said they also have to draw up specs for a tank as well as the calcium chloride.

Mr. Stephen said the installation of the pumping dispensing unit and storage will run approximately \$10,000.00.

X Commissioner Willner moved they draw up specs and advertise, seconded by Commissioner Schaad. So ordered.

Mr. Stephens said they will run the ad for the first time this Thursday.

President Ossenberg said they will open the bids on the ninth of October.

Commissioner Willner said can they include in the specs that after so many days after the bid is let that they will have it completed.

Mr. Stephen said they said at the rate they are going they would have it finished by the end of thirty days.

Mr. Stephen said he is going to bring up in the drainage board meeting some questions Sam Biggerstaff is going to have on the key out on St. Joe. He said he wanted to mention that because even though it is drainage it will have something to do with this also.

President Ossenberg said back in December 18, 1952 there was a question of Schmidt Lane, he said it should be Schmitt Lane, a 50 foot road lying in the Northeast 1/4 of the Northwest 1/4 of section 2, township 6 South, Range 10 West, Extending from Blue Grass Road East a distance of approximately 580 feet.

President Ossenberg said a Mr. Silk came into their office as well as the Auditor's Office.

Mr. John said Mr. Silk told him that Mr. Stephen had the details on it, and he wanted to know how to get the name changed on it or corrected in the minutes. Mr. John said he told him the Commissioners had the power to correct the minutes.

Mr. Stephen said Mr. Silk was wanting to know exactly what is the right-of-way, back in 1952 at this point, earlier in the year it was recommended that this be included in the planning, and it wasn't until December that 580 feet was taken in, as a county legal, by the Board of Commissioners, later on the people on the north side dedicated to the county in the 1960's they dedicated to the county 25 feet on their side for 1,271 feet or thereabouts. What they did was, already the county had accepted that 580 and part of that 1,270, so therefore the road on the one side is 25 feet wide and 1,270 feet long and 25 feet and 580 feet long on the south side.

He said it was all certified sometime to the state for the full 1,270 feet because it shows in the computer print out that the road is our road for a total distance of .24 miles and that is not quite 1,320 and he assumes it was calculated from that 1,270 feet.

He said in effect they might not have the 50 feet for the full distance as it was

never shown anyplace, so they have a 50 foot road that they can claim, they can claim more but he doesn't know if they can prove it, they won 50 foot for the 580 feet, from there on at least 25 feet and if the other 25 feet is there he does not know.

Mr. Stephen said the gentleman on the south side even on the 580 feet, one time he went out there and looked at the problem and he parked on the north side of the road, and was talking to Mr. Silk and this gentleman came over and informed him that he was parking on his land.

Mr. Stephens said this mans deed reads to the property line that happens to be the center of the road he thinks he owns and controls that and can shut it off if he so desires, but they looked his deed up and it says "with the right-of-way of public roads".

Commissioner Schaad said in regard to changing the name, is there just this one mans request to change it and Mr. John said it was just misspelled in the minutes, and he would like to see it corrected, as someone is contending that it is a different road but it is actually the same road.

Mr. Stephens said Mr. Silk would also like to have the intersection off of Oak Hill as you make the turn improved, Mr. Siebeking said he was going to do it.

Commissioner Schaad moved they amend the minutes to read Schmitt Lane instead of Schmidt Lane, seconded by Commissioner Willner. So ordered.

President Ossenberg said he would be reluctant to write him a letter or even going into that intersection, because the gentleman is Louie Wagner and he has a deed and abstract that he presented to Dick Nussmeyer and himself that he owned that whole road or part of it to Oak Hill Road.

Mr. Stephens said his deed says with restrictions to the right-of-way of roads. He has Oak Hill on one side which used to be known as Blue Grass which was given a 60 foot and Schmitt Lane which was petitioned and accepted for county maintenance a 50 foot right-of-way for 580 feet, and that was before he ever got title to the property.

President Ossenberg said Mr. Wagner ordered Mr. Nussmeyer and himself off his property.

Mr. Stephens said all the records show the county accepted it in 1952 and he didn't get the land from his father until 1967.

Commissioner Schaad said Mr. Lochmueller was there and they were talking about right-of-way on Lynch Road.

Commissioner Schaad asked Mr. Lochmueller if Mr. Stephens could do the temporary easements and right-of-ways and let them go ahead with the permanent ones.

Mr. Lochmueller said that would be alright.

#### RE: DAVE GULLIAM

President Ossenberg asked Mr. Gulliam if he had the plan from the plans of the German Township Water District and Mr. Gulliam said yes, the only thing they have is the layout of proposed projects. He said they never received anything that actually showed the engineering that they were proposing on their new water line.

He said this is probably one of the top 10 projects in terms of having a hazardous situation, the narrow bridge and poor approach and numerous problems. He said they have approached Clero Schmidt earlier and discussed the matter with him and couldn't work anything out, but maybe if they made a specific offer they may have better luck.

Commissioner Willner suggested they make an offer and Commissioner Schaad agreed.

Commissioner Willner moved they give the Surveyor the authority to make him a cash offer and see if they can deal with him, seconded by Commissioner Schaad.

The second motion by Commissioner Willner is that they write to the German Township Water District and ask for a copy of the plans, pursuant to the \$647.00 bill they got they would like to see the plans, seconded by Commissioner Schaad. So ordered.

Mr Silk should contact Mr  
Louie Stephen since he doesn't  
remember what it was he found  
in the Records office so if  
they find it, he can have Mr.  
Stephen make him a copy of it.



1952- Book D-2  
Page 496 - Mr. Sick

Recorder's office

originally

RE: NORTH NEW YORK AVENUE

President Ossenberg said Mr. John looked up this property and the county owns no such property.

RE: KEITH LOCHMUELLER

Mr. Lochmueller said he received some information back from the Indiana State Highway Commission Division of State Aid, about a month ago or 2 months ago it was discussed that rural secondary funds as of October 1 the third year, as that money would get into its third year, that money would be taken out and put into a pot for 5% for any county. He said he found out that that was a proposal by the Division of State Aid and that is not necessarily going to be law or policy by October 1. There is going to be a meeting and from what he has heard there is going to be strong feelings among Highway Commissioners and they are looking to the County Commissioners throughout the State on what they think should take place, he said he has two feelings on it and one is if we turn money back then why should there be a limitation of 5% to that pot, because they are not talking about a whole lot of money. He said the other thing is should they just leave the policy as it is, they could use the money next year if they had the local match. He said it wasn't cut and dried and the Commission is giving it second thoughts.

Commissioner Schaad asked if this couldn't be brought up at the Southwest meeting of County Commissioners, he said this is something their association could really in a unified effort could do more than one individual board of county commissioner could do.

Commissioner Schaad said Mr. Stephen is going and Mr. Lochmueller could discuss it with him and Mr. Stephen can bring it up at the meeting.

Commissioner Willner said along with those same lines, he feels the legislature is really going to do something with the financing of roads this year, is there any possibility that we might do away with the retainage that the state holds over their heads and let them have all that money that belongs to the county's.

Commissioner Schaad said that has been his thinking for a long time.

Commissioner Willner asked why should the state hold that money and tell them how to spend it.

President Ossenberg said that his thinking also and Mr. Stephen could make that suggestion to them tomorrow at the meeting.

Commissioner Schaad said the Indiana Association of County Commissioners should take upon themselves to have a strong lobby and get this changed.

President Ossenberg said the reason they hold their money is to draw interest on it.

RE: POOR RELIEF

President Ossenberg said she have a poor relief, the name is Theresa Agnes, 400 South Rotherwood.

The appeal says Ms. Agnew stated she has been a continuous resident of Evansville for more than a year and she is going to continue to stay here with her sister, Janet Madison.

President Ossenberg said her application for medical has been denied by the Knight Township Trustee's office because she is a resident of a state other than Indiana.

Virgil Outlaw spoke in her behalf and said she is a resident of the state of Indiana, she was for 16 years and went to Chicago with her sister for 2 years and came back to the U of E.

Mr. Chaddock, Knight Township Trustee, gave each of the Commissioners a letter with background information on it.

President Ossenberg asked for when this was for and Mr. Chaddock said the application was made in August of 1978, the bills were incurred prior to that time. She was in St Mary's in June and July.

Commissioner Willner asked if Ms. Agnew had any sort of job and Mr. Outlaw said no, with her classes and studying schedule she could not hold down a job.

Mr. Outlaw said she lives in the Dorm at 1771 E Walnut St. which is the Morton Hall Dorm.

Mr. Outlaw said she goes to school year around and when the school is not in session she stays with her sister on Grand Street.

Mr. Chaddock said they have not been able to determine if a college student who is still a dependent of someone else, do they take up residency in that particular city or are they still a resident of the city they came from.

Mr. Outlaw said she checked with Chicago and they said since she is here year around she is no longer a resident of Illinois.

Mr. Chaddock said she is being carried on her sisters Blue Cross insurance in Chicago, and he doesn't see how they can do that.

Mr. Chaddock said the total amount is \$104.00.

Commissioner Willner asked if she has a State of Indiana drivers license and Mr. Outlaw said she does.

Mr. John said a college student can obtain residence for voting purposes in the city that they go to school in.

Mr. Outlaw said she is registered to vote.

Mr. Chaddock said she has an income of \$172.00 per month Social Security which is from her deceased father, her room and board is \$350.00 per quarter, which leaves \$166.00 per quarter.

Mr. Chaddock said under the circumstances with what Mr. John has said they will have to consider her a residence of Indiana.

President Schaad said he feels it should be referred back to the Knight Township Trustee and let them check just what township she is in and go from there.

Commissioner Schaad so moved, seconded by Commissioner Willner. So ordered.

Meeting recessed at 11:20 a.m.

Members Present:

COUNTY COMMISSIONERS

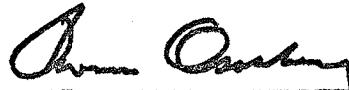


Thomas Ossenberg  
Bob Schaad  
Robert Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEY

Paul Wendel  
Edwin Smith, Jr.

  
  
  
BOARD OF COUNTY COMMISSIONERS

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Deputy Sheriff Pete Swaim opened the meeting, this being the first meeting of the month.

RE: GOVERNMENT CLASS ATTENDS MEETING

President Ossenberg welcomed the Government Class from Central High School who is attending the Commissioners meeting today. He noted that one of the girls is Commissioner Willner's daughter and that the teacher is David Kaylor.

## COUNTY RECORDER

COUNTY TREASURER

CIRCUIT COURT

PIGEON TOWNSHIP TRUSTEE

VANDEBURGH COUNTY PROSECUTOR

VANDEBURGH COUNTY R.E.S.C.U.E. INC.

VANDEBURGH SUPERIOR COURT

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY RECORDER

COUNTY TREASURER

CIRCUIT COURT

PIGEON TOWNSHIP TRUSTEE

Connie L. John 2825 Edgewood Dr. Investigator \$7,168.00 Yr. E66" 9/22/78

RE: MONTHLY REPORT

The Report of the Traffic Engineer was submitted for the month of August, 1978.  
Report received and filed.

RE: TRAVEL REQUEST....CURT JOHN

Mr. John submitted the letter he received from the Office of Governor Bowen which reads as follows:

Dear Mr. John:

As more and more cities and counties begin to use computers for local record-keeping and management, many local officials have been searching for some unbiased source of information on how to decide whether to adopt automated data processing, and if so how to choose the right system. In response to requests for information received by my office and other state agencies, Indiana University's School of Public and Environmental Affairs has been asked to prepare a user's guide for city and county officials preparing to shop for computer systems or data processing services. This project, sponsored by my office and the Intergovernmental Personnel Act, is now under way.

In order to insure that the project adequately meets the needs of local officials, a project advisory committee, composed of officials with some experience in the adoption of data processing systems, is being formed to provide guidance and general direction to the staff. I would like to invite you to serve on that committee. It is expected that the committee will meet only twice, once in October and once in November.

The first advisory committee meeting will be in Indianapolis on October 10, 1978, at 1:30 p.m. It will be held at:

Indiana University/Purdue University at Indianapolis  
Student Union  
1300 West Michigan Street  
Mezzanine Conference Room  
Indianapolis, Indiana 46202

Your attendance will be greatly appreciated. Please refer any questions to: Mr. Rex D. Hume, Institute for Research in Public Safety, Indiana University, School of Public and Environmental Affairs, 400 East Seventh Street, Bloomington, Indiana 47401.

Kindest personal regards,  
Otis R. Bowen, M.D. Governor

Commissioner Schaad moved that Mr. John be given permission to attend these meetings. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST

The following letter was received by the Commissioners from Shirley Jean Cox, in reference to her attendance at the meeting called by the State Board of Accounts:

Dear Sirs:

Please find attached a copy of the letter from the State Board of Accounts announcing a called meeting for all Clerks of the State of Indiana to be held in Ft. Wayne, Indiana on Thursday October 12, and Friday October 13, 1978.

I respectfully request your permission and approval for attendance at this meeting.

Thank you, Most Sincerely, Shirley Jean Cox  
Vanderburgh Circuit & Superior Courts

Commissioner Schaad moved that Ms. Cox be given permission to attend this meeting. Commissioner Willner seconded the motion. So ordered.

RE: HEALTH INSURANCE

Commissioner Ossenberg said there has been some discussion concerning the Health Insurance for the County, that they did go in front of County Council last Tuesday in a special meeting and the Council funded additional high option Insurance for every employee in the County up until January 1st, 1979.

He said the carrier had been blue Cross/Blue Shield and still is, that Time Insurance Company came into the picture, that it was then explained that they would go out for invitational bids with no specifications, therefore whoever came up with the

best proposal, with the best possible coverage, and the least expensive rates, would then be the carrier, effective January 1, and basically, the County has been in the position whereby they have had September 1 to August 31 Insurance.

He said the Commissioners feel that this should be put on a calendar basis as of January 1st to December 31st.

He asked Bob Goff from Time Insurance Company if his company wants to serve in the interim until the Commissioners go with other proposals.

Mr. Goff who represents Goff Insurance & Realty here in Evansville, said he is a representative of Time Insurance Company and he would like to make a few remarks about the proposal he did submit to the County Commissioners some time ago. He said on the providing the group hospitalization and medical benefits for the County employees, that in order to maintain and minimize the County's problem of changing employees benefits negotiated by various groups and to avoid negotiations over reduced hospital and medical benefits, they have proposed a comprehensive hospital package of benefits that is near as possible to the present high option Blue Cross program of benefits, that these would be written through the Time Insurance Company of Milwaukee, Wisconsin and would cost \$87.38 per month for the family plan and 30.26 for the individual, that their plan proposes to begin paying for pre-existing conditions at the earliest date that is either the policy inception date or the date their present group hospitalization benefit carrier stops paying on a current hospitalization of pregnancy claim.

He said, in other words, chronic conditions will be picked up and paid for under the new policy, however, each of these are individual matters and will require a notice of claim and the usual medical information that is necessary to validate each claim, that Time's Insurance policy would be for a one-year period and they would be willing to extend that to a fourteen-month period and the coverage would then expire January 1, 1980. He said that as the Commissioners know, there is a considerable expense of work and time involved in enrolling a new group, that employees needed to be contacted during working hours and new payroll deduction cards need to be secured and processed for the proper employee withholding, also new claim processing procedures need to be instituted, that Time Insurance Company, before accepting Vanderburgh County's employee group benefit coverage, will require some assurance that they will have it long enough to justify the investment and time and material and actually beginning to provide the group medical and hospital benefits, that this request is made because of the newspaper stories and the comments here of the bidding of the Insurance on January 1st.

He said he realizes that the County Commissioners are vitally interested in procuring adequate hospitalization benefits for their employees and are concerned with the rising costs of such medical and hospital benefits, that until reading the Evansville Press of September 27th. it was his understanding that in January, instead of new bids being sought, that an Insurance committee is to be formed to review the medical benefits being provided by the County, and he asked if he was correct in that the purpose of such revision would be to consider the level of benefits provided, and possible changes in benefits that could be made to maintain a reasonable premium cost to be paid by the County, and he asked if changes of this kind wouldn't need to be determined and processed through the usual procedures for preparation of the County's budget for the fiscal year, if it isn't reasonable to assume that once Time Insurance Company begins providing benefits for the employer's group, that they will have the opportunity to continue these benefits as long as they work satisfactorily with the Commissioners or with the Insurance Committee on re-arranging benefit levels and also maintaining reasonable price and service.

He said he thinks the Commissioners will realize that it is economically unfeasible on both their parts to be involved for a two-month period, and Time would provide the benefits but they would require some assurance that they could continue the benefits.

Commissioner Ossenberrg said that at that particular time and at that particular meeting, it was pointed out, and he noticed that Mr. Goff said that a committee is being formed, but a committee has been formed for some time and in all fairness, it was his understanding from the very beginning that they would come in with a carrier only to have invitational bids to see if anyone else could better that and then go on the calendar year, this is why he specifically asked Mr. Goff if Time Insurance Company would be interested under those conditions.

Mr. Goff said the Company has advised him that there is no way they are willing to invest the large amount of time for a two-month period, since it is costly to start a new group.

Commissioner Ossenberrg said he has been receiving calls, that he was led to believe at at the time, that they were talking about it, that all pre-existing conditions would be taken care of regardless of what it was, that the one woman happens to care for her husband with an L.P.N. or an R.N., that he has been told by this individual that if Time covered this, it would be covered under an R.N. policy but he hasn't seen



their policy at all, that the present policy gives an L.P.N. as well as an R.N. and he thinks this would have to be approved by Time Insurance Company through Milwaukee, the head office, so if this is the case, they don't guarantee pre-existing conditions all the way through then.

Mr. Goff said that all pre-existing conditions that are covered by the policy would be paid for, that on the policy he is proposing, the services of registered nurses is provided, that on the situation Commissioner Ossenberg is discussing, before he could give a firm answer, it should require medical information as to the severity of the claim, as to what is actually there, that this would be a claim matter and with an adequate medical report, he could get an answer for him on it, which he would be glad to do but that they have a problem before they get to what is covered and what isn't, since Time isn't willing to write a policy for a short period of time, that the investment of time and effort is just too much.

Commissioner Ossenberg said he can appreciate that but by the same token, this is what the County Council has been led to believe, that if coverage is until January 1st. with the high option and additional money, to see if the Commissioners could go out and with Invitational Bids, secure other Insurance Companies and give it to the one with the most coverage at the least amount of money.

Mr. Goff said he is sorry that there wasn't a meeting of the minds but it never crossed his mind that it would be a two-month period and if he had been aware of this earlier, his position would have been the same as it is now and he thinks that most other Insurance agents that are familiar with group insurance would advise them the same way.

Commissioner Schaad asked Mr. Goff if he understood correctly, in that if an employee does have a claim, that there is a claim form that must be filled out and submitted before any claim can be paid.

Mr. Goff said this is correct, that this is true with every company, that there is some kind of claim form that needs to be submitted with information of some kind.

Commissioner Schaad said he has had a little experience with this in the past in his own business and he has found that if they leave it up to the individual to fill out the claim form, a certain percentage weren't filled out adequately or didn't qualify for one reason or another and would come back, so there was really quite a feeling between the customer and his company or employee and now with the Commissioners or with the Carrier and he asked Mr. Goff if he would be willing to fill the claims out for the employee.

Mr. Goff said he would be willing to work with the County Commissioners and the people in the Auditor's office to see that they were properly filled out and if there was any problem he would be glad to see that they were filled out properly.

Commissioner Willner asked Mr. Goff if there was anything in the policy that repays the County for the experience at the end of the year.

Mr. Goff said, "no", that this is a guaranteed cost policy, that they keep it if there is a good experience and if there is bad experience they keep that loss too.

Commissioner Willner asked if there was a possibility of writing such a clause in their policy.

Mr. Goff said "no", that Time Insurance Company doesn't have the retention clause facilities.

Commissioner Schaad said it seems to him that the Commissioners can't go ahead and sign a contract from what Mr. Goff has just said, under the basis for which it was permitted and he doesn't see what they can do other than maybe to take it under advisement for another 30 days and notify all the people that are interested and have them bring in bids within the next 30 days and try to place it then, that Mr. Goff will be given the same opportunity and he thinks it should be on a calendar year basis from January 1st. through December 31st.

Commissioner Willner asked Mr. Goff what the cancellation date is on his policy, if it is the 30 days.

Mr. Goff said the 30 days is the customary date, that the anniversary date is a normal situation and again he would reiterate, that it is a guaranteed cost and they can give the County a policy that will expire 14 months from now, that he was expecting an effective date here of November 1st, so the Company wouldn't guarantee the rates until 14 months later, also that their rates will be the same in 30 days as they are now.

Mr. Bill Taylor, the Third District County Councilman, stated that he was working with the Commissioners and the County Attorney's on this Insurance and he thinks that when they went before the Council last Tuesday to explain the Insurance, they were speaking of a minimum of four months and the minutes will reflect that. He said that in January they were going to call all the interested carriers in and sit down and try to work out an Insurance program that the County could live with and not have to revert back to each year and having to throw it out for bids with an increase from one company or another, that the idea behind it was to stabilize the cost, yet get the coverage that would be adequate to take care of the County employees and due to their obligation with Blue Cross, this makes that impossible because of the grace period, the amount of time they have to be given as far as notice is concerned, so that cut it down to three months, actually two months, and he thinks this is where the problem came in, because their original thought was four months, with the understanding that in January they would call all the carriers in that wanted to come in and sit down and talk and being under those agreements he thinks that in his conversation with Mr. Goff and with the other Time representative, that this was what they were going to do and now they are down to a two-month time limit, that they aren't going to suffer but the ones to suffer will be the County employees who will have to pay the additional amount of money each month for their Insurance, that the idea behind the original thing was that they would try to take the burden off the employees, that they have gotten a juggle job from Blue Cross-Blue Shield for about the last year and the intentions behind this was to put a stop to that, and there were other carriers there and they had the same understanding in that they were all going to sit down in January and work up another Insurance program. He said they are going to have to accept the fact that they can't just tell a group of people to send them a proposal and they will go over it because there is going to be problems in all the proposals, that the only way they are going to straighten out their insurance needs is to sit down with carriers and tell them what they want and sit there and talk it out to see who can give it to them, and he thinks they are at the point now where if they don't do something right now, in January or whenever, they are going to be in the same situation that they are in now and his reasoning for going with a particular carrier or trying to work it out, was to relieve the burden of the employees and to give some leeway to work out a program that everyone can live with, that another 30 days means another \$47.00 to \$50.00 from these people's salaries and there are a lot of them that simply can't afford it and it is time they start thinking about the fact that they can't single out individual problems in County government, that they have to deal for the whole County government and this is the reason there are other municipalities with financial problems, by trying to patronize, and until they start dealing right down the line and taking care of the basic needs for everyone, that someone is always going to be left out but then on the other hand, there is going to be someone who gets a little more than they deserve, but he thinks if they just use the thought that whatever is economical sound and binding for the County, which would cover all the taxpayers, then they could get started on the right route and as far as committing themselves for fourteen months, he for one, don't want to commit the Council or the County for fourteen months with a carrier but he thinks for them to be able to objectfully get something together, they had better go to someone and if they are willing to go with the County for awhile, that two months is a little ridiculous but when they spoke on it, in which the minutes will so reflect, they talked of a minimum of four months, so the Commissioners is the body that makes the decision of administration and the County Council is the body that makes the decision of monies, so whatever they decide they want to do, he is sure it will work out, but he does think they should consider the burden on the employees and on the taxpayers by staying with the high option with the Blue Cross.

Mr. Stumpf of Blue Cross-Blue Shield said he thought Mr. Taylor has a point and he thinks the proposal he presented this morning will solve Mr. Taylor's problem because they would make these costs retroactive as of September 1st. so there would be no additional amount out of the employees pay check, the proposal that he has presented and the Commissioners now have is based on the assumption that if they elect to take it, they would make all the costs retroactive until September 1st. He said the thing he would like to point out would be the fact that any carrier would duplicate exactly the same benefits they now have in the high option. He submitted a proposal and said that includes the major medical that the County now has on high option, besides a base program.

Commissioner Willner said as he sees it, the high option for Time, if they would accept the small period, was \$87.38 and Blue Cross-Blue Shield is \$86.90, that the single coverage from Time, if they would accept, was \$30.26 and with Blue Cross-Blue Shield, it is \$29.10.

Mr. Goff said this is correct and he can assure the Commissioners that there are no changes in benefits and he assures them that they are exactly what they have now and that is making it retroactive as of September 1st.

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Mr. Goff asked, if Blue Cross can do this now, why didn't they do it September 1st when they had the opportunity instead of waiting until this proposal comes up at this point.

Mr. Stumpf explained that the earlier premiums quoted the County required higher monthly premiums for high option because claims were higher than monthly premiums while the low option plan was the opposite and by combining all workers into the high option, a lower monthly high option premium is possible.

Mr. Goff said then, perhaps if he had the same experience that they did, perhaps he could revise their rates at this point, but again, they need to make the point as to where they are going to make the cut-off and where they are going to establish the rates.

Commissioner Schaad said to clear the air, that no one was asked to give a bid on the high option plan, that he knows of, for all employees, so Blue Cross didn't even know they were interested in such a thing until Time came along and made this offer and it was considered.

Mr. Southwood who is with New York Life Insurance Company appeared and said that if they had New York Life in 1972 they wouldn't have all this trouble.

Commissioner Ossenberg said he and Commissioner Schaad weren't here in 1972.

Mr. Southwood said they are only interested in business and they want it open to bidding on January 1st. on a non-political basis.

Commissioner Ossenberg said it isn't political as far as he is concerned.

Mr. Southwood said they had a tentative amount of \$82.88 on a family plan but they will be along when it is open to bid.

Commissioner Ossenberg asked him if he can meet the 30 day deadline.

Mr. Southwood said they can if they can get the information from Mr. John or whoever can give it to them.

Mr. John said he has given them everything he has but he doesn't have the latest experience.

Mr. Southwood said it's tax money and he thinks it should be open to everyone.

Mr. Taylor said there is also a section in the Blue Cross Master Policy that reads there is no way the agent can come in and alter that policy without a letter signed by the Chairman of the Board and he doesn't have that and he thinks it is a clear example of what they can do if they all get together and sit down and work it out, that they already have three or four different opinions of what they can give us and he thinks the Council said they were going to appropriate for the four month period at that figure, with the understanding, as the minutes have it, that they sit down with these carriers and come up with an adequate plan, and anything the Commissioners would do short of that, they have problems.

Commissioner Ossenberg said he realizes this but he is also saying he has been told that Time isn't going to take it on that basis, that he isn't one Commissioner to sit here and sign a contract with Time when they are only going to take it for two months and then they are coming out with other proposals, that this is what he said before, that he wants it open, fair and negotiable, to sit down and whoever has the best policy, that is who they sign with, but Time has indicated they do not want it under these conditions, now those are the conditions the Commissioners laid down in front of County Council.

Mr. Southwood said the only thing he would like to suggest to the Commissioners is, if they are going to sign a contract with a carrier, it should be for a twelve-month period, but they have the right to rescind a contract within thirty days, and he understands they have a contract now, that the carrier can terminate the County in thirty days, that this isn't normal.

Mr. Stumpf said the Company cannot terminate the County in thirty days.

Commissioner Ossenberg said that he is simply asking, in thirty days, if these carriers can come up with the best plan, that he thinks this is what the Commissioners want, and whoever has the best plan at the lowest rate, and the protection of the employees, is what the Commissioners want.

Mr. Goff said to get a good quote requires anywhere from 30 to 60 days, and again the quote that they get is dependent upon the information furnished the carrier, that if they have adequate information on the losses they will give them a good competitive price but if they don't have adequate loss experience they are going to load the rate because of it.

Commissioner Ossenberg said that apparently, those figures are in through the month of August, the figures on the experience, that he found this out this morning. He asked Mr. Stumpf if he could provide this information to the Auditor's office.

Mr. Stumpf said they don't have it as yet locally, but he thinks the problem, as he sees it, from the quotation they have received other than from Blue Cross, there are some things that aren't spelled out, and he thinks it is going to take someone to check the specifications against those they now have.

Commissioner Ossenberg then asked if anyone else has any input on Insurance, and there being none, he said that awhile back he went in front of County Council to ask for an independent study out of Indianapolis and they granted him money for the Independent Benefit Plans, Inc. of Beech Grove, Indiana with Mr. Davenport to do a study and come up with a plan on how the county should handle its insurance needs in the future, that the Insurance Committee they have formed, quite frankly, his appointee just does not have the time to really go over this, that he will take the time if necessary, but he doesn't think there is enough expertise in this field without being in the field, and then if they go over something like this it is a conflict of interest if they bid on it, and consequently he received a letter from Ben Davenport on his engagement of Consulting Services which reads as follows:

Dear Mr. Ossenberg:

Independent Benefit Plans, Inc. has agreed to assist in preparation of bid specifications and evaluation of bids for employee group life insurance, and employee/dependent medical care benefits.

It is contemplated that,

- 1) Benefit language and technical areas as involves benefits and funding of same will be prepared for specifications and county will provide standard bid language and stipulations consistent with accepted legal procedures.
- 2) I.B.P. will evaluate bids and provide a written comparison and report adequate to permit County Commissioners to understand the important ramifications of the various benefit and funding proposals received and reach a decision.
- 3) I.B.P. will assist county in making application for coverage and will review services, benefits, and insurance contracts issued by successful bidder for compliance with bids and accuracy.  
 Fee for services will be not less than \$1,200, not over \$2,400, except if more than three trips to Evansville are required by County, I.B.P. will bill for airline transportation, ground transportation at \$.15/mile, and motel accommodations. If offer is accepted, \$500 is payable at time of acceptance balance of fee upon completion of work.

In event successful bidder is unwilling or unable to prepare a Plan Document and language for booklets in event plan elected is self-funded I.B.P. will perform this service for an additional fee not to exceed \$2,000. This is a contingency offer only and work will be performed or not by I.B.P. as Commissioners may decide.

This offer for performance of consulting services will expire November 30, 1978.

Sincerely yours, W.B. Davenport, President

Commissioner Willner said what bothers him a little is that there is no time table in here for completion.

Commissioner Ossenberg said the only thing he would say is that they come in here with their best proposals and let these people do the evaluating of what the proposals are and pay them on that basis.

Commissioner Willner said he wondered if it would be possible, in a two month period, to have their service rendered.

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Commissioner Schaad wondered if they were going back to specifications and Commissioner Ossenberg said "no", that he is just going to ask them for proposals.

Commissioner Schaad said he can see the problems with specifications, and in his opinion, it is a sticky wicket any way they go, in his opinion, but he also thinks they should employ the services of some unbiased and professional people to make these evaluations if they aren't going to make them themselves, and if the Council insists sitting in it with them as to who to give the business to, then he thinks they had better go to someone on the outside.

Commissioner Willner said his question was, can they get this service in the two-month period.

Commissioner Ossenberg said that in his original conversation with them, he told them that he had to have it by January 1st. and they assured him that they could have it by that time.

Commissioner Willner moved that the County hire Independent Benefit Plans, Inc. to make an individual and group Insurance program for Vanderburgh County by January 1st. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said that since Blue Cross-Blue Shield has been very adequate as far as he is concerned, he wondered if they couldn't just use their High Option Policy as specifications, and asked how they could get it retroactive from September 1st.

Commissioner Willner said the only way he can see to go now is to retain Blue Cross-Blue Shield for three more months.

Commissioner Schaad said he thought they would need specifications since they will give us benefits and the pro's and con's on each one and it will still come right back to the Commissioners as to the one they are going to approve.

Commissioner Willner said he didn't believe they would get any specifications, that he thinks he is talking about a broad thing, such as when they write specifications for an automobile, that they can write specifications that excludes everyone if they want it to, or they can write minimum specifications so everyone can bid and he thinks he is talking about minimum specifications so everyone can bid.

Commissioner Ossenberg said he is going to talk with him to study the proposals of each company that submits a bid and then let him make the decision. He asked the County Attorney if they had to advertise for proposals.

County Attorney Ed Smith said they didn't have to advertise for proposals.

Commissioner Willner wondered how the Insurance Company's, except for the three here today, were going to know the Commissioners are going to take proposals.

Commissioner Ossenberg said this problem wasn't anticipated today but that several insurance representatives were at the County Council meeting and they will just be called.

Commissioner Willner said they must now decide what they are going to do in the interim, and Commissioner Ossenberg said that in the interim, all he can see is that they've got to stick with Blue Cross-Blue Shield.

The other Commissioners agreed.

After some discussion, Commissioner Schaad asked Mr. Stumpf if they move this up for bidding at the end of the year, would his proposal still be in effect as far as he is concerned and to make it retroactive as of September 1st.

Mr. Stumpf said he couldn't answer this.

Commissioner Schaad said on this experience what they might end up with in 30 days from now, or 60 days or 90 days from now, they will be no farther than they are now, since everyone will submit a proposal and one will have an advantage over the other so who is going to make the decision as to who should have it.

Commissioner Ossenberg then asked Mr. Stumpf if he could have their proposal signed by the Chairman of the Board and have it at this meeting next Monday.

Mr. Stumpf said that the only thing that has to be signed by the Chairman of the Board is any change in the master policy, that the fees are quoted by the representative and those are firm guaranteed fees that would be on the contract that the Commissioners would sign and there is no change in benefits and that's why nothing is necessary from the Chairman of the Board.



He said that the only thing that would have to be changed is if they would change something in the master policy and those are firm fees and they are guaranteed for those periods of time, and the County's contract would specify those fees for that period of time, so when they receive the signed contract, it is a guarantee of those fees, and they are talking about apples and oranges, but fees are quoted by the representative with the back-up of the actuarial department who gave them those fees.

Mr. Goff said in answer to that, let him point out that sometime ago the Commissioners signed certain rates and now they are coming back with a new offer, it is true that it is lower, but then why did they have to go with the high one to begin with.

Mr. Stumpf said they were not on the same things, and Commissioner Schaad told them they were both out of order.

Mr. John told Mr. Stumpf that every time that information is requested by another bidder they are referred to his office for the information and the only information he really has that he can guarantee is the employees, their sex and what plan they are on, that he does have some information on periods of claims paid but he apparently doesn't have everything he has, and he wants it understood that he is giving them everything he has, that he doesn't necessarily have everything, but what he has, he gives to them.

Mr. Stumpf said that Mr. John has the last actuarial report and that is the last data that is available because it is made only once a year.

Mr. John said he just wanted it made clear that whatever he has, they are entitled to, but that doesn't necessarily mean that he has everything. He asked Mr. Stumpf if there was any way he could get an up to date on the figures he gets to use.

Mr. Stumpf said he is talking about the annual report at the annual contract time.

Commissioner Willner said in other words, he will not have any information to the Auditor's office or to the Commissioners unless it is one year past a policy date.

Mr. Stumpf yes, with whatever contract they select, that he doesn't have the information and it wouldn't do any good to request it, that it is on an annual report.

Mr. John said it seems that it kind of throws the bidding off some if he gets to use information that other bidders don't get to use.

Mr. Stumpf said it has been this way in years past, no matter who the insurance is with, that there was a change in the fees due to the fact that they are putting everyone into one program and if they go back to the open bid, they are almost exactly to what they are here, due to the fact that they were putting all the employees into one, and that was recommended as much as one year ago, so their fees are not unusual, and this is all they are doing now because this seems to be the intent, to have high option for all the County employees, so what they have done, without any deviation, without any change in benefits, without deletion of major medical or cutting anything, this is the quote.

Mr. John said the only point he was trying to make is that he isn't favoring one bid over another by withholding relevant information.

Mr. Stumpf said the only thing he thinks should be taken into consideration is the fact that, to his knowledge, there has been no fees paid for September and he thinks this is a problem.

Mr. John said there have been fees paid for September, that he thinks it was the 21st, that they didn't get their billing until September 18th. and he also thinks that the October's has also been mailed.

He told the Commissioners that if they are going to stay with Blue Cross, he would suggest they withdraw their cancellation letter, and County Attorney Smith said that has already been discussed.

Commissioner Willner moved that they retain Blue Cross-Blue Shield Insurance for one year from the date of September 1, 1978, retroactive to September 1st. on the High Option which would be \$86.90 for family coverage and \$29.10 for single coverage, with the County employees paying only \$1.00 per month as their share of the cost while the County will pick up the remainder.

Commissioner Schaad seconded the motion. So ordered.

County Attorney Smith asked Commissioner Willner if the Commissioners are contemplating a new contract to replace the existing one.



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Commissioner Willner said they are going to high option for all, which needs to be a new contract.

County Attorney Wendell said that a new contract, by the terms of the Master Policy can't be cancelled until the first anniversary date, and then any 30 days thereafter, but if it's a renewal of the old high option, they could cancel after 30 days, but if it is a new contract, they can't.

County Attorney Smith said they could review the existing high option on the premium they are talking about.

Commissioner Willner said he was sure they could do that and Mr. Stumpf indicated that they could..

Commissioner Schaad said if they go on the present high option, the employees are going to have to pay a big chunk of money.

Commissioner Willner said that by law, without funding, they couldn't sign a contract, that it is against the law.

County Attorney Smith said they have an existing contract now with Blue Cross, that it is a high option, that is optional with the employees and they would have to stay with it, and what the Commissioners are saying is that they want to extend the high option to all employees.

Commissioner Willner said there isn't anything else they can do, since it is clearly against the law to sign a new contract without the money.

Commissioner Schaad said if the money isn't there it is just a 30-day cancellation.

Commissioner Willner said it is a 30-day cancellation after the anniversary date for one year afterwards, that it is one year before they can cancel it on a new contract.

County Attorney Wendel said the way they have done that in the past, in going over the calendar year on the contract, is to add a provision in it, that the renewal, as of January 1st, the continuance of it subject to the funding by the Council and if Blue Cross would do this they wouldn't have any legal problem.

Commissioner Ossenberg said he used to have a football coach and he used to say he had the three P team, punt, pass and pray, which seems to fit here.

County Attorney Smith said they can renew the high option contract subject to the Council approving the appropriation and the change would be to extending coverage of the high option policy to all the county employees rather than a certain percentage of them.

Commissioner Willner moved that the Commissioners retain Blue Cross-Blue Shield Insurance for one year from September 1st. 1978, retroactive to September 1st by combining everyone on the high option policy which will cost \$86.90 for family coverage and \$29.10 for single coverage, that the workers will pay only \$1.00 a month as their share of the cost while the County will pick up the remainder. Commissioner Schaad seconded the motion. So ordered.

County Attorney Smith asked the Commissioners if they were contemplating a new contract now to replace the existing one.

County Attorney Wendel said that a new contract, by the terms of the Master Policy, can't be cancelled until the first anniversary date and then any 30 days thereafter. He said if it is a renewal of the old high option policy, they could after 30 days but not if it is a new contract.

County Attorney Smith asked Mr. Stumpf what would keep them from entering into a binder contract for an X number of dollars with a clause that provides it subject to appropriation by the County Council, and Mr. Stumpf said it was allright with him.

County Attorney Smith said this could be on the high option for all employees.

After some discussion Commissioner Willner moved that on the Health Plan for the Vanderburgh County employees, that the cancellation letter be withdrawn that was sent to Blue Cross-Blue Shield that was dated September 27th. 1978. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner moved that the Commissioners terminate the Low Option Plan #01-23034. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner moved that the Commissioners renew Policy #23160 and transfer all of the people in the Low Option Account to the High Option Policy, effective September 1, 1978, according to the new rates as spelled out in the letter from Mr. Stumpf of Blue Cross-Blue Shield. Commissioner Schaad seconded the motion. So ordered.

Mr. Taylor asked Mr. Stumpf if that means that the people who paid the high option in September and where it was taken from their checks, that they will be refunded.

Mr. Stumpf said that the Auditor's office will go back to September and October according to these rates, and they will have that money to refund the people what was taken from their checks by eliminating the deduction, and the deduction will go to \$1.00 per month for the employees as of September 1st. 1978.

Commissioner Willner said to relieve the minds of the prospective bidders, he would like to make one more motion and he so moved that the Commissioners place, by the news media, for proposals on Insurance to be submitted to the County Commissioners no later than December 1st, any proposal they have, without specifications, to be reviewed by the County Commissioners, their Advisory Board and by Mr. Davenport. Commissioner Schaad seconded the motion. So ordered.

#### RE: CLAIMS

A Claim was submitted by STECO, Inc. for professional engineering services provided in conjunction with the Pavement Marking Demonstration Program in the amount of \$1,467.80, which was approved by Mr. Stephen and Mr. Linzy.

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

A Claim was submitted by Industrial Contractors, Inc. for third partial billing of the New Roof Contract Bid for the Vanderburgh County Auditorium in the amount of \$7,636.50, which was approved by Mr. Dewes.

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

A Claim was submitted by Industrial Contractors, Inc. for second billing on the New Roof Contract for the Vanderburgh County Auditorium in the amount of \$31,281.75, which was approved by Mr. Dewes.

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

A Claim was submitted by 7 Oakes Productions for the bus drivers training program in the amount of \$491.68.

Commissioner Ossenbreg explained that the County had to fund the money for this program through the County Council and the money will be refunded.

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

A Claim was submitted by County Attorney Ed Smith, Jr. for his September office allowance in the amount of \$166.67.

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

A Claim was submitted by County Attorney Wendel for his September office allowance in the amount of \$166.67.

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

A Claim was submitted by All Metal Manufacturing Co., Inc. for additional guardrail and posts in the amount of \$10,525.00, which was approved by Mr. Guillaum.

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

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RE: RECOMMENDATIONS MADE ON HILLCREST-WASHINGTON HOME

Mr. Hotz submitted a letter that Mr. Reed, Superintendent of the Hillcrest-Washington Home, received from Mr. Earl Ford, which reads as follows:

Dear Sir:

You are hereby notified that an inspection of the above premises has been made and our inspector reports the following recommendations should be complied with:

- (1) Submit certification letter to this office stating that the entire installation is in accordance with code.

We suggest that the aforementioned recommendations be complied with in the interest of public safety. Therefore, will you kindly notify this office when all recommendations have been complied with, so that a final inspection may be made.

Yours truly, State Fire Marshal Department  
Earl F. Ford, Chief Inspector

There were four recommendations and Mr. Hotz said that the first two items have been complied with so they are talking primarily of items 3 & 4, which are to install Fire Alarm System in building and Smoke Detectors in hallways and that the Sprinkler System is to be interconnected with the Fire Alarm System. He said he would like to have permission to have the Auditor send a letter to the Council to request an appropriation of \$4,000 for this work since he doesn't have the money in his account.

Commissioner Schaad moved that this matter be placed on the Council Call. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

The Absentee Report for the employees at the County Highway Garage was submitted to the Commissioners for the past week, ending September 29th. 1978. Report received and filed.

RE: ADLER AND OLD PRINCETON ROADS

Commissioner Willner said at the corner of Adler Road and Old Princeton Road there is a culvert at the intersection that is broken through and it needs a new culvert.

RE: BOONVILLE-NEW HARMONY ROAD

Commissioner Willner also said that on Boonville-New Harmony Road past the Rescue Mission there is a bad situation made by the Water Company where they put in a water main and there is a drop off, that Mr. Siebeking knew about it and was going to fix it, that this matter and the one at the corner of Adler Road and Old Princeton Road must be taken care of.

Commissioner Ossenberrg said that an attorney came in to see him, that on Boonville-New Harmony Road, one mile West of 57, Staub is hauling dirt out there and they crushed some culverts out there.

Mr. Linzy said they have been hauling dirt out there for a couple of weeks.

Commissioner Ossenberrg said he is wanting to know if Staub is going to replace those culverts.

Mr. Linzy said he thinks this is the one at the intersection of a private lane that goes in there where they are coming out on Boonville-New Harmony Road.

Commissioner Willner said the tile is probably on private property but it should be kept open.

Mr. Linzy said it is in the ditch line.

Commissioner Ossenberrg said they have turned it over to an attorney so they may as well tell Staub that he is about to be sued.

Mr. Siebeking said he has had problems out there for the last couple of years from those people, on the hauling of the dirt out there, that this isn't the first time Staub has hauled dirt, that this is where all the dirt came from to cover up the old landfill out here off South 41 also, and those people have been after him for a long time about the dirt being hauled, that one time the County crew went out and opened it up after Staub got done hauling, that they straightened the tile up.

Commissioner Ossenberg said the thing of it is that Bob Kinkle is the attorney and he came in to see him and they are expecting the County to fix that tile and it isn't our tile, but he just wanted Mr. Staub to be aware of it.

Mr. Siebeking said he will call Staub and tell him what it is about and that when he finishes he will have to put it back in shape.

RE: MR. GUILLAUM.....BRIDGE & GUARDRAIL REPORT

Mr. Guillaum submitted his Bridge and Guardrail Report for the past week and said they have installed about 216 feet of rail last week, plus a bridge on Happe Road in Union Township, that they actually had two bridges down there and they got them taken care of.

RE: NOTIFICATION OF HEARING

Mr. Guillaum said he has a Notification for a Hearing that is in regard to the matter of the Chandler Ext. Drain Petition, that he received a letter from the County Surveyor to the Drainage Board, that it is the Commissioners petition.

The Commissioners agreed that this matter should come before the Drainage Board.

RE: CUTS IN

Mr. Guillaum said he has a cut application from the Sewer Department on Oak Hill Road and apparently they have every thing in order on this and everyone has apparently been notified on this.

The Commissioners agreed that their signatures be stamped on the cut application.

RE: AUTHORIZED TO ADVERTISE

Mr. Guillaum said they have seven bridges that they are in the process of starting work on.

Mr. Hartman submitted the list of the bridges which include those on Hogue Road, Adler Road, Nurrenbern Road, West Franklin Road, Mesker Park, Happe Road and Church Road. He said all but one are culverts, that the only one that is classified as a bridge is the one on Adler Road.

Mr. Guillaum said these will all be constructed with the beams they have already purchased. He said he would like permission to advertise for bids.

Commissioner Willner moved that Mr. Guillaum be authorized to advertise for bids on these structures. Commissioner Schaad seconded the motion. So ordered.

RE: SURVEYORS OFFICE NEEDS VEHICLES

Mr. Guillaum said they have a problem and he would like to see if they can work out a solution, that for awhile they have been in a bind on the vehicles, that they have a couple of inspectors who have been driving their own cars and they ran out of funds altogether about a month ago for any traveling expenses. He asked the Commissioners if there are any other vehicles that they know of that are available in any other department that they could make use of.

Commissioner Ossenberg said not to his knowledge.

Mr. Guillaum said he heard rumors to the effect that possibly the Sheriff's Department had some excess vehicles, and if they do, if there is any way of utilizing them in the Surveyor's office, they sure could use them.

Commissioner Ossenberg said he hasn't heard any rumors of this but it may be true, that he could call Sheriff DeGroote.

Mr. Guillaum said it is kind of an unfortunate thing because he knows when a couple of the fellows have pretty new cars and they are driving them out in the field every-day with the dust, the mud and everything, that it isn't doing them any good, plus the fact that they don't have any money in their account for traveling expenses so they can't pay them, so if they could swing a couple or as many as they could get, but two would be real good, that if the Commissioners could do anything at all in that department it sure would be a big help.

Commissioner Ossenberg said he would check on this matter.

RE: GERMAN TOWNSHIP WATER DISTRICT

Commissioner Ossenberg asked Mr. Guillaum if Mr. Brenner has ever received anything from the German Township District, and Mr. Guillaum said "no" they haven't.

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RE: ST. JOE AND MEIER ROAD

Commissioner Ossenberrg asked if there is any progress being made on St. Joe and Meier Road, as to the engineering.

Mr. Guillaum said "yes" that Dale has that for all intensive purposes, that he has it darned near wrapped up, that he thinks he only had a sheet or two left on it, that he got his drawings on the engineering all approved and they had the field inspection and went through it again, but he doesn't want to second guess as to how much more time it will take on that, but he thinks maybe within a week or so for the County's part, they are going to have everything done that they can do.

RE: SPECIFICATIONS SUBMITTED.....LIQUID CALCIUM CHLORIDE TREATMENT FACILITY

Mr. Stephen submitted the specifications for the Liquid Calcium Chloride bids that are being advertised for. He said the bids are to be received and opened next Monday, which is October 9th and he would like for the specifications to be approved.

Commissioner Schaad moved that the specifications for the Liquid Calcium Chloride Treatment Facility be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen said that the company wanted to be notified when the bids were, so they have been sent the information and have been so notified.

RE: LETTER FROM GERMAN TOWNSHIP WATER DISTRICT, INC.

Mr. Stephen said he has a letter from the German Township Water District, Inc. that was turned over to him by the Commissioners, which reads as follows:

Gentlemen:

Due to the fact that we have completed our major construction phase, we would appreciate your advising us if the Surety Bond we carry for Vanderburgh County is still required.

The renewal date is October 2nd, so we would appreciate your advising us as soon as possible regarding this.

Thank you, Sincerely, German Township Water District, Inc.  
Mrs. P.L. Hulsey, Office Secy.  
For the Board of Directors

Mr. Stephen said that since they are continuing to push water lines under our road and cut into the edge, he told them that they would have to continue the bond each year but they could reduce it. He said he thought they had a \$5,000 bond for the installation of these water lines and he called them and told them he would need a \$1,000 bond renewed each year, and they said they would like a letter to that effect, which he will write if the Commissioners so desire.

Commissioner Willner moved that Mr. Stephen write the letter to the German Township Water District, Inc. Commissioner Schaad seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE...INSTALLATION OF WOODEN BRIDGES

Mr. Stephen said he would like to re-advertise for the wooden bridges with some changes, that they want complete installation, that they have padded it up and he thinks they will get a more realistic bid, that he checked with P. & H. Construction Company and asked if the County could hire their equipment to remove the old bridges so the new wooden bridges could be installed and then the County would fill in the approaches on either side to the bridge, so they will just ask for bids on installing the bridges and he doesn't have to worry about what else will be included and he thinks they will get a more realistic bid, and the County can do the other work much cheaper, that they will use the equipment from P & H just like they have been taking out these other bridges where they put the tubes in, so they will get this done on an hourly basis at a price in the vicinity of about \$1,200 to \$1,500 to remove the old bridges and they got something in the other bids like \$4,000 to \$5,000 to take the bridge out, so they will be bidding only on the installation and erection of the wooden bridge.

He said they will get the outfit of P & H to take the old bridges out, that they have this on a yearly basis so he can hire them to remove the old bridge and then it will be ready for the installation of the new bridges, and then the County will come in and fill in the approaches to the bridge, that they will either do it with County forces or they will hire stone hauled in from the Stone Company and have it ready for paving. He said the job of taking the bridge out on Marx Road was a tough job, that the whole thing was done for \$2,600 and about half of that was for the removal of the old bridge. He also said he thought they would get more bids this time, since the representative is working on getting more bidders who are interested to submit bids on this project.

The location of the bridges to be installed is on Red Bank Road and on Boehne Camp Road.

Commissioner Schaad moved that bids be advertised for on the two wooden bridges. Commissioner Willner seconded the motion. So ordered.

RE: MR. STEPHEN

Mr. Stephen said he attended a meeting last Tuesday in Bloomington and he submitted a list of the funds in the Federal Aid Secondary and the Safe Off-Systems Funds. He said they haven't lost them as yet, that Virgil Bell was at the meeting and back in January of 1976 was when they ruled out the waivers and the Indiana State Highway Commission set up a policy, that after two years that the Counties didn't use their funds for the two years, it was to be put in the pot and a County could get up to 5%, but then someone called their attention to the fact that in August of 1976, they reinstated the waivers but when they did they allowed those funds for three years and they kind of indicated that it wouldn't be too advisable for the Counties to waiver their funds, so when Counties asked for waivers from other Counties they didn't get any, so now a proposed policy of this September, that the waivers are kind of in limbo, and that came out so they can't put it in the pot like they thought they were going to do, since waivers are not being used at the present time, Counties would like to but no one wants to give up their money because it has accumulated for three years and it was suggested that the waivers be allowed for a two-year period following the allocation of funds, and at the start of the third year those funds are available, and a County could utilize it for a project or projects up to 5% of this reserve, that this is a proposed policy and any unused funds in the reserve could be used by the Indiana State Highway Commission during the fourth year, that these funds are available.

He said, in other words, so they will not revert back to the Federal Government, anything left over at that time will be used by the Highway Commission and it stated that the Indiana State Highway Commission wants the County's comments concerning the present policy and the proposed policy, that they should contact the County Association as soon as possible with any comment they have, meaning the Commissioners, so they want some direction as to if the Commissioners want to go with the proposed policy or what they would like to do in the way of these funds.

He said these are matching funds and they must be matched by 30%, on a 70/30 ratio. He said where they can use these funds in the County, it has to be On System or Off-System for the safety money, but the Federal Aid Secondary must be used on System and it has to be used outside the urban area and we don't have much area left outside that has primary system left in it where they can use these funds, that they could waiver it to other Counties if the Commissioners so desired or they could find a project just like St. Joe and Meier Road, that it is inside the urban area, so these funds can't qualify for it.

He said he didn't know if the Off System can be used inside the urban area or not, that Mr. Lochmueller should be here since he could better advise the Commissioners on this, but he just wanted to bring this information back to the Commissioners.

Commissioner Schaad said they had a safety study made by Engineering Associates sometime ago and they have never done anything to implement it and he wondered what the recommendations were so they could make the corrections. He said this was 100% federally funded, that it was made on safety and inventory in Vanderburgh County and they haven't done a thing about it, also on signs and railroad crossings and everything that had to do with safety, so it seems to him like it is time to do some implementation of that.

Commissioner Willner said that the railroad crossings are in the hopper.

Commissioner Schaad said he might suggest that they look it up and see what their report says.

Commissioner Willner said he feels like he would be safe to say that he can double that on On-Systems outside the metropolitan area without too much trouble.

Commissioner Ossenberg asked if Off Systems money be used on the St. Joe & Meier Road.

Mr. Lochmueller said not on St. Joe.

Mr. Stephen said that at that meeting Mr. Bell distributed some information where the standing as of June 30, 1978 is on the funds and he also passed out a sheet on the Commission's policy of 1976 and they changed again in August and in January and now they have this proposal. He said they have so much FAS money, that it has accumulated to \$110,000.00 that has accumulated to our credit, to have to be used On-System outside the urban area and we have Safer Off System funds as a value of \$178,000.00 here and they wanted to know where those could be used and he said he



doesn't know whether those can be used inside the urban off-system or whether they have to be outside the urban area.

Mr. Lochmueller said if it is inside the urban area, it has to have the approval of the County Commissioners, but Safer Off Systems can go inside the urban limits.

Commissioner Willner asked what roads are considered as outside the urban limits.

Mr. Lochmueller explained that all the major roads are On-System, such as Darmstadt, Old Princeton, etc. but if they are talking about the project at St. Joe & Meier Road, they would have to go with two fundings, that right now they have it for Federal Aid Urban, that if they are going to use two funds they will have to break it out.

After further discussion and explanations of the various funds, Commissioner Willner said the first thing to do is to is for Mr. Lochmueller to inform them what roads are on what funds, that he is telling him things that he can't respond to, that he doesn't know what roads are On-System or what roads are outside of the urban area.

Mr. Lochmueller said the last time they did an annual element which was in February, the Commissioners were down in his office and they went over projects and at that time they were in the same money situation as they are today, that they had plenty of federal money but they don't have the local match, so in the argument of where they take the money or where they don't take the money from is really not that important, with the exception that if they jobs, that he had asked this question, in fact they were thinking about doing the Mohr Road job, but in talking with the County Surveyor that job was finally pulled, now at the same time a request had been made for any additional jobs using the Off-System money, at the same time a study was finished and it's about \$230,000.00 or whatever for signs, and the County had also finished a study and they were almost duplicated studies, but a study had been done by a consultant and we have a tremendous amount of signs that aren't meeting standards out in the County, all over everywhere, and that would need Off-System and Federal Aid secondary, and his advice, in going back to the point of time, would be that it is much quicker to do the engineering for the sign program than it is to go in and do the engineering for the highway, and they have to meet the standard manual by a certain year.

Mr. Brenner said they are still putting up signs that don't meet the Indiana code, and Mr. Lochmueller said that should be stopped.

Mr. Brenner said he agrees but that he is not able to get it done.

Mr. Lochmueller said his recommendation would be, if they had the local match, to go to this program and see what engineering they have to do and then don't get caught when February comes to where they can only do the engineering, so maybe they need to find out what they need in the way of plans.

Commissioner Ossenbergsaid he asked Mr. Guillaum a little bit ago what progress had been made on St. Joe and Meier Road in engineering and he said that they are about one week away.

Mr. Lochmueller said that is good, that they submit and then they will have field Inspections, and Mr. Guillaum said they had a few minor revisions on it but nothing major and the special provisions, quantities, etc.. are being worked up right now.

Mr. Stephen said they don't have the right of way as yet but they do have to get it, that it hasn't been to the stage to where they could acquire it.

Mr. Brenner said they have a great deal of temporary right of way and they have some very big hills that slope, that they also have quite a bit of permanent right of way that is needed, but only about three people are involved.

Mr. Lochmueller said if they are going with federal money, they are going to be some time away, and the quickest way to do it is to buy the right of way with local money.

Commissioner Willner asked if they could hire an outside engineer on this program on the Off-Systems and On-Systems.

Mr. Lochmueller said they can and what they would do is get a request in immediately to amend it and if they want to hire it out, they should go out and get an engineer.

Mr. Brenner said that they say up there, that the shortest time to approve an engineering contract is 6 months, that the normal time is one year, that is just to get a contract approved between you and an outsider.

Mr. Lochmueller said it is getting down more to about 6 to 7 months now, that over in Illinois they get it done in 30 days so there is a lot of pressure being put on to speed up the contracts.

He said he wondered if this could be done in-house, since they wouldn't then have all this review, that they could get the money.

Mr. Brenner asked what kind of engineering do they need for them to sign.

Mr. Lochmueller said script locating where the signs will be and the type of sign, that this is all he needs.

Commissioner Willner said he has to back to where the County was talking about using the Traffic Department from the City, that the main thrust of the thing was that the County was not putting up signs and striping according to the code, that this was the big thing and we haven't done a thing.

Commissioner Schaad said Bill Judd should be in here now, and Mr. Brenner said Mr. Judd can bring in some letters he has received.

Mr. Guillaum said they did specify in the letters too, that the specific sign, according to the state standards wasn't just a random sign, that they did have the specific type of sign according to the standards of the highway department.

Commissioner Willner asked what our share is of the Traffic Department and Mr. Brenner said that last year it was \$55,000.00, that it is 14%.

It was stated that there were studies made and there was a big thick book with all the signs and locations in it and the studies went to naught.

Mr. Brenner said they specifically tried to get up signs for narrow bridges and one-lane bridges, that they don't even have the one-lane bridges posted in the County.

Mr. Lochmueller said one thing he does have to give credit to the Commissioners for, that he got an engineering estimate on the construction of the signs and the erection of the signs that they were talking about at \$230,000.00 which would be 70% federal and at that time they were worrying about local match but that is a good project without any question, because he has seen some of those signs but instead of being seven feet, went down to about four feet and when weeds are up in the summer time they can't be seen.

Commissioner Willner said if you ask the residents of Vanderburgh County what they want the most, signs or roads, that they want the roads.

Commissioner Schaad said he wondered why they couldn't take some highway money to match to do the signs and then get revenue sharing to do the roads, that there is no point in losing it if it needs to be done.

Mr. Brenner said they could apply for Safer Off-Systems & put it on Meier Road, that the engineering is done and the money would go.

Mr. Lochmueller said that why he hasn't gotten totally alarmed about the money is that they aren't using all the federal money that is down here, that they aren't necessarily getting all the engineering out and not getting the bidding process through and it isn't necessarily all our fault.

Mr. Brenner asked how much federal Aid Urban do we have.

Mr. Stephen said that what Mr. Lochmueller is saying is that any county monies that they have to use and 30% they have to put up to use that, and they are using it there and they don't have that money available for any other project in match, that they have only so much money in matching so if they use it to use up this money they don't use up some other federal aid money, so they don't have enough money to use up all the federal aid money that is available.

He said he checked the money on the Cities for urban areas and we are in group 2, and they have a balance there that hasn't been used, but he thinks some of that on Lynch Road and St. Joe has probably come out of that.

Mr. Brenner said we shouldn't lose any of the urban money, and Mr. Lochmueller said the urban money is in a pot and it's 5¢ and we have actually been getting our share

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up until a few years ago because we were the only ones certified. He said he is getting worried now because other cities are being certified, that he is talking about Terre Haute, Anderson, Muncie and Lafayette, so we haven't run into a critical problem, so we have money available, but he isn't saying that this is always going to be the case.

Mr. Brenner asked Mr. Lochmueller if it would make sense to go ahead and pay part of St. Joe and Meier Road with the Off-System, that they need a recommendation.

Mr. Lochmueller said if it doesn't take a lot of him going in on the plans and breaking the items out, since if he has to take the quantity out to show what is Federal Aid Secondary and what is Off-Sytem, etc, that is what he would have to do, and it would be a lot of work.

Commissioner Willner said that if they are asking for recommendations, they surely don't have a policy, but Commissioner Ossenbergsaid he thinks they are getting so much guff from State Aid.

Mr. Brenner said the feds are after them because the state is using money that is designed for the County and they are taking advantage of us.

Mr. Lochmueller said he would say that they should go ahead and try to break the cost out, that they can go right up to the highway, but they can't go on St. Joe because they can't use Off-System on St. Joe, so they can take all of Meier Road.

Mr. Brenner said the money needs to be explored, that it is highly likely that the County will lose the Off-System money, that they will lose some of it anyway, because they don't get projects ready that fast and get them approved, time runneth out. He said it is worse yet if they hire out the engineering because it takes from six months to one year to get the contracts approved.

Mr. Lochmueller said he didn't think it to be fair to take 5% out of the pot either because when it goes in the pot he thinks that pot should open up at least 20% because then if someone had plans on the shelf and you get your share back in one year, but what's going to happen is, that it looks good but that isn't going to be hardly more than your allocation and is that going to do the same thing or are they just waiting for that fourth year so they can move in and go right back to the state coffer so he thinks the policy is best for the counties because they can get more than 5% out of it, because the ones that have their work done will reap the benefits and not the State Highway Commission.

Commissioner Schaad said let that be their recommendation, that they ask for a higher share of the pot.

Commissioner Willner suggested that the recommendation be that it comes back to the County without any strings or any match.

Mr. Brenner said they can't do that since it is a federal law that it is going to be matched.

Mr. Stephen said that what Commissioner Willner is saying is that they should give us the money and let us use it for whatever we want to without match and whatever.

Mr. Brenner said they would have to get their congressman on that.

Commissioner Willner said they asked for a recommendation, lets give it to them.

Mr. Lochmueller said what he wants then is 100% money.

Commissioner Willner said this is right and lets dispense with Off System and On Systems money and let the Commissioners decide where the money is needed and spend it there and not have to have all this approval from the state, and the way Mr. Lochmueller is talking here is that they have money and can't use it and now that they are asking for a recommendation, lets give it to them.

Mr. Brenner said they have a good chance to get all the strings pulled off the Road and Street Funds.

Commissioner Willner said they are off, that he knew it was coming because the Commissioners in other Counties said to heck with it, when you send it down to us, we are going to use it, and they did.

Mr. Brenner said that was a one-time deal.

Commissioner Willner said "no" it's not, that they are still off.

Mr. Brenner said they need to do away with Road and Street Funds.

Commissioner Willner said this is right.

Mr. Brenner said they have a whole staff of people up there monitoring their plans and if they have got to be monitored, they don't need the money anyway.

Mr. Stephen said they did say at the meeting that it looked like the Commissioners and the first mayor of government is really getting stronger and that means the Commissioners and people are lending to want more control at the local level which means the Commissioners are assuming more responsibility.

Mr. Brenner said if it is a matter of getting down to lose it or use it, they should try to switch it on Meier Road and Commissioner Ossenberg said that is what he was thinking, but what burns him up is the On Systems and the Off Systems when they really have a hazard, the On System is part of the hazard and it looks to him like they should be able to fix the whole works.

Commissioner Schaad said part of the project is Off System.

Mr. Lochmueller said they can then take that part of the share and put it in.

Commissioner Schaad said if they have to break that, why not do the whole thing.

Mr. Lochmueller said this is an interpretation of the Federal Highway, that Safer Off System money will not be spent whether we agree or whether we don't agree on St. Joe Road, that they can use Federal Aid Urban there and then they can use Safer Off Systems on Meier Road, that he will call when he gets back to the office if the Commissioners want him to and then they can cover what paper work they have to do.

The Commissioners agreed that they do it this way.

Mr. Lochmueller said he will then need a breakdown from the Surveyor on the amount of money and he asked what they are estimating the amount to be for that portion, and Mr. Stephen said it would probably be from 20 to 25% for the project, maybe more but it can't be more than one-third.

Mr. Brenner said he would check on it.

Mr. Lochmueller said they have their three years and the policy to talk about.

Mr. Stephen said the third year won't run out on some of that money until one more year.

Commissioner Ossenberg said they are talking about the fourth year now and it goes back to the state.

Mr. Lochmueller said if they can get the third and fourth year out of there, then he still thinks they should go to the sign program.

Mr. Stephen said he thought even if they got it appropriated, this would hold it.

In discussing the recommendation, Mr. Stephen said he don't see anything wrong in changing the percentage back to the County, they might do that but they all want to make the same recommendation, and he asked if they sign it, will they send it to the Commissioners Association and the Commissioners agreed that it would be sent to them.

Commissioner Willner said make it 90-10 or 95-5.

Mr. Stephen said in other words, people that have projects available could come in for only 5% and they ought to increase that percentage and then as far as doing away with controls of Off Systems, and On Systems, they should just return back the money so the Commissioners could use it where they want to.

Commissioner Willner said this is correct, that they want the money to be approved but to put it, whether Off System or On System, or whatever, to put it wherever the need be.

Mr. Lochmueller asked who the request for recommendation is from and Mr. Stephen said they are asking for comments through the County Association.

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Mr. Lochmueller said the state is putting policy on top of policy, that this is their policy and the 70-30 funding and the system funding is not their policy, that is federal policy but it doesn't mean they can't give them a recommendation for it but they are talking about two different policies, but they can tell them how they feel.

Mr. Stephen said they put out a leaflet describing the Indiana Register and at the present time they are publishing monthly, all the rules and proposed rules of the various Commissions, and departments that make rules, to keep people abreast, that the judges are now getting a copy and he supposed the clerk and he was trying to get the Commissioners to also get a copy free of charge, that whenever they make a proposed rule they put it in the Register and if they don't like it they have 20 days to make comment before it goes into implementation, that this is similar to the Federal Register except that it is for Indiana and it keeps them up to date on various things going on in the state and they are trying to get a copy of it to the 92 Counties Board of Commissioners, that the Vanderburgh County Board of Commissioners aren't on it but someone in the County is getting it and it is available in the County, that the Judges of the Superior Court, the Circuit Court and the Municipal Courts are getting it, but he has never heard of it.

Commissioner Ossenberg said he hasn't either but it states that the annual subscription is \$50.00.

RE: BRIDGE INSPECTION

Mr. Stephen said that a contract has not been let for the re-inspection of bridges and it has been several years since it has been done, that it can still be done and there are federal funds available on a 70-30 match and they would like to see it updated because there are some bridge replacement funds that are going through congress and it's from this bridge re-inspection or bridge inspection that they can find out where these bridges might be available.

Commissioner Ossenberg asked Mr. Brenner if he thought he could update the bridge inspection in-house.

Mr. Guillaum said they did an update of it already.

Commissioner Ossenberg said he wants an update of the update.

Mr. Brenner said they didn't approve the one they have.

Mr. Guillaum said they sent a revised form, in other words, he thinks the way they have it set up, they have to re-inspect the entire bridge system every couple of years.

Mr. Stephen said a lot of places didn't and Commissioner Schaad wondered if they said Vanderburgh County didn't.

Mr. Stephen said that Vanderburgh County, right now, isn't on the category of the ones that let contracts to be re-inspected or that they know that is going on.

Mr. Guillaum said that 1973 was the first year they made an inspection of the bridges, and in 1975 they did an update.

Commissioner Schaad said that has been four years then and this is probably what they want.

Commissioner Willner said they got a letter back from them saying it was the finest update that they had seen in recent years.

Mr. Guillaum said they sent a print-out of all our bridges and a week later they sent a letter saying that the print-out was all wrong and they sent another print-out down and as far as reimbursement for the second inspection, he would think they should have been reimbursed for the second one as well as the first one.

Commissioner Schaad asked if an application was made for the reimbursement.

Mr. Guillaum said there was no information given to them for an application or if there was he didn't know anything about it.

Commissioner Schaad said he was under the impression that the first one was federally funded.

Commissioner Ossenberg said he thought it was state and federal..100% money.

Mr. Brenner said it turned out to be 100% Vanderburgh County.

Mr. Guillaum said he kept a record of the hours and materials and people, etc. they had in it and he had a tally on it and they had approximately \$4,000 in it.

Commissioner Schaad said they need to contact someone to see how we get the reimbursement from the federal government, but then it may be too late now.

Commissioner Schaad moved that Mr. Brenner's office do the updating of the bridge inspection in-house and make application for the federal reimbursement. Commissioner Willner seconded the motion. So ordered.

Mr. Brenner said they will do the work but getting the federal funds is a little out of their line.

Commissioner Ossenberg asked Mr. Lochmueller if he would help them and Mr. Lochmueller said he isn't familiar with it but he would work on it if the Commissioners wanted him to.

RE: PERSONNEL POLICY SUBMITTED

Commissioner Ossenberg said he received a booklet on the Personnel Policy of Monroe County.

Booklet received and filed.

RE: REPORT ON BUSLER PROBLEM

Commissioner Schaad gave a report on the Busler situation by saying that he had another call from Mr. Finch and he and Mr. Stephen went up there and the dust is terrible and there must have been at least 50 semi's parked on that property at noon time and he knows that Busler is willing to pay for the material if we'll put it down in the same place where the present road is but to him this would seem to be a mistake, that if they are going to improve it, it should be done correctly and tie in with what the state wants done to tie in with what is on their right of way, that it would be a big expense on someone's part to accomodate two businesses and one farmer.

He said he suggested to Mr. Stephen that they talk to the filling station man to see if he could be interested in doing the same thing, in supplying the material, if we put it down, and then there is the question of whether it should be blacktopped or not because the way those trucks come in there it is a real sharp angle and they are going to skid and he thinks they are going to tear it up, and the second thing would be to get together with the state to see if they will approve of doing it any other way but the way they drew the plans to what they would do, and if we put it on the old road it wouldn't be in with what the state wants to do on their right of way.

He said he thought the County could solve the dust problem but that it is a bad situation and something needs to be done but he doesn't see how they can take the County's money for what it is going to cost to do it though.

Commissioner Willner said he doesn't either, especially since some of the roads in the County has been there for 50 years and there are 100 people on them and the roads are still bad.

RE: LYNCH ROAD

Mr. Stephen said he has all the easements prepared, that he gave the permanent ones to Dan Riddle, that they received five prints from Engineer Associates and he has three of them from the utilities already and has two more yet to go, from the Telephone Company and the Water Company and he has prepared the utility agreements and is delivering those to the people at the same time.

Commissioner Schaad said they originally said that Mr. Stephen would do the temporary easements and that the right buyer and appraiser would do the permanent ones but Mr. Lochmueller has more information on this, but the reasons they decided to do this was because of the amount of money that was being charged for the appraisals or for the right of way buying.

Mr. Lochmueller said the state told him that the fees are \$120.00 for the temporaries which is standard and for permanent it was \$350.00 for appraisals and \$250.00 for the buying of the property, so that is a total of \$600.00, other than exceptions such as the L & N, and with that in mind, the figures they have been seeing has not been absorbant by any means.

He also said it is normal for one person to do the appraising and another to do the buying.

Commissioner Schaad said the point of it is that what they were getting the first time



around the temporary was much much too high, that they were the same as the permanent and that's why they decided to do it this way.

After further discussion, Commissioner Ossenberg said if the state goes that way he would just rather have Dan Riddle do them all, since he thinks it would be less complicated.

Mr. Lochmueller asked if the instruments have been completed now.

Mr. Stephen said if any of the permanent also had temporary or temporary or permanent drainage easements to the same person, he has all those, so that he makes one contact to the person for all those, so anything where their names didn't appear on the permanent, he still has the temporaries and the permanent drainage easements, that he probably has 10 or 12 of them.

Commissioner Schaad moved that with these fees understood, that Mr. Dan Riddle should handle them all. Commissioner Ossenberg seconded the motion. So ordered.

RE: CUTS IN

Applications for cuts were submitted to Mr. Stephen for approval and are now being submitted for filing, they are as follows:

Indiana Bell Telephone Company.....Henze Road  
Indiana Bell Telephone Company.....Baseline Road  
German Twp. Water District.....Meier Road  
German Twp. Water District.....Boonville & New Harmony Road  
German Twp. Water District.....Fisher Road and Schenk Road  
Evansville Water Department.....2440 Speaker Road..to provide water service  
Evansville Water Department.....Bohannon Drive to provide water service

RE: POOR RELIEF

Joyce Meserve.....314 S.E. Riverside.....Pigeon Township.....M. Sallee, Investigator

Ms. Meserve applied for assistance on utility but was denied because the meter was in the name of Lillian Carnagi, the landlady.

Ms. Meserve failed to appear today so no action could be taken by the Commissioners.

The meeting recessed at 12:30 p.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*Ed Smith, Jr.*

*Bob Schaad*

*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
OCTOBER 9, 1978

The meeting of the County Commissioners was held on Monday, October 9, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: GOVERNMENT CLASS ATTENDS MEETING

President Ossenberg welcomed the Government Class from Central High School who is attending the Commissioners meeting today.

RE: AUTHORIZED TO OPEN BIDS

The County Attorneys were authorized to proceed with the opening of the bids that were received today for the Siding, Gutters and Downspouts at the Hillcrest Home and for the Liquid Calcium Chloride Treatment Facility, to be located at the County Garage.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Margaret Howard	2423 Negley Ct.	Part-time	\$3.30 Hr.	Eff: 10/5/78
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SUPERIOR COURT.....CRIME CONTROL

Jack Rhinehart	R.R.2, Princeton	Counselor	\$12,000.00 Yr.	Eff: 10/1/78
Mike Cain	Part-time Counselor	(\$2,667.00-4 Months)	\$333.37 Pay	Eff: 10/1/78

VANDEBURGH COUNTY ELECTION BOARD

Elizabeth Collin	204 N. Elm.	Deputy Clerk	\$2.50 Hr.	Eff: 10/9/78
Betty Jarvis	3217 N. 12th. Ave.	Deputy Clerk	\$2.50 Hr.	Eff: 10/9/78

VOTERS REGISTRATION OFFICE

Annice Gilbert	301 S. Bedford	Clerk	\$20.00 Day	Eff: 10/2/78
Elizabeth A. Collins	204 N. Elm	Clerk	\$20.00 Day	Eff: 10/4/78
Beverly Abell	3417 Austin	Clerk	\$20.00 Day	Eff: 10/2/78
Edna M. Delgman	3017 W. Delaware	Clerk	\$20.00 Day	Eff: 10/2/78

RE: EMPLOYMENT CHANGES.....RELEASES

SUPERIOR COURT.....CRIME CONTROL

Jack Rhinehart	R.R.2 Princeton	Counselor	\$10,000 Yr.	Eff: 9/30/78
Mike Cain	Part-time Counselor		\$7,800.00 Yr.	Eff: 9/30/78

CLERK OF THE CIRCUIT COURT AND SUPERIOR COURT...APPOINTMENTS

113.0 023 Victoria Davis	2801 Ashwood Dr. (Return from LOA.)	\$261.38 Pay	Eff: 10/9/78
113.0 021 Deborah Rogers	2800 Lodge Apt. 377 Dep. Clk.	\$261.38 Pay	Eff: 10/9/78
113.0 048 Helen Small	804 Hercules	Dep. Clk. \$130.69 Pay	Eff: 10/9/78

CLERK OF THE CIRCUIT COURT AND SUPERIOR COURT.....RELEASES

113.0 023 Janet Edwards	(See Request below) 400 S. Barker	Dep. Clk. \$261.38 Pay	Eff: 10/9/78
113.0 021 Victoria Davis	2801 Ashwood Dr.	Dep. Clk. \$261.38 Pay	Eff: 10/9/78
113.0 048 Lucille Becking	5283 Carriage Dr.	Dep. Clk. \$130.69 Pay	Eff: 10/9/78

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter of request was received by the Commissioners from Ms. Shirley Jean Cox:

Dear Sir:

I respectfully submit for your approval a request from one of my employees, Janet Edwards, for a Leave of Absence.

She has been a good employee, devoting overtime hours in her job, and would appreciate your approval of the request.

Thank you for your consideration.

Most Sincerely, Shirley Jean Cox, Clerk

Commissioner Schaad moved that the request for leave of absence of Janet Edwards be approved. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST

The following request was received from the Sheriff's Department:

To the County Commissioners from Captain Michael Craddock in reference to attending the Armed Robbery Seminar:

I would request that the below named officers attend the National Armed Robbery Seminar to be held in Mobile, Alabama from October 15, 1978 through October 20, 1978.

Signed by:

James A. DeGroote, Sheriff

Michael A. Craddock, Captain

For Det. Stanley Garrett

Food and Lodging for 6 days...\$270.00

For Capt. Michael Craddock

Food and Lodging for 6 days...\$270.00

Total.....\$540.00

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

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was received from the Hartford Insurance Company on insured, Mike Roberts of Murfreesboro, Tennessee for the Shower of Bluegrass Stars held on October 5 to 7th. 1978, at the Vanderburgh Auditorium. Certificate received and filed.

A Certificate of Insurance was received from the Torian Insurance Agency on insured, Tradesmen Club for a dance held at the Vanderburgh Auditorium on October 7th. to 9th. 1978.

Certificate received and filed.

RE: CHECK TO BE ENDORSED

A Check was received from Aetna Life & Casualty, on insured, Gayle A. Maggart, paid to the order of the Vanderburgh County Commissioners, for property damage to Sheriff Departments car #214 that was damaged in an accident, the check being in the amount of \$162.80. This check is to be deposited into Account #105-323.

Commissioner Schaad moved that the check be endorsed by President Ossenberrg and that it be deposited into designated account. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

Specifications and the Notice to Bidders were submitted to the Commissioners for advertising for bids on the rental of two High Speed Copier/Duplicators and two smaller copiers, that are needed in offices of Vanderburgh County.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids on October 12th and 19th, with the bids to be opened on October 23rd. 1978. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS.....HILLCREST HOME

The following bids were received for the Siding, Guttering and Downspouts at the Hillcrest Home:

Lindy Construction Company.....\$24,980.00

Evansville Garage Builders, Inc.....\$34,878.00

Both bids being in good order, Commissioner Schaad moved that they be referred to Mr. Hotz and Mr. Crooks for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BID.....TREATMENT FACILITY

There was only one bid received for the Liquid Calcium Chloride Treatment Facility that is to be installed at the County Garage. The bid is as follows:

Orbie of Illiana Inc.....\$9,860.00.

The bid being in good order, Commissioner Schaad moved that this bid be referred to Mr. Stephen for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: AGREEMENT TO BE SIGNED.....SOIL AND WATER CONSERVATION

The Renewal of Cooperative Agreement between the Vanderburgh County Soil and Water Conservation District and the Board of County Commissioners of Vanderburgh County and the Soil Conservation Service of the United States Department of Agriculture, was submitted to the Commissioners for Commissioner Ossenbergs signature.

This is in relative to the Acceleration of land use planning treatment in Vanderburgh County, Indiana and reads as follows:

The parties of the Agreement agree to the Renewal of the Agreement, as set forth in Paragraph D.2. of the original Agreement, as amended, for the period January 1, 1979 through December 31, 1979, on the part of the "Commissioners" and "District" and for the period October 1, 1978 through September 30, 1979, on the part of the "Service".

The signing of this Agreement was authorized at the meeting of the Commissioners held at Evansville, Indiana, on the 9th day of October, 1978.

Commissioner Schaad moved that the Agreement be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Evansville Crushed Stone Company for stone ordered by the Surveyor's office, for #53 stone delivered at \$4.85 per ton; for Bridge #65 located on Marx Road, in the amount of \$1,116.49, which was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Engineer Associates, Inc. for final engineering services on Lynch Road, Project No. M-E 090 (1), contract prices less previous billing of \$93,506.03, making the total due this billing to be \$4,921.37, which was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Brinks, Inc. for service rendered to the Clerk of the Circuit Court for the month of September, as per contract, in the amount of \$102.40.

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

A Claim was submitted by Brinks, Inc. for service rendered to the Clerk of the Circuit Court for the month of October, as per contract, in the amount of \$102.40.

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

A Claim was submitted by Brinks, Inc. for service rendered to the Treasurer of Vanderburgh County for the month of October, as per contract, in the amount of \$253.20.

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

A Claim was submitted by Torian Agency, Inc. for a Continental Bond #BND2166724 for Mary T. Ritter of \$5,000, who is the Assistant Mgr. & Secretary of the Vanderburgh County Auditorium, in the amount of \$20.00.

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

A Claim was submitted by Mr. Lewis Volpe, the County Treasurer, for expenses incurred for mileage, meals and lodging in attending a meeting in Columbus, Indiana that was called by the State Examiner, in the amount of \$122.00.

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

A Claim was submitted by Szabo Food Services, Inc. for meals served to the inmates for the period of 9/1/78 thru 9/15/78 at \$4,456.40 and meals served to the Deputies for the same period of time at \$166.40, making the total of the claim to be \$4,622.80, which was approved by Sheriff DeGroot.

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

A Claim was received from the Law Enforcement Hypnosis Institute, Inc. for the Registration of Mark Mabrey of the Sheriff's Department, in the amount of \$395.00, and approved by Sheriff DeGroot.

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

A Claim was submitted by Visucom Productions, Inc. for a print film entitled, "Lifeline to Learning", which is being used in the schooling of bus drivers, in the amount of \$380.00, which was approved by Mr. Robert Reutter. This schooling is being conducted for bus drivers in school transportation.

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

A Claim was submitted by Factory Mutual Engineering Corp. for a print film entitled, "A, B, C & D's of Portable Fire Extinguishers" which was used in the training of the bus drivers, in the amount of \$200.00, which was approved by Mr. Robert Reutter.

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

A Claim was submitted by Aims Instructional Media Services, Ind. for four films that were used in the training of the bus drivers, in the amount of \$970.00, which was approved by Mr. Robert Reutter.

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

A Claim was submitted by Deig Brothers for the reconstruction of Adler Road, in the amount of \$45,779.93, which was approved by Mr. Guillaum.

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

#### RE: CONTRACT AWARDED.....TREATMENT FACILITY

Mr. Stephen said he has studied the bid on the Liquid Calcium Chloride Treatment Facility and recommended that the contract be awarded to Orbie of Illiana at the bid price of \$9,860.00. He said the installation will be completed within 60 days as per proposal, so they will have it completed by December 1st. He explained that the County crew will do the base work and help put the facility on end, plus the electrical work.

Mr. Ed Otten, President of Orbie of Illiana appeared and recommended that two loads of calcium be ordered, which is 3,000 gallon, so that as soon as the facility is ready they can put the liquid calcium in it.

The Commissioners agreed that the liquid calcium be ordered.

Commissioner Schaad asked Mr. Siebeking if he has the equipment to spray after the liquid calcium is taken care of and Mr. Siebeking said that he has the equipment

but that he may have to get new nozzles, that he will have to check on it.

Commissioner Schaad moved that the contract be awarded to Orbie of Illiana for the treatment facility at bid price and that the liquid calcium be ordered. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

Mr. Crooks submitted the Building Commission Report for the month of September, 1978. He said that building is up 28% from last year. Report received and filed.

RE: MR. JUDD

Commissioner Ossenberrg told Mr. Judd that something came up last week after he had left the meeting, that according to a law that was established, the signs are suppose to be a certain height.

Mr. Judd said he has been changing them to the proper height.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report for the employees of the County Highway Department for the past week, ending October 6, 1978. Report received and filed.

RE: NURRENBERN ROAD

Mr. Siebeking said they closed Nurrenbern Road this morning since the workers of Jerry David Excavating Company has started tearing up the blacktop this morning.

Commissioner Ossenberrg explained, for the benefit of the students, that on Nurrenbern Road at Burdette Park, the road was officially closed this morning and the road is being torn up since it floods at 37 feet and covers that road so they are attempting to raise that road nine feet and consequently, in the future, the river stage will have to go to 45 feet to cover the road.

RE: BOONVILLE NEW HARMONY ROAD

Mr. Siebeking said he checked with Bobby Staub on that culvert on Boonville-New Harmony Road, that Mr. Staub had gone out and checked that himself before he started hauling and the culvert was mashed down before he started, that he said he had been involved in too many law suits over things like that and he got to the point to where he checked roads before he hauled over them, that it was mashed before he started.

Mr. Siebeking asked the Commissioners if they wanted him to go out and straighten out the problem, since he has no idea who did it and there are a number of people who haul out of that area, so he wouldn't even know who to contact.

The Commissioners agreed that Mr. Siebeking take care of it.

Mr. Siebeking said he wondered if maybe they wouldn't be smart in digging the culvert out, since there isn't that much cover on it, and put in about 30 feet of concrete reinforced pipe there, or whatever it will take to fix it and they won't have to worry about it getting mashed again.

Commissioner wondered if the property owner couldn't be held responsible.

Mr. Siebeking said he thought Mr. Biggerstaff had something to do with it, so he could try to find out who it is and contact them, that maybe they will even furnish the pipe and if they do his crew will put it in.

Mr. Siebeking said that on Boonville-New Harmony Road, the area that had been discussed last week, has been concreted in and he presumes they will come back out and put hot mix on it like they always do, that this is located past the Rescue Mission.

Commissioner Willner said that the drop off on the side of the road where the Water Company put in a water main is still there.

Mr. Siebeking said the County might as well put something in there, since Staub isn't going to do anymore on it, that they have been patching over it but that is all, so when they finish that, he will go ahead and fix the shoulder.



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Commissioner Willner asked Mr. Siebeking if he is still using the paving machine or if he has finished with it.

Mr. Siebeking said they haven't used it for about a week or so, that they are about caught up on their repair work and are on Heinlein this morning, but if the weather stays nice they may be able to get some more work done, since they aren't suppose to use the paving machine when it gets below a certain temperature.

RE: MR. SIEBEKING

Commissioner Willner asked Mr. Siebeking if he has looked at Adler Road where the culvert has broken through.

Mr. Siebeking said he has looked at it and he will see that it is taken care of as soon as the road settles down. He said the same holds true with St. Joe Avenue, also that Old 460 has been taken care of

RE: PROBLEM AT BUSLER

Commissioner Willner said that Conoco called him and said there is a great big hole at Busler's.

Mr. Siebeking said he would check to see if his crew got out there to fill it, that they agreed to put rock in it and the man called him right after he left the meeting and said, "now you know the Commissioners agreed that you oil and rock and take care of that", but he told the man he didn't hear the Commissioners say anything about oil, that all he heard was that his men were to put rock in it, but that if the Commissioners told him to put oil in it, he would, but all they told him to do was to put rock in it, but that he will check to be sure that his men got out there to fill the hole.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum submitted his Bridge and Guardrail Report and said his crew has put up about 500 lineal feet of guardrail this past week and they worked on Upper Mt. Vernon Road, Broadway, Schmuck Road, Baumgart Road and Buente Road. He said they widened the structure on Buente Road, also that the structure on Adler Road is in pretty good shape, that his crew has been working on the abutments and should be finished in three weeks or so, that one side of the approach is a little higher and they will have to put in some fill.

RE: CUTS IN

Mr. Guillaum said he has an application for a cut on Heddon Road from Don Barnett, that this is parallel to the road on the shoulder, that his bond and everything is in order.

Commissioner Schaad moved that the cut application be stamped with the Commissioners signatures. Commissioner Willner seconded the motion. So ordered.

RE: SURVEYORS OFFICE NEEDS VEHICLES

Mr. Guillaum said he had asked the Commissioners last week if they knew of any one that had any vehicles he could get, since he had heard that the Sheriff's Department had some excess vehicles, and he wondered if they had any information on this, since they can really make good use of them and he hates for the inspectors to use their good cars in their work.

Commissioner Ossenberg said he went down to talk to Sheriff DeGroote and he was told that they are using all their old cars, that the Chief Deputy's car is even being used at the present time and it has 88,000 miles on it.

Mr. Guillaum said that anything they can get would be a big help since they don't have any more money in their travel account for it and even if they get junkers they could put them to good use.

RE: RAILROAD OVERPASSES

There was discussion of the railroad overpasses located on Boonville-New Harmony Road west of St. Joe and on Bender Road, where concrete is falling out into the road.

Mr. Brenner said that the Building Commissioner can condemn it.

Mr. Guillaum said there is no way the tracks can be used, that he had men walking the line and they are blocked in places.

This matter was turned over to County Attorney Wendel so he can work with Mr. Crooks in trying to get these tracks condemned.

RE: MR. STEPHEN

Mr. Stephen said that Fink, Roberts & Petrie are going to correct the right of way easements on St. Joe and send them back, since there was a mistake made since they had one owner for three properties but one parcel had been deeded off, so the one person owns two of the parcels, so the right of way needs to be divided.

RE: MEADOW VILLAGE SUBDIVISION

Mr. Stephen said that a copy of the Road & Sewer plans for the Meadow Village Subdivision was signed on 8/28/78 for Andy Easley and he would like for the Commissioners to sign the original plans.

Commissioner Schaad moved that these plans be signed. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen noted that they are starting on Nurrenbern Road today, clearing the way for reconstruction.

RE: COMMISSIONERS RECOMMENDATION ON FUNDS

Last week Mr. Stephen said he had attended a meeting at Bloomington and they discussed the Federal Aid Secondary and the Safer Off System Funds, and that the Commissioners should contact the County Association as soon as possible with any comment they have, since they want some direction as to what they want to do in the way of these funds. Mr. Lochmueller was then asked to write the letter of suggestion along the lines they had discussed.

Today, Lani Etheridge appeared for Mr. Lochmueller and submitted the following suggestion in reference to the Federal Aid Secondary and the Safer Off System Funds:

The Vanderburgh County Commissioners suggest that the Indiana State Highway Commission adopt a policy which allows counties to waiver funds to other counties for a three year period. At the end of that three year period, unused funds would be withdrawn and put into a pot and for the fourth year, any county may undertake project or projects using up to 100% of this pot. This is to be mailed to the State Highway Commission.

Commissioner Ossenbergsaid he thought this was the best recommendation, that Mr. Lochmueller talked to him about it and they studied it over and thought this to be the best recommendation to go by, rather than the Indiana State Highway Commission taking the money.

Commissioner Schaad moved that this recommendation be sent to the Indiana State Highway Commission. Commissioner Willner seconded the motion. So ordered.

RE: L & N CROSSING ON RED BANK ROAD AND BOEHNE CAMP ROAD

Commissioner Schaad said he called Keith Lochmueller on the L & N Railroad crossings on Red Bank and Boehne Camp Roads, south of Upper Mt. Vernon and north of Hogue Road, and said if the funds are available, they could get the signalization done, so they need to make application.

He said they had an inventory made by Engineer Associates and thinks they need to get with it and implement the plan, since if they don't intend to implement it, why have the study made.

RE: NURRENBERN ROAD

Mr. Stephen said that the railroad crews were out on Nurrenbern Road, that the work is done and the signalization is working.

Commissioner Ossenbergsaid this is the one they wrote to the state on and they wrote back and said it would be a couple of years before anything could be done at this location and now in only two months they have the work done.

RE: DRAINAGE MATTER

Mr. Broerman appeared and said he has a subdivision off Fuquay Road and it is named Goehlhausen & Broerman Subdivision and there is a guy wire right in the center of a public easement for a drain and they want to continue some pipe that they have in that easement, through where that guy wire is anchored now and if the Gas Company gets a request from the Commissioners to move that guy wire, they will, but if he has to have it moved, they will charge him for it, that this is a legal drain.

The Commissioners agreed that this is a drainage matter and asked Mr. Broerman to give the information to the Surveyor for next week's Drainage Board meeting, so he won't have to come back.

Commissioner Ossenberg introduced the various officeholders and others to the students throughout the meeting, as they appeared before the Commissioners, and explained the duties of each to them.

RE: POOR RELIEF

Commissioner Ossenberg explained to the students that the Commissioners sit as an appeal board and if the Trustee has turned down the applicant for whatever help he requests and the applicant feels that he was unjustly treated, then he has the right, by law, to appear in front of the Commissioners, along with the Trustee, and then they make the decision as to whether they uphold the Trustee or they rule in favor of the applicant.

Commissioner Willner said also, if they are not satisfied with the decision of the appeal by the Commissioners, they still have the courts as a final appeal.

Samuel Storey.....37 E. Chandler.....Pigeon Township.....M. Sallee, Investigator

The Notice of Poor Relief Action as submitted by the Pigeon Trustee states that Mr. Storey applied for rent and was denied because he refused to take a job at \$2.65 per hour.

Mr. Storey failed to appear, so no action could be taken by the Commissioners at this time.

Joyce Meserve.....314 S.E. Riverside....Pigeon Township.....M. Sallee, Investigator

The Notice of Poor Relief Action as submitted by the Pigeon Trustee states that Ms. Meserve applied for assistance on utility but was denied because the meter is in the name of Lillian Carnagi who is the landlady.

Commissioner Schaad said that if this is the only reason she was denied help, that County Attorney Smith suggested that the landlady give Ms. Meserve a letter stating that since Ms. Meserve is paying her rent and that the meter in Ms. Carnagi's name is part of the lease agreement, and it is her responsibility to pay the utility.

Ms. Meserve said there is another apartment in the building but she doesn't think the other apartment is on the same meter as hers, since there are four different utility bills coming there all the time. and there is more than one meter.

County Attorney Wendel said if the Trustee would accept it, the landlady could give him a statement to the effect that part of the lease agreement is that the meter be in her name and it is a separate meter, then he would suggest that the Commissioners refer this case back to the Trustee.

Ms. Sallee said that Ms. Meserve's income is \$175.00 per month and her rent is \$160.00 per month and she has to buy her food stamps and she wonders if Ms. Meserve realizes that her income really isn't enough to maintain herself.

Ms. Meserve said that her rent is only \$40.00 per month plus utilities.

Commissioner Schaad moved that Ms. Meserve get a letter from her landlady stating that there is a separate meter for her apartment and that according to the lease agreement, it is her responsibility to pay the utility, and that this case be referred back to the Trustee. Commissioner Willner seconded the motion. So ordered.

William K. Smith.....431 S. Evans.....Pigeon Township.....M. Sallee, Investigator

The Notice of Poor Relief Action as submitted by the Trustee states that Mr. Smith applied for rent but was denied since he failed to return.

Mr. Smith said he failed to return to the Trustee's office because he was at the hospital with his son, that he has no income at all, and they told him at the unemployment office to come back the 16th. of October, that he hasn't been working since he has been under the doctor's care for his back. He said the last place he worked was for the City of Henderson.

Commissioner Schaad said if it is just a matter of not returning to the Trustee's office, that he should now go back there since they will now know why he didn't return and maybe they can work it out. He said he has been to C.A.P.E. and other places to try to get a job, and once he went to the unemployment office but they didn't have anything for him, and he also went to the personnel office. He said he is getting food stamps.

Commissioner Schaad told Mr. Smith to explain to them that the reason he didn't come back was because he was with his son in the hospital and open up the case with them again, and then if he is rejected, he should come back before the Commissioners.

Commissioner Willner moved that this case be referred back to the Pigeon Trustee. Commissioner Schaad seconded the motion. So ordered.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

Secretary: Margie Meeks

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

*Ed Smith, Jr.*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
OCTOBER 16, 1978

The meeting of the County Commissioners was held on Monday, October 16, 1978, at 9:30 a.m. in the Commissioners Hearing Room with President Ossenberg presiding.

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

RE: GOVERNMENT CLASS ATTENDS MEETING

President Ossenberg said once again they would like to welcome a Government Class from Central High School, this is a class of City Councilman David Koehler.

RE: LETTER ON REZONING

President Ossenberg said they have a letter concerning the rezoning of 11709 Walnut Road, and the letter reads as follows:

County Commissioners

Dear Gentlemen:

I would like to have a 30 day delay on the petition to rezone 11709 Walnut Road because of changes that are being made with the Area Plan Commission.

Sincerely,

Jerry Whipple

President Ossenberg asked if there were any remonstrators concerning this petition, he said they try to give proper notification to the news media in advance.

Commissioner Willner asked what are the changes in the Area Plan and President Ossenberg said he did not know, only that it was a design change.

RE: EMPLOYEE CHANGES

President Ossenberg explained how the Employee Changes are worked through the County.

APPOINTMENTS

CIRCUIT COURT

Mary Meyer	typist	2.75	10/2/78
Rhonda Gorman	bailiff	3.00	10/9/78
Kim Hinton	bailiff	3.00	10/9/78
Dan Tuley	bailiff	3.00	10/9/78
Bonnie Heitzman	bailiff	3.00	10/9/78

VANDERBURGH COUNTY ELECTION OFFICE

Maxie A. Hatcherr	1209 First Ave.	ballot Assem.	2.50	10/16/78
Russell S. Rohner	617 W Maryland	ballot assem	2.50	10/16/78
John W. Overton	188 S. Lincoln	ballot assem	2.50	10/16/78
Fred C Roeder	R.R. 4 Box 263	ballot assem	2.50	10/16/78

LEGAL AID SOCIETY

Megan Moore	6114 Ward Rd.	Bkpr/Recp	1,286	10/9/78
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PROSECUTOR'S OFFICE

Sandra L. Millard	2251 E. Franklin	Secretary	8,700	10/6/78
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SUPERIOR COURT-CRIME CONTROL

Pekka Kordi	R.R. 2 Lake Rd. Princeton	Counselor	2,600	10/1/78
Mary Jiester	R.R. 3 Princeton	Counselor	2,600	10/1/78
Jack Rhinehart	R.R. 2 Princeton	Counselor	12,000	10/1/78
Michael Cain	E. Broadway, Princeton	Counselor	2,267	10/1/78

SUPERIOR COURT-VOLUNTEER SERVICES

Mary C. Abell		P/T Secretary	3.50	10/12/78
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HIGHWAY DEPARTMENT

Larry W. Schaad	1121 N Main St.	Truck Driver	4.87	10/16/78
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RELEASES

AREA PLAN COMMISSION LEAVE OF ABSENCE

Brenda Hill	727 E. Missouri	Draftsman	7,738	10/23/78
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PROSECUTOR'S OFFICE

Charles Tapper	451 S Weinbach	Intern	8,480	10/9/78
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SHERIFF'S DEPARTMENT

Edward Lander	1919 Sweetser	Patrolman	12,442	10/20/78
Anne Therber	Covert Ave.	Patrolman	12,192	10/30/78

LEGAL AID SOCIETY

Beth Partridge Arnold	944 Varsity Dr.	Bkpr/Recp.	1,286	10/2/78
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CIRCUIT COURT

Bonnie Heitzman		Prob. Intern	3.00	10/7/78
Louise DeVoy	4915 Rolling Ridge Dr.	Bailiff	5.00	10/21/78

VANDEBURGH COUNTY ELECTION OFFICE

Perry A. Neale	2849 Edgewood	ballot assem	2.50	10/2/78
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SUPERIOR COURT-CRIME CONTROL

Jack Rhinehart	R.R. 2 Princeton	Counselor	10,200	10/1/78
Michael Cain	E. Broadway, Princeton	Counselor	7,800.	10/1/78

SUPERIOR COURT-VOLUNTEER SERVICES

Mary C. Abell		P/T Secretary	3.25	10/12/78
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HIGHWAY DEPARTMENT

Larry W. Schaad	1121 N Main St.	Laborer	4.78	10/16/78
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Commissioner Schaad moved the above employee changes be approved, seconded by Commissioner Willner. So ordered.

RE: MONTHLY REPORT

President Ossenberg said they have a monthly report from the Clerk of Circuit Court and to let the record show it received and filed.

RE: CERTIFICATES OF INSURANCE FOR USE OF THE AUDITORIUM

Present Ossenberg said they received the following Certificates of Insurance for use of the Auditorium:

Watchtower Bible & Tract Society of New York, Inc. for use on October 4, 1978.

Evansville Square Dance Council for use on the 12th day of October, 1978.



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Music Ministries, Inc. for use on October 10, 1978.

Joachim & Jones Machinery Company, Inc.

President Ossenberg said let the record show the above certificates be received and filed.

RE: CHECK TO BE ENDORSED

President Ossenberg said they have a check to be endorsed from the City of Evansville, this check is to cover the xerox toner the City borrowed. He said the check is for \$45.00.

Commissioner Schaad moved the check be signed and turned over to the County Auditor, seconded by Commissioner Willner. So ordered.

RE: BLACK EXPO CONTRACT

President Ossenberg asked Mr. John if he knew what this was for and Mr. John said Mr. Bill Taylor wanted to speak to them on this and he suggested they postpone it until next Monday.

RE: LETTERS CONCERNING THE ELECTION

President Ossenberg said they received four (4) letters concerning the election from Shirley Jean Cox and they are as follows:

Board of County Commissioners  
City-County Building  
Evansville, Indiana

RE: Precinct Boards

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 7, 1978 as follows:

Inspectors.....	\$55.00
Republican Judge.....	30.00
Democrat Judge.....	25.00
Clerks.....	25.00
Sheriff's.....	25.00
Assistant Clerks.....	25.00

The Board feels this is a fair distribution of the amounts allowable by statute.

Thank you,

Sincerely,

Shirley Jean Cox

Commissioner Schaad moved the above rates be established, seconded by President Ossenberg. So ordered

Board of County Commissioners  
City County Building  
Evansville, Indiana

RE: Voting Places

Gentlemen:

This is to serve as a reminder that Saturday, October 28, 1978 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 7, 1978 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

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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 such notice, a like notice must be given of such change. No change in voting places can be made within two (2) days of the General Election. (3-1-8-5; 3-1-8-6)

Sincerely,

Shirley Jean Cox

President Ossenberg said let the record show it received and filed.

Board of County Commissioners  
Vanderburgh County  
City-County Building  
Evansville, Indiana 47708

RE: Use of Council Chambers and Commissioners Caucus Room

Gentlemen:

We respectfully request the use of the Council Chambers, Room 301 and the Commissioners Caucus Room 303, on Tuesday, November 7, 1978 beginning at 4:00 p.m. and until such time as the Counting Center Teams complete their work.

In addition, we would like to use Council Chambers as follows for instruction meetings for NEW precinct election officials:

Tuesday, October 24, 1978	10:00 a.m. - 12:00 noon
	6:30 p.m. - 8:30 p.m.

Wednesday, October 25, 1978	10:00 a.m. - 12:00 noon
	2:00 p.m. - 4:00 p.m.

The above dates have been cleared with Chief of Security Covert and are awaiting confirmation. We are using Council Chambers in lieu of the Auditorium.

As in the past we are again 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.

Commissioner Schaad moved it be approved, seconded by Commissioner Willner. So ordered.

Board of County Commissioners  
Vanderburgh County  
City-County Building  
Evansville, Indiana 47708

RE: Use of Auditorium for bi-partisan instruction of precinct officials

Gentlemen:

We would like to reserve the Vanderburgh County Auditorium in the Convention Center for bi-partisan instruction of precinct officials for the following date and time:

Sunday, November 5, 1978	2:00 p.m. - 4:00 p.m.
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This date is open on the Convention Center calendar and awaits your approval and confirmation.

Thank you for your consideration

Shirley Jean Cox

Commissioner Schaad moved it be approved, seconded by Commissioner Willner. So ordered.

RE: REZONINGS

Docket No. 78-93-PC VC-11-78 Petitioner: Guthrie May & Co. Inc.

Premises affected: (Complete legal on file). More commonly known as 3911 Oak Hill Rd. Nature of Case- Petitioner requests change from an A to a R-1 zone for one family dwelling. This petition was approved with eight affirmative votes and on abstention.

Mr. Bob Becker, attorney for the petitioner, said this involves a forty (40) acre tract of land that is located what would be the NE corner of the intersection of Lynch Road and Oak Hill Road, this land is presently vacant and there is a sub-division plan that has been submitted and received their approval. He said they propose to construct single family homes on this property. He said they are asking that the property be rezoned to R-1 to give them a little more freedom in the lot coverage requirements.

President Ossenbergs explained to the students in the audience that this is rezoning day and he explained the procedure for rezonings.

Commissioner Willner asked if there were any provisions made for the extension of Lynch Road to Green River Road.

Mr. Becker said yes, the revised sub-division plans left off a 50 foot strip for this extension.

President Ossenbergs asked if there were any remonstrators in the audience, and there were none.

President Ossenbergs said as part of the record, show that the petitioner has dedicated 50 feet for the extension of Lynch Road.

Commissioner Willner asked if there were any plans for ingress and egress blisters, and Mr. Don Blume said they have left 50 foot right of ways for this, he said these houses will face in and not face toward Oak Hill Road.

Commissioner Willner moved the petition be approved, seconded by Commissioner Schaad. So ordered. Roll Call vote is Schaad, Yes; Willner, Yes; Ossenbergs, Yes.

*Amend. to zoning law - on Oak Hill Rd.*

VC-13-78 Petitioner: Robert Lindauer

Premises affected: (Complete legal on file). More commonly known as 1608 Allens Rd. Nature of Case: Petitioner requests change from an A zone to a R-3 zone for apartment complex. This petition was approved with ten affirmative votes and one abstention.

Mr. Lindauer was there with his attorney and his attorney said the real estate is vacant now and they propose a four unit apartment complex. He said they bought this property from the Charles Mohlenkamp estate and when they bought it it was a dump, someone had been dumping trash and garbage on this property and they cleaned it up so they could see what was there. He said they talked to all the neighbors and they are in favor of the zoning. He said R-3 is not out of harmony with the neighborhood. This particular tract of land is located between the intersection of Allens Lane and Grove Avenue. There are some industrial complex's across the street from this property. They have enough parking and they do not need a variance for what they are doing and therefore they feel the petition should be approved.

This rezoning was approved at the Area Plan Commission by 8-0, with one abstention.

Commissioner Ossenbergs said the petition reads that it passed the Area Plan with a 10-0 and one abstention vote.

There were no remonstrators.

Commissioner Schaad moved that petition VC-13-78 be approved.

Commissioner Willner asked if there were any drawings available.

The attorney said they do have some plans and at this time he presented what he had to the Commissioners to view.

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Commissioner Willner seconded the motion. Roll Call vote was as follows:  
Commissioner Schaad.....Yes. Commissioner Willner...Yes. Commissioner Ossenberg..Yes.

REZONING PETITION.....VC-14-78

Petitioner: Donald Stucki....1301 Laubscher Road, Evansville, Indiana.  
Owner of Record: Curtis E. Huber and Gladys Morneweg....PO Box 3118, Evansville, In.

The requested change is from A to M-2, for conforming.

In the Area Plan Commission the vote was 10 affirmative with one abstention.

Mr. F.Wendell Lensing attorney was present to represent Mr. Stucki in this request. He said this is one hundred and twenty acres between Wimberg and Laubscher Roads, west of the L&N Railroad tracks. They have previously filed the consent by most of the adjoining property owners. Some people did not sign, but they said they would not object. They have a letter stating that city water is available and also a letter stating the city sewer is available. He would say, in his opinion that this property is most suited for industrial development.

Commissioner Willner asked where they were going to make their ingress and egress.

Mr. Lensing said off of Wimberg Road.

Mr. Chuck Osterholt was present and stated the property will have to be sub-divided first.

There were no remonstrators.

Commissioner Schaad moved that petition VC-14-78 be approved, seconded by Comm. Willner.  
Commissioner Schaad...Yes. Commissioner Willner...Yes. Commissioner Ossenberg...Yes.

REZONING PETITION.....VC-17-78....FIRST READING:

Petitioner: O.W. Kattman, Jr., W.C. Bussing, Jr.....225 S.E. Seventh Street, Evansville Indiana.

Owners of Records: Mary Louise Kolb; Betty Ann Kolb; B. Michael McCormick, trustee; Kenneth A. Kolb and Sylvia Sue Kolb, trustees.

Mr. Wayne Kent was present to represent the petitioner involved and he simply request the matter be sent to the Area Plan Commission.  
The property is located on Pollack Avenue and is presently zoned R-1. They are requesting it be changed to R-3. At the present time this property is used for farming.

Commissioner Schaad moved that petition VC-17-78 be approved on first reading and referred to the Area Plan Commission. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS:

A claim was submitted by Warrick County Farm Bureau Cooperative Ass'n, Inc. for seeder and seed as per attached invoice (Marx Rd. Bk. #65) in the amount of \$61.20 and it has been approved by Louis Stephen and Jack Seibeking.

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

A claim was submitted for Palmer Gentry for refund of permit #554, Duplicate of permit #870 for 7729 Greenbriar.....in the amount of \$19.00.

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

A claim was submitted for Film Fair Communications for a print film "The Life You Save" Shipping charges in the amount of \$240.50.

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

A claim was submitted for the Evansville Association for Retarded Citizens, Inc. for monthly appropriation for yearly allocation of \$131,732.00. EARC facilities November, 1978, in the amount of \$10,977.67.

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

RE: JESSE CROOKS:

Mr. Jesse Crooks, Building Commissioner of Evansville and Vanderburgh County was present and stated that he and Mr. Hotz have the bids for the repair work at Hillcrest. He would recommend that that low bid of Lindy Construction, in the amount of \$24,980.00 be accepted. The other bid was from Evansville Garage Builders in the amount of \$34,878.00. He said neither bids have the financial statement, therefore couldn't that be waived.

Mr. Hotz said in the specifications for invitational bids it says the Commissioners reserve the right to reject any and all bids and to waive any materials in the bids.

It was decided that these bids would have to be thrown out and re-advertised.

RE: LETTER.....TO JUDGE WILLIAM MILLER:

Commissioner Ossenbergsaid for the record he would like to state he has a copy of the letter to the Honorable William Miller in reference to the jail. He is not going to read but he would like to show it has been received and filed.

RE: ABSENTEE REPORT:

Mr. Siebeking submitted the Absentee Report for the employees of the County Highway Department for the past week, ending October 13, 1978. Report received and filed.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum submitted his Bridge and Guardrail Report and stated they installed about 216 L.F. of guardrail. They did work on Buente Road, St. Joe Avenue, Nurrenbern and Darmstadt and right now they are working on Boonville-New Harmony. This is one of the structures that at one time they were anticipating replacing, but they broke the rails down and repoured the concrete and he hopes that within the week they will have it in pretty good shape.

Commissioner Schaad said on Buente Road, he had someone to come in to see him about them having problems getting farm equipment over the first bridge on Buente Road just north of St. Wendell Road.

Mr. Guillaum said he will take a look at it and see what could possibly be done.

Mr. Guillaum said they are also working on Phelps and 5th Avenue. They have their field work done on that but hopefully they will soon have the engineering on it. They actually have two structures out there that they are going to take care of.

They will have an advertisement in the paper about Thursday for the six or seven structures that were brought in earlier.

RE CUTS IN

Mr. Guillaum said he has a cut located at Oak Hill Road and Millersburgh. There is a bond and everything is in order.

Commissioner Schaad moved that the cut application be stamped with the Commissioners signatures. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenbergsaid asked Dave about the tubes out on Nurrenbern Road, are we going to salvage those.

Mr. Guillaum said he believes we are going to go ahead and use the tubes we have out there. We are going to elevate that road nine feet so that it will not flood.

Mr. Guillaum said one other thing is that he got a letter out to Paul Wendell stating

we have located the structures that we feel is hazardous and need to be removed.

Mr. Wendell said he did receive the letter and the map and it has been sent to the Railroad.

Dave said if we do not hear from them should we go ahead and do what we had discussed earlier about getting them condemned and removed

Commissioner Schaad said we will go ahead and work with Mr. Crooks on this because he does not think that we will hear from the Railroad.

RE: LOUIS STEPHEN

Mr. Stephen said Commissioner Schaad contacted him about what was happening out on St. Joe Avenue, about getting ready for the right-of ways. The County Council, at their last meeting approved the funds for the purchase of these right-of-ways, therefore we are waiting for the State approval of these funds and that usually takes from four to six weeks, and we cannot give these people their money until it has final approval.

Commissioner Schaad said we want to let this bid in January and if we aren't careful we are going to miss another construction summer.

County Auditor Curt John said we may have already had the local hearing on this and if we have he would be glad to call Indianapolis and see if they would put a rush on it for us.

Mr. Stephen said he has the plans for Carroll Acres.....for sanitary sewer and road construction. This has been to the city and approved by them. We have looked at this before and it is one where they have a hill steeper then 10% and they did get it down to 12% and since it is from our road, up hill instead of downhill, he would have no objections if Jack doesn't. He showed the Commissioners on the plans where there is now an existing 36" tube in the ditch and they are putting in two more 48' tubes. He explained which way the water flows and where it comes out at.

Commissioner Willner said that smells trouble.

Mr. Stephen said the only other thing to do would be to build a bridge. They are elevating the road so what they are doing is creating a pond on their own property.

Commissioner Willner said there will be no one down there to clean it out and we will be receiving calls at the county garage requesting that we go clean the culverts out, and he thinks this is bad business.

He thinks that Mr. Bolin is trying to make a good sub-division, from what he has to work with, but its going to be nothing but problems for us.

Commissioner Schaad said some of these people will end up with water in their basements.

Mr. Stephen said we could send it back and recommend they install a box type culvert.

Commissioner Willner said if we tell him that we will not accept this unless he builds a box culvert, will he still build the project.

Mr. Stephen said he does not know.

Commissioner Schaad said he can go ahead and build his sub-division but we will not accept the roads for maintenance.

Commissioner Ossenberg said yes, but you try to tell the property owner that, because he assumes when he buys that the county has taken over the maintenance on the roads.

Commissioner Schaad said then it should be a part of their abstract that when they buy, the roads will never ever be a part maintained by the county, and it will not be the county's problem.

Mr. Stephen said we owe him an explanation why it is being rejected.

Commissioner Schaad said to tell him it is too steep and the culvert underneath of the road.

Mr. Stephen said if he agrees to correct the 10% would the commissioners go on record that they would accept it then.



Commissioner Schaad moved that Mr. Stephen write a letter stating the commissioners did not approve this because the grade is too steep and also there would have to be a culvert put in there, wide enough to channel the water.

Commissioner Willner seconded the motion. So ordered.

Mr. Stephen said back in 1975 or 1976 out in the east end of town in a sub built by Guthrie May, you took in a street which was on 50ft., but also they had asked, and the Commissioners accepted it, Resolution 19 and it was changed to 19-A, because there were two different resolutions taking in two different streets numbered 19. You took in two alleys and they are only 20ft. wide and they are paved. They are the entrances to the back end of these properties. These should not have been taken in because they did not conform widthwise to the sub-division control ordinance that was passed in 1972, therefore he thinks a revision should be written up taking those out, as they have never been certified to the State, and we have never received any money on them.

Commissioner Schaad moved that the commissioners rescind the acceptance of these two alley ways. Commissioner Willner seconded the motion. So ordered.

RE: MISS VICKI BAILEY

Miss Bailey said she is requesting travel, by airplane to Washington D.C. for a Government Information Services Seminar to be held November 12 through the 17th. It is going to be on federal dollars for local programs. This will come to approximately \$1100.00. Accomodations for the Motel is \$44.00 per night for a single room and the Seminar will cost approximately \$435.00, plus airfare. She said she talked to the council members and they agreed to transfer the money from properties to travel expense.

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

RE: POOR RELIEF

Commissioner Ossenberg explained to the students that the Commissioners sit as an appeal board and if the Trustee has turned down the applicant for whatever help he requests and the applicant feels that he was not treated fairly and this board can either agree with the Trustee or over-rule them and grant the applicant what he is asking.

Today we have Carrie McReynolds....425 South Linwood.  
Ms. McReynolds is requesting rent and utilities.

Commissioner Ossenberg said he understands that Ms. McReynolds was here earlier and she has since gone back down to the Trustee's office to try to work something out with them, so for today we will not hear the appeal.

The meeting recessed at 10:50 a.m.

PRESENT:

COUNTY COMMISSIONERS

Thomas Ossenberg  
Bob Schaad  
Robert Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Edwin Smith Jr.  
Paul Wendell

Secretary: Margie Meeks  
By: Jean Wilkey



  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
OCTOBER 23, 1978

The meeting of the County Commissioners was held on Monday, October 23, 1978, at 9:30 a.m. in the Commissioners Hearing Room with President Ossenberg presiding.

The minutes of the previous meeting were approved with the following correction being made in them.

On page five of the minutes of October 16th on the rezoning of Guthrie May & Co. Inc. Mr. Willner said it was his impression they were to install the passing blister on Oak Hill Road and this is not stated in those minutes.

Commissioner Ossenberg said yes, they did say that they would do that.

Mr. Louis Stephen said Guthrie May and Co. did agree to install that passing blister on Oak Hill Road. They donated the additional right-of-way also.

Commissioner Willner said he would move the minutes be approved with the above amendment. Commissioner Ossenberg seconded the motion. So ordered.

RE: GOVERNMENT CLASS ATTENDS MEETING

Commissioner Ossenberg welcomed a Government Class from Central High School to today's meeting. This is a class of City Councilman David Koehler.

RE: OPENING OF BIDS:

Commissioner Willner moved that the County Attorneys be allowed to open the bids received today on the Seven Bridges, the reconstruction of Outer Lincoln Avenue, structures #53 and #54 and also on the Copier.

Commissioner Ossenberg seconded the motion. So ordered.

RE: EMPLOYEE CHANGES.....APPOINTMENTS:

COUNTY TREASURER:

Kathy Day	R.R.5 Wortman Rd.	Part-time \$20.00 Day	E66:10-23-78
Viola Schmahlenberger		Part-time \$20.00 Day	E66:10-9-78

VANDERBURGH COUNTY PROSECUTOR:

John P. Salb	970 Varsity Drive	Intern \$84.80	E66:10-12-78
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RE: EMPLOYEE CHANGES.....RELEASES:

COUNTY AUDITOR:

Catherine Day	R.R.5 Wortman Rd.	Part-time \$20.00 Day	E66:10-23-78
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VOTERS REGISTRATION OFFICE:

Marie Lurker	2100 Schutte Rd.	Clerk \$20.00 Day	E66:10-14-78
Edna M. Delgman	3017 W. Delaware	Clerk \$20.00 Day	E66:10-17-78
Beverly Abell	3417 Austin	Clerk \$20.00 Day	E66:10-18-78
Odie F. Harlan	1611 Florence	Clerk \$20.00 Day	E66:10-18-78
Annice Gilbert	301 S. Bedford	Clerk \$20.00 Day	E66:10-18-78

HIGHWAY DEPARTMENT:

Lyn E. Siebeking	R.R.2 Box 58	Typ-Clk \$225.00	E66:10-20-78
Larry W. Schaad	1121 N. Main St.	Truck Dr. \$4.87 Hr.	E66:10-18-78
Charles H. Gee Jr.	700 Rheinlander Ave.	Truck Dr. \$4.87 Hr.	E66:10-18-78
Tony L. Harvey	5300 First Ave.	Truck Dr. \$4.87 Hr.	E66:10-18-78

Commissioner Willner moved the above employment changes be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: MONTHLY REPORTS:

Commissioner Ossenberg said they received the following monthly reports:

State of Indiana Department of Mental Health for the month of October.

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Bureau of Traffic Engineering for the month of September.

Commissioner Ossenberg said to let the record show they were received and filed.

RE RETARDED CITIZENS BLDG.

Commissioner Ossenberg said the following attended a meeting at the Retarded Citizens Bldg on Virginia Street to view the damage.

Tom Ossenberg  
Jesse Crooks  
Ed Smith  
Louis Stephen  
Bob Schaad  
Paul Wendell  
Gary Parker  
Thomas Jones

Mr. Mann  
Robert Loehrlein  
Don Loehrlein  
Joe Theby  
Herman Hotz  
Will Fosse  
Robert Willner

Commissioner Ossenberg said they also recieved the following letter from Key Construction on that particular building for roof repairs.

Gentlemen:

As a result of the meeting held on October 16, 1978 with the County Commissioners to discuss the roof problems at the above building, Key Construction in order to accomodate the Commissioners will, at no cost to the owner, furnish all necessary labor to install material furnished by the Sonneborn Co. over the expansion joints in the concrete roof deck, as a temporary method of sealing said expansion joints.

Please be advised that this work is being performed only as an accomodation to the Commissioners and is in no way to be construed as an act on Key Construction Co. part of admitting improper or faulty workmanship in the original construction of the project.

Respectfully submitted,  
Key Construction Co., Inc.  
Signed, Robert Loehrlein

Commissioner Ossenberg said that particular building is approximately four years old and is located at Virginia and Oakley, and there have been serious roof leaks in that building. He said let the record show this letter received and filed.

RE: REFUND CHECK:

Commissioner Ossenberg said we have received a refund check from Blue Cross/Blue Shield in the amount of \$18,712.21, which is our refund due from 1976 and 1977. We received this check before and County attorney was to contact them on it.

Mr. Smith, County Attorney, said he has never received a reply on his letter to them.

Commissioner Ossenberg said for him to follow through on it and at this time the check was turned over to the County Auditor to be put in the safe until further action is taken on it.

RE: POLLING PLACES...GENERAL ELECTION...1978:

Commissioner Ossenberg said we have a list of the polling places for the General Election held on November 7, 1978 and also we received a letter from the Democratic Central Committee concerning the polling places, which reads as follows:

Dear County Commissioners,

I would like to request a change in the polling place in two precincts for election day November 7, 1978. The two polling places are Ward 2 Precinct 16, and Ward 5 Precinct 2.

The location of Ward 2 Precinct 16 is in a very inaccessible location for the voters in that precinct. I would request that the location be moved back to where it was previously located at 1801 South Kerth in the home of Mary Samples.

The second location in question is Ward 5 Precinct 2 and that location be moved from Hose House #3 at 813 Pennsylvania back to Schnutte Towers, 1030 W. Franklin Street. Ward 5 Precinct 3 no longer votes at Schnutte Tower, therefore, is available for a polling place election day.

Sincerely yours,  
Democratic Central Committee  
Signed, Robert W. Brenner, Chairman

Commissioner Ossenberg said at the present, 2-16 is located at M&S Auto Sales....1054 East Riverside and 5-2, on the list, is located at Hose House #3 at 813 Penn. Street. He said the only comment he has is that he has been told the alarm station is very filthy, and that people do not want to go back there to vote.

Mr. Robert Brenner said he just received this list today and he also has had complaints. He received a call from the Precinct Committeeman at 3-18 and he received literature from Joel Deckard which was marked telling people that they were moving the precinct from the Northeast Baptist Church to the McDonald Golf Course. This was distributed over the week-end and he feels this is an unfair election practice, because we cannot even know that it is going there. He would request that this be moved back to the Northeast Baptist Church. Also you are trying to move 5-8 to a Rex Cleaners, which he believes the election laws says you cannot move a polling place out of the precinct unless you move it to a public building.

Commissioner Ossenberg said this use to be at Columbia School and they are now closed.

Mr. Brenner said this is correct, so you must go to a home or a public building, other then someplace like a cleaners. He said he just received this list of polling places and there looks like there are various other changes being made also and he has not had a chance to look it over.

Mr. Ed Cole from Sigeco was present and stated that they were informed by the Church that they could no longer vote there and that is why they moved.

Mr. Brenner said he did not object to the moving, but rather that it was put out on political literature, before it was even public.

Commissioner Willner said he would like to hold this matter in abeyance for a little while and let Mr. Brenner go over the list and we will try to get it settled later in the meeting.

#### RE: CLAIMS:

A claim was submitted by Shirley Jean Cox, Clerk for the County Election Board for Attendance at State Board of Accounts called meeting for Clerks of Circuit Courts on Thursday and Friday 10-12 and 10-13-78.

All lodging (2 days) (actual \$64.20 receipt att.) Meals (receipts attached) All mileage 610 miles @15

Total amount of claim was in the amount of \$164.64.

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

A claim was submitted for Charles R. Chrisman for a refund of permit #1512 (Not doing the job) in the amount of \$26.00.

Commissioner Willner moved this claim be approved. So ordered.

A claim was presented for J.H. Rudolph for hot mix asphalt patch in the amount of \$3,186.69 and was approved by Louis Stephen and Jack Siebeking.

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

#### RE: OPENING OF BIDS:

Commissioner Ossenberg said they received two bids on the Seven Bridges which were as follows:

G.H. Allen, Inc.....\$169,886.50

Southwestern Engineering, Inc.....\$169,565.00

Commissioner Ossenberg said on Bridges number 53 and 54 we received one bid and that was from Nalley Coal Corp which were as follows:

#53.....\$16,250.00

#54.....\$17,250.00

Commissioner Ossenberg said on the widening and extension of Outer Lincoln Avenue we received only one bid which was from Feigel Construction Co. in the amount of \$25,448.90.

Mr. Dave Guillaum said the engineers estimate of the Seven Structures was \$50,000.00. He said the Commissioners may want to talk to Dan Hartman about this estimate, but that is the figure he gave before this meeting today. He figured it roughly \$7,000.00 per structure.

Mr. Stephen said on the wooden bridges, the engineers estimate was about \$15,000.00 for each one.

He said the engineers estimate on Outer Lincoln Avenue is approximately \$26,600.00.

Commissioner Willner said then the only one under the engineer's estimate is the project on Outer Lincoln Avenue.

Commissioner Ossenberg said Mr. Stephen could take the Feigel bid and look it over now and they could possibly award the bid today because they really need to get started on it.

Commissioner Ossenberg said he does not understand the big difference on the money for the Seven Structures.

Mr. Guillaum said the big factor in this was that we already have the beams and the only expense they would have in that regard would be the transporting of the beams to the job site, and putting them in. He said he would like a chance to review the bids and have an opportunity to talk to the contractors that bid on it, therefore he would recommend that we wait a week before awarding it.

Commissioner Willner moved that we take under advisement, the bids of G.H. Allen and Southwestern Engineering for a period of one week. (This was amended later in the meeting.)

Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner said on the Structures #53 and #54, isn't this just for labor.

Mr. Stephen said this is just for the actual erection of the bridge.

Commissioner Willner asked Mr. Stephen if he remembers what the cost was for the material.

Mr. Stephen said he believes one was approximately \$26,000.00 and the other approximately \$27,000.00.

Commissioner Willner said this would make each bridge approximately \$45,000.00.

Mr. Stephen said this is true, compared to about \$65,000.00 that we have in some other bridges that are concrete.

He said the life span of a wooden bridge is probably greater and you will be able to drive any type of truck over it that is allowed on the streets.

Commissioner Willner said he is not real sure that he wants to commit himself to two of them since we are in the process of doing something new. He was led to believe that we could get them done for about half the price.

Mr. Stephen said he was not the one that said we could get the wooden bridges for about half the price because he didn't ever think that we could. He was figuring on a savings of about 20%-25%.

Commissioner Willner said he would move that we take the bids of Bridges #53 and #54, from Nalley Coal Company under advisement for a period of one week.

Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that we award the bid on Outer Lincoln Avenue to Feigel Construction in the amount of \$25,448.90.

Commissioner Ossenberg seconded the motion. So ordered.

RE: BIDS ON COPIER:

County attorney Paul Wendel said they have received one bid from the Xerox company and it is in order except for the time. It had to be in by 9:30 and it was not filed in the Auditor's office until 9:42 this morning.

Commissioner Willner said at one time we set the time back till 10:00 to receive bids because some people were bringing the bids to the Commissioners meeting instead of the Auditor's office, but since this was not advertised as such, I suppose we cannot accept it.

These machines are already in the different offices, but due to a public law, they had to have been bid.

Commissioner Ossenberg, at this time, called off the different machines and the cost of each to operate, per copy. There are four machines, which are as follows:

- One Xerox.....7000 Reduction Duplicator.
- One Xerox.....3600 I.
- One Xerox.....3100 Copier.
- One Xerox.....914 Copier.

County Attorney Wendel said the law provides that if you do not get a valid bid, we may purchase on the open market, so we can accept this price as though it were open market. The record however must show that you did not accept these bids.

Commissioner Willner moved that we reject the bids of the Xerox Company on the county duplicating machines, because of the time element.

Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that we accept the machines that we already have, at the same price until June 30, 1979 which is the expiration date on them.

Commissioner Ossenberg seconded the motion. So ordered.

Mr. Dan Oats, a representative of Xerox said he would bring in the contracts on the machines for the Commissioners signature, which he did do later in the meeting and they were signed and made a matter of the minutes.

RE: DISCUSSION OF BIDS ON SEVEN BRIDGES:

Mr. Dave Guliaum said he contacted one of the contractors on the seven bridges bids and they had a big misunderstanding as to what the county wanted, therefore he would like to see the bids rejected today and readvertise for new bids on them. We need to get the specifications clear so that the bidders know what we want.

Commissioner Willner moved that the bids of Allen and also Southwestern Engineering be rejected and that they be re-bid.

Commissioner Ossenberg seconded the motion. So ordered.

MR. HERMAN HOTZ:

Mr. Hotz had a copy of the annual report from the State of Indiana on the County Jail. The following are the recommendations they made:

1. Some areas of the cell block need paint.
2. Air-packs should be purchased and installed for improved fire protection.
3. More of the improved mattresses should be purchased and utilized.
4. An improved intercom system should be purchased and installed.
5. A metal detector should be purchased and installed for improved security.
6. New stainless Unijohns should be purchased and installed throughout the jail facility.

Mr. Hotz said this was discussed on August 7th and at that time Commissioner Willner moved that the Sheriff go before the County Council to do these things that need to be done.

Commissioner Willner asked if they did appear before the council.

Mr. Hotz said they have not as of today.

Commissioner Ossenberg said this was to be requested from the Cumulative Capital Improvement Fund



RE: MR. JACK SIEBEKING....PROBLEMS WITH DRIVEWAYS IN DARMSTADT:

Mr. Siebeking said he has received two phone calls this week from residents on St. Joe Avenue, that live within the Darmstadt area. When the road was re-surfaced it raised the road from their driveways. He referred them to the town of Darmstadt and the last information that he had was Roger Steinkuhl (who handles things like this for Darmstadt) referred these people back to us, saying the county or the Highway Department had the job done so he feels it is our responsibility to fix the driveways. He said he told these people that he would present this to the County Commissioners and whatever their desire was, he would do. The houses in question are within the city limits of Darmstadt.

Commissioner Willner said he has one place on Oak Hill Road where the water is coming over it and we need to get after it, but as far as fixing the drives....if we do it for one, we have to do it for all. We cannot hit and miss

RE: AUCTION OF SURPLUS PROPERTY AT COUNTY GARAGE:

Mr. Siebeking said tomorrow (October 24th) is the day for the auction of the surplus out at the County Garage. To date, he has received one written bid but several people have come out and looked at what they have. The auction is to start at 10:00 a.m. and he is to handle it himself. He said he is going to ask whoever purchases the things to please remove them by the end of this week, as he feels this is time enough. He would however like to have the Commissioners permission to do this.

Commissioner Willner said he would agree.

Commissioner Ossenberrg said he too would agree to this.

RE: ABSENTEE REPORT:

Mr. Siebeking submitted the Absentee Report for the employees of the County Highway Department for the past week ending October 20, 1978.  
Report received and filed.

RE: MR. DAVID GUILLAUM....BRIDGE AND GRADRAIL REPORT:

Mr. Guillaum submitted his Bridge and Guard-rail report and stated that last week they spent most of their time out at Boonville-New Harmony Road. We have a couple of structures out there that have been hanging for about two years. They did a pretty good job on the first one, which was small. We are going to attempt, this week, to get on the other structure down the road about a quarter of a mile, which is a bigger bridge and he thinks the route they are going to take on that is going with a pipe under-neath of it and breaking the rails down. He is going to check with Mr. Siebeking and see if he might have some pipe at the garage that they can use out there and if not they will have to order some new pipe for it.

He said as for the bridge on Adler Road, he has discussed this with the contractor and it may be wise to go ahead and eliminate the black top from the project, since we do now have a paver. The contractor bid it with the black topping in it but if it is alright with him we could save some money paving it ourselves.

Commissioner Willner asked Dave if it is ready for blacktop now.

Mr. Guillaum said no, we are going to have to build it up some more. We will want to put rock on it and let it set for a good period of time, so that it won't break-up.

RE: MR. LOUIS STEPHEN:

Mr. Stephen said he has a copy of some literature from the Association of Indiana Counties whereby they are asking us for suggestions or comments concerning the organization, financing, and administration of local units of government in Indiana. He thinks it would be wise if we completed this form and mailed it back to them as this could be a good way to get our ideas to the next General Assembly.

Mr. Stephen said that Commissioner Schaad called him about the paving out on Frontage Road at Busslers on Highway 41.

He said the Mr. Don Finch from Busslers is present today and would be glad to answer any questions that anyone might have.

Mr. Stephen said they would like for us to do this.....lay the pavement and they would do it to our specifications, use our paver, our operator and they will deliver the materials to the job site. They will make the asphalt six inches thick. He asked Mr. Wendel if Commisisoner Schaad talked to him about them using our paver for this job and Paul said the only thing he asked him was could Busslers build the road.

Mr. Wendel said he knows of no statute whereby we can lease out our paver.

Mr. Stephen said we are not leasing it out. We will be paving it but they will furnish all of the materials.

County attorney Ed Smith asked who's road this is on.

Mr. Stephen said it is our road.....in front of Busslers Station on Highway 41 and 164.

Mr. Smith said then what would the problem be to use the paver on our own road.

Mr. Stephen said he would not think there would be a problem, but he must have the Commissioners approval to do it. This place has had so much stone hauled on it that it has an exceptionally good base, its just dusty and rough.

Commissioner Willner asked wasn't the State going to do something with that drive?

Mr. Stephen said the state would do it only into their right-of-way.

Mr. Finch said the state was going to take care of it up to county and state right-of-way. They have done a good little bit of repair to the entrance. He said he has talked to Commissioner Schaad and told him that they will furnish Midwest Construction materials.

Commissioner Ossenberg said he has no objection to this being done if Busslers will furnish all of the materials at the job site.

Commissioner Willner said he has no objections either to the job being done, the only thing that bothers him is that we have so many other county roads that are not in good shape for the coming winter months.

Mr. Siebeking asked what about the Sunoco Station out there.

Mr. Finch said that Mr. Malcom Radcliff owns the Sunoco Station out there and he said he would agree to this also.

Commissioner Willner moved that this project be approved if we get participation from the Sunoco Station.

Commissioner Ossenberg seconded the motion. So ordered.

Mr. Stephen said he would like to have a meeting with Mr. Don Cox and Mr. Keith Lochmueller and Mr. Dan Riddle on the Lynch Road project. He believes there is some sort of hang-up on the fees that will be approved for the work to be done. He does not believe anything more has been done to get the right-of-way.

RE: COUNTY ATTORNEY ED SMITH CONCERNING ORDINANCE ON MESSAGE PARLORS:

Mr. Smith said the Court of Appeals ruled recently, on our appeal. About two years ago the local court here ruled it unconstitutional and repealed it and we won. After that ordinance was inacted the legislature eliminated the imprisonment part of the penalty under the Home Rule. The Court of Appeals have declared, under no uncertain terms, that this is a Civil rather than a Criminal matter. He said he has been in touch with Mr. Charles Rogers, who handled this on the appellate level and we had asked for a rehearing, because of some question between Sheriff DeGroote and himself, as to really what the decision by the Court of Appeals meant. In talking further with the Attorney Generals Office, we have pretty well clarified it that the in-forcement procedure on this would be through the Sheriff's office, he would issue citations for appearances in court, if he determines there has been a violation of the ordinance.

The only time that he could probably make an arrest would be if a person would refuse to sign an order to appear, or something of that nature.

The procedure basically is provided in the ordinance, as well as the enabling Home Rule Statute, and if there has been a violation of the ordinance then he can order the person into court, there would then be a trial to determine if the operation is operating without a permit, and if anyone working there is not licensed. Also, the guts of the ordinance really was upheld by the Courts of Appeal, namely that it is illegal for a person of one sex to render a message to the member of the opposite sex, and that was upheld, at least until ERA determines it. As for the licensing and the permit requirements, etc., it is a regulatory type ordinance, providing for Civil penalties and there is no reason why we cannot proceed.

RE: CUTS IN:

The Commissioners were presented with a cut from Indiana Bell Telephone Co. Inc. for O'Hara Drive, 800' North of Bergdolt Road.

The cut was received and filed.

RE: POLLING PLACES:

Mr. Brenner said he would like to see 2-16 be changed from M&S Auto Sales to the residents of Mary Samples at 1801 South Kerth Ave.

The other one discussed is 3-18. He was told this has to be moved from the Baptist Church. McDonald Golf Course is in 3-21. He personally feels this is a bad location, but he has no alternative, so the Golf Course is okay with him

Another one in question is 4-9 located on Bellemeade St. at the skating rink, located in 4-5. He would request that this be moved to the Alice Martin home at 321 South Bedford Ave. This is in the precinct and he has talked to Ms. Martin and she has agreed to this.

In the 5th Ward things are very confusing because Columbia School has been closed. He believes the 5-2 should go to Schnute Towers which is in the precinct. This will really help the retired people to vote.

He feels that 5-3 should go back to the Civil Defense Communications Center at Baker and Illinois Streets. They had problems last year because it was so dirty. He got the city to clean up the lot and the Precinct Committeeman and himself went down and cleaned it up.

Commissioner Ossenberg said he will not agree to the Civil Defense place. He said he had nothing but complaints after the election on how filthy it was.

Mr. Brenner said he would agree. It is a city lot and he feels it should be cleaned up and not left filthy anyway, used or not. He said he will go to the Board of Works again and ask them to clean it up.

He said in 5-4 we have at St. Lucas United Church of Christ at 33 W. Virginia Street and that is a change from the Fire Alarm Maintenance Building, which is in 6-4. He said he does not know why it was changed, since they were already out of their precinct. He said he also does not understand the change in 5-5.

Another change is 5-8, the former Rex Cleaners and he believes it is against the statute to move outside of the precinct to a non-public building. He would like for it to stay in the precinct.

Commissioner Ossenberg said he would have Doris to call and see if we can still vote in the Columbia School Building.

She came back out later in the meeting and said they would not be allowed to vote there as it is a mess.

RE: REQUEST FROM COUNTY CLERK.....MRS. SHIRLEY COX:

Mrs. Cox said she would like to request that the Commissioners grant permission to the Vanderburgh County Election Board to use the Xerox copier that is on rollers, in the Auditor's office. They will need it for November 6th. and 7th. It is faster than our AB Dick copier that we have and its going to be a long ballot and its going to take a good while to get the copies run off.

Mr. John said this machine is portable and this is one of the reasons we purchased this type, so that it could be moved.

Commissioner Willner moved this request be granted.

Commissioner Ossenberg seconded the motion. So ordered.

RE: POLLING PLACES:

Commissioner Willner said the only one we are waiting on is 5-3, therefore he would like to go ahead and move on the rest of them.

Several places were discussed on where we could vote and several people in the meeting made phone calls to try to find a place that was satisfactory to everyone and would be nice for the voters and as close as possible and also within the precinct, if at all possible.

Commissioner Ossenberg said he will go along with putting both 5-2 and 5-3 in Schnute Towers but he will not agree on putting 5-3 in the Civil Defense Building.

After contacting Dyna Kleen at 1313 First Avenue it was decided we would vote 5-8 there.

Commissioner Willner moved that WARD I, Precincts 1 thru 26 be approved as presented. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that WARD II, Precincts 1 thru 22 with the exception of Precinct 16 be approved as presented and that Precinct 16 be approved at the residents of Mary Samples at 1801 South Kerth Avenue. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that WARD III, Precincts 1 thru 23 be approved as presented and the Commissioner Ossenberg sign papers from the National Guard Armory allowing us to vote there in 3-5. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that WARD IV, Precinct 1 thru 24 with the exception of Precinct 9 be approved as presented and that Precinct 9 be approved at the Alice Martin residents located at 321 South Bedford Ave. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that WARD V, Precincts 1 thru 25 be approved as presented with the exception of Precincts 2, 3 and 8 and that they be approved as follows:  
Precinct 2....Schnute Towers located at 1030 West Franklin St.  
Precinct 3....Civil Defense located at Baker and Illinois  
Precinct 8...Dyna Kleen located at 1313 First Avenue

Motion died for lack of a second.

Commissioner Ossenberg said he will second everything except 5-3.

Commissioner Willner said he would then move exactly as before on Ward V except that he will delete Precinct 3 from the motion and we will vote on it later when we find a suitable place. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that WARD VI, Precincts 1 thru 27, be approved as presented. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that Armstrong, Center, German, Knight and Perry Township's be approved as presented. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that Scott and Union Townships be approved as presented. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner moved that WARD V, Precinct 3 be approved at the Civil Defense Building located at Baker and Illinois Street. Motion died for lack of a second.

Commissioner Willner said we have a stale-mate on 5-3 therefore he would like the County Attorney to give us an opinion on what to do.

Mr. Ed Smith said the stand of the statute is that if any question arises and one of the Commissioners are absent and you have a one to one vote, it provides that the matter be deferred until the next meeting.

Mr. Brenner said in this case, we must advertise the polling places ten days prior to the Election.

He said if there is a public building available in a precinct, are we remanded to use it.

Mr. Smith said no, now if you move outside of your precinct and there is a public building available then you must use it.

Mr. Brenner said he believes if there is a public building in the precinct available, then you cannot move out of the precinct.

Mr. Smith said he is not sure if that is correct or not but he could check it out and see.

Commissioner Willner moved that the Commissioners meeting recess for about 20 minutes, so that some phone calls could be made to try to come up with a private resident in which to vote in Ward 5, Precinct 3. The time now is 12:00 noon.

Commissioner Ossenberg seconded the motion. So ordered.

Meeting reconvened at 12:20 p.m.

While the Commissioners were having their recess, it was decided that the voting place for 5-3 could be held at the home of Rebecca McWilliam located at 15 Edgar Street.

Commissioner Willner moved that the voting place for Ward 5, Precinct 3 be located at 15 Edgar Street at the home of Rebecca McWilliams.

Commissioner Ossenberg seconded the motion. So ordered.

Meeting adjourned at 12:30 p.m.

PRESENT:

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Willner

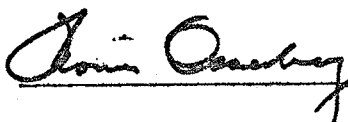
COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Edwin Smith Jr.  
Paul Wendel

Secretary: Margie Meeks  
By: Janice Decker



  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
OCTOBER 30, 1978

The meeting of the County Commissioners was held on Monday, October 30, 1978, at 9:30 a.m. in the Commissioners Hearing Room with President Ossenbergh presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor, with one correction, that being on Page One, Third paragraph, where it reads, "it was his impression they were to install the passing blister on Oak Hill Road and this is not stated in those minutes," and it should have read that it was Commissioner Willner who said it was his impression.

This correction has been made on the original minutes.  
The reading of those minutes was dispensed with.

RE: AUTHORIZED TO OPEN BIDS

The County Attorneys were authorized to proceed with the opening of the bids that were received for the Siding, Gutters and Downspouts at the Hillcrest Home.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Greg Smith	1035 Burdette	Ground Crew	\$3.50 Hr.	Eff: 10/23/78
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VANDEBURGH COUNTY SHERIFF'S DEPARTMENT

Mike Jones	4612 Cass Ave.	Acting Prob. Patrolman	\$11,000 Yr.	Eff: 10/21/78
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VANDEBURGH COUNTY ELECTION BOARD

Virgil O. Lee	101 N. Alvord	Super. of Inspectors	\$3.10 Hr.	Eff: 11/2/78
Lucille Becking	5233 Carriage	Dep. Clerk	\$2.50 Hr.	Eff: 10/30/78
Mary Houghland	2822 Ravenswood	Dep. Clerk	\$2.50 Hr.	Eff: 10/30/78

VANDEBURGH COUNTY SHERIFF'S DEPARTMENT CON'T.

Larry Craddock		Acting Civilian Jailer	\$6,500 Yr.	Eff: 10/21/78
John Englebrecht	408 E. Negley	Acting Prob. Patrolman	\$11,000 Yr.	Eff: 10/21/78

VANDEBURGH COUNTY SUPERIOR COURT

Mike Smith	Princeton, Ind.	Counselor	\$8,001.00 Yr.	Eff: 10/21/78
Mike Kuykendall	1033-B W. Franklin	Counselor	\$2,600.00 Yr.	Eff: 10/21/78

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Ermon B. Hart Jr.	2821 Forest Ave.	Rink D.J.	\$4.78 Hr.	Eff: 10/9/78
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COUNTY AUDITOR

Mabel Winkler	1430 King Arthur	Pt. Time	\$25.00 Day	Eff: 10/21/78
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PERRY TOWNSHIP ASSESSOR

June Hamilton	Moved	Clerk	\$10.00 Day	Eff: 10/3/78
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PIGEON TOWNSHIP ASSESSOR

June Hallenberger	1607 Fountain	Clerk	\$20.00 Day	Eff: 10/23/78
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VANDEBURGH COUNTY CIRCUIT COURT

Louise DeVoy	4915 Rolling Ridge Dr.	Bailiff	\$5.00 Hr.	Eff: 10/7/78
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VANDEBURGH COUNTY SUPERIOR COURT

Mike Cain	Princeton, Ind.	Counselor	\$8,001.00 Yr.	Eff: 10/21/78
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RE: MONTHLY REPORT

A Case Report was received from the Legal Aid Society of Evansville, Ind. Joint Department of Legal Services for September, 1978.  
Report received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from Neidig Insurance Company on insured, Entre Nous Club, which is a Social Club, for the use of the Auditorium for their dance, the Certificate being in effect from October 21st. to October 22nd. 1978.  
Certificate received and filed.

RE: LETTER FROM THE AUDITORIUM ON THEIR REVENUE

The following letter was received from Mr. Dewes:

Dear Tom:

It is with much pleasure that I announce to the Commissioners that the Vanderburgh Auditorium has reached a milestone.

As of October 24, 1978, the revenue is \$100,057.31. Past records indicate this is the first year the facility has reached this "goal". Revenue for 1977 was \$93,751.90 for the entire year.

Part of this achievement was due to the small rental increases, but the majority was the work of the Lord. The increased bookings are various religious organizations.

The maintenance crew also deserves credit for their maintenance of the facility.

Very truly yours,  
Vanderburgh Auditorium, Fred G. Dewes  
Manager

Letter received and filed.

RE: LETTER FROM JUDGE DIETSCH  
ON VOLUNTEER SERVICES ... VANDERBURGH SUPERIOR COURT

The following letter was received from the Vanderburgh Superior Court:

Sirs:

As you know, the offices of the above-captioned are now located at 203 N.W. Seventh Street due to a lack of space in the County Court Building. The building and property now housing their offices has been sold with the plan that the building will eventually be razed. This necessitates our re-location to the Landmark Building Suite 200, 111 N.W. Fourth Street.

I am requesting that our present insurance coverage be transferred to that location. I also need a Certificate of Insurance for the lease agreement.

I am also requesting that you notify the telephone company to re-locate the telephone service on or about November 20, 1978. At that time, I would like added an extension for one of the existing lines.

Thank you for your attention to these requests.

Very truly yours,  
Terry D. Dietsch, Judge.

It was noted that he presently has two lines and two phones, numbers 5176 and 5387 and he wants an extension off of 5176, also that the Phone Company said installation price will run around \$67.00 and \$5.75 additional for the extension, and that their phone bill currently is around \$50.00 per month.

Commissioner Willner said he thinks that Volunteer Services do a pretty good job, especially in some areas.

He then moved that Judge Dietsch's request be approved. Commissioner Schaad seconded the motion. So ordered.

RE: OPENING OF BID

There was only one bid received for the Siding, Gutters and Downspouts at the Hillcrest Home. It is as follows:

Lindy Construction Company of 1416 N. Garvin St.....\$23,900.00..Bid in good order.

Mr. Hotz said this is essentially the same bid they received the last time, that he and Mr. Crooks examined them so it would be their recommendation to award the contract to Lindy Construction Company.

Commissioner Schaad moved, on Mr. Hotz's recommendation, that the bid of Lindy Construction Company be accepted in the amount of \$23,900.00. Commissioner Willner seconded the motion. So ordered.

County Attorney Ed Smith made a correction on the Standard Questionnaire and Financial Statement submitted by Lindy Construction Company, in that they had written that it was submitted to the Board of Works of Vanderburgh County and should have read that it was submitted to the County Commissioners of Vanderburgh County.

Mr. Hotz said he has the money in his account to cover this job.

RE: TAX NOTICE FROM DEPARTMENT OF REVENUE

Mr. John explained that this is on Sales Tax and Corporate Gross Income Tax and that they want to charge the County for all the money they make at Burdette Park and at the Auditorium, that we would lose \$300,000 and we don't want to pay it.

Commissioner Schaad moved that this matter be referred to the County Attorney's. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Szabo Food Service, Inc. for the meals served the Inmates and Deputies for the period of 9/16/78 thru 9/30/78 in the amount of \$4,600.70, which was approved by Sheriff DeGroot.

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

A Claim was submitted by Louis Stephen for mileage to and from French Lick, in attending the meeting of the Indiana Association of Counties on October 18th. 1978, in the amount of \$24.30.

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

A Claim was received from Bauer Brothers General Contractors for pipe on the Marx Road Bridge Structure #65, in the amount of \$740.30 which was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Bauer Brothers General Contractors for pipe needed on Nurrenbern Road, in the amount of \$746.75, which was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by SIECO, Inc. for professional engineering services provided in conjunction with the Pavement Marking Demonstration Program as per agreement from 8/1/78 thru 9/30/78, in the amount of \$626.38, which was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted for work completed to date on the Nurrenbern Road Project, the Contract price being, 90% of contract complete at \$27,072.00, less remittance of \$2500.00 on July 6, 1978, making the amount owed on this claim to be \$24,572.00, which was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by County Attorney Paul Wendel for his October Office Allowance in the amount of \$166.67.

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

A Claim was submitted by David Excavating Company, Inc. for work ordered by Mr. Stephen which was the removal of blacktop existing on Nurrenbern Road and replacement of said blacktop over new fill, which requires a change order for extra time and material. The amount of this claim is \$4,504.00 which was approved by Mr. Stephen and Mr. Siebeking.

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

RE: CHANGE ORDER

A Change Order was submitted on Nurrenbern Road for an increase of \$4,504.00 for extra time and material and a decrease of \$400.00 on Barricades, making the total increase to be \$4,104.00. The Original Contract price was \$30,184.00, so the increase will make the contract price to be \$34,288.00.

Commissioner Schaad moved that the change order be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen said it didn't reach all of it but they salvaged as much as they could.

RE: COMMENTS.....LYNCH ROAD

Commissioner Ossenberg stated that he feels as though, in reading Commissioner Willner's commercial that he has on radio and the statement he made to the newspapers, that there are several inconsistencies about his statements and he thinks Commissioner Willner is putting the total blame on the Republican County Commissioners and he sees that he has stated in the newspaper that that there is \$600,000,000.00 worth of surplus in the state government, that he would like to point out, that from the very inception of Lynch Road, that it was never to be widened, that they couldn't widen a road and use federal projects and federal monies, that it was always to be a four-lane road, that it was never to be a dead-end road from Oak Hill Road to Highway 41, that he is reminded that Commissioner Willner voted for every annual element that came in front of this Board, that he seconded the motion in the hiring of an engineering firm, that he signed every blue claim with the exception of the last one, totalling some \$93,000 out of a possible \$98,000.00, which incidentally, the Democrat controlled County Council had passed unanimously in 1977, some of his inconsistencies about Lynch Road, as he has stated, that Commissioner Willner voted annual elements many times in the past and whether he did not want Lynch Road on that particular element, he could have moved to delete it and it would still not have killed the rest of the projects, that he has stated lately, "let's spend all the local R & S funds for resurfacing now," and about a week or two later, he was saying they were losing federal secondary money and that is bad, but if they use all local R & S money for resurfacing, none will be left to match the federal money, so we must lose federal money.

He said that since Commissioner Willner voted for the annual element he was voting for spending some of the local R & S money on the highway projects and they can't build projects in the annual element and at the same time use that money for resurfacing, that if he was against the Lynch Road Project, why did he not request a hearing when the opportunity was offered.

He said that the County Council democrats favored the widening of Lynch Road and also unanimously in favor of extending it, that he might add, on that particular deal, it received the endorsement of former Mayor Frank MacDonald, former City Council President and Mayor hopeful, William Brooks.

He said he had a conversation with a gentleman of the Indiana State Highway Commission Friday who stated that if Vanderburgh County arbitrarily drops the Lynch Road project, we must pay back all the federal aid we used for the engineering.

He said he thinks that Commissioner Willner stated that on St. Joe, they hired an engineering firm some six or seven years ago, but they did not, in fact, hire an engineering firm six or seven years ago, that he believes the surveyor before Mr. Nussmeyer did do a little engineering out there which was Mr. Biggerstaff, that the engineering agreement with Fink, Roberts & Petrie was approved on 2/13/76 and we spent no federal money on engineering prior to that time and he would be remiss if he wouldn't bring out some of these facts and he thinks if Commissioner Willner would look at the transportation improvement program, which he has, that was given to him, he will see on page 28, in 1976, the Reconstruction of Lynch Road, to a four-lane urban arterial road, left and right turns would be provided at major intersections, reconstruction would be performed to the entire length of Lynch Road, U.S. 41 to Oak Hill Road, and the next recommendation on Page 30, is for the extension of Lynch Road, east to Telephone Road, presently the environmental impact statement is being performed to Green River Road, the new road between Lynch Road and Telephone Road would be constructed to four-lane urban arterial standards with a separate left and right turn lane, provided at major intersections and he thinks if Commissioner Willner will look in his book on Page 80, it is Lynch Road in itself, the 1995 recommended transportation plan includes a major arterial belt around through the City of Evansville in which this section of Lynch Road, from U.S. 41 to Oak Hill Road would be a part, presently, Lynch Road is a narrow two-lane facility which is near capacity and frightfully hazardous, the 1995 traffic assignment of this section of the belt is 22,400 vehicles per day. The reconstruction proposal of Lynch Road from U.S. 41 to Oak Hill Road indicates a four-lane roadway to include

left and right turns at major intersections. The Federal Highway Administration will finance 70% of this project with federal aid urban monies. Vanderburgh County will finance the remaining 30% with local R & S funds. He said all of this was given to Commissioner Willner back in 1976 and he feels as though when he said that Commissioner Willner's "Johnnie come lately," statements, was the fact that when Mr. Brenner assumed the office of County Surveyor, he was totally against Lynch Road and he thinks that is what changed Commissioner Willner's mind, but he don't want it to be left to the impression that Commissioner Schaad and himself were the only two that forced this through and he doesn't want it left to the impression that Lynch Road was to be widened and never to be a four-lane road, that this was the full intention from the very start.

In answer to these statements, Commissioner Willner said that he never did deny that he voted for the annual element, that he didn't deny that he voted for the engineering to study Lynch Road and he didn't deny that he voted for the preliminary engineering, however, when the preliminary engineering was done, he did contact the engineer and ask that he not do it a four-lane and he still thinks it shouldn't be a four-lane, that it is just a very short distance from Lynch Road to Diamond Avenue which will be a true County-wide four-lane and he does believe that it will be a waste of \$1,700,000.00 which is the engineer's estimate of today and he does believe it will be \$2,000,000.00 before the project is ended, that it is now a double dead-end road and he doubts very seriously if it will ever be a County-wide road such as Diamond Avenue and he still says that his commercial is correct to a Tee and he doubts very seriously if Mr. Brenner's office had anything to do with changing his mind on that road being four-lane and he will stand on the record as it is.

He said that February 6th. was the first time that Lynch Road was presented to this Commission as a four-lane road in a open public meeting, that he isn't talking about the back room meetings, that he is talking about the public meetings here where the minutes are kept and the secretary is recording the minutes, and this was the first vote against Lynch Road, that this is correct.

Commissioner Ossenberg said he hates to disagree with Commissioner Willner but this book was presented to him just like it was presented to him and Commissioner Schaad and it told all the facts in this particular book in 1976, so therefore he takes it that Commissioner Willner didn't look at the book.

Commissioner Willner said he looked at the book and asked Commissioner Ossenberg if he is saying that it cannot be changed.

Commissioner Ossenberg said that he is saying that they can't go with federal funds and have it.

Commissioner Willner asked if they could change this though and that they could build a two-lane road here if they so desired.

Commissioner Ossenberg said they could with all local R & S funds.

Commissioner Willner said this is correct, which they have right now a surplus of \$855,000.00 he believes was the figure this morning.

Commissioner Ossenberg said that part of this money is committed to St. Joe Avenue but he can't see where Commissioner Willner can say that he didn't know that this was to be a four-lane road when it tells them all through the book that it is.

Commissioner Willner said he never did say that he knew that it wasn't going to be a four-lane road, that he said he was working toward it not being a four-lane road.

Commissioner Ossenberg said he heard Commissioner Willner on the radio the other day, saying that he did not know that it was to be a four-lane, that his first knowledge of this was in February when it came up that it was to be a four-lane road, and he said a dead-end road, that it was never intended to be a dead-end road, that it is part of a belt that goes around the entire City and County, that there were five public hearings on it in this City, one in the North side, one in the West side, one in Warrick County, one here in the Civic Center and one in the East side, that Commissioner Schaad was at those meetings, that he thinks Councilman Ahrens and a couple of others were at these meetings, and not one time was there a voice of opposition in any of those meetings on Lynch Road, but he just wanted to get the record straight that each and every time prior to this Commissioner Willner voted for the annual element, that he had a right to make a motion to delete it and he had no objections.

Commissioner Willner said he doubts very seriously if Lynch Road will ever be a through artery as Commissioner Ossenberg says, that this might well be in some people's plans but he very seriously doubts it, that they just have a difference of opinion and if they all three agree, then two of them would be unnecessary.

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Commissioner Schaad stated that they said that one reason the Council went along with the thing was that it would be extended.

Commissioner Willner said he readily admits that the Council went with it, that this is no problem.

Commissioner Schaad said, and those are the plans now, in the future annual element, to extend it.

RE: ARMY RESERVE FACILITY TO BE USED ON ELECTION DAY

County Attorney Wendel said that last week, the Commissioners signed the request to use the Army Reserve Facility, that this has now been signed and approved, so it is available for use on Election Day.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report for the employees of the County Highway Department for the past week ending October 27th. 1978.  
Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking said the Sheriff's Department is apparently going to be using the facility out at the State Highway Post on Hwy. 41 to do something and Sargeant Etheridge called him and asked if he could bring some rock out and fix a place for them to park. He said he told Mr. Etheridge that the Sheriff should probably make a request to the Commissioners himself, either by letter or appearing before them, that he hasn't had a chance as yet to go out there, but he said that it wouldn't take more than probably two loads of rock, so he told him that he would bring it before the Commissioners, but that they should make the request themselves.

The Commissioners agreed that this would have to be done in some other way, that they could probably reimburse the County for it, but this isn't a County road, that it is a parking lot, that the money could possibly be in Mr. Hotz's budget or in the Sheriff's budget, but that the County can't rock it.

Mr. Siebeking said he would explain this to Mr. Etheridge.

RE: DARMSTADT ROAD

Mr. Siebeking said that out on Darmstadt Road, just South of their Fire Station, there is a pipe that goes under the road that must have rusted out, and they are getting ready to resurface their roads.  
He asked if it is the responsibility of the Highway Department to do this, that it is within the City Limits of Darmstadt.

Commissioner Ossenberrg said that Mr. Steinkuhl called him about this matter, that he isn't familiar with it but they consider it a bridge.

Commissioner Willner said that it is a culvert with concrete abutments on both ends.

County Attorney Wendel asked how long it is, and Mr. Siebeking said it is 32 feet long.

Commissioner Schaad said there are a lot of culverts in the City of Evansville that the County doesn't maintain, and he wondered where they divide as to whether it is a culvert or a bridge and whether it comes out of the bridge fund or highway fund.

Mr. Dave Guillaum said that anything over 20 feet, for legal purposes, is considered a bridge, that is anything over a 20 foot span.

Mr. Siebeking said this is just a culvert and has concrete abutments on both ends, that it just runs under the road there.

Commissioner Ossenberrg said he doesn't know what the answer is, that he wasn't that familiar with it, that he knows the County is responsible for bridges and if they constitute this a bridge, he just doesn't know, and he asked if the County originally put the pipe in there.

Mr. Siebeking said he would suppose that the County did put it in, but that it would have been years and years ago, since it has been there for a long time, that it would take 32 feet of pipe, that there is actually no span to it, that it is just a pipe under the road.



Mr. Brenner said on a culvert, the County is permitted to do the work, but they don't have to.

Commissioner Schaad said they are setting a precedent if they do it and then the City will come along and say they want the County to do them all.

Mr. Brenner said they do have one that the City requested them to do and they are working on it, that it is at Fourth and Phelps, that it is a little bridge and they are replacing it with a pipe, but they can work on culverts with bridge money, that this is in the statute, that it is a recent change.

After further discussion, the termination on the bridge in Darmstadt was to deny it.

RE: BID ACCEPTED FROM LIBERTY AUTO SALVAGE

Mr. Siebeking said that last Tuesday was the day for the Auction on the salvage, and no one came to bid but they did receive one written bid from Liberty Auto Salvage, that they gave them \$1,000.00 for the eight truck pieces of salvage as a bid, plus he had asked for a bid on the old belt loader and they offered him a bid of \$112.00 for that.

Commissioner Willner said he thought the \$1,000.00 is a good bid for the truck parts but he doesn't think the \$112.00 is a good bid for the belt loader.

Commissioner Willner then moved that the \$1,000.00 be accepted from Liberty Auto Salvage for the eight truck parts and junk that has accumulated at the County Garage, except for the belt loader. Commissioner Schaad seconded the motion. So ordered.

RE: COMMENT ON TRYING TO SELL PAVER

Mr. Siebeking said that Red Hamlin who was with Reid-Holcomb died this past week-end, that Red had mentioned to him, sometime last summer, when they were talking about the paver, that he was going to look around and he might possibly find someone that could use it and maybe he could sell it for us, so he thinks the best thing for him to do is to mention it to a few of the salesmen around the heavy equipment companies, since there may be another county that would be interested in it and if there is, they would know about it, so with the Commissioner's permission, he will suggest to them that maybe they can find someone that would be interested in it. He said the motor is shot in it and this is probably the reason it was replaced and it is pretty old.

Commissioner Willner said that Roger Steinkuhl who is on the Darmstadt Town Board buys used equipment and repairs it and resells it, so he might talk to him.

Mr. Siebeking said that he would.

RE: REPORT ON PROBLEM AT BUSLER'S .....REPAIR OF COUNTY ROADS

Mr. Siebeking said that Don Finch called him back and he made an agreement with Mr. Radcliff, and Mr. Radcliff is going in with his share of the material up on the intersection, that they were to start the next morning after it rained so they couldn't then, so he is in contact with Mr. Lynch out at Midwest and he called him early this morning, that they are finishing the job, so they are to start tomorrow morning, that they will be running a five-binder which they are going to put on the bottom, so they will start then, that they have their paver up there, also the roller and grader, so they are ready to go.

Commissioner Ossenberger said that Mr. Finch was in and he and Bob agreed that they would go along with them providing Sunoco would go along with it, and apparently, Sunoco is now going along with it, so they are going to do the whole project.

Mr. Siebeking said they are furnishing the material and hauling it.

Commissioner Ossenberger said that Mr. Finch is doing it at his own expense, that they are using the County's paver, that this is the only way we are involved and we will operate it.

Commissioner Schaad said this doesn't quite tie in with the State's idea and he asked Mr. Steven if this will tie in with what the State said they will do.

Mr. Stephen said we will put the road a little closer to Hwy. 41 other than the State had originally designed, that it can be tied in with what they are going to do, that the whole thing has shifted toward Hwy. 41, that in the turn radius, it makes it a little tighter for the trucks as they come in, and that intersection might have to be modified a little.

Commissioner Schaad said he wondered if the State would go along with it, since we didn't go with their plans, that this is what he is concerned about, that he thinks



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the State needs to do what they agreed to do, of course according to their blueprints, but if we just take it off the State right of way, or they will, that it is still a very serious situation out there, to get into there either coming right or left, and that needs to be done too, that the state is going to have to do that because it is on the state right of way, but since we have altered the state's plans, he wondered if they will go along with it.

Mr. Siebeking said he didn't think this would alter their plans because he understands they weren't going to change the entrance in any way, as far as moving it anywhere, that they were just going to widen it a little bit, but when they make their cut, they are going to get into the County right of way and that is where it is going to be; that he thinks that will tie into what we are doing because at the end of their apron, they have repaired that.

Commissioner Schaad said that is a very bad situation.

Mr. Siebeking said he is even concerned about going up there, that they are going to take the paver operators and also three flagmen up there to try to keep the trucks off the people's backs, that the only thing they can do is to do half of it at a time, so the trucks can get in and out while the work is being done.

Commissioner Schaad wondered if they should get some state highway people up there to flag the traffic coming off the state highway, so he thought they should be alerted.

Mr. Siebeking said that he thought they should have some state policemen up there, because it is bad, that Don Finch said he would have anyone up there that he can spare, to help flag and so forth.

Commissioner Schaad said they had better have some state highway people out there.

Mr. Siebeking said he would contact them.

Commissioner Schaad said this is necessary because he is afraid that something real serious could happen on the job up there, so the state highway people should supply the flagmen or whatever needs to be done, so Mr. Siebeking should contact Mr. VanNielen as to when the work is to be done.

Mr. Taylor of the County Council asked, if they go in there with the paver now, what is it going to do to their schedule they had on the paving of the other County roads with the money they have left in that account.

Mr. Siebeking said they really haven't been doing any paving in the last week or ten days.

Mr. Taylor said they have been having pretty good weather in the last few days.

Commissioner Schaad said they don't have any money left for paving material.

Mr. Taylor said he thought there was some money left in that account.

Mr. Siebeking said that was without counting their repair work, that he can check but he doesn't think there is enough left in there to get much paving done.

Mr. Taylor said he thought the weather to be important and he would think they should be using that money to pave those roads and keep that paver going, rather than to be involved in special interest groups.

Commissioner Schaad said this is a County road though.

Mr. Taylor said yes, but it is still a special interest group, that it wasn't part of the plan.

Commissioner Schaad said they are even paying for the material and labor.

Mr. Taylor said that isn't going to help the other County roads that are being used though, that were to be paved.

He asked Mr. John if he knew how much was left in this account.

Mr. John said they have two or three separate accounts but he could check and see what they were.

Commissioner Ossenberg said he didn't know how much money they had either but they also have a commitment on Nurrenbern Road.

Mr. Taylor said the money was put there to take care of the bad roads and all of a

sudden these people are having trouble getting in and out of their businesses and the Council is criticized for not giving them all the money and they have money to do what they can do with it and the weather is very important and they are putting it off to do another job, rather than taking care of the taxpayer's roads.

Commissioner Ossenberg said they are taxpayers too.

Mr. Taylor said he agrees but those trucks can make it down those roads.

The Commissioner's asked Mr. Siebeking if he had enough money in that account to do hardly any roads over and above the patching.

Mr. Siebeking said there isn't that much because they have two roads they have to get prepared yet, in fact they are working on Buente Road this morning and the other will be North St. Joe Avenue.

Commissioner Willner asked Mr. Siebeking if he has patched Adler Road and Mr. Siebeking said they have already worked on that road.

RE: MR. GUILLAUM ... BOONVILLE-NEW HARMONY ROAD

Mr. Guillaum said they have been doing quite a bit of work on the two structures on Boonville-New Harmony Road, that they have the first one pretty well completed, that this is the one where they broke the rails down and came in with concrete. He said they have the pipe ordered for the second one and he looks to have this one finished some time this week, that as he recalls, they had some estimates on this about a year ago of something around \$60,000 on the bids that came in and he thinks by the time they get it done they are going to have probably in the vicinity of between \$2,500 and \$3,000 for both structures.

He said they intend to do more on it too, that they are probably going to flare the approaches off to the bridge itself, that they have the biggest part of it done, but they have one corner where there is an entrance into a house and they can't put a flare on it but never the less they will flare the approaches, that they can flare it right at the end of the bridge itself but they couldn't extend any more rail out because if they did, the people would have trouble getting into their drives.

He said right down the road they have the bigger one, that they got their pipe out there late Friday evening and they began trying to get that under the bridge, that they have to put it together in two sections to get it under there and they are going to break the rails off of that also and come in with rock but hopefully, they will have this one done this week.

RE: BIDS TO BE RE-ADVERTISED FOR ON BRIDGES

Mr. Guillaum said they are going to re-advertise for bids on the seven bridges, that they didn't go the last time, so they will re-advertise for bids again on November 4th and 11th. with the bids to be opened on November 13th. 1978.

RE: LYLE ROAD

Mr. Guillaum said he contacted Jerry David this past week-end and apparently there were some people having trouble getting in and out of their drives on Lyle Road and he believes that Jerry made a trip back down there and graded it down and probably added some rock to it, so there won't be any problem in the future for the people to get out.

He asked what kind of understanding they have on this, if Mr. David is going to come out and put rock in if it rains and gets muddy.

Mr. Stephen said the County will put the stone in and they should be able to do that yet this week before it rains.

RE: SURVEYORS OFFICE NEEDS VEHICLES Mr. Guillaum asked the Commissioners if they ever got any more information on any spare vehicles they could use.

Commissioner Ossenberg said there is only one that they are possibly checking on today and that is one from the Work Release Program.

Mr. Guillaum said he called them too but he hasn't heard anymore about it, but if anything could be worked out it would be good.

Commissioner Ossenberg said he would try to work it out.

RE: MEIER ROAD AND ST. JOE INTERSECTION

Mr. Stephen said that on the intersection of Meier Road and St. Joe they are at the point of making three copies of the prints to be sent in to the state along with a

transmittal letter so that this will go on a public hearing, on cutting the hill down. He said a copy of it will also go in as the estimated cost. The total estimate for this job is \$253,985.60. He said it will be a 70-30 match.

Commissioner Schaad moved that it be signed. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON ANNUAL BIDS

Mr. Stephen said we have to be thinking about setting a date for annual bids, which should be sometime in December, that the Purchasing Department will take care of it but we should set the items that we want bid on, that they are particularly interested in culvert materials and such as that.

Commissioner Schaad moved that the date of December 11th be set as the day to receive bids for annual materials for the County Highway Department and for the bridges. Commissioner Ossenberg seconded the motion. So ordered.

RE: OLD PETERSBURG ROAD

Mr. Stephen said that out on Old Petersburg Road about one-half mile North of the Hornets Nest, they want to do some drainage work and at least structure in the ditch area, that as they go North they come to two small bridges where the water from the west side travels to the East down a long deep ditch next to the road. He said the SCS is designing structures along there and they came to him and asked if the Commissioners would participate, particularly in furnishing rip rap at the overflow into the structure, that the farmer and the land owner are interested in the improvement of this drainage along here because the ditch is getting deeper and deeper and they are wanting to bring it back up and move it away from the road a bit, and they would like to have a little participation from the County, and he thinks it should be because they are going to help the road tremendously if they do what they say they are going to do, otherwise they can move their structure to the South and over to the West side of the road and ignore the deep ditch, so he thought it would be well to do it, that it is on the County road right of way, so he sees no problem, the only thing is that the funds would have to probably come from the Highway Department, that the maximum tonage needed will probably be from 400 to 500 tons at approximately \$4.65 per ton so they are talking about less than \$3,000.00.

Commissioner Schaad moved that the County participate with the rip rap. Commissioner Ossenberg seconded the motion. So ordered.

RE: ST. JOE AND MEIER ROAD...CON'T.

Commissioner Ossenberg asked Mr. Stephen why all the markings, stop signs, etc. are included on St. Joe & Meier Road, since the County Engineering Department can do that.

Mr. Stephen said that part of it is barricade and detour signs and they wouldn't take care of that, and normally they have to put it in with the project because it is let clear up through completion, sodding and such as that, and there is about \$1,500 worth of signs there.

Commissioner Willner asked if they would have to be included because this is a federal project, and Mr. Stephen said he would say so, that they have to have the whole package complete so they will know the exact amount of money they are committing for this.

Commissioner Ossenberg asked if the engineering isn't ours and Mr. Stephen said that will be construction engineering in which we will get back, that up to the point of letting, this is all 100% County funds, but he don't see whether we are going to get any of that back or not, but when they get to there, it will be on-site construction engineering.

Commissioner Schaad asked why this couldn't be in-kind, the preliminary engineering.

Mr. Brenner said that the Commissioners asked Mr. Lochmueller to apply about a month ago for what we were still doing, that he didn't know if he had or not, but it's done and they can't get it back in-kind or anything else, that he checked and they said if an application is submitted from what they do this day forward, they will give us 70% match, but before that, nothing.

Mr. Stephen said, in other works, you have to have an agreement with them before you start it, and they will participate in the preliminary engineering and not letting a contract and doing it in-house, it is kind of hard to get that kind of an agreement.

Commissioner Schaad said he wondered why an application wasn't made to begin with then, and Mr. Stephen said he didn't know.

Mr. Brenner said it is the same thing every time they have done any work on a federal job, they have never been reimbursed, that it just never comes back. He said they have this thing going on Kratzville Road right now and they turn in their time to the City and he still haven't gotten anything back, that the last time they turned it in, it wasn't right and then it was too late, that he tried to collect it but couldn't, that they go into these things expecting 70% back and we don't get it.

Commissioner Ossenberg said there was a project that Mr. Biggerstaff had done and Mike Ludwick went through the files and documented that time and the federal government paid us that money back or about 60% of it, that this was on St. Joe Avenue.

Mr. Brenner said getting the money out of them is beyond him, that he will document the hours and do whatever he can.

Commissioner Willner asked if they could delete some of it after it is let, but Mr. Brenner said not much of it they can't.

Mr. Stephen said it might be that they can let his department do it and then we would have to submit a bill for reimbursement of the money, that this will be paid out at the state level which would mean that if our department would do it, they would have to bill the state for the construction and it is possible that this might be done. He said that the only actual way they will get the construction engineering done is for the County to do it, unless they go outside and hire someone for it, because the state won't do it, but anyway they are ready now for taking it in for public hearing.

Commissioner Ossenberg said they had better get with Mr. Lochmueller to see what's what on this.

RE: CONTRACT AWARDED ON BRIDGES # 53 & 54

Mr. Stephen said he looked over the bid received from Nalley Coal Corp. on the Bridges #53 at \$16,250.00 and #54 at \$17,250.00, that he talked to the Bridge Company and even tho they are slightly over their estimate, they have money to cover it, so his recommendation would be to accept the bid for the installation of these wooden bridges. He said that he had estimated them to be somewhere around \$15,000 and \$16,000.

Commissioner Schaad moved that the contract be awarded to Nalley Coal Corp. on Bridges #53 & 54 in amount of bid submitted.

Commissioner Willner said he has some reservations about the wooden bridges, so he is going to pass.

Commissioner Ossenberg seconded the motion. So ordered.

RE: OLD HENDERSON ROAD

Mr. Stephen said that down on Old Henderson Road, a Mrs. Nutton keeps calling, that they do have a problem down there and there are more people apparently living in those old government houses down there, and there is low spot in the road that fills up with water, that the people on the other side of the road have farmed the land such that they have practically eliminated the drainage from the road over to the river.

He said that every time it rains there is a puddle of a few hundred feet long and the water is from 8 to 10 inches deep which they have to drive through and they keep complaining that their cars drown out, that he thinks they drive through it a little too fast but they do lose their brakes going through it, that they can go up Seminary Road and it had a very bad spot but she said they did repair that so it is a little easier to get out on Seminary Road than it used to be, but the preferred route is the hard surface road of Old Henderson, and they would like to have something done. He said he looked at it and the road really needs to be elevated in that area to keep this from happening, that it is either this or cut a drainage ditch in that area over to the river which is 300 feet or so.

He said it is on private land but the drainage was across their land and they more or less filled it in, that she said it happened a few years back when a barn was torn down and pushed across the road, so they must have filled up a low area which traps this water in the road.

Commissioner Willner said he also has a note from her and he just talked to Mr. Siebeking about it, that it is definitely a problem.

Mr. Siebeking said this particular area is actually a low spot in the road and what happens is that every year after the river goes down the water comes through the willows and fills this low spot and then over a period of time this has filled in and the area between the road and the river is more than four to five feet higher than the road itself, that he was down there four or five years ago and took it on his own and cut a ditch from the road, so it wasn't quite as bad, that this is on the township property, that the township owns these farms, and two years later that

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ditch was completely filled up again from the river. He said that actually the only way this spot could be taken care of he would presume, would be to lay a tile from the road to the river and try to keep the end of the tile open by the road which may be a problem. He said this is a problem that is actually caused by the river and if they raised the road, in two or three years it would just start building up again, that this has been a problem for a long time.

Commissioner Ossenberg said someone bought that land out there and they are fixing those old homes up and selling them.

Mr. Siebeking said that the dam was all put up on a sewer system and they have a steel bed type sand trap thing.

Commissioner Schaad said yes, but that was before we had the EPA and all the other things too, but you can't do the things now that you used to be able to do.

Mr. Siebeking said if there are more people living down there, there is naturally going to be more traffic on that road, other than the farmers just using the road to get to their farms, that it has been a problem for years, that it wouldn't take too long to do it since the ground is sandy but they would probably have to cut some of the willows out, that it is just a time consuming thing. He said if the Commissioners wants him to talk to Mr. Bernard who is the Trustee down there and who looks over those farms and see what he thinks about him cutting a swail ditch across the field to get to the river.

Commissioner Schaad asked if they still take bids to lease it out for the farmers to use, and Mr. Siebeking said they did.

Commissioner Schaad asked if this money still goes to the schools and Mr. Siebeking said that 40% goes to reduce the real estate taxes and 60% of it goes into the School Fund, that he will talk to Mr. Bernard and see what he thinks about going across that field, that it will be an every year job to keep it open but this will probably be the best way to go, and he will then get back with the Commissioners.

RE: BOB REYNOLDS

Mr. Reynolds stated that he lives on the Old Mt. Vernon Road, R.R.2, Box 256, and he has a school bus which turns in his driveway which he has no objection to, because if they didn't turn here they would have to go to Posey County to turn around, but the bus has made a big Y and where she turns to go back out, there is nothing on the shoulder of the road, the mud is sunk down up to the pavement and they are going to turn that school bus over and if they do that they will go into a ditch and there is water in the ditch all the time because there is a spring that runs in there. He said he didn't want a thing done on his property but he thinks, for everyone concerned, that something should be done to take a little precaution for that school bus, that it will have to have something in there and some blacktop over it.

The Commissioners asked Mr. Stephen to take a look at this situation to see what can be done and report back to them.

Mr. Reynolds said there was also a sign about 200 yards back that said, "School Bus Turn-a-round," that the post is there but the sign is gone.

Commissioner Ossenberg asked Mr. Judd to take care of this.

RE: PSE PROGRAM .....MANPOWER CONSORTIUM AGREEMENT

Ms. Vickie Bailey, the Executive Assistant to the County Council, appeared and submitted the Contract between the Southwestern Indiana Manpower Consortium and the Vanderburgh County Commissioners for the Commissioners signatures. She said she went over this Contract with the Director of the PSE Program and also with the fiscal officer, that the period of the Contract shall be from October 1, 1978 to December 31, 1978. She said that at that time they will go over the contract again and make any changes if any deems necessary.

Commissioner Schaad moved that this agreement be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: REPAIR OF COUNTY ROADS.....CONTINUED

Mr. Taylor said they got their figures together that was previously discussed, on money for paving the roads and they have around \$108,000.00 in those accounts and he feels that if the weather is good they should do this work instead of the other work,



because these are people that really have problems and they are county roads, and with this amount of money they can do almost ten miles of road.

Mr. Siebeking said this amount is correct and the money for all the bills has been encumbered.

Commissioner Schaad asked Mr. Siebeking if he is to do Nurrenbern Road.

Mr. Siebeking said they are to rock it but he doesn't think they should pave it yet this fall though.

Commissioner Schaad asked him how long it would take to do the job at Busler's and Mr. Siebeking said he figured it would take two days.

RE: ST. GEORGE ROAD

Commissioner Ossenberg said that on St. George Road where Mullen Realty made that cut that the Commissioners had given him permission to make, where they started a new subdivision, he went out there last Saturday to take a look at it and there is no reason he shouldn't have that rock and concrete in there and that thing should be blacktopped, that he has been getting complaints that it is being hit by cars. He asked Mr. Stephen to check on this matter.

RE: BASELINE ROAD

Commissioner Ossenberg told Mr. Siebeking to get on Baseline Road now and to start where the load comes from, that if it comes from the Columbia Street plant start at Hwy. 57 and if it comes from Ford Road he will probably want to start at Hwy. 65.

Mr. Siebeking said if the load comes from Feigel on Columbia St. he thinks they should start at Petersburg Road, and Commissioner Willner said this is okay.

RE: REQUEST TO LEAVE GATE OPEN AT BURDETTE PARK

Commissioner Willner said he had a request to leave the lower gate at Burdette Park open on the day of the Election, since some of the people have complained about driving down the narrow road to get to the poles.

Commissioner Ossenberg said he had a telephone call on this and he instructed them to leave this gate open on Election day.

RE: OVERPASS PROPOSED ON HIGHWAY 41

Commissioner Willner said he would like to propose an overpass on Highway 41 and possibly Washington Avenue, to start with, he has done some research into the Bridge Fund and he found that right now the bridge fund is 15¢ per 100 evaluation and raises approximately \$610,000 per year and the balance in the bridge fund as of today is \$2,210,000.00 and with another payment due in December of \$300,000.00, leaving us a balance of \$2,510,000.00. He said that probably in 1980 the same 15¢ bridge fund money will bring in approximately \$850,000.00 depending on what the final tally is on the assessment, and from all indications he finds that for about \$2,000,000.00 the County could put an overpass, to raise and elevate Highway 41, at possibly at Washington Avenue because there are two schools there and a hospital and he thinks they should stress the safety of the school children at that area, and he would hope at a later date that there will be some more. He said he thinks that the total project could be funded from the Bridge Fund and he would like to go on record in asking the Commissioners to have the engineering done in-house by the County Engineer and to have a feasible study to see if they can't do this, that all their current bills and projects with the bridge fund, he thinks are up to date, with the exception of \$225,000.00 that they are committed to the Fifth Avenue project, so he believes that it is well within the realm of possibility and he suggests that they try to do their engineering during the winter months, so that with the coming of spring they can let a contract and realize at least one safe passage across Highway 41.

Commissioner Ossenberg said that Bob talked to him about this and while he acknowledges that probably on the traffic count, Washington Avenue is the number one intersection there as far as traffic is concerned, that since that time he is wondering and thinking out loud, with this possibility, while engineers are in-house studying Washington Avenue, with the possibility of studying Walnut Street at the same time, that with this thought in his mind, he doesn't really like the idea of stripping the bridge fund or putting it to a level whereby it could be dangerous if they have some major catastrophe and would have to have some bridge fund monies. He said he would like to have both, Washington Avenue and Walnut Street studied and would like a feasibility study of maybe floating a bond issue and letting the bridge fund pay that bond issue off. He said he fully agrees with Commissioner Willner in that Washington Avenue is essential,



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that he thinks one would be helpful but he thinks two would be even greater, that the traffic count on Walnut Street is also very heavy and of course there they have two schools involved and some churches, so while they are doing this study, it is a good proposal and a proposal that he has been wanting to do for some time. He said a bond issue could be the possibility with the bridge fund paying off so much each year.

Commissioner Willner said they did make a call to the State Tax Board and a bond issue, *pur se*, for the bridge is not possible, but they went one step further, that it is possible to lower the bridge fund an x number of cents and then with that income, to pay the bonds off on the bond issue, so it is just doing the same thing in reverse.

Mr. John said what he is saying is that 5¢ or whatever, is being transferred from the bridge fund to the bond and sinking fund, but you can't levy it as accumulative bridge fund rate and retire bonds with it, that they have to either lower the bridge fund rate and pick it up in bond and sinking or pay it in cash out of the cumulative bridge fund.

He said if they wanted to put say 5¢ on the tax rate, they would reduce the bridge fund from 15¢ to 10¢ and then they would raise their bond fund.

Commissioner Schaad asked Commissioner Willner if while he was doing his research, did he check with the state to see if this project is feasible, if they can do it and if the state will permit it.

Commissioner Willner said he thinks that the state will have to check every step, that according to the newspaper and everything he can come up with, the state encourages this, that the last he read, he believed they kind of challenged us to do this with our own funds, so he is thinking if we come up with a good project, that they definitely will go along with it.

He said they also did just a little research into the fact that they would not have to buy property if they raise Hwy. 41 rather than Washington Avenue or the other cross street, that if they raise Hwy. 41 there is enough right of way and they wouldn't have to buy any, also they thought that there would be all right turns possible and no left turns, that if they wanted to turn left, they would have to go to the next intersection. He said they would also like to put a merge lane in, instead of a yield, so that when they turn right, they would actually be merging instead of having a stop or yield sign there, and on paper it looks very good and very feasible.

Commissioner Ossenberg said that he is in favor of the study.

Commissioner Willner said he supposed they should ask Mr. Brenner if he will do it and if he thought they could do it during the winter months, that he know this puts a burden on Mr. Brenner but he sees no other way, other than in-house engineering.

Mr. Brenner said he will be glad to try, that this will be a big load, but Kratzville Road and Meier Road is about finished.

Commissioner Ossenberg said this is a start and it is something that they certainly aren't going to do overnight, and he is more-than pleased to go along with it, that he crosses this road every day and he knows the dangerous conditions of this road and believe him when he says that when that light turns green, he waits, because he has seen too many semi's go through the red lights and really moving, that there was another wreck at Hwy. 41 and Walnut Street this morning.

Commissioner Willner moved that the Commissioners ask Mr. Brenner to do a feasibility study and report back to the Commissioners as to the progress they are making. Commissioner Schaad seconded the motion. So ordered.

#### RE: TAX NOTICE FROM DEPARTMENT OF REVENUE...CONTINUED

In reference to the letter from the Department of Revenue on their wanting to charge the County for all the money the County makes at Burdette Park and the Auditorium which was discussed previously in this meeting, County Attorney Ed Smith said he thought they should protest this and test the assessment because they are asking for about \$60,000.00, which, in effect, means that the taxpayers are going to have to pay, so he thinks the Commissioners should protest this and see how we come out.

Commissioner Schaad moved that the Commissioners protest it. Commissioner Willner seconded the motion. So ordered.

#### RE: RESOLUTION TO BE DRAWN UP

Commissioner Ossenberg asked County Attorney's Ed Smith and Paul Wendel to draw up a resolution for Richard Brenner of the Conrad Baker Foundation, who is retiring, for his loyal service and devotion to the foundation and to the old Court House.

He said he would present the resolution to Mr. Brenner at a reception next Sunday that is being held in his honor.

RE: CUTS IN

There were four applications for cuts to be made by the German Township Water District. They were requests for cuts to be made on St. Joe Road, Boonville-New Harmony, Fischer Road and on St. Wendel Road. These applications are noted as having been received and filed.

RE: POOR RELIEF

Vatura Cates.....717 Cross Street.....Pigeon Township .....P. Dougan, Investigator

The Notice of Poor Relief Action submitted by the Pigeon Township Trustee stated that Ms. Cates applied for three months rent but was denied because there is sufficient income in the home.

Ms. Cates submitted a list of the monies she had to pay out, which included \$160.00 for groceries per month, Rent \$80.00, Transportation, \$25.00, Laundry \$10.00, Loan \$30.00 and medical \$10.00 which adds up to \$315.00.

She said she has asked for new tile on the floors where she and her mother lives, to be put in the living room, but they simply refuse to do this, also they put in new windows and if they had a fire, there would be no way she and her mother could get out of there, but she was told that she would have to take this up with the housing authority.

Ms. Vitatoe from the Trustee's office, said that Ms. Cates is asking for three months rent since they are three months delinquent, that no rent has been paid since the Trustee's office last paid it, that it is \$80.00 per month and the last income she has for them is \$355.60 per month which is Social Security, that there are only two people who live in the home, just she and her mother. She said that their budget only allows them \$240.00 per month and as long as it is that high, there is nothing that the Trustee can do. She said she brought them up to date in June and worked out their budget. She said that as far as medical, they are on medicaid. She said that the budget left them with \$20.00 extra after their checks came in and their Social Security has raised since then, and she thinks the most they can make is \$189.20 on SSI per person, so this puts them over the limit and the budget shows they can pay the \$80.00 per month, so there is no reason for them being three months behind, and in their opinion the rent and food comes before anything else.

Ms. Cates said that they must pay medical bills, that they keep getting bills from the I.U. Medical Center, but the Lady from Welfare said these bills are covered by medicaid.

Commissioner Schaad said that in this case he thinks there should be a guardian appointed to handle their affairs, and Ms. Vitatoe said there should be, but one has to be found and they can't do that, also they don't get the bills from I.U., that they get a duplicate bill.

Ms. Cates also said that medicaid won't pay for all the prescriptions, that she has to pay out money for them, But Ms. Vitatoe said she didn't know what this would be unless it would be a non-prescribed drug, since medicaid would pick up all the prescriptions.

Commissioner Ossenberg said that first of all, on the household size and income, they are limited to \$240.00 per month, and secondly, he requested that Ms. Vitatoe ask that Legal Aid or someone to look into their situation.

Commissioner Schaad wondered if someone in credit counseling couldn't help in this situation, since he thinks they just need someone to manage their money, that this is what it amounts to, that if they would pay her bills, she would have money left, it seems to him.

Commissioner Willner said that if it wasn't for the medical, he would agree, but he doesn't know what their medical is.

Ms. Vitatoe said there should be no medical expenses for her to pay at all, except for non-prescription.

Commissioner Schaad said that she nor her mother is capable of managing their own affairs and it is obvious that they need help.

Commissioner Ossenberg said this is why he suggested that Legal Aid help them, since they may be able to come up with someone as a guardian for her.

County Attorney Wendel said that Volunteer Action may know some budgeting agency.

Ms. Vitatoe said that in order to get someone to manage the money, they would have to release themselves to do so, and they will not do this.

Commissioner Schaad said the court can do it.

Ms. Vitatoe said that someone will have to take them to court then.

The lady from the Welfare Department said the problem is in finding a legal guardian that will do the work, that it is a real job.

Ms. Vitatoe said as far as they are concerned, the Cates' are over the allowed income so there is no way they can help them.

Commissioner Ossenberg said the Commissioner's hands are tied too, that these are the guidelines and \$240.00 is the limit for a household of two, and they are way over that.

The lady from the Welfare Department said if she is correct, Ms. Cates bought food stamps in August but they weren't re-certified and didn't buy any in September and October, so they have missed a \$20.00 bonus that they could have had each month, since they pay \$80.00 for \$100.00 worth of food stamps.

Commissioner Schaad said that with all the federal grants and all the people on the federal payroll, it seems that there should be one that can help her.

Ms. Vitatoe said they have had trouble getting people to be guardians to several people, that they don't want the responsibility of being a guardian and handling some else's money.

The appeal was denied, in the hope that someone can help them.

The meeting recessed at 12:00 noon.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
NOVEMBER 6, 1978

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The meeting of the County Commissioners was held on Monday, November 6, 1978, at 9:30 a.m. in the Commissioners Hearing Room with President Ossenberrg 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

C.E.T.A. ...COUNTY SURVEYOR

Tom Heneisen, 808 Mary Street Laborer \$4.78 Hr. Eff: 10/30/78

COUNTY TREASURER

Rhonda McClarney	2806 S. Dexter	Clerk	\$20.00 Day	Eff: 10/30/78
Ruth Calhoun		Clerk	\$20.00 Day	Eff: 10/30/78
Flora Rose		Clerk	\$20.00 Day	Eff: 10/30/78
Kathy Day		Clerk	\$20.00 Day	Eff: 10/30/78

RE: LETTER FROM THE SOUTHERN RAILWAY SYSTEM

The following letter was received by County Attorney Paul Wendel from the Southern Railway System:

Dear Sir:

Reference to my letter September 28, acknowledging your letter of September 26, 1978, relative to removal of two railroad overpasses in Vanderburgh County, Indiana.

I have now determined that the two overpasses referred to were recently acquired by Southern Railway from Conrail in anticipation of further use. No permission has been granted for severing the line or for abandonment of the right of-way in the area. Operations over that track segment have been temporarily halted and we are not permitted to sever the line or to remove the trackage.

Accordingly, I can not grant your request of September 26, 1978.

Very truly yours,  
E.D. Miller  
Superintendent

Commissioner Willner said he thought the Commissioners should proceed with condemnation, that there was another accident at the one on Boonville-New Harmony Road, that a gentleman demolished the top of his camper, that the structure is deteriorating and falling into the road bed.

He suggested that Mr. Crooks make an inspection of the overpasses first and then come back with a report, to see if he agrees that something must be done.

Commissioner Schaad moved that Mr. Crooks and Mr. Stephen make an inspection and report back to the Commissioners, before this matter is referred to the Legal Department. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF CLAIM

A Notice of Claim was submitted of a Joseph W. Leingang vs. Urban Seibert, et al, which includes the Vanderburgh County Commissioners, County Auditor, County Treasurer and County Attorney Paul Wendel.

County Attorney Wendel said this is a Notice of Claim on a case in which the County sold some real estate at a tax sale, that it was sold to a Urban Seibert, that it did belong to a Mr. Joseph Leingang, and the original owner has sued Mr. Seibert in trying to get the title cleared up, that he is alleging that the Auditor and the Treasurer didn't conduct the sale right, so he is suing the County for \$115,000 plus damages.

Commissioner Schaad moved that this matter be referred to the County Legal Department. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF CLAIM

A Notice of Claim was submitted of the Mel-Kay Electric Company vs. Gayle, Inc., et al which includes the County Treasurer and the County Auditor.

County Attorney Wendel explained that this is an action on a Mechanics Lien and the reason the County is involved in it is because there may be some unpaid taxes. He said he could take this and enter his appearance and protect the County's interest.

Commissioner Schaad moved that this matter be referred to County Attorney Wendel. Commissioner Willner seconded the motion. So ordered.

RE: CITY AND COUNTY OFFICES CLOSINGS ANNOUNCED

Commissioner Ossenberg announced that all City and County offices will be closed tomorrow, (Tuesday), November 7th. for Election Day and also, all City and County offices will be closed on Friday, November 10th. in honor of Veteran's Day.

RE: NOTICE TO BIDDERS FOR COUNTY HEALTH INSURANCE

Commissioner Ossenberg said that the Notice to Bidders and the specifications for the County Health Insurance was all done by Ben Davenport out of Indianapolis, who has all the complete data that is necessary for all the bidders to pick up.

County Attorney Smith said he took what he had and also took what was submitted by Mr. Davenport and put it together, and then met with him in Jasper on Friday and they reviewed it, so this represents a final version of the data. He said that Mr. Davenport wants to go over the specifications again in case there are any revisions before the notice runs in the newspaper, because after that, they would be open for public inspection, so he requested that after the Commissioners take the initial action on it this morning, that he be sent a complete copy of what the Commissioners have done here.

He said as he understands it, there are four options, one of which is an Administrative Services Contract, and/or a Stop Loss Insurance, the Group Life Insurance and the Traditional Group Insurance like we now have.

He said if the papers are sent to Mr. Davenport right he will have time to make any revisions before the specifications are picked up by prospective bidders, so that we can go ahead and advertise for bids.

Commissioner Ossenberg said that Mr. Davenport assured him that he would have the complete deal back to the Commissioners in a matter of days, that he suggested they open the bids on December 4th. 1978.

He said that Mr. Davenport will be here when the bids are opened, and he also suggested that the papers be sent to Mr. Davenport by certified mail, return receipt requested.

Commissioner Schaad moved that the Auditor be authorized to advertise for bids on the County Health Insurance on November 10th & 17th. with the bids to be opened on December 4th. 1978. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM STATE HIGHWAY COMMISSION

A copy of a letter from the Indiana State Highway Commission, addressed to U.S. Representative David Cornwell, in reference to the US 41 & Entrance to Dress Regional Airport and N. Faries Avenue, Vanderburgh County, Additional Traffic Controls, reads as follows:

Dear Representative Cornwell:

This is to advise you that our Division of Traffic has received the Vincennes District's traffic engineering study and report, which was initiated by your request and requests from others, for the consideration of the installation of a traffic signal at this location.

We wish to advise you that it is the policy of the Indiana State Highway Commission that when traffic signals become warranted at a commercial-industrial location, such as this, the signalization will be accomplished at the expense of the owner of the commercial-industrial establishment.

A review of the delay studies for vehicles entering the US 41 traffic flow at this location reveals that the delays to the left turn motorist (average hour delay - 31.8 sec., peak hr. delay - 57.3 sec.) and the right turn motorist (average hour delay - 10.9 sec., peak hour delay - 21.3 sec.) are less than what could be expected under signal operation. In addition, it was noted that the booth for collection of parking fees was located such that there is only storage space for a maximum of six (6) vehicles between the US 41 northbound lane and the booth. It was also observed that motorists were delayed (minimum - 10 sec., max. - 35 sec.) at the toll booth before they could exit the parking area. Under signal operation, due to the delays

at the toll booth and timing requirements for traffic on US 41 it can be anticipated that only two or three vehicles could exit the airport drive during a green phase.

A review of the vehicular volumes at this location reveals that the minimum volume requirements, as stipulated in the Indiana Manual on Uniform Traffic Control Devices, are fulfilled. However, due to the present delays encountered at the intersection and the "toll booths", the proximity of the "toll booths" to the US 41 roadway and the associated storage area and the vehicular volumes and flow patterns at the intersection, installation of a traffic signal will create greater delays and confusion to the majority of motorists utilizing this section of roadway. During the field review of this area it was observed that the full utilization of traffic signal control could not be realized until the internal flow problems, associated with the delays and lack of storage area at the intersection created by the "toll booths", are revised.

This study and findings were verbally discussed with personnel of the Evansville Vanderburgh Airport Authority Board and at that time the Airport Authority indicated they were not interested in entering into an agreement with the Indiana State Highway Commission for the installation of a traffic signal. However, this office will officially inform the Airport Authority of the findings of the most recent study and request their consideration of entering into an agreement with the Commission for the installation of a traffic signal at this location.

In closing, please be assured of our interest in the safe and efficient flow of vehicular traffic upon our highway system.

Very truly yours, Roger F. Marsh, Exec. Director

Letter received and filed.

Another letter was submitted that was sent to Lt. Governor Orr by Mr. Marsh on the US 41 & Entrance to Dress Regional Airport and North Fares Avenue, which reads as follows:

Dear Lt. Governor Orr:

This is to acknowledge receipt of your memorandum of September 19, 1978, concerning the installation of a traffic signal at the above referenced location. Please accept my apology for not responding to your memorandum of August 16, 1978. When your August 16th memorandum was received, our Division of Traffic awaited the study and findings for this location. It was our intention to respond to you when the study was received; however, after receipt of the study, it was determined that additional studies were needed and a meeting should be scheduled with the Airport Authority to discuss the findings. It was during this interim period, by an oversight, that we failed to advise you of the status of the request for the installation of traffic signals.

This is to advise you that our Division of Traffic has received the Vincennes District's traffic engineering study and report, which was initiated by your request and requests from others, for the consideration of the installation of a traffic signal at this location.

We have just been advised by Mr. Harold McCutchan that another meeting is scheduled on October 24 with representatives of the Airport Authority and State officials. It is hoped that this meeting will prove fruitful in working out an agreement and traffic plan which will be satisfactory to all concerned. As soon as the results of this meeting are known, we will certainly advise you in more detail at this time.

We plan to carefully examine the geometric configuration of the parking facility as well as the existing intersection with US 41. There is some concern on the part of some of the engineers on the availability of normal intersection storage necessary for signalized control.

The Highway Commission is very hesitant as to the use of part-time signals when it has been our experience that accident rates at this type of operation is higher than at signalized intersections. One of the principal design techniques to offset this problem has been the advent of the actuated controller and it is in this respect that the design for signals in areas such as this are of the traffic actuated type.

As previously stated, the Highway Commission will certainly work very closely with the local authorities in resolving this problem in promoting the safety and efficiency of the public needs at this location.

Very truly yours, Roger F. Marsh  
Executive Director

Letter received and filed.

RE: LETTER FROM THE STATE OF INDIANA...INCOME TAX

Commissioner Ossenbergh said that last week the Commissioners authorized to protest the County paying Sales Tax and Corporate Gross Income Tax on money they make at Burdette Park and the Auditorium, that the State wants to charge us this tax, so



he received the following letter from the State:

We are writing as a result of your failure to reply after our previous request for additional information concerning your Indiana Corporation Income Tax. Our letter of January 3rd. 1978, we requested a reply within fifteen days. As of date you have not complied with the request.

Mr. John said that Burdette just talked to them and has written them and he still has another letter on it, so he wanted the County Attorney's to see this, and maybe write them another letter.

This matter was referred to County Attorney Smith, who has the file on this matter.

RE: REQUEST TO TRAVEL

The following letter of request was received by the Commissioners from the Area Plan Commission:

I am requesting travel for Joe Ballard to Indianapolis, Indiana, by car. Leaving November 8, 1978 and returning November 9, 1978 meeting with Dave Wenzel of Steeg and Associates for the purposes of working on an EDA grant for sewer projects.

Sincerely, Charles Osterholt,  
Executive Director

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

RE: AFFIDAVIT TO BE SIGNED ON HOSPITAL BILL OF PRISONER

County Attorney Smith said they are still fighting the hospital bill the County received, that approximately two years ago the Sheriff took a prisoner to Welborn Hospital for about a day and then they submitted a bill for approximately \$1400.00 and the County refused to pay that bill and he has an affidavit on this for the Commissioners to sign.

He said he advises the Commissioners to pay it but he thinks it is ridiculous. He submitted the affidavit and said they want to approve all of it and there is also a question on it since, in the Attorney General's opinion, which they have attached the requirement to develop the indigent and they don't allege that in the complaint.

Commissioner Schaad moved that Commissioner Ossenberg sign the affidavit. Commissioner Willner seconded the motion. So ordered.

The signed and notarized affidavit reads as follows:

Comes now Thomas Ossenberg and being first duly sworn upon his oath states:

That he is presently a commissioner and president of the Board of Commissioners of Vanderburgh County, Indiana;

That the hospital bill submitted by plaintiff to defendant is disputed and denied by the defendant in that said bill includes items or services which were not necessary and defendant further disputes the correctness of the amount claimed;

Affiant further denies that defendant is legally indebted for said claim, and that even if it be responsible for such a claim then in such event, defendant denies the correctness of the amount claimed and is entitled to the opportunity to question and cross-examine plaintiff as to the various items and service allegedly performed and rendered by plaintiff to Paul E. Smith;

Affiant further states that the legal obligation, if any, for payment of this bill rests either with the Pigeon Township Trustee or the Vanderburgh County Welfare Dept.

Further affiant sayeth not. Dated this 6th day of November, 1978

Thomas Ossenberg

County Attorney Smith said they are trying to negotiate a settlement on it and in the meantime, this affidavit will head off a judgment which is what they are trying to get.

RE: MR. CROOKS

Mr. Crooks said if there be no objection on the certified check he received from Evansville Garage Builders and the cash he received from Lindy Construction Company,

he will proceed to send back the certified check and Lindy Construction can file a claim to get his money back, that he turned the money in because he didn't want to hold cash, so he will have to file a claim, that he signed the contract, so everything is legal.

Commissioner Willner moved that Mr. Crooks send the certified check back to Evansville Garage Builders. Commissioner Schaad seconded the motion. So ordered.

RE: MR. HOTZ.....LAW BOOKS

Mr. Hotz said he took the liberty of talking to Miller Auction Company and they will provide storage for the old law books that are in the basement and they will offer them at public auction when we confirm a date, so he would like permission to go ahead and move the law books out there this week to put them in storage until an auction date is set.

He said another question he has is if they would offer the books a first time at auction and there were no bids on the same specifications, could they set another date the next week.

County Attorney Wendel said they can word it so it states the first date of the auction and state that if they aren't all sold that they will be auctioned off on another date and every Thursday thereafter, or whatever it is.

Mr. Hotz said he thought that offering them for sale twice would be sufficient. He then asked if after the second offering at a public auction, if the books aren't sold, do they have permission then, since the paper companies won't buy them, if Mr. Miller dispose of them in the dumpsters, which he will do if directed to do so.

Commissioner Schaad asked County Attorney Wendel if he sees anything wrong with doing this

County Attorney Wendel said "no", that they are charged with disposing of them by selling them, but if they make reasonable efforts to sell them and can't, they can just throw them away.

Commissioner Willner asked if these books have previously been declared as surplus, and Mr. Hotz said they had.

Commissioner Willner also said they checked with Conrad Baker Foundation, the Museum and some Historical Society and none of them were interested.

Commissioner Willner then moved that the Commissioners proceed to try to dispose of the law books at Curren Miller's Auction and to store them there until they are auctioned off. Commissioner Schaad seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees at the County Highway Department for the past week, ending November 3, 1978. Report received and filed.

RE: MR. SIEBEKING

Commissioner Willner asked Mr. Siebeking if they are done at I-64 and Highway 41.

Mr. Siebeking said they are finishing it today.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum said the CETA crew has been on Boonville-New Harmony Road, that they are still working on the two structures, that they have one of them completed and they are trying to put a retaining wall on it to try to widen it out, that it is a bad situation though because with the ditch so close to the road, there is really no good way to get any width out of it, but he thinks it will be an improvement.

Mr. Guillaum said that Deig Brothers finished up the project on Adler Road with the exception of the black top and some rock they will be putting on there. He said he thought the bid price was previously approximately \$65,000 and the claim on it is approximately \$10,000.00 under the original figure they had on this job.

RE: CLAIMS

The claim was submitted by Deig Brothers for Adler Road. The total price of the project was \$56,328.80, with previous payment shown as \$45,779.93, making the total amount of this claim to be \$10,548.87, as approved by Dave Guillaum.

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

Mr. Guillaum submitted a claim from All Metal Manufacturing Co., Inc. for guardrail in the amount of \$4,000.00.

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

RE: ADLER ROAD BRIDGE

Commissioner Willner asked Mr. Siebeking if they are putting some more rock on Adler Road Bridge today.

Mr. Siebeking said "no", but he understands they need some more out there, and he asked if they are still out there with the backhoe.

Mr. Guillaum said they need about four more loads, that what they have been doing, is using the County backhoe with the CETA program, so if Jack could get four more loads of rock out there, they could go ahead and level it down.

Commissioner Willner said he wondered if they had better leave a couple of the County barricades up out there, since the Company's barricades are down, and someone could get hurt out there on the approach.

Mr. Guillaum said he talked to Deig about this, that they want the barricades out there, with one sign on the inside to show there is construction being done there and for the County's protection, that they could pull a barricade over on the shoulder and leave as much of the lanes open as possible, without putting it in the ditch, that they will officially open this road for traffic on Friday.

RE: BASELINE ROAD

Mr. Guillaum said that Southwest Engineer's should be starting on the repair on Baseline Road, where the creek came in and washed away one of the wing walls and took part of the roadway with it, that they should be there, hopefully, tomorrow or Wednesday.

He said they were going to drive the piling around the wing area and fill that in to try to hold the area in, that he understands it has washed out considerably more than it had before, that this is west of 65.

RE: CAR AVAILABLE FOR SURVEYOR'S OFFICE

Mr. Guillaum said that the Work Release Program has a car available for them, that November 11th. they are getting a new car, that he talked to the director who said they could possibly work out a deal on the car, since it was purchased through the court itself, that it isn't a County vehicle right now, but they were talking in the vicinity of maybe \$500.00.

He said it is a 1975 dodge that has about 30,000 miles on it, but it would probably be a good deal, but they will have to look at their accounts to see just how they could do it, but they need another vehicle badly.

Commissioner Ossenbergsaid if they can work it out they will do so.

RE: CUTS IN.....HEDDON ROAD

Commissioner Ossenbergsaid that Mr. Guillaum sent in an application for a cut in from Don Barnett, on Heddon Road, which stated that everything is in order, but Mr. Goodman told him that it wasn't.

Mr. Guillaum said the problem has been taken care of, that at the time Tom checked it, the blacktop hadn't been put in, but he has since filled it to within one inch of the surface, so he has about three inches of blacktop, and they will put the surface on there.

RE: DISCUSSION OF HIGHWAY 41 OVERPASS

Commissioner Ossenbergsaid received a letter from the Indiana State Highway Commission on the overpass at U.S. 41 & Washington Avenue, which reads as follows:

Dear Sir:

In regard to an inquiry concerning work by others on State Right-of-Way, we would like to confirm the State's position. In as much as the State Highway is assigned the responsibility of state roads and road right-of-way, it is necessary that all

work performed on the right-of-way be controlled and co-ordinated by the State Highway Commission.

A very thorough permit process has been established for normal work by others on state right-of-way, however, in work magnitude of a road overpass, extensive co-ordination in design, planning, and construction would be required with the State Highway Commission through the appropriate agencies. It would be necessary that the co-ordination of such an undertaking begin at the inception.

I trust this information will assist you in proposed county undertaking on or near state right-of-way.

Very truly yours, Nicholas VanNielen,  
District Engineer

Commissioner Ossenberg said he has talked with state officials, and they say that from the very inception, it is necessary, for the use of their right-of-way, that a complete feasibility study be done before proceeding and they would like to see the Evansville Urban Transportation System involved, that they want co-ordination from the Engineer's office, Mr. Brenner and the State, that they will simply not give us the okay unless we do this.

He said he fully agrees that they should become involved, that one perfect example is that last week, he proposed that an overpass be built over Walnut Street along with Washington, but he found out from the state that there is a good possibility that Division Street will become a complete clover leaf and therefore Walnut Street will have to be used, so the study should be done with the state to see just exactly how to co-ordinate it and get their viewpoints, that they aren't necessarily saying they want to stop this project, that they are just saying that they want co-operation and they will have the final say.

He said another thing, that he has been advised that while it isn't necessary on a local level with local funds, that for our own protection, they suggest that we do an E.I.S. impact statement because it could possibly jeopardize any other federal monies they may do on Hwy. 41, so he thinks with all this involved, he doesn't want to be misunderstood, that he is 100% behind it but if we are going to build this project, let's build the project right and if this is done, he thinks the state will co-operate.

Mr. Brenner said the layout is built to all state specifications and was built exactly the same as would be required by federal, that if they want to do an environmental impact statement they might as well try and get federal funds and they will then be three or four years building it.

Commissioner Ossenberg said he disagrees with Mr. Brenner on this, that they are involving four to five months on any E.I.S. statement, that this is what they are doing in house and that isn't going to delay the project, that they couldn't start the project from the very beginning.

Commissioner Willner said they would certainly have to hire someone to do this.

Commissioner Ossenberg said that it could be done in house, that they have environmental people down in the Evansville Urban Transportation System's office now. He said he is 100% for it and he wants to build a road but he wants it built right and he thinks they will have to work in conjunction with the State of Indiana.

Mr. Brenner said there is no question about this, that they must prove the engineering, that this could be his next step, that they go to Indianapolis and sit down with them and hammer out what they want, that they have made contact with them and they want 5% grade and that puts them out 500 feet on either side, that if he was doing it he would do it 600 or 700 feet and cut down for each percent on the grade, that they lose 100 feet on each side and they are talking about another 100 feet of bridge but it will be done to the state's specifications and will fit in their right of way.

Commissioner Ossenberg said he isn't discouraging it, that he is merely saying that he thinks a feasibility study should be done with the state, and they are just telling him, for our own protection, if in the event that we want any further monies on 41 we could do it for our own protection and we could do that in four or five months.

Mr. Schnetzke of the Chamber of Commerce stated that the Chamber applauds the Commission's interest in trying to come up with some things to bring safety along Highway 41, that are interested in that and they are looking at various ways to increase safety along 41 and it's possible that a project such as this would be one of those things, but he thinks they need to take a look at the feasibility of how this fits into the overall system, that they are talking about this being done in co-ordination and conjunction with the Urban Transportation study which is being developed and what effects it has

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on the plan, that he also thinks they are talking about whether this is the right location, it is conceivable that a possibility exists that it should be Covert Avenue. He said he thinks with an expenditure of funds of this sort, they are talking about what effect it has on the overall system, that they are talking about a number of things and although the design is very nice, they think that the design should follow feasibility rather than the feasibility follow the design.

Mr. Brenner said he agrees that the feasibility comes before design but he isn't an engineer and he was told to go out and see what could be done with it and this is what can be done with it, that anyone who lives in Evansville knows that something has to be done with it, that they can talk and study and study, that Washington Avenue has the additional problem of Bosse High School and if anyone has ever been there to see them crossing the street, it is just terrible and it is a miracle that someone hasn't been killed there.

Mr. John Feigel said he disagrees with this almost down the line and when Mr. Brenner says anyone knows we have to have this, he isn't so sure he is right, that he wants to speak for the people that aren't being represented here and they know that in an X number of years this will become a community road and I-64 will be handling the traffic that they are trying to handle now and they are getting the cart before the horse, that they nor the public is well enough informed.

Mr. Brenner said he doesn't believe this, that the traffic on U.S. 41 is generated in the City and there is no way to cross Evansville, but like he said, the Commissioners asked him to do an engineering study, that this is what can be done and he is finished, that the Commissioners should tell him where to go from here.

Commissioner Ossenbergsaid he would like for Mr. Brenner to go, with his plans, to Indianapolis but he would like to co-ordinate it with the E.U.T.S., that he would also like for an environmental study to be done over there for our own protection, that could be done in house which could be done in four or five months.

Commissioner Willner asked Mr. Lochmueller if he is saying that an environmental study can be done in four or five months.

Mr. Lochmueller said he hasn't been asked but that he doesn't really know, that he would have to check, that the time period would be that it has to be done at the same time as the design, but he thinks the question here is the feasibility of it and what the impact is on the other cross streets, so it would be the additional work, not the additional time, since the only thing that would have the additional time would be the feasibility study.

Commissioner Willner said they should make their next step then, to ask the County Surveyor to go to Indianapolis and confer with the state and see if they recommend that we do an environmental impact study and if they say we have to, then we should do it.

Commissioner Schaad said he thought the feasibility study should come first and Commissioner Willner said he thought this was what they just asked Mr. Brenner to do and that it is feasible, so what else do they want.

Commissioner Schaad said the feasibility is where and how it should be designed and where it should go.

Commissioner Willner said if they are talking about left turns, property acquisition and the Bosse driving range, that he doesn't believe they want to talk about that and he just doesn't see this in the realm of possibility.

Commissioner Ossenbergsaid he would like for Mr. Brenner to go to Indianapolis and he would like for Mr. Lochmueller to go along with him and he would like for them to get the state's opinion and make sure that we are absolutely on solid ground.

Commissioner Willner said he agrees with this 100%.

Mr. Brenner asked Commissioner if he is still talking that it can be built.

Commissioner Ossenbergsaid "yes", that the only thing he is saying is that the state really hasn't told him yet what they are going to do with Division Street and how they are going to plan Highway 41 and if they say fine, he is ready to jump right now but he thinks they have to have facts and data and he thinks from the very incept they are going to have to work with the state.

Mr. Brenner said there is no question about it, they are going to have to build it how they state tells them to.



Mr. Lochmueller said he thinks they are going to have to go to Vincennes first.

Commissioner Ossenbergsaid he then thinks if it is okay with the other Commissioners, he thinks that when Mr. Brenner and Mr. Lochmueller wants to get together, they should go to Vincennes and then on to Indianapolis and see what they can find out.

Mr. Brenner said he would like to say that Dale Willis, in his office, did work on this nights to do the engineering, that the model was built for them by Ivy Tech at no cost, that it was a class project.

Commissioner said that Tom Hobdy did the project, that he is the art instructor at Ivy Tech, that he also has a lot of work involved and he is perfectly willing to donate his time and materials, so he wants to thank Mr. Hobdy.

Commissioner Ossenbergsaid he would also like to thank them, that he really appreciates it.

Commissioner Willner said that Mr. Hobdy does wish to have the model back for display at the school when they are through with it.

RE: MR. STEPHEN.....SKYLINE DRIVE

Mr. Stephen said he received a letter with a sketch on the back, that there is a problem on Skyline Drive.

The letter stated that there is an overflow from a lake which runs under a road to the east side and then follows the natural drain east of Burdette Park, that during the past summer clay carried by the drainage water has begun to fill up the finger on the lake so that the dock behind the Day house at 2601 Skyline Drive now stands on dry land.

Mr. Stephen said that apparently the County put the tube in there, that it is a fifteen inch pipe and it is large enough, that it comes down steep, flattens out and then comes on down, but the tank is a little too small and plugged up and there is a place with no pipe at all. He said there are three houses that are new and they don't have much erosion control, so they did dump quite a bit of dirt down there, from the rains, that people bought pipe and the County installed them and this improved the side ditch to carry the water to a point between two lakes, so he supposed what they want is to put in possibly an eighteen inch pipe to resolve the drainage problem. He said they did put twelve inch pipes under their drives but the water is awfully hard to contain in the side ditch and when it gets to a certain point it gets out into the road.

He said that anytime they are ponding water they have to figure that naturally the fingers of the lake are going to fill up, that they are going to have to live with it and they will have to clean it out if they want to maintain their lake, that he can't see where the County is too much responsible for his lake but he wants us to change the location of the pipe, these people would have to buy the new pipe before the County can install it, that they will also have to clean that ditch.

Commissioner Schaad moved that Mr. Stephen contact the people to see if they will buy the larger pipe so he can put it in, and then Mr. Siebeking can see that the ditch gets cleaned out. Commissioner Willner seconded the motion. So ordered.

RE: MR. STEPHEN.....TRAFFIC ENGINEERING SCHOOL

Mr. Stephen said there is to be a Traffic Engineering course held, such as he attended last year, that this course will be repeated twice, that the fee is \$187.00 which will be paid by the Department of Safety and Vehicle Inspection, so the only cost to the County would be for transportation, that it is to be held at Purdue, that the course will be repeated once in December from the 4th to the 7th. and again from January 29th to February 1st, which is the one he would like to attend. He said it will be accident study and analysis, traffic improvements and legal aspects and liabilities, that they will cover, and it is for all government officials, that the classes will be limited in size, so registration should be in as soon as possible.

Commissioner Schaad moved that Mr. Stephen be permitted to attend the course from January 29th to February, weather permitting. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Imogene Floyd ..... 713 N. Fulton Avenue.....Pigeon Township...R. Anslinger, Inv.

The Notice of Poor Relief Action submitted by the Pigeon Trustee's Office states that



Ms. Floyd applied for medical bills but was denied since Form No. #475 should have been filed on this by Deaconess Hospital for the accident.

Ms. Floyd said she wasn't aware that Form #475 should have been filled out, that she did tell Deaconess Hospital they didn't have any insurance and the man who hit her son doesn't have any insurance. The total amount owed on the hospital bill is \$1,989.39 and the doctor's bill is over \$1,000.00.

Ms. Anslinger said that they never did pay for any accidents, that this would go to Mr. Baxter, that she called the hospital to see if they filed the form but they hadn't, that they thought the people was going to get some kind of compensation.

Ms. Floyd said that her son was hit by a car, that they have no insurance since her son wasn't on the job at the time of the accident, that he was on the way home. She said that she was advised by the Welfare Department to go to the Trustee's office.

Ms. Anslinger said she gave Ms. Floyd the Notice of Action to take to Deaconess Hospital to apply for help from the Hill-Burton Charity Fund, and she asked Ms. Floyd if she did this.

Ms. Floyd said that she was advised to go to the Welfare office and she was told by the Welfare office to go to the Trustee's office, that they told her at the hospital that there wasn't anything they could do about it. She said the driver of the car that hit her son has no insurance, and when she did get to talk to him, he got real smart and said he wasn't fixing to do anything about it. She said she has the police report which shows the driver of the car was in the right but she has four witnesses who say that her son had the walk light, that she talked to an attorney and he said at the present time, the driver is in jail and it would just cost her more if they waited until he got out, but when she found that he was out and was working at the Central Garage, she talked to him, and he said that he is paying for two wrecks he had last winter and he lost his license, so the attorney wouldn't even take the case, so she didn't know what to do.

The Commissioners suggested that Ms. Floyd go to Legal Aid, since they will take her case at no cost, but that Legal Services would probably be better, that this would be a place to start.

Ms. Floyd said the driver was going 35 mph in a 30 mile zone, that he skidded 45 feet but he wasn't ticketed.

Commissioner Schaad moved that this case be referred back to the Trustee, so they can help Ms. Floyd to get to Legal Services and they can make her aware of what funds there are available to her. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

Mr. Don Barnett submitted two cut applications to Mr. Stephen, one to cut into Oak Hill Road and the other one to cut into Heddon Road. Cut applications received and filed.

Meeting recessed at 10:50 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
NOVEMBER 13, 1978

The meeting of the County Commissioners was held on Monday, November 13, 1978, at 9:30 a.m. in the Commissioners Hearing Room with President Ossenbergs presiding.

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

RE: YOUTH APPRECIATION DAY HONORED

Commissioner Ossenbergs introduced Ken Ellsperman who is the representative to the County Commissioners today in honor of Youth Appreciation Day. He is a senior at Mater Dei High School and is the son of Charles Ellsperman who formerly served four terms as County Commissioner.

RE: CONGRATULATIONS IN ORDER

Commissioner Ossenbergs said he would like to extend congratulations to Commissioner Willner, Curt John for re-election as County Auditor and to Bob Lutz, all of whom are present today.

RE: IN SYMPATHY

Commissioner Ossenbergs said he would like to extend sympathy from the County Commissioners to Ms. Vickie Bailey who just lost her mother. He said that Vickie was to leave for a seminar today so this trip was postponed.

RE: AUTHORIZED TO OPEN BIDS

The County Attorneys were authorized to proceed with the opening of bids that were received this morning for widening and improvements of seven Vanderburgh County bridges and culverts.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

John A. Warren	3317 W. Michigan	Rink Guard	\$3.50 Hr.	E66: 10/28/78
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CIRCUIT COURT

Harold Huck	2329 E. Delaware	Bailiff	\$5.00 Hr.	E66: 10/24/78
Steven Hipfel	451 S. Weinbach	Bailiff	\$100.00 Wk.	E66: 11/6/78

PIGEON TOWNSHIP ASSESSOR

Ruth Calhoun		Clerk	\$20.00 per Monday-11/6/78	
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VANDERBURGH COUNTY ELECTION BOARD

Beverly Abell	3417 Austin	Deputy Clerk	\$2.50 Hr.	E66: 10/30/78
Edna Henry	3904 Clement	Deputy Clerk	\$2.50 Hr.	E66: 10/30/78
Ella Randolph	Englefield Rd.	Deputy Clerk	\$2.50 Hr.	E66: 10/28/78

VOTERS REGISTRATION....ELECTION DAY ONLY

Marie Lurker	2100 Schutte Rd.	Clerk	\$40.00 Day	E66: 11/7/78
Beverly Abell	3417 Austin	Clerk	\$40.00 Day	E66: 11/7/78
Beatrice Phillips	1132 Lohoff	Clerk	\$20.00 Day	E66: 11/7/78
Madge Roehm	410 Miller Rd.	Clerk	\$20.00 Day	E66: 11/7/78
Gary Kuebler	8020 Petersburg Rd.	Clerk	\$20.00 Day	E66: 11/7/78
Charlene Pfeffer	3710 N. Baker	Clerk	\$20.00 Day	E66: 11/7/78
Barbara Baker	3710 N. Baker	Clerk	\$20.00 Day	E66: 11/7/78
Gloria Evans	1369 E. Chandler	Clerk	\$40.00 Day	E66: 11/7/78
Lucille Musgrave	4304 Pennington	Clerk	\$20.00 Day	E66: 11/7/78
Joyce Truitt	918 N. Helfrich	Clerk	\$60.00 Day	E66: 11/7/78
Virginia Robinson	909 Meyer Ave.	Clerk	\$40.00 Day	E66: 11/7/78
Eric Evans	1369 E. Chandler	Clerk	\$20.00 Day	E66: 11/7/78

VANDERBURGH CLERK OF CIRCUIT & SUPERIOR COURTS

Elizabeth Chandler	2805 Oak Hill Rd.	Deputy Clerk	\$261.38 Pay	E66: 11/6/78
Victoria Davis	2801 Ashwood Dr.	Deputy Clerk	\$261.38 Pay	E66: 11/6/78

(Now on permanent basis)

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2.

RE: EMPLOYMENT CHANGES.....RELEASESCIRCUIT COURT

Malcolm Montgomery 1311 Division Asst. Public Defender \$269.23 Pay E66: 11/4/78

COUNTY TREASURER

Ruth Calhoun Part time Clerk \$20.00 Day E66: 11/3/78

VANDEBURGH COUNTY ELECTION BOARD

Edna Henry	3904 Clement	Deputy Clerk	\$2.50 Hr.	E66: 11/8/78
Ella Randolph	Englefield Rd.	Deputy Clerk	\$2.50 Hr.	E66: 11/5/78
Elizabeth Collins	204 N. Elm	Deputy Clerk	\$2.50 Hr.	E66: 11/8/78
Betty Jarvis	3217 N. 12th. Ave.	Deputy Clerk	\$2.50 Hr.	E66: 11/8/78
Virgil O. Lee	101 N. Alvord	Supervisor	\$3.10 Hr.	E66: 11/7/78
Lucille Becking	5233 Carriage	Deputy Clerk	\$2.50 Hr.	E66: 11/8/78
Mary Hougland	2822 Ravenswood	Deputy Clerk	\$2.50 Hr.	E66: 11/8/78
Beverly Abel	3417 Austin	Deputy Clerk	\$2.50 Hr.	E66: 11/7/78
Maxie A. Hatcher	1209 First Ave.	Ballot Assembly	\$2.50 Hr.	E66: 11/9/78
Russell S. Rohner	617 W. Maryland	Ballot Assembly	\$2.50 Hr.	E66: 11/9/78
John W. Overton	188 S. Lincoln Pk.	Ballot Assembly	\$2.50 Hr.	E66: 11/9/78
Fred C. Roeder	R.R. 4 Box 253	Ballot Assembly	\$2.50 Hr.	E66: 11/9/78
Marilyn Hatfield	316 Sheridan	Deputy Clerk	\$2.50 Hr.	E66: 11/9/78
Sharon Yunker	5313 Sherbrooke	Deputy Clerk	\$2.50 Hr.	E66: 11/9/78

VANDEBURGH COUNTY R.E.S.C.U.E., INC.

Arthur Stippler 1865 S. Weinbach House Manager \$10,000 Yr. E66: 11/10/78

VANDEBURGH CLERK OF CIRCUIT & SUPERIOR COURTS

Charlene Hill	1701 Glendale Ave.	Deputy Clerk	\$261.38 Pay	E66: 11/6/78
Janet Edwards	400 S. Barker	Deputy Clerk	\$261.38 Pay	E66: 11/6/78
(LOA terminated)				

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter of request was received by the Commissioners from Shirley Jean Cox, the County Clerk:

Dear Sirs:

I respectfully submit for your consideration and approval a request for leave of absence thru December 15, 1978 for Charlene Hill one of my employees.

She suffered severe burns and has been advised by her physician to continue treatment as out patient for the determinate period above stated. If her progress continues she will be released to return to her position on December 18th.

Most Sincerely, Shirley Jean Cox, Clerk

PS: I wish to inform your board that Janet Edwards, presently on LOA is to be terminated and Victoria Davis will assume permanent employee status.

Commissioner Schaad moved that the request for leave of absence of Charlene Hill be approved for designated time. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

The Monthly Report of the Evansville Association for Retarded Citizens, Inc. was submitted for the month of October, 1978.

Report received and filed.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by Torian Insurance Agency on insured, Evansville Alumni Chapter of Kappa Alpha Psi, for use of the Vanderburgh Auditorium for their dance on 11/9/78.

A Certificate of Insurance was submitted by Insurance Company of Johnson & Higgins of Ga., Inc. on insured Fuqua Industries, Inc. for the use of the Vanderburgh Auditorium to hold their fall premier party.

A Certificate of Insurance was submitted by Greene & Greene Insurance Agency, Inc. on insured Welborn Memorial Baptist Hospital, Inc. for the use of the Auditorium for the Physicians Forum held on 11/8/78, with the insurance being in effect until July of 1979.

All Certificates noted as being received and filed.

RE: TELEPHONE REQUEST FROM AREA PLAN COMMISSION

The following letter was received by the Commissioners from Mr. Osterholt of the Area Plan Commission:

Dear Sirs:

I am requesting funds to have extension #28 removed from the rotary system so that #28 will be a free line and calls will not transfer to line #28 if #26 and #27 are occupied.

The phone numbers for this office are 426-5226, 5227, 5228.

Thank you, Sincerely, Charles Osterholt  
Executive Director.

It was noted that Bonnie Ellis from the Phone Company quoted \$27.00 to take the number 5228 off the rotary system.

Commissioner Schaad moved that the request of Mr. Osterholt be approved. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE TO APPEAR

There were Notices to Appear on proceedings submitted to the Commissioners for judgement against William P. Taylor and Yvonne Presley.

These Notices were referred to the County Attorney's.

RE: OPENING OF BIDS

There were four bids received for the widening and improving of seven Vanderburgh County bridges and culverts. They are as follows:

Deig Brothers Lumber & Construction Company .....	\$ 84,000.00	
G.H. Allen, Inc. ....	\$ 98,740.00	Engineers Estimate
Barnett Brothers Inc. ....	\$128,740.00	
Southwest Engineering, Inc. ....	\$122,520.00	\$100,000.00

Commissioner Ossenberg said that the bids of Deig Brothers and G.H. Allen are subject to all seven bridges being bid, that if they aren't, G.H. Allen's bid is \$100,940.00 and Deig Brothers is \$87,100.00. He said that all bids are in good order.

Commissioner Schaad moved that the bids be referred to Mr. Guillaum and Mr. Stephen for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: CARROLL ACRES SANITARY SEWER EXTENSION AND ROADWAY CONSTRUCTION

Commissioner Ossenberg said they had this letter last week that they received from Morley & Associates, Inc., in the Drainage Board meeting, but it really belongs to the Commissioners. The letter reads as follows:

Project #78-163-4

Gentlemen:

Enclosed are two complete sets of plans for the above named project. We are requesting on behalf of the developer, Mr. Donald Bolin, that the Board of County Commissioners approve these roadway plans.

We have contacted Mr. Louis Stephen, County Engineer, and Mr. Jack Siebeking, County Highway Superintendent, concerning the 12 percent grade on Sarahbeth Lane. The developer agrees to place a 30 foot wide asphalt roadway with concrete curbs on an aggregate base. The developer has already placed three inches of stone down to provide access. Upon completion of 50% of the lots he will place additional stone to bring the base to a minimum uniform thickness of six inches. This base will then be followed by two inches of H.A.C. binder and 1 inch H.A.C. surface.

In placing the stone for the access road, the developer has already decreased the grade from a grade which was greater than the proposed 12% when he cut the top of the hill and placed the fill at the toe of the hill.

To change the grade to anything less than the 12% shown would require removing the stone which is already placed, cutting and backfilling of approximately 600 lineal feet of roadway and then replacing the stone. This would place an excessive financial burden on the developer.

Mr. Stephen had no objection to the 12% grade as long as it did not cause County Maintenance any great problems. Mr. Siebeking had no objections to the grade as long as the storm runoff was not going to be allowed to get out into Felstead Road.

The runoff from the project is being taken away from Felstead Road to approximately the center of the site to an open ditch which then flows under Felstead Road.

Mr. Siebeking also gave approval since the grade was going up a hill to a cul-de-sac which would terminate the roadway at the end of the site.

Sincerely yours, Morley & Associates, Inc.  
Lee A. McClellan, Civil Engineer

Commission Ossenberg said that according to this letter, the County Engineer, etc. has no adverse opinions.

Mr. Stephen said he thought it to be sufficient, that this is the one where the 12% fell a little excessive, but because of the scale of the verticle against the horizontal, it make things look worse on the drawing board.

Commissioner Schaad asked if it wasn't a policy to have nothing greater than 10%.

Commissioner Ossenberg said they have a policy of nothing greater than 10%, but he thinks that is one going up hill and one going down hill, that he really didn't know what the difference was.

Commissioner Schaad said his concern is that when they have snow and ice on it in the winter time, are we going to be expected to go out and clean it off, so they can get in and out.

Mr. Stephen said that if the County highway crew can't make it up the hill, it just doesn't get cleaned off, and the other one where it was down to a cul-de-sac, the objection and rightfully so, was that if they got their equipment down in there but couldn't make it back out and the equipment would be tied up.

Commissioner Willner questioned as to if they are asking for the approval to accept the roadway now.

Commissioner Schaad said they are building it to the County specifications with that anticipation.

Mr. Stephen said that they want the plans to be accepted by the Commissioners so that eventually the road will be accepted when they get it built.

Commissioner Schaad said if they don't want to get the Commissioners approval, they don't even have to ask it, that they can do anything they want, and the only reason they are doing it is because, later on, they are going to ask the County to accept the road for county maintenance.

Commissioner Willner said that right now they are asking for sanitary sewer extension and roadway construction and asked if this is correct.

Mr. Stephen said this is correct, that they want approval of the plans.

After some discussion, Commissioner Ossenberg said he thought the general consensus of the Commissioners is that they can go ahead with their plans but they won't accept it for maintenance in the future, that of course he realizes that if they don't accept the road they will still get the telephone calls but it isn't an accepted county road.

Mr. Stephen said he would inform Mr. McClellan of the Commissioners decision.

RE: REQUEST THAT ROADS BE ACCEPTED BY THE COUNTY

The following letter was received by the Commissioners from Guthrie May & Co., Inc. in reference to Old State Two and Old State Three Subdivisions:



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.

Rock Creek Lane from intersection of Old Cannon Way north to Gun Powder Lane.

Gun Powder Lane from intersection of Rock Creek Lane East to Dry Branch Road

Dry Branch Road from intersection of Old Cannon Way north to the intersection of Gun Powder Lane

The Plans for construction of the streets in Old State "Two" were approved July 14, 1977. The plat was recorded on September 14, 1977.

The plans for construction of the streets in Old State "Three" were approved May 24, 1978. The plat was recorded on November 1, 1978.

Sincerely, Guthrie May & Co., Inc.  
Donald J. Blume, Vice President

Commissioner Schaad moved that this matter be referred to Mr. Stephen for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: LETTER TO BE SENT IN ATTEMPT TO LOWER INSURANCE RATE

Commissioner Schaad said the Commissioners have been talking about trying to get a lower insurance rate in the County for some time and the radio equipment has been installed in the Sheriff's Department and is now in operation, so he would like permission from the other Commissioners to send a letter to Mr. Harnish of the Insurance Service Office of Indiana, 151 N. Delaware Street, Suite 460 in Indianapolis.

The letter reads as follows:

Dear Mr. Harnish:

An entirely new communication system has been installed in the Vanderburgh County Sheriff's Department and is now operational. The bid specifications for this new equipment stipulated the installation to be in compliance with provisions set forth in the National Fire Protection Association Publication N.F.P.H. #73. We have been assured by Motorola people that this new equipment will meet all such requirements. In view of this new system of communications which also serves to dispatch all township volunteer fire departments in Vanderburgh County. It would be appreciated if you will accept this letter as notice of the County Commissioner's request for an updated survey of the Vanderburgh County Fire Protection facilities. It has been the Commissioner's belief and understanding that with the installation of this new communication system, the Insurance Office of Indiana will be able to establish fire protection districts within Vanderburgh County and those townships where the volunteer fire departments are fully equipped and staffed by adequate trained volunteers. In order to co-ordinate the time table for this survey, it would be our recommendation that all future discussions or correspondence be channeled through Paul E. Bice of the Sheriff's Department with a copy of any written material be sent to the County Commissioners.

Sincerely yours

Commissioner Schaad said this letter will hopefully bring them down to investigate and make another survey and hopefully, will lower the fire rate in the County substantially.

Commissioner Willner moved that Commissioner Schaad have permission to send the letter. Commissioner Ossenbergh seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Brinks, Inc. for service rendered to the County Treasurer for November in the amount of \$253.20 and for service rendered to the Clerk of the Circuit Court for November in the amount of \$102.40, as per contract, making the total amount of the claim to be \$355.60.

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

A Claim was submitted by John Harl, Jr., Probation Officer, for travel expenses incurred for hotel, meal expense and mileage allowed in traveling to the Midwest



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Conference for three days in Indianapolis, in the amount of \$148.25. The claim was approved by Judge Miller.

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

RE: CONTRACT...YOUTH EMPLOYMENT PROGRAM

The following letter was received by Commissioner Ossenberg from Clark Johnson, the Director of the Evansville Youth Employment Program:

Enclosed you will find the In and Out of School Program contracts covering the period from October 1, 1978 through November 30, 1978.

Please review and sign each contract as indicated above President County Commissioner.

Please return to my office, which is located in the Community Center at 100 E. Walnut St. Room 126, or call my office for pick-up at 426-5434.

Commissioner Schaad moved that the Commissioners sign these contracts. Commissioner Willner seconded the motion. So ordered.

RE: COMPLAINT ON VOTING PLACE

Commissioner Willner said he received a letter this morning addressed to the County Commissioners which reads as follows:

Gentlemen:

I wish to inform you that on November 7th, 1978, I served on the Election Board as Judge in Ward 3 Precinct 15, the voting place was Hartke Pool, Administration Bldg. We, the Board, worked under conditions which were deplorable, we had no heat, no water, we could not use the bathroom facilities. I arrived at 5:30 a.m. and left at 6:45 p.m. the building was filthy with the stench of all toilets being full. The glass was out of the doors and two boys from Poseyville Glass Company came to replace it but were not allowed to do so during voting hours. This would have kept some of the cold air out. I feel that this should be brought to your attention since you will know where the responsibility lies, so that it will not happen again.

Signed Rosemary B. Montgomery

Commissioner Willner said he thinks this letter should be made a part of the minutes and that they forward a copy to the Board of Works.

Commissioner Willner then moved that this be done. Commissioner Schaad seconded the motion. So ordered.

RE: COUNTY LINE ROAD

Commissioner Willner said he had a call from Mr. Huffine on County Line Road, that this is the road that is adjacent to Posey County and Vanderburgh County, that it starts at Creamery Road and thence North, that he and quite a few others have told him that it is the responsibility of Posey County, since all counties take care of their South and East boundaries.

He said that Mr. Huffine informed him that there is a statute that should cover such things as county-line boundaries, so he asked the County Attorney to look it up this morning, that he found that there is such a statute and it calls for the combined efforts of both counties as to a meeting to decide what should be done about it. He said he isn't sure they should go to that length, but they could ask Mr. Siebeking to get with the Highway Superintendent of Posey County to get them relief, that he is sure they don't have the proper funds to do it but he wondered if it would be agreeable with the other County Commissioners to get them some kind of relief. He said he hasn't been over the road but Mr. Lutz has and it is his understanding that the road will not be passible if we have another bad winter.

Mr. Lutz said that the people that live on County Line Road are Vanderburgh County residents and that it covers one or one and a half miles and it is pretty well beat up, that it could be patched or maybe resurfaced.

Commissioner Ossenberg said he called him too and he informed Mr. Huffine with the same information and told him that if it was the will of the Commissioners, if Posey County would work in conjunction with us, he felt as though Vanderburgh County could do the work if they would pay for the materials, that he also told him he would wait until after the election because he was sure they didn't want to be disturbed and everyone was busy, but that he will call the President of the Posey County Commissioners to see if that is agreeable, that he traveled this road and it is true, that if we have a bad winter, those people are just going to be stuck in there.

Commissioner Willner moved that Commissioner Ossenberg be authorized to contact the Commissioners in Posey County to see what can be worked out. Commissioner Schaad seconded the motion. So ordered.

RE: COMPLAINT ON VOTING PLACE

Commissioner Ossenberg said that another precinct was called to his attention, that it was the one they moved from a car lot at 1054 Riverside to Kerth Avenue which is Ward 2 Precinct 16, that the people on the Election Board had to sit on the porch and it was rather cold, so they have asked that the Commissioners find a more suitable place for next election, where they can get some heat, so they might take this into consideration.

Commissioner Willner moved that this be referred to the minutes and that they do something about it next election. Commissioner Schaad seconded the motion. So ordered.

RE: INGLEFIELD ROAD

Commissioner Willner said the Commissioners recently gave the Board of Works permission to make a cut in Inglefield Road from Martin Road to the highway, that this project has been done with the concrete put in but the blacktop hasn't been replaced and it leaves about a three-inch depression in a number of places that are very dangerous. He said he called the contractor and he said he was waiting for the Board of Works to inform him of the tap in's before he finishes the road and as of last week, they hadn't furnished him with the list of tap-in's, that it is his impression that it should be repaired before the winter and he does have the concrete in, so if he did have to go in for tap-in's he would have to cut the concrete anyhow, so he sees no reason to hold the project up through the winter.

Commissioner Willner then moved that the Commissioners ask the Board of Works to go ahead and finish the patch job on Inglefield Road. Commissioner Schaad seconded the motion. So ordered.

RE: MEETING TO BE HELD ON WASHINGTON AVENUE OVERPASS

Commissioner Willner said there seems to be a lot of controversy about the Washington Avenue overpass at Highway 41 project, that he doesn't wish to see the project die and he would like to ask for a meeting of the minds to include the County Commissioners, the Surveyors office, the Urban Transportation, Council of Governments, the Chamber of Commerce and the news media in this meeting room some evening within the next week or two and he would like to get all of their priorities in line and see if they can't reach a speedy conclusion on the project.

He said he would also like for a member of the State Highway Commission to be here for the meeting, that from what he reads in the newspaper, there seems to be some conflicting reports, since it reads that a 3% grade is mandatory and another official says it isn't, so he thinks they need to work out these details before they go any further.

Commissioner Schaad said the only thing he wants to say is that according to the news media, it seems that it is pretty well set that the Commissioners want to use 2 million dollars in the bridge fund to pay for this project and he isn't so sure he wants to do that. He said he maybe wouldn't have any objection in using 5% of the bridge fund and retiring bonds but he doesn't want to bleed the bridge fund down to where they won't be able to do any other bridges in the County just for the sake of that one, that he is for the project but he doesn't want to bleed the bridge fund down to nothing to pay for it.

Commissioner <sup>Willner</sup> said that at the end of 1979 there will be in excess of \$3,000,000.00 there and he agrees with that, that it depends on what the bid is and if they let bonds for that project they might have a \$6,000,000.00 in the end, so he would like to stay away from that angle if they could, but if they can't they will have to do the next best thing.

Commissioner Schaad said he just doesn't want to see the other bridges suffer, with no funds, just like they are on the County roads right now.

Commissioner Ossenberg said he thinks the funding can be worked out, that he is inclined to go along to reduce it and go into a sinking fund but first of all he would like to get a date set for the meeting.

After further discussion it was decided that the meeting will be held next Monday, November 20th at 7:00 p.m. since he found that this meeting room will be available for that date.

Commissioner Ossenbergs asked Mr. Lochmueller to make the necessary contacts for the meeting.

RE: CONTRACT AWARDED ON THE SEVEN BRIDGES

Mr. Guillaum said that he and Mr. Stephen studied the four bids that were received on the seven bridges located on Adler Road, Church Road, Mesker Park Drive, West Franklin Street, Happe Road, Nurrenbern Road and Hogue Road, that they had the lowest overall combination bid of \$85,860.00 as opposed to \$84,000.00 for all seven bridges if Deig Brothers were awarded the contract, that they had a \$3,100.00 discount, so their recommendation is to go with Deig Brothers for the construction of the seven bridges.

Commissioner Schaad moved that the contract for the seven bridges be awarded to Deig Brothers Lumber & Construction Co., Inc. at the cost of \$84,000.00. Commissioner Willner seconded the motion. So ordered.

The Commissioners signed the contract at this time.

RE: RAILROAD OVERPASSES...BOONVILLE-NEW HARMONY AND BENDER ROADS

The following letter was submitted to the Commissioners from Mr. Stephen and Mr. Crooks:

Sirs:

On Monday, November 6th, 1978, at your request, Jesse Crooks and myself inspected the two referred to railroad overpasses. Our conclusion was that these two overpasses were not about to collapse but do have the following deficiencies:

1. The underside of the concrete, inside of overpass, is deteriorating and some has fallen to the roadway below. Additional areas are loose and will eventually drop. This could be very dangerous if it dropped as a vehicle was passing through the overpass.
2. The opening of the overpass (width and height) is no way near the minimum for modern day traffic. Some farm machinery can not use road through overpass.

Based upon these deficiencies, we are of the opinion that these structures should be condemned and removed.

Yours, Signed L.H. Stephen and Jesse Crooks

Commissioner Schaad moved that the overpasses be condemned and that they start condemnation proceedings. Commissioner Willner seconded the motion. So ordered.

Commissioner thanked Mr. Stephen and Mr. Crooks and said they did an excellent job.

RE: MONTHLY REPORT

Mr. Crooks submitted the Building Commissioners Report for the month of October, 1978 of their building activities and said they are still running about 30% ahead of last year, county-wide, on the building activities. Report received and filed.

RE: COMMENT ON DEAN. PROPERTY

Mr. Crooks said they have had a lot of activity on the property belonging to Lula Belle Dean that is located on New Harmony Road, that they condemned that building and it has been torn down, but there is still quite a mess there. He said that about a month ago, they issued a citation against Jack Dean and he did come in and pay it but there still has been no action taken as far as cleaning up the mess, that it is still exactly like it was and they have been looking for him for a second citation for some time and still haven't found him, so his question is, that they, at one time, got a price to bury that material or tear it down, and he wondered if the Commissioners wants him to get another price and bury it themselves, resulting in a tax lien against the property.

Commissioner Willner said he might as well.

Mr. Crooks said he didn't know how quickly he could do it, that building razers are pretty much behind schedule and he is getting quotes of sixty days so it might be awhile, but he will get the prices and see what he can do.

Commissioner Schaad said this is what they will have to do, that they can't get it done any other way, that the Dean's had plenty of opportunity to do it.

Mr. Crooks said he was assured that they were going to do it, but the man that has the equipment to do the work hasn't been re-contacted to proceed with it. He said he will go ahead then and get a price and will probably have it for the Commissioners next Monday.

RE: AUTHORIZED TO ADVERTISE .....SALE OF SURPLUS PROPERTY

Mr. Hotz submitted a "Notice of Sale" and said that he would like permission to advertise for the sale of surplus items.  
The Notice of Sale reads as follows:

The following items have been declared as surplus and will be offered for sale at a Public Auction to be held on Thursday, December 14, 1978 at Curran Miller Auction Barn, Hwy. 57 at Daylight. Sale starts at 1:00 p.m. local time. Any items not sold will be offered for sale again on Thursday, December 21st.

1 Clothing rack  
Miscellaneous outdated law books

Commissioner Schaad moved that the County Auditor be authorized to advertise for the sale on November 16, 23, 30 and December 7th. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the County Highway employees for the past week ending November 10th. 1978.  
Report received and filed.

RE: MR. SIEBEKING ...CLAIMS ON TRUCKS

Mr. Siebeking said they took delivery of the two Ford trucks this past week, that he has the claims for them from Key Motors Corp. and the Purchasing Department is working up the billing, so he wondered if the Commissioners should sign the claims along with him, that they are in accord with the bid.

Commissioner Schaad moved that the Commissioners sign the claims. Commissioner Willner seconded the motion. So ordered

RE: PROBLEM OF DRAINAGE ON GREENBRIAR

Mr. Siebeking said that he received a phone call this past week from Commissioner Ossenbeger who said he had a call from some people who were quite disturbed about what was happening on their property, so he went out and checked it. He said it is on Greenbriar which is off Meadowview which is off Mt. Pleasant Road, that it is a new development, and he thinks that Mullen is probably developing this and he thinks that Mr. Crooks will probably be involved in this, that what he has done is that he has cut the dirt for two new basements for new homes and he has pushed this dirt over into the low area which is the natural drain for the water coming down off Mt. Pleasant Road which is approximately 400 to 500 yards south of it, that there are two springs that the people know of, that run back there the year round, and now that he has pushed this dirt in along Greenbriar, he has formed a dam and the spring water is collecting and they have a small lake started back there, and it is on their property covering about 40 square yards and the water is better than two-thirds high on their fence since it has no place to go. He said he doesn't know if they have any kind of a plan or anything filed to build these homes or not, that right now it isn't affecting the street of Greenbriar but it won't be long and it will be affecting it, so he would suggest that maybe Mr. Crooks check this out.

Mr. Crooks said if the man is filling it in, he is going to have to open it up or put tile in there, since something has to be done.

Commissioner Schaad said he thought this to be a civil matter, if it is going to hurt the County road or street.

Mr. Siebeking said that eventually it will, since it will go over the top of the dirt that he has pushed along there and when it does, it is going to come right out on the street of Greenbriar, that it is just a mess right now, that the new dirt is saturated with water and the water is ponding on the back side, that the back of one property is completely covered and is two feet up on their fence in the back corner. He said the property where the water is backing up on belongs to people named Bridge who lives on Mt. Pleasant Road.

Mr. Crooks said he would take a look at it.

RE: PROBLEM ON OLD HENDERSON ROAD

Mr. Siebeking said that several weeks ago they discussed a low spot on the Old Henderson Road that the water stands in, that it has for years, that he talked to Bob Bernard who is the Trustee out there and he assured him that the township would not go along with digging a swail ditch from the road out to the river, and he can see why, that it would be cutting a low place and with the river like it is, the next thing you know it will be completely washed out, so he doesn't really know what the answer is, that they are talking about at least two to three feet higher than the road itself.

He said they could fill the road up and within three or four years it will be the same way, that the road will be down and it will be filled up on both sides again, that personally, it has been this way for years and he can't see how they could help the situation.

He said that maybe some day he and Mr. Stephen can run out there and look at it to see if they can come up with anything, but until then, his suggestion is that they just leave it alone.

He said there are three homes there right now that are occupied, that these homes haven't even been rejuvenated and it is the undesirables that are moving in there and that is where a shooting took place last week.

RE: CALCIUM CHLORIDE TANK TO BE DELIVERED

Mr. Siebeking said that their Calcium Chloride tank will be delivered next week and installed, that he talked with them this morning and he also talked to Mr. Hotz, that they are going to get the electricity run out there for them, underground, and they want to get the pad built yet this week, so it should be installed within ten days.

RE: COMPLAINT ON SHERIDAN ROAD

Mr. Siebeking said he had a complaint from a lady who lives on Sheridan Road, that this deadends into the Airport off of St. Joe Avenue which is Skyline Drive.

He said the people at the Airport have taken telephone poles and laid them at the end of Sheridan Road, apparently so cars can't drive on out to the runway, that they are just laying there on County right of way and the kids play on them and one has been hurt.

He said he suggested that maybe this would be a good place for Mr. Guillaum's crew to put up guard rails, since it is a deadend road and probably will never be extended.

Commissioner Schaad said he will call the Airport, that he will tell them if they will take the telephone poles up, the County will put up guard rail there, and he will report back to the other Commissioners.

RE: FLASHER LIGHTS INSTALLED AND WORKING

Commissioner Willner said he would like to report that on Boonville-New Harmony and Hwy. 65 there is a double flashing red and amber light now in operation and that it seems to be working very good, and also at Baseline Road and L & N Railroad, there are flashing lights and the arms are up and working.

RE: CUT ON ST. GEORGE ROAD

Commissioner Schaad said he understands that the cut on St. George Road hasn't been taken care of yet.

Mr. Siebeking said this is correct, that he got back with them again this morning and told them about it.

Commissioner Ossenbergh said he called Jack early this morning at the garage and then Tom Goodman reported back to him, stating that he called Staub this morning on St. George road, and he told Mr. Goodman to tell them that if it isn't finished by tomorrow night, that the County will do the work and will bill them

RE: COMMENT ON PIPE AT BOONVILLE-NEW HARMONY ROAD

Mr. Siebeking said that on the pipe at Boonville-New Harmony Road, there was quite a conversation about it several weeks ago, that they thought that Bobby Staub had mashed it down and he said that he didn't, well those people back there where there are four houses, there is a private lane into their homes, that they have agreed to purchase the pipe if the County will install it, so he told them that whenever they get the pipe delivered on the spot, to let him know, and he will see that the old one is taken up and the new one is put down, that he told them what size pipe they need.



RE: REPORT ON BUSLER'S

Mr. Siebeking said they are finished at Busler's, all but the finish coat and they didn't lay that because the new water line is coming up through there and it is going to cut right at the intersection of state and county right of way, that is where they are going through, that they are to start today or tomorrow, that it was cut and two days after it was laid, it cut right through it, but they assured him and Don Finch that they would put it back like it was before they cut it, also all those roads up and down there, they have cut across, so he has kind of watching them because he thinks it is their responsibility to put those back like they were, that they haven't and there are a couple that are kind of rough and half of the road at Stacer's station was closed to one lane the other day.

He said he believed that Ryan has that contract, so he will watch it and keep in touch with them and tell them they will have to do something.

Commissioner Willner said that Jack should also mention Inglefield to them.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum said that on their Bridge and Guardrail Program they are completing the project on Boonville-New Harmony Road, that they had to put in a rip rap retaining wall and concrete it in, in order to hold the fill up because it is such a narrow road and the shoulders just go straight down, that it was hard to come up with a method of widening that without drastically affecting the ditch but this is about the cheapest method they could think of to take care of the widening on it. He said they should have this one done by the end of the week.

RE: BASELINE & OLD PRINCETON ROAD

Mr. Guillaum said he has a sketch that he talked to Commissioner Willner about, that there is a gentleman that lives near Baseline Road and Old Princeton Road that has had a number of accidents on his property, that several years the gentleman got some information from the Surveyor's office as far as a headwall and this type of thing, for a pipe in his driveway, and it is a bad situation because it is so near the edge of the road, since if anyone gets near the end of the road or gets off the pavement has a good chance of running right into it, and there were a couple of fellows who got injured there pretty badly awhile back, so it looks like they could add a couple of 12 foot sections of pipe onto the opening itself, rather than tearing the whole thing out, and they could come back in there with possibly four loads of fill over the top of the pipe which will give them a gradual building up to this thing, so if anyone does lose control and goes off the road, they won't smack into that headwall, they would hit the fill section and go right over it, that it is in the County right of way.

Commissioner Willner said they got permission from the County Surveyor to do this and since then there has been five or so accidents and the last time two boys were hurt and they are still in critical condition at the hospital, so he said he has to do something on it and he agrees that something must be done, that he is agreeable to buy the tile and do anything to help.

Mr. Guillaum said he didn't think there would need to be any concrete work, that he believes they could come in with four loads of fill to fill in over the pipe and use their backhoe and smooth out the fill and then it would need some seed, but he didn't think it would be too expensive an ordeal.

Commissioner Schaad moved that the work be done by the County with the gentleman furnishing the pipe needed. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner said he would have the man get the pipe and then call him.

RE: BURKHARDT ROAD

Mr. Guillaum said he has been contacting Quentin Stahl on Burkhardt Road, that what they would like to do is to get it smoothed down, at least on the County side, that it is really getting out of hand, but the first thing they will have to do is to get rid of those posts up and down there, that there are probably several hundred of them, that he was eventually going to have to do that anyway, but he thought that possibly he could take the County machine out there and in the matter of a day or so they could pull them out themselves and then have Mr. Stahl come in with his grader and whatever fill it would take to fill it in and then at least smooth it out on the county side in the right of way.

Commissioner Willner wondered if they were going to put up guardrail.

Mr. Guillaum said they had thought about this but they didn't know, at this stage of



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the game, with the suit and all that the County is in, whether they should do too much or not, that he just wanted to try to save that bank because if they don't, it will continuously erode and it will be gone, but they could go with guardrail if the Commissioners want them to, however the posts aren't any protection anyhow.

Commissioner Ossenberg said he knows they aren't but he would go along with Commissioner Willner on the guardrail, but something has to be done on the county's side.

Commissioner Willner said he thought they should go ahead and clean that bank up and seed it and put up guardrail, because he is afraid someone is going to get killed there,

Mr. Guillaum said he will try to get the machine out there in the middle of the week and get the posts out, so they will proceed with it, also that Mr. Stahl is going to subcontract the work to someone else who is available right now.

Commissioner Willner said he wondered if they could get the Traffic Department to also paint a white line along the edge of that road.

Commissioner Ossenberg said they could, that he would contact the Traffic Department and get him to go ahead with it.

RE: ST. JOSEPH AVENUE

Mr. Stephen asked Mr. John if the state has approved the money in the amount of \$115,000 to buy right of way on St. Joseph Avenue yet.

Mr. John said that it should have been approved, that he will check on it.

Mr. Stephen said he can then have Don Cox proceed to purchase the right of way and he can then also approve his claim for the work done up to now.

Mr. John said he will check on it and if he doesn't have the order he will call up there.

RE: TEMPORARY RIGHT OF WAY ACCEPTED

Mr. Stephen said the County is wanting a section of temporary right of way from the Gas Company's commuting station so he sent them a form, that they re-wrote a section of it and he is now submitting it so the Commissioners can accept it.

Commissioner Schaad moved that the right of way be accepted by the Commissioners and that they sign the form at this time. Commissioner Willner seconded the motion. So ordered.

RE: NOTE OF APPRECIATION

County Attorney Smith said that Bob Reynolds was in a couple of weeks ago and suggested that something be done out on Old Mt. Vernon Road where the school bus turns around since he was afraid the bus would turn over, and he was here earlier today and said he couldn't stay for the meeting but that he would like to convey his appreciation to the Commissioners for having the school bus turn-a-round repaired, that they did a good job.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

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SPECIAL MEETING  
ON  
PROPOSED HIGHWAY 41 OVERPASS

A special meeting was held by the County Commissioners on Monday, November 20th, 1978, at 7:00 p.m. in the Commissioners Hearing Room with President Osseberg presiding.

This meeting was called to discuss the overpass and to involve the City officials, the Area Plan Commission, the Evansville Urban Transportation, the Chamber of Commerce, the Southwestern Indiana and Kentucky Regional Council of Governments and the State Highway Commission as well as the citizens of Evansville.

Commissioner Osseberg said he would like to read a letter from the Indiana State Highway Commission of the Vincennes District who wrote the letter to Keith Lochmueller, the Director of the Evansville Urban Transportation Study on the advice of the County Commissioners in reference to the proposed U.S. 41 overpass at Washington Avenue. The letter reads as follows:

Dear Sir:

Received your notification of a meeting to be held Monday, November 20, 1978, to discuss the proposed U.S. 41 overpass at Washington Avenue. I understand through the news media that many local questions must be resolved prior to an official proposal for any improvements on State Highway right of way. The issues to be discussed at this meeting can best be decided by the local governmental agencies and citizens. I do not feel the State Highway can significantly contribute to this unification meeting and therefore decline to attend. Be assured however that the State Highway Commission will be receptive to any sound proposal for highway improvement, that we will provide any technical data and assistance within our capabilities when officially requested by the appropriate governmental agency.

Sincerely, Nicholas VanNielen  
District Engineer

Commissioner Osseberg said the format of this particular meeting tonight is basically to hear discussions from the audience. He said he thinks the Commissioners are sincere, that they intend to build an overpass. However, he thinks they feel as though the input from the public and the input from the feasibility studies are going to be most important and if they are to build, he says let's build it right, so at this time the chair will recognize anyone who cares to speak in favor of or against the U.S. 41 proposal.

Mr. Jim Price of 1419 Green Meadow Road, a City Council member, spoke in favor of the proposal by stating that he appreciates the opportunity to read a brief statement and then he would like to be excused in order to attend a City Council meeting. He said that Highway 41 and Washington Avenue intersection may well be the worst in the City and as a resident of the east side, he crossed this dangerous intersection twice a day and as a councilman who represents some 25,000 citizens east of Highway 41 he has been very concerned about these problems and has worked toward a solution for many months, that he too visited the State Highway Commission in Indianapolis several months ago encouraging them to move forward making significant improvements on this stretch of highway, both local and state governments must work together toward improved traffic flow in reducing the number of accidents, but as we seek solutions we must be concerned that these do not create serious traffic problems for other areas, both government and private sectors must work together if we are to be successful. We need practical alternatives that can be implemented on Highway 41 before more lives are lost and he suggests the creation of a special task force of planners, engineers and others, with the practical working knowledge. This task force can provide the leadership and the expertise needed to quickly resolve the very serious problems and hopefully, this study could be achieved within 60 days. He thanked the Commissioners for the opportunity to make this statement.

Mr. Joe Reichert of 200 S. St. James Blvd. appeared and spoke in opposition of the proposal by stating that he is opposed to any drastic changes on Highway 41, that they are in the process of electronic lighting of this highway and to correct some of the problems now causing these wrecks on this highway and let's not go overboard proposing changes that would cause more than \$10,000,000.00 to build. If property owners of Vanderburgh County are the people that have to pay for a change that could correct this, if it could be corrected, 1. Have your signal lights to make a change instead of going into a remodeling job so there will be a longer red, a longer green and then a longer period between amber and red, that the result would be that the trucks wouldn't

be jack-knifing and consequently would save a lot of the wrecks.

He said by slowing traffic to 35 miles per hour on that highway from Pigeon Creek to Southeast Blvd. would take care of a lot of the problems.

He said lets not forget about the white elephant we have out on the west side, the Ray Becker Parkway, that it has gone on for three years, one that was supposed to have been a minimum amount of money has tripled about four times and he supposed we have about \$3,000,000.00 out there and he doesn't know how many more years they will have that route shut off where the people were traveling.

He said lets not forget that if we make this change, where are we going to put these 30,000 cars running on highway 41 now a day when we go to tearing that road out and route them.

He said our streets are getting less able to carry the load than they ever have been, that they are getting more worn out and our trucks are getting bigger, that all you have to do is get out under a bridge on 41 and watch these 18 wheelers come down with their loads and see what it does to the sewers, that they can't take that and the ground quivers under their load and the result is if they go to tearing out that highway and make the overpass, that a lot of people have been killed on the side streets and when the school board confiscated that property on Harlan Avenue, so you are going to have to put the traffic someplace else, so where are you going to put it, if we get into a problem that we have had the last three years to do, the result will be that people will have to go somewhere and will have to get there some way and how are you going to police that, you forget that we are spending maybe around \$1,000,000.00 on this electronic deal, that everybody says that is going to be the answer and now, all at once,, we have another, we can't have two answers, that there will be only one answer that will be feasible to use, so let's don't forget we are talking about highway 41, lets think about Division Street from First Avenue out, once you get to Boeke Road it is only two lanes from there on out and if you go to counting all the deaths that has been out on Division Street from First Avenue out, there are twice as many that has happened there than has been on 41 but there is no cry about that, maybe there are a different kind of people that are killed out there, that he has had some friends killed out there, take Burkhardt Road out there, he don't hear anything about people that are killed out there, you don't hear about how many people are killed on Division Street of how the traffic flows out there, when you speak about 35 miles per hour on Division Street, you can't drive 35 mph, when you take Boeke Road on out to Green River Road in the evenings you can't go over 10 mph, so lets cut the traffic down on highway 41 from Pigeon Creek on out to Southeast Blvd. and let those people slow down and consequently there won't be the danger.

He also said if they sell the bonds they are still going to be taxed one way or another to retire those bonds, so consequently lets don't load the people up with a lot of taxes, that you pick up a paper and read that the taxes are going up, your property is going to be re-assessed and we've got to remember that people in his area almost lived in a different century and consequently they didn't have that income, that if they have a home they want to try to maintain it and with this re-assessment they don't need anymore assessments on the property and they don't need anymore taxation on it because of the fact that people are barely surviving now that are 80 years old or over.

Mr. Jack Roll said he is one of the people who is completely dedicated to seeing this project through, as long as about four years ago when he ran for Mayor he had this proposal as one of his platform planks at that time, but there weren't many people who were interested in it, that they said it was impossible, but he is glad to see the community and all the organizations as interested as they are, that if they can get even one street elevated it would help, when he sees what they did to highway 41 by cutting through the City, completely in half, and he doesn't know how many streets were closed and now there is even talk of dead-ending Riverside Drive and he is dedicating himself to stop this any way possible, that if we can get one street elevated so we won't have all that traffic tied up for miles back, it would be a great step forward for the City of Evansville and he is looking into the future, not just for his generation but for Evansville's future, and they aren't going to stop at one street, they want the whole thing elevated, that they want to take the thing away from Evansville that has cut our City in half.

Mr. Jim Nolen who lives at 3900 W. Maryland Street said he is in heavy industry so his mind runs along this line and what we need now is to know how we are going to pay for what we are going to get, that we have let our town run into each county, that our city is two miles wide and twenty miles long so we are going to have to have some roads that will take the traffic because any way you go you are just on two or three streets and his suggestion would be to get some good streets North, that at one time Wabash Avenue was intended to go to the County line but it just goes to West Maryland Street and it is intended to take care of the growth of heavy industry, but the way it is it doesn't serve any purpose at all, that it is growing up out there and the roads have to go that way to take care of it, so there is no way to help the traffic and no way for them to pay for good roads and pay for three counties, Warrick, Posey and Vanderburgh, as they are doing, that First Avenue does a masterful job but 57

should go straight East and West and they would have three good roads anyhow, that they would have Highway 41, First Avenue, and they would have Wabash Avenue going North but they can't get out of the west side any way and they couldn't widen St. Joe and it is already overloaded and there are only two streets running west so to expand our tax program and build roads we have to go north, that we have now stuck our necks out and built a water line to Interstate 64 for heavy industry and if that goes out there you are going to have more traffic, so how are you going to take care of it and you are going to be loading highway 41 all the time, so you have to go North.

Mr. Charles Kimmel who lives at 1138 Washington Avenue, said he lives three houses from the corner of Highway 41 and it's a picnic and he is for the proposal, that he has a daughter who crosses the highway every day to go to Bosse High School and he sees these young adults and it's a miracle, that someone up there is watching them, that he doesn't even go outside anymore when he hears a horrible noise, that it becomes so commonplace.

He said that they shouldn't have built the highway across the City as they did in the first place but something should be done, that every time you cross that highway you take your life in your hands and he knows that his house is in the danger of being taken if it goes through, that he agrees with the people about the taxes 100% and it is so high now but how do you put a value on people's lives, that he has come so close to being killed there, also his wife and children, and he thinks it's a thing that should be taken care of some way or some how.

Mr. Carl Riecken who lives at 2154 Adams Avenue and operates the shoe store at the corner of Washington and Lodge. He said he would like to commend and praise the Commissioners for the action they have taken to date, that it takes a lot of courage to vote to spend that kind of money but this is a very pressing public problem that needs a fast solution and if they wait for the State Highway Department they will be another 12 to 14 years, that anyone can stand at the corner of that intersection and see that it is well lighted and it is a nice wide street, that the signals are clearly visible for 200 yards in all four directions, that there is only one solution to this problem and that is to make it a non-intersecting intersection and he says the public should give the Commissioners the go ahead to do it as fast as they can, and as far as the Chamber of Commerce's comments on it have been, that he is a dues paying member of the Chamber and has been for fifteen years and he thinks they should continue to do what they do best and that is to hold their annual picnic for the members of the business members.

Commissioner Ossenberrg said he might give everyone a little clarification on the taxation of the Cumulative Bridge Fund, that actually the Cumulative Bridge Fund under the 15¢ fund which the state permits they go up to 30¢, but we in Vanderburgh County have held that rate at 15¢ for some time, that the idea of financing such an undertaking as this could possibly be one of two ways to pay on how much it is by taking the Cumulative Bridge Fund in tow and paying it out of that which currently has a surplus of about \$2,200,000.00 and the projected \$3,000,000.00 by 1979 or 1980, that the other way is to drop the Cumulative Bridge Fund by 5¢ and put it into what they call a sinking fund and let the sinking fund pay off a bond issue, that personally, as one Commissioner, this is his personal way of going into financing it. He said he feels that if the City of Evansville or Vanderburgh County which the County Commissioners are responsible for all the bridges within the City or the County would happen to have a situation like they had out on North Kentucky Avenue a few years ago, when a semi went over a hundred year old bridge and it dropped about 2½ inches they went in there and by the time they condemned the bridge and spent money to buy right of way, etc., it cost them better than \$500,000.00 and if you would be hit by one or two of these in this County, stripping that bridge fund wouldn't be a pleasure, that you would have to go somewhere in case of an emergency and it takes time, that he thought he would give everyone some idea of what the Cumulative Bridge tax would do, that this is the way the proposal comes about taxing.

Mr. Jim Dittoe, the Executive Vice President to the Metropolitan Chamber of Commerce said their picnic wasn't quite as good as they wanted it to be this year but they will do better next year.

He said he hopes they are doing a few other things in the community that are worthwhile, also the total community including their neighbors and the other counties and across the state as well, that he is here representing 850 business men and it is his role as Executive Vice President to introduce one of the persons who is connected with their Highway's and Street's Committee who will try to clarify at least the Chamber of Commerce's position a little bit more to the public and to the County Commissioners. He then introduced Mr. Chick Shively who will represent their Highway's and Street's Committee until the time there their Board can take official action on this statement.

Mr. Shively said that the position of the Chamber of Commerce is that they have established an Evansville Urban Transit Committee some years ago and this is a professional



group who has a staff who studies safety and traffic problems thoroughly, that many groups and many individuals and some of the news media has certain view points on traffic problems in our community and he is sure we all have, and he guessed if we took a vote here this evening and fifty people were here, there would be fifty solutions as to how to solve the problem on what they are discussing here this evening. He said they take the position that with this professional staff who keep the instruments and the knowledge to make a thorough study of these traffic problems, that we would look at them, we should feed our information and ideas to them and then let them make a recommendation on how problems should be solved, that he represents the Highway and Traffic Streets Committee of the Chamber of Commerce and he would like to read what he believes is their position and they hope everyone shares this same position with them, that it should be given a thorough study, that everyone who has an idea should submit their ideas to the Evansville Urban Transit Committee and let them make all the recommendations and then a final one on how not only this problem, but other problems pertaining to our safety and traffic problems in our community should be solved so we have a central place where we can feed into our information and our ideas and let them make a final recommendation.

He said that their Street Committee of the Chamber of Commerce recommends that all problems concerning our highways, streets and roads continue to be submitted to the Evansville Urban Transit Study.

Mr. Shively submitted the following statement prepared by the Streets Committee on the issue of safety on U.S. 41:

Ladies and gentlemen, we are pleased to see the County Commissioners' meeting on making U.S. 41 a safer highway. We at the Metropolitan Evansville Chamber of Commerce have a similar concern.

We also are pleased to see the commissioners refer the issue to the Evansville Urban Transportation Study--professional planners who can help examine the problems and evaluate proper solutions along the whole of U.S. 41.

Our Streets Committee recommends that all problems concerning our highways, streets, and roads continue to be submitted to the Evansville Urban Transportation Study.

Since if safety is our issue along U.S. 41, this community's resources should be focused on making that highway a safer place for residents of the community and our neighbors to travel. The Streets Committee of the Evansville Chamber of Commerce offers to work with the County Commissioners, the Evansville Urban Transportation Study, and any others concerned in the short and long range solutions to safety along U.S. 41.

Mr. Shively said they take this position on this particular subject matter here tonight, that they take the position regarding all safety highway and street matters and they say refer them to the people who have the knowledge, who have the time to make a thorough study of these problems, and that is the Evansville Urban Transit Study Commission. He submitted a copy of their statement to the Commissioners at this time.

Mr. Bill Miller said he thinks the question here is priority and he would like to hear from Mr. Keith Lochmueller of the Evansville Urban Transportation Commission.

Mr. Lochmueller said he wasn't planning on saying anything here tonight but since he is called up here he will, that some two or three weeks ago the Commissioners had asked for them to get into a feasible study, that he would like to give them the outline, that they have in fact, hopefully within six weeks, will have taken a look at the whole U.S. 41 corridor again, that they looked at it some time ago and had recommended some immediate type improvements, that since then they have been into the new accident studies, that they are increasing, not just at one intersection but at many of the intersections, so highway 41 is a problem as we all know and they would like to look at it as far as taking the one proposal of the overpass. He said he thinks it is a good suggestion in a sketch but they want to look at it to see whether they can put in left turns, if they can't put in left turns, where is the impact going to be.

He said he knows we do not have capacity on the left turn lanes now on U.S. 41 at Covert Avenue and at Lincoln Avenue which means they would probably have to lengthen that and if they open the by-pass on Washington Avenue are they going to have to do anything to it if they increase the traffic, so what they are going to do, as the Commissioners ordered before, is to get in and immediately study the impact of the existing corridor, if the problems are getting worse, and propose a series of alternatives and then after one or several are chosen then implement it, meaning priorities will be high on the list but let's solve the problem, get the best solution for the best cost benefit.

Mr. Miller asked Mr. Lochmueller if one or two left turns there, running eastward, would satisfy the projected traffic.

Mr. Lochmueller said from what he has seen with the two year old data, it is the southbound traffic, not the northbound, that 20% of the southbound traffic is turning left on Washington Avenue, 19% at Covert Avenue, 21% at Lincoln Avenue, and we have a back-up in the short left turn lanes, as they have recommended some time ago in this study, that the left turn lanes be lengthened, that they already know at Morgan Avenue they have a left turn lane that is 75 feet long and what happens is they get two semi's in that left turn lane and fifteen of the cars behind it and they are over in a through lane and they are blocking the lane to capacity and if they look at the accident diagrams they have rear-end accidents, that they would like to go in and do the immediate traffic engineering study, also they have the capability to get the impact within about computer hours to go to Indianapolis and run it on a computer to see if you open one street without a signal light, how many cars will probably direct over to that intersection and how much an impact are they going to have on other intersections, so what they have to do is not just look at one intersection, that they have to look at all the intersections to see if they are going to improve one, how is the impact going to be on others because what they can do is improve one and create ten other problems. He said he feels they are equipped to do this and he thinks they can do it within the six weeks and he feels that if they go through those steps the state really has no other alternate if this is the problem and this is the solution, but to accept it, but then the funding is another story. He said they have put over \$700,000.00 of local and federal tax money in the process, that it isn't perfect but they are able to simulate something before they build it, that they don't want to build it and then find the problem.

One gentleman asked Mr. Lochmueller if in his opinion, that putting in an overpass there would considerably increase traffic at that location.

Mr. Lochmueller said it could increase traffic and it could of course decrease conflict too.

Another gentleman asked if this would keep the semi's from busting through the lights and crashing into people there.

Mr. Lochmueller said he has a couple of comments in that area, that they are doing an analysis all over the City and he is seeing the motorists disregard the signal lights and he is concerned about it, that he doesn't think they can put an overpass at every intersection so he thinks that some of it is enforcement, proper signal timing and a series of in purpose.

He said the worst intersection in Evansville is on Morgan Avenue and the problem there is no left turn lanes and some of this same problem is on Highway 41, that they are going to put up pedestrian signals for the safety of students crossing the highway, that wherever you don't have overpasses you will see pedestrian signals, that they should have been up some time ago.

He said he had a problem at Highway 41 and Morgan Avenue, that the signal light was out and they had a four-way stop sign up, three semi's, one behind the other went through the stop sign.

Mr. Miller said he thinks that Washington Avenue and Highway 41 carries more traffic than any other with the exception of Morgan Avenue which is two miles away.

Mr. Lochmueller said that the volume of traffic at U.S. 41 and Division Street and the traffic at U.S. 41 and Washington Avenue are very close and then Morgan Avenue which also has heavy traffic.

He said a lot of cars use Walnut Street because they can't get down Division Street and what this has reference to is when they looked at the long range they know some relief will be on Washington Avenue when Covert Avenue is improved, as was approved by the County Commissioners in the annual element and in the traffic forecast, Covert Avenue had about the same volume as Washington Avenue has, maybe a little more, that the cost of this will be a considerable amount but it is also going to relieve a considerable amount of traffic problems.

He said that all he is trying to say is that they have to look at the total system and they are trying to blend in whatever they do with U.S. 41 to try to make that solution to also be a long-term solution, not necessarily to create a problem in another area and he isn't saying that the overpass will be doing this by any means.

Mr. Miller asked if this isn't always the problem though, to create other problems.

Mr. Lochmueller said they should try to minimize this though.

One gentleman said he thought there to be eleven stop signs going through U.S. 41 right now and lets assume Division Street, going over, that they have three more overpasses, would those four completely take care and move that traffic much faster and safer across U.S. 41.



Mr. Lochmueller said he doesn't know what one means when they adopt a transportation plan, he assumes they are going to build; he hopes that this is what the whole process is about, the City, the County, the Evansville Urban Transportation Study Policy Committee all have approved a transportation plan which included I-164, so when we talk about needing long range projects that ties into the total system, I-164 comes in, all the way to Southlane and that was carrying over 30,000 cars in segments, 20,000 in other segments, in fact, if that was built with Division Street being six lanes, the traffic in future years, present volume on U.S. 41, in fact, would be reduced and at cross streets it would have affect upon the volume.

He said if they go in and just put in an overpass or two overpasses now, forget about these other proposes in the plan, that they want to know what affect this will have upon the system.

Mr. Nolen asked what they are going to do with this situation on the lighting that is suppose to become effective, he believes this year, but he hasn't heard anything on it, that they said this would be the answer.

Mr. Lochmueller said after he leaves this meeting tonight he is driving to Indianapolis and they are to have a meeting tomorrow morning on the computerized signal system that Mr. Nolen has reference to, that he thinks this contract will be let in December, that this will have a great improvement on the traffic flow but it won't answer the problem at the intersections but it will be very effective, that you have to take the computerized signal system and tie it with other capital improvements of which he thinks the County Commissioners, the City and the counties who are in this E.U.T.S. area are working for a very balanced transportation system.

Mr. Nolen then asked if it will help the heavy truck traffic, to get them off U.S. 41 some way and let them come on down through the County where there stations are.

Mr. Lochmueller said to build I-164 will do this, that this is the only way they are going to get them off of 41.

Mr. Miller asked what the projection is on I-164.

Mr. Lochmueller said there is a sequence involved here, that from a local view point they first get the fourteen miles committed and after that, then they put the pressure on to get the additional mileage, whatever it be.

Mr. Nolen said there is truck traffic going by Mead Johnson and down to Southlane and the factories in Mt. Vernon and if they come through the west side, they go through St. Joe Avenue and he thought if they could get them north of the City they could go west.

Mr. Lochmueller said he didn't know where they would go.

Mr. Nolen said this is why he mentioned Wabash Avenue, that they could go as far north as 57 and then come through there.

Mr. Lochmueller said that in long range planning they have solutions, that it is a spur around the system but there again he thinks there are more important projects as far as the spur around the City.

Commissioner Schaad said he didn't know if Mr. Nolen is aware of the widening of St. Joe Avenue, that it isn't too many blocks away and he thinks that maybe Wabash Avenue may have been a good idea many years ago but he didn't think it would be feasible today, that St. Joe isn't too far away and we will perhaps be under contract before the year is over to widen St. Joe Avenue from Diamond Avenue, North to Mill Road, with four lanes and perhaps that could be extended on up to I-164 eventually.

Mr. Roll said he would like to have some kind of understanding about the grade level on the Washington Avenue overpass if the grade level has to go down to 3%.

Mr. Lochmueller said he thought the grade level is going to have to be discussed into design and he doesn't think they are at the design state, that he thinks they are going to have to get with the State Highway Commission and he thinks what they will discuss first is what the problem is and how they are going to resolve it, that he doesn't know what they are going to have to do and he doesn't know what a 5% looks like, that the question he has been asking is what the present Division Street overpass is since it is pretty steep, but if that is 3% he wouldn't want any more than 3%, but he doesn't think this to be the case, that he thinks it is 3% on one side and 4% on the other side.

Commissioner Ossenberg said they are building over a state highway and the State Highway Commission will have the final say-so, so if it means a 3% grade it is going to cost us more money but that's the way we will have to build it.

Commissioner Ossenberg asked if there was anyone else who wished to say anything on this subject, and there being none, he asked the other Commissioners if they wanted to voice an opinion on it.

Commissioner Schaad said that as far as he is concerned, he has been listening and he very rarely makes a quick decision on anything, that he wants to get all the facts together, that he knows when Mr. Willner brought this up rather suddenly right before election time, that it was in good faith perhaps and he was running for office too, but it seems that there isn't enough study given to this thing, that he isn't saying he isn't in favor of it but someone is going to have to tell him more than he knows now, before he would be in favor of spending local tax dollars to correct something that the state should have planned long ago, that when they built that thing they should have been looking into the future, in his opinion, before they spent a lot of state and federal monies to build it, that maybe they didn't look far enough into the future and then the local taxpayers are going to have to make it right. He said what effect I-164 spur is going to have on it, he wants to know this too, and before he would bleed a \$2,000,000.00 or \$3,000,000.00 local bridge fund so that we will have no money to do any of the other bridges in the County, that before he would deplete that he would take a long hard look at it because we wouldn't have any money left for emergencies and as far as the bonding is concerned he didn't know if it would pay for a project as large as this and he is sure that it was all done in good faith but it was done very quickly without too much thought he thinks, that he would like to get a lot more facts before he takes any stand on this thing, that he is in favor of doing something and he thinks it has stimulated one thing if nothing else, to do something about it, whatever it is.

Commissioner Willner said the Commissioners had to come up with a tax rate for the Cumulative Bridge Fund and at that time there was some discussion as to the point of raising it 10¢ on \$100.00 evaluation and at that time he was strongly opposed to raising the tax for any structure or any modifications on Highway 41, that at that time he did start looking into it very seriously and he believes now as he did then, that they could spend \$2,000,000.00 out of the bridge fund without raising any extra taxes and without depleting the bridge fund and still have enough left for emergencies, that he still believes this, that he did talk with Commissioner Ossenberg before he made this plan public, that he didn't think it was political but be that as it may, that maybe they stirred up a little interest anyhow.

He said when they talk about the turn lane at Morgan Avenue, what has this really got to do with the overpass, that he has traveled Morgan Avenue and Highway 41 many times and it is bad but they can't extend the storage lane with cumulative bridge funds so they are getting a little out of context, that either they build an overpass somewhere, that he isn't locked in on Washington Avenue, or they don't do anything, that this is their choice, not if they are going to get the computerized signals, or whether they are going to get extra storage lanes, that they can't do those things with the cumulative bridge fund, that he is just saying that they as County Commissioners don't have any money to spend other than the bridge fund so if they want something else done they will have to look to other areas of government to do it and he asked if this is correct and said this is a statement he wants made clear, that the overpass is in the realm of their possibility but the other things they were talking about is not and he didn't know if that study should be brought to the Commissioners when they couldn't do anything about it, so he thinks what should be studied is if it is feasible to build an overpass, will it help the community without going into the other ramifications of Morgan Avenue, etc., but they can't do the other things they are talking about at this local government so he thinks they have to put our priorities first of what is possible for us to do and start from there.

Mr. Miller asked if a feasibility was done on the Ray Becker Parkway by the County Commissioners or did they spend any money on it.

Commissioner Ossenberg said they did on the bridge structure, that it is a grade separation, so it was done through the bridge fund but the feasibility study was done by Urban Transportation.

Mr. Miller asked what the proposed number of people is for it and Mr. Lockmaeller said they proposed the use of it by 18,000 people, that it was part of adopting the long range plan.

Commissioner Willner said he is also sorry that the state chose not to be at this meeting, that he was under the impression that the state was really happy about the idea and originally from everything he read, that they wanted to work with us and expect the local government to do this and they wanted to co-operate. He said he thought this was surely the first step in co-operation with them.

Commissioner Ossenberg said he thought the state's attitude is that the citizens of Evansville and the local governmentat agencies first decide what is what and then they would be more than happy to work with us, that he feels there is no problem on the state level of working with us once we decide.

He said he fully endorses an overpass somewhere on U.S. 41 and he fully endorses that if it be built, that it be built right, that he thinks a feasibility study can be done at the same time as the design work is being done, that he is going to ask Mr. Lochmueller to come up with a study and he asked Mr. Lochmueller if he could get a study done on U.S. 41 and come back to this meeting in six weeks.

Mr. Lochmueller said he thinks he can do it in six weeks and as Commissioner Ossenberg knows, since he is on the policy committee, that the direction he is led by is the policy commission and he must come up with the necessary data, that he has to look at the total picture, not one particular segment or one local unit of government, but he will hopefully have it done in six weeks.

Commissioner Ossenberg said the reason of his concern with this is that he also recommended that an overpass might be put at Walnut Street and he was informed by the State Highway officials that Division Street could become and then Walnut would become a full cloverleaf so that idea was knocked out, that he would like to see a study done in conjunction with design, that he thinks there is a way to go but he doesn't want to see something built like they built out there and then have someone come up and say, you County Commissioners built it and now look what you've got, that he would like to see something built and built properly and he is strongly in favor of it. He then asked Mr. Lochmueller to advise him within six weeks if he can come up with the necessary data and said he is sure that the Chamber of Commerce will co-operate with the input.

Mr. Shively of the Chamber said the Chamber's position is that they will take the recommendations of the Evansville Urban Transit Committee and then what their recommendation is, the Chamber will endorse their position.

Mr. Miller asked who is on the policy committee and Commissioner Ossenberg said the policy committee consists of himself as a representative of the County Commissioners, Bob Davies and Charles Gullede for the City and someone from Warrick County who will replace Virgil Gerhardt, so he doesn't know who they will send down, and there are ex officio members of the State Highway Commission and also a town board member from Newburgh.

Mr. Reichert said there is an underpass on Division Street but the street isn't wide enough so lets get it widened so the people will use it.

Commissioner Ossenberg said that is presently being done by the state and federal people with a public hearing.

Mr. Reichert said they were having meetings back in 1962 and they were going to do it but they haven't done it yet.

Commissioner Ossenberg said he realizes this and he may see another eight to ten years before they are done.

This meeting recessed at 8:15 p.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

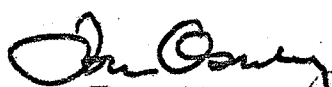
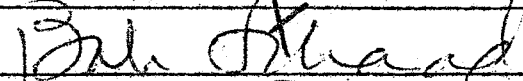
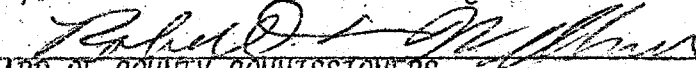
Alice McBride-Deputy

COUNTY ATTORNEYS

Ed Smith Jr.  
Paul Wendel

Also in attendance were representatives of the Surveyor's office, the Urban Transportat Study, Council of Governments, the Chamber of Commerce and the news media, as well as other concerned citizens.

Secretary: Margie Meeks

  
  
  
BOARD OF COUNTY COMMISSIONERS

631

COUNTY COMMISSIONERS MEETING  
NOVEMBER 20, 1978

The meeting of the County Commissioners was held on Monday, November 20, 1978, at 9:30 a.m. in the Commissioners Hearing Room with President Ossenberg presiding.

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

RE: LETTER ON PETITION FROM JERRY WHIPPLE

The following letter was received by the Commissioners from Mr. Jerry Whipple in reference to the Rezoning Petition he had filed:

Dear Gentlemen:

I would like to have an extension of thirty days on the petition VC-12-78 for land located at 11709 Walnut Road in Evansville, Indiana. I will notify the residents of the area that this matter has been postponed. Thank you for your consideration of this matter.

Sincerely, Jerry Whipple

Mr. Osterholt said that this petition will have to be acted upon by the Commissioners in December, that it was denied by the Area Plan Commission on October 4th. and it has to be heard by the Commissioners by January 4th, before the 90 days are up.

Commissioner Schaad moved that the Commissioners approve the extension of petition VC-12-78. Commissioner Willner seconded the motion. So ordered.

RE: HEARING SET ON PROPOSED HWY. 41 OVERPASS

Commissioner Ossenberg reminded everyone that there will be a hearing tonight on the Hwy. 41 overpass, that it will be held at 7:00 p.m. here in the Commissioners Hearing Room.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY TREASURER

Sharon Hoehn		Cashier	\$265.65 Pay	E66: 11/20/78
Alma Magdeline	502 E. Gum St.	Part Time	\$20.00 Day	E66: 11/6/78

GERMAN TOWNSHIP ASSESSOR

Margaret Elfrich	New Harmony Rd.	Deputy	\$20.00 Day	E66: 11/9/78
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HIGHWAY DEPARTMENT

Harry W. Woods	7217 Redwood Ave.	Equipment Opr.	\$5.26 Hr.	E66: 10/31/78
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VOTERS REGISTRATION OFFICE

Marie Lurker	2100 Schutte Rd.	Clerk	\$20.00 Day	E66: 11/15/78
Edna Henry	3908 Clement	Clerk	\$20.00 Day	E66: 11/15/78
Cathleen Gorman	413 Lodge Ave.	Clerk	\$20.00 Day	E66: 11/15/78
Virginia Robinson	909 Meyer Ave.	Clerk	\$20.00 Day	E66: 11/16/78

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY TREASURER

Sally Hicks		Cashier	\$265.65 Pay	E66: 11/13/78
Sharon Hoehn		Cashier	\$253.73 Pay	E66: 11/20/78

HIGHWAY DEPARTMENT

Harry W. Woods	7217 Redwood Ave.	Truck Driver	\$4.87 Hr.	E66: 10/31/78
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VANDERBURGH COUNTY PROSECUTOR

Joseph M. Woods	R.R. 6 Baseline Rd.	Intern	\$84.80 Pay	E66: 11/4/78
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RE: MONTHLY REPORTS

Mr. Judd submitted the Report of the Bureau of Traffic Engineering for the month of October, 1978.  
Report received and filed.

The Case Report on the Legal Aid Society of Evansville, Inc., Joint Department of Legal Services was submitted for the month of October, 1978.  
Report received and filed.

RE: SURETY BOND SUBMITTED

Mr. Mark Owen, Associate Director of the Drug and Alcohol Deferral Service had submitted a Surety Bond on a Roberta Jo Ann Cantyne who is the Legal Secretary for the Drug and Alcohol Deferral Services, in the sum of \$5,000.00.

Commissioner Willner moved that this bond be approved and that it be recorded.  
Commissioner Schaad seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by Jackson Co. Ins. Agency, Ind. of Browns-town, Indiana on insured, Indiana State Teachers of Indianapolis for use of the Auditorium to hold their Scholarship Benefit Program Ebony Fashion Fair on November 26, 1978.

A Certificate of Insurance was submitted by Torian Insurance Agency on insured, Tennis Hatfield for the use of the Auditorium to hold the Arts & Crafts Show from November 25th through the 27th. 1978.

Certificates received and filed.

RE: MEMO TO ALL ELECTED AND APPOINTED OFFICIALS

The following letter was submitted by Mr. Ruston, the General Manager of the Vanderburg County Building Authority, on the Holiday Season in the Civic Center:

As we approach the Holiday Season, your attention is called to the following:

Decorations

The Evansville Fire Department has again emphasized that all Christmas trees and decorations must be artificial or flame proofed, if live.  
The use of candles, straw, hay, and other flammable materials is prohibited.  
Turn off all electrical displays at closing time.  
Use masking tape in lieu of scotch or pressure sensitive tape for hanging various decorations, signs, etc.  
Do not place decorations, etc. on the outside of hallway glass doors.

Liquor

We request that no alcoholic beverages be served in the Civic Center during the Holiday Season

We solicit your cooperation.

Signed C. G. Ruston, General Manager

Letter received and filed.

RE: LETTER FROM NEWLY ELECTED PERRY TOWNSHIP ASSESSOR

The following letter was received by the Commissioners from Mr. Lutz:

Dear Sirs:

As the newly elected Perry Township Assessor, I respectfully request first option in using Room 219 in the City-County Building as an office.

This office was originally assigned to the Perry Township Assessor, but my predecessor, Mr. Ben Bockstege, refused an order to retain the office in his home.

I had hoped to relocate the Assessor's office within Perry Township but have found it would cost the taxpayer approximately \$14.00 per square foot plus all utilities, cleaning and security. Whereas, in the Civic Center office rental is about \$10.23 per square foot which does include utilities, cleaning, security and



office furniture. A move into the City-County Building would be a tremendous savings for the Perry Township taxpayer.

Therefore, I again ask first option on Room 219. Your cooperation in this matter will be greatly appreciated.

Sincerely, Larry E. Lutz  
Perry Township Assessor-Elect

RE: LETTER FROM THE BUILDING AUTHORITY

A follow-up on the previous letter was received by Commissioner Ossenberg from Mr. Ruston of the Building Authority, and reads as follows:

Dear Mr. Ossenberg:

The attached correspondence is self-explanatory.

We understand that room 219 may be vacated by Tom Aiken, Executive Director of Manpower Planning, in the near future.

If this be true, then it would be for your decision as to whether or not Perry Township Assessor would be permitted to occupy this space as requested.

In any event, and in accordance with the Lease, your office and the Mayor would have to jointly approve any re-allocation of space, as in the past.

Sincerely, C.G. Ruston, General Manager

Commissioner Ossenberg said he thinks that it is true, that Mr. Aiken is to leave this building, and while there is a state law governing a township, that officials are to stay in their own particular townships, he thinks the past Commissioners and the design of this building was designed to bring those particular people in here, and while the various township offices are in this building, he sees no reason that the Commissioners shouldn't grant Mr. Lutz his request. He said if this request is denied, they will have to have the others move out too, and since he does know that Mr. Aiken will be moving out of room 219, he sees no reason why Mr. Lutz shouldn't move in there.

Commissioner Schaad said that space is a problem in the Civic Center, that it has been for some time and everybody has to comply with the law, that they need to open up some spaces, but until that time, he doesn't see how they can deny the request.

Commissioner Schaad moved that Mr. Lutz should be permitted to occupy room 219 in the Civic Center. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....THIRD READING.....VC-17-78

Petitioners.....O.W. Kattman, Jr. & W.C. Bussing Jr. of 225 S.E. Seventh Street, City. Owners of Record.....Mary Louise Kolb, Betty Ann Kolb, B. Michael McCormick, Trustee; Kenneth A. Kolb and Sylvia Sue Kolb, Trustees.

Premises affected are situated on the North side of Pollack Avenue west of and immediately adjoining Chickasaw Park Subdivision and Northeast of the intersection of Pollack Avenue and the Lynn-Becker Road, and the real estate comprising the premises is more commonly known as approximately 6700-6800 Pollack Avenue.

The requested change is from R-1 to R-3, the present existing land use is agricultural and the proposed land use is for Apartments and Townhouses.

Mr. Kent appeared for the petitioners and explained that his clients have taken an option to purchase a large area which is 103 plus acres, which is bordered on the South by Pollack Avenue, which is the South line of the present petition, that the East line is the West line of Chickasaw Park, that the North line will be the extension of Covert Avenue when it is finished, and the West line is 1756 feet West of the East line thereof, that this is the Kolb property and there is the Kolb house in the Southwest corner which is the cut out as far as this particular purchase is concerned. He said they arrived at a plan that they hope to be acceptable to everyone, and the petition to rezone is on the Southeast corner of the whole thing, that the rest will continue to be residential with one-family unit residential. He said that the Subdivision has been filed for all the area and it has received preliminary plat approval, that the other area which is marked, "not part of this plat, future development", is the area they are discussing today, also that there is no access from the area sought to be rezoned into the residential area, that the only access on the area sought to be rezoned is on Pollack Avenue, but the R-1 Subdivision will have access on both, Pollack Avenue and on Covert Avenue, when it



will be built and when Covert Avenue will be extended.

He said there will be sewer available to the area and there are two ponding areas to take care of any and all of the surface drainage involved, that the matter was before the Plan Commission and received unanimous approval subject to whatever the Urban Transportation Authority might say, that they have issued a study whereby they have requested a deceleration and an acceleration lane on Covert Avenue because they were afraid that the increased traffic flow would cause a problem without such a lane, that they have agreed to do whatever the Urban Transportation wants done. There were no remonstrators present.

Commissioner Schaad moved that petition VC-17-78 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....FIRST READING.....VC-18-78

Petitioner and Owner of Record...Frontier-Kemper Constructors of 1695 Allen Road

Premises affected are situated on the north side of Allen Road, more commonly known as 1695 Allen Road.

The requested change is from RR-3A, Agriculture, to M-2. The present existing land use is for equipment storage and the proposed land use is the same. There were no remonstrators present.

Mr. Steve LaPlante appeared for the petitioners and said he would ask that this petition be moved on to the Area Plan Commission so they can have a full hearing on the matter but they aren't prepared to present it for final hearing at this time.

Commissioner Schaad moved that petition VC-18-78 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Evansville Crushed Stone Company for Stone #53 and Rip Rap for Nurrenbern Road, Marx Road and Adler Road, Bridges #65 & #3, in the amount of \$764.75 which was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by P & H Construction Co., Inc. for equipment rental and labor to remove bridge and install aluminum pipe on Nurrenbern Road, in the amount of \$3,930.00 which was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Allen E. Boger for the Cooperative Extension Service for lodging at the annual training meeting for Extension Agents at Purdue University, which has been approved by Jack Wade and is in the amount of \$69.96.

Commissioner Ossenbergh said this comes out of Account 123-213 and asked if they have a travel account.

Ms. McBride checked and said they do have one, and she thought they wanted to be sure the Commissioners see these claims before they pay them.

Another Claim was submitted by Allen E. Boger also, for Turf and Ornamental Pesticide Re-certification Seminar on October 23 thru 27th, 1978 for registration and lodging in the amount of \$137.45 which was also approved by Jack Wade.

Commissioner Schaad said it is a policy that the Commissioners don't have to approve the claims if the money is in their budget but maybe Mr. Wade wasn't aware of that.

Commissioner Ossenbergh said that he would notify Mr. Wade so he will know not to submit these claims in the future.

Commissioner Schaad moved that these claims be approved. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by Charles Given, the County Recreation Leader of Perry Heights School for eleven sessions at \$17.50 per session which amounts to \$192.50.

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

A Claim was submitted by Gayla Givens, the County Recreation Assistant Leader at Perry Heights School for eleven sessions at \$12.50 per session which amounts to \$137.50.

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

A Claim was submitted by Gary Stone, County Recreation Assistant Leader of Perry Heights School for five sessions at \$12.50 per session which amounts to \$62.50.

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

A Claim was submitted by Ray Trapp, County Recreation Assistant Leader of Perry Heights School for six sessions at \$12.50 per session which amounts to \$75.00.

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

A Claim was submitted by Swanson Nunn Electric Company for Refund on permit 2042 which is a duplicate of permit # 1917 for Flair Molded Plastics, in the amount of \$21.50 which was approved by Mr. Crooks.

Commissioner Schaad moved that the refund be approved and that they be reimbursed. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by Lindy Construction Company for 5% deposit on bid for Hillcrest Home which is to be returned after bid was approved, and it was approved on 10/30/78. This claim was approved by Mr. Hotz.

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

#### RE: COMMENTS ON REZONING PETITION

Commissioner Willner said he would like for the County Attorney's to research the possibility of the County Commissioners initiating the rezoning for the land that is said will be used for the landfill. He said he understands that it is possible, that if the Commissioners feel that the use of the property has been falsified that it is possible to rezone this land without the consent of the owner and he asked the County Attorney's if this is possible.

County Attorney Wendel said he would have to research it.

Commissioner Willner asked the County Attorney if he would then research it, that he understands it has been done in the past.

Mr. Osterholt said the people that have submitted a petition to rezone property with the County Commissioners, the Area Plan can initiate it, that it is possible and the question that comes up is if you are taking the right's you have given them under the rezoning that this is a legal matter for the attorney's. He said it isn't a new law or anything and he asked Commissioner Willner if he is thinking about over-turning the present zoning that was given on this petition.

Commissioner Willner said this is correct and he asked what becomes of the financial end of it then if there is a loss financially to the property owners.

County Attorney Smith said he has done a little research, and under the Area Plan Commission or joint authority according to the statute, be it the City or the County, the petitioner obtains an amendment to the Building Code on use classification, then the petitioner who retains that rezoning has the right to use that property for any use that is allowable within that use district but he thinks the question here is whether or not it is being used as an allowable use within the zoned district that the property was rezoned to, that he really doesn't see where this would answer Commissioner Willner's question unless he would have a further question about it.

Commissioner Willner said he understands there can't be a landfill in an M-2 zoning, that what he is saying is that it was presented to the Commissioners as an Industrial Park and this is the part he disagrees with.

Mr. Osterholt said there is no question that under the County ordinance that a lot of rough rezoning ordinances have been speculative in nature, if they aren't tied down to a specific use or specific plot plan they are tied down to specific permitted uses within the zoning district and there is property now that has been rezoned and has set idle for twenty years.

Commissioner Willner said he understands that it is possible to rezone speculative but if they tell them they are going to use it for a purpose and then don't... he asked what this constitutes.

Mr. Osterholt said once it is rezoned they are allowed any use under that particular category and it is up to the Commissioners to determine whether they are going to allow the use to go on or not, that the question involved is, once they give it, can they take it and if they take it, what is it going to cost them.

Commissioner Schaad said this isn't anything new, that the scope of this will only be ramification that brought it to light and it seemed to be more noticeable on so many of them that happened because having sat on the Area Plan Commissioner before and again, it has always been a problem when you suspect someone is wanting to get something rezoned for another purpose, that what they have done here of late is to make the plot plan part of the petition which keeps them from using it for another purpose other than they say they are going to use it for, so it is only rezoned if they build that type of thing, but as long as it is within the category that they have the approval for, there is nothing illegal about it.

Mr. Osterholt said there is also a question at this point and time about that coveting to a particular use but this hasn't been tested as yet in the courts. He said there are other properties within the County where a landfill could be put, that this isn't the only site, however the likelihood of the other property being used for it is governed by the economics of the situation as well as the soil and those other things, whether the State Board of Health would approve it, that the question of a landfill under the ordinance isn't clear where it is permitted, that it is an interpretation from his office and the advice of the attorney's that an M-2 will allow a landfill, that the zoning ordinance doesn't prohibit a landfill.

Commissioner Ossenberg said that he sat on the City Council for nine years and had the problems of rezoning and the misrepresentations, that it is unlike the County Commission over there, it's a district deal and wherever the zoning is going they have to have a sponsor, that he sponsored a petition that was going in his district, that he was told it was to be a catering food service and the next thing he found out was that he was applying for a three-way liquor license, and at that particular time, he conferred with the City Attorney's and he asked them to re-write the zoning codes and make them to be more specific and if they said a C-1 zoning, let it be a C-1A and let A represent a drug store, if it be a C-1B let it represent a grocery store, etc, but the attorney's wouldn't do it, that they said it would be too much work, so he supposed they would always have these problems of zoning until they can get it attached down somehow, that he remembers on particular cases on Diamond Avenue when they came in with speculative type zonings and they drew a pretty picture of what they were going to do and they got the property rezoned, that it was real estate people, and that property went from something like \$200 to \$300 per running foot to about \$2,000 per running foot as soon as they got the zoning, so he supposed they will have problems until they really tie it down with concrete.

RE: MONEY ORDER RECEIVED

County Attorney Smith submitted a money order from James D. Hinton in the amount of \$75.00. He said that some time ago there was damage to one of the County bridges by Mr. Hinton and he worked out a compromise with him and he is to pay \$75.00 per month until the damages have been paid, that he didn't have any insurance, that it was the Delaware Street bridge, so this is the first payment.

Commissioner Schaad moved that the money order be accepted and that it be deposited into the bridge fund from where the money was taken for the repairs. Commissioner Willner seconded the motion. So ordered.

RE: OLD BUSINESS ...COUNTY LINE ROAD

Commissioner Ossenberg said that last week he made some inquiries, that he talked with the Posey County Commissioners regarding County Line Road and apparently, there is no help that they are going to get from Posey County, that they are already \$71,000 in the red in the 1979 budget out of \$100,000 in bituminous, that they are completely out of rock funds for 1979, and all these bills are being deferred by the good graces of the contractors and there is just no help they can offer us at all, so if anything is to be done on County Line Road we are going to have to do it ourselves.

Commissioner Schaad asked Mr. Siebeking if he didn't say that the residents on County Line Road lived on the Vanderburgh County side of the road, and Mr. Siebeking said this is correct.

Commissioner Schaad said we have to do something for them.

Commissioner Willner said he agrees that something must be done for them but he does want it to be legal, so he asked the County Attorney if they could make a motion to repair a road that actually borders the two counties, that he knows the statute provides that they get together and make a deal but if they can't make a deal, can they go ahead and legally do it.

County Attorney Smith said that according to the one statute they could but it is his understanding that there might be an additional act that would be more specific.

Commissioner Willner wondered if they paid us a dollar, if it would be legal.

County Attorney Smith said he thought the statute provides for dividing the cost 50-50.

Commissioner Schaad wondered if we couldn't do the work and then bill Posey County and tell them that when they get the money they can pay us.

Commissioner Ossenbergsaid to enter into a contract, Posey County isn't going to sign it, that they have to have the money before they can sign a contract. He said he was nearly in tears after talking to them, that they have only \$29,000 to last for the balance of 1979 and they are totally out of the rock account. He said he told Mr. Siebeking the story and he asked him to put some figures together to see how much it would cost, since we aren't going to get any help there at all and it is in a terrible shape and we have to do something, since if we have any kind of bad weather those people aren't going to be able to get out of there, that they are having a hard time getting out of there now.

Mr. Siebeking said he went out and walked it and they are talking about a mile of road, that there are certain areas where nothing has to be done, so it went bad in areas, that he was thinking of using MC-30 which is just a regular road oil and mixing it with 53 which does a real good job, but Mr. Stephen suggested that maybe they take the 53 with the calcium chloride and mix it, but regardless of how they go he estimates that it will cost a little more than \$2,000. He said they maintain about five miles of road on the Warrick County line and there isn't a Vanderburgh County resident and it is Warrick County people that use that road and we have to maintain it for them, but the majority of the people that use County Line Road are Vanderburgh County residents, that they pay their road tax, and we can't do anything about it. He said his crew can get this road in pretty good shape, that he is to get the calcium chloride tank in on Wednesday of this week and then after they get it plumbed up the calcium chloride will be here shortly.

Commissioner Schaad said this would be a good place to try it, in using the calcium chloride instead of oil.

Commissioner Schaad moved that the County do this work, using the calcium chloride. Commissioner Willner seconded the motion. So ordered.

#### RE: COMMENT ON VOTING PLACE

Commissioner Ossenbergsaid that the voting place at the Hartke Pool Administration Building was discussed last week, that he went to the Board of Works and found that he was in the wrong place, so he called it to the attention of the Park Department and they assured him that this won't happen again in the future, since there was a complaint that the place was filthy and they couldn't use the restrooms.

#### RE: CUTS ON INGLEFIELD ROAD

Commissioner Ossenbergsaid that on the cuts on Inglefield Road, George Ryan called him and they hopefully were going to get that last week and said his son had been talking to Commissioner Willner.

Commissioner Willner said he had, that he told him they were waiting for the City to give them the tap-ins so they wouldn't have to tear the road up again but they weren't forthcoming.

Commissioner Ossenbergsaid that he and Jack went down to the Water Department and they forewarned Mr. Ledbetter that if these cuts on Stacer Station, etc., that we were going to do them and bill them, that Jack said they probably wouldn't get their money, but if necessary, he thinks the Commissioners can order the County Auditor to withhold any type of funds that we owe the Waterworks Department.

Commissioner Schaad said there is another Water cut on the Boonville-New Harmony Road where they put service in to Camp Reveal and he understands that it is even questionable

as to whether there was even a permit issued on that since they can't find one.

Mr. Siebeking said the County has repaired it twice and they got another call this morning, that he called the Waterworks and was told that they weren't really aware of it being that bad, but they were going to send someone out there this morning to look at it again.

He said he thinks they have a leak in there because it stays wet underneath and the dirt is going somewhere, since they have put rock in there twice.

Mr. Stephen said he suspects that they are doing the work and then asking for the permit rather than the other way around, and he thinks it is high time that they put some pressure some place to straighten them out.

Commissioner Schaad said that maybe the way to do it is to do as Commissioner Ossenberg has suggested, on this one particularly.

Commissioner Ossenberg said he will call them and talk to them, but he thinks that Mr. Siebeking and Mr. Stephen should find out when their meeting and he thinks that they should be present and tell them that they are going to have to have permits and explain the policy as it was explained to Mr. Ledbetter, that if they don't come along and get these repairs, the County is going to do the work, document the time and they are going to bill them for the work.

He said he also intends to call a couple of the Board members, and he thinks that if the Waterworks don't co-operate with the County, the Commissioners will just order the County Auditor to withhold any bonds that the County owes the City Water Department.

#### RE: SHERIDAN ROAD

Commissioner Schaad said that someone complained last week about the telephone poles being placed across Sheridan Road, apparently keeping cars from driving out onto the airport runway, that Sheridan Road deadends into the airport off St. Joe Ave. which is Skylane Drive.

He said the poles were placed there by Skylane Airport because for people to drive out there would be dangerous, so he talked to the manager of the Airport and it is agreeable with her, that if we will put up a guardrail, they will remove the posts.

Commissioner Willner suggested that the CETA crew do this work.

Commissioner Schaad told Mr. Guillaum to tell his crew where the guardrail is to go which is on the County right of way, and then they will take the poles out of there.

#### RE: LULA BELLE DEANE'S PROPERTY.....CONTRACT AWARDED

Mr. Crooks said that Ms. Deane's property was discussed last week and he assured the Commissioners that he would try to get bids, that he has received two, that one is from Jim Wicks for \$672.00 and one from Deig Brothers for \$1,100, to remove the debris and level the ground off at Ms. Deane's property, so since no work has been done out there since last Saturday, he would recommend that they issue a contract to Mr. Wicks to haul that stuff away and clean up the mess out there.

Commissioner Schaad moved that the contract be awarded to Jim Wicks to clean up the mess out there. Commissioner Willner seconded the motion.

Mr. Crooks said he was assured by Elmer Culp that the mess would be cleaned up but nothing has happened during the past week. He said he will contact Elmer again before he gets this to the contractor, that if he can show him where he has started doing anything, he will hold up the contract, but if not, he will proceed with it.

#### RE: COMMENT ON E.A.R.C. BUILDING

Commissioner Schaad said we have been having rain during the past few days and he was wondering about the E.A.R.C. building and he was curious as to what has been done, so he called Tom Jones and asked him, since we have had the rain, about the new leak, that he said this leak is over a plastered ceiling, and the plaster will eventually fall and nothing has been done about it to remedy the situation as far as the roof is concerned. He said he has seen some correspondence back and forth, that he took it upon himself to call Will Fosse this morning who said the Commissioners have letters in their file, but he told him that nothing has been done to his knowledge, that he also put in a call to Mr. Thebe at Lensing's who is the supplier of the materials, but he wasn't able to contact him, but he thinks that enough time has lapsed, so perhaps Mr. Crooks should get together with Mr. Stephen and they contact someone to see that something is done.

He asked Mr. Crooks if he has sent any of the material away to a testing lab.



Mr. Crooks said he contacted them directly and they said they could not run a test to see if it met the federal specifications, by a used sample, also that to really run the test with a legitimate sample, it would cost over \$4,000. He said he has heard from no one at all.

Commissioner Schaad suggested, if it is agreeable with the other two Commissioners, that they have Mr. Crooks and Mr. Stephen to follow up on this matter because they both attended the meeting and it still isn't being taken care of, that there is more leaking over there so he thinks they should take a look at it.

Mr. Crooks said what he would suggest they do since they have had no response, that they do proceed to make temporary repairs and start billing somebody.

Commissioner Schaad said that he talked to Will Fosse this morning and he said to let him check into it to see where it stands, so they should call Mr. Fosse first, since if he has done it and has the report, there is no point in them doing it over.

The Commissioners agreed that this be done, since something has to be done.

RE: COMMENT ON CONDEMNATION OF RAILROAD OVERPASSES

Commissioner Willner wondered if the condemnation of the Southern Railroad has been started, since he has the phone number of a gentleman who is out of Louisville and it is his responsibility to check that track, that he flies it every three months by helicopter, so he thought if they wanted someone to start with, he would give them the number, so he gave it to County Attorney Smith.

RE: MR. HOTZ

Mr. Hotz said that he would like to get a couple of agreements signed so they can proceed to do the work at Hillcrest, that this matter was discussed at a previous meeting and it was to go on Council Call but some way or another it was mislaid and if they wait until the next Council Call it will be too late, that the State Fire Marshal is pushing them on this, that they do have funds in the amount of \$40,000 with \$23,900 encumbered for the renovation at Hillcrest, the roof repairs, siding, etc., that he talked to Ms. McBride and she seemed to think that there is no reason they can't use the funds out of this account.

Commissioner Ossenbergsaid he would like to see this work done, since he did receive a letter from the State Fire Marshal who is pushing this particular job, so if it could be done he would say go ahead and pay it out of this account.

Ms. McBride said she will check to see if this can be done.

Commissioner Schaad moved that the work on Hillcrest be paid for from the 207 account if Ms. McBride finds that it can be done. Commissioner Willner seconded the motion.

Commissioner Ossenbergsaid that the amount on one is \$1,875 and the other is \$1,780, so the total is \$3,655.00.

RE: STORAGE SPACE NEEDED

Mr. Hotz said that the Welfare Department is in need of storage space, that their storage is stacked to the ceiling and it is a dangerous situation. He said he has discussed it with them and they will provide the materials and the shelving if the Commissioners agree to let them have the open space for storage where the old law books were, that it will probably be about a space of 9 x 12.

Commissioner Schaad said that at one time they started looking into microfilming and it was dropped, but at that time they were talking about that microfilming may be a by-product of this computer system and they should see if this can be done.

Commissioner Ossenbergsaid he didn't get to the last meeting because he was in here on another meeting, but they can ask Mr. John, next week, if they discussed the microfilming in the last Public Records meeting, because they were due to get a report.

Commissioner Schaad said if they don't need the space there right now, he will so move that the Welfare Department be permitted to use it. Commissioner Ossenbergsaid seconded the motion. So ordered.

RE: PROBLEM AT COUNTY GARAGE

Mr. Hotz said they have a smoke fume problem at the County Garage from all the work being done on the machinery, that it all goes to the top of the building,



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that a new furnace was put in for the office last year and he now has Midwest Roofing Company working on a plan to change it in the office and put in fresh air, but for the balance of the building, they say that if they put in roof vents, it will take the fumes out but it will also take out the heat, therefore they will have an increased heat bill so he is at a loss so he is seeking advice for solving this problem.

Commissioner Willner said the mechanics that are working on the trucks and tractors have to run them to repair them, that there should be an exhaust, that it is just a hose that runs up on a weight and then through the roof, that it is very inexpensive, that they should slip on, and the machines that are started for the day to run outside, there is nothing they can do with them.

Mr. Hotz said they had thought of that but someone told them that this would be pretty expensive.

Commissioner Willner said it is just like a chimney, that they don't need anything to force the hot air up, it goes right up., that they come pre-manufactured with adapters and he would say they could probably put in two of those units in for under \$200.00 if the County crew installs them.

Mr. Siebeking said when they start the machines to run them outside, even if all the doors and windows are open, the fumes goes right up there and hangs there since it is a quansit type roof.

Commissioner Willner said that maybe they could put a sky light right in the center of it and open it up when they run the machinery.

Mr. Siebeking said it was his suggestion that they put in a couple of roof vents back there in the back end but they think they will lose too much heat by doing this, but he would rather lose some heat, since every time they start anything up, everyone in the office has to get out, that they could be on a hand switch since they don't have to run all the time.

Commissioner Ossenberrg said they had better do something or Osha will be out there, that he received a letter and he thinks they are coming down the first of the year. He said he thought the best thing to do would be for Mr. Hotz to work it out with Mr. Crooks, Mr. Stephen and Mr. Siebeking and get it alltogether and lets get going with it, that he is sure they are due for an inspection from Osha the first of the year and if they have something like this, they are going to site them right now.

RE: DARMSTADT ROAD

Commissioner Ossenberrg said they are putting a new road down today on Darmstadt Road and they have a contract with Mr. Judd for the striping.

Mr. Judd said that he could do it like he did Stringtown Road, but right now his operator is on vacation and he will be back November 28th, and Commissioner Willner said they need to wait a couple of weeks anyhow before any striping is done out there.

RE: LETTER OF RECOMMENDATION FROM MR. JUDD

Mr. Judd said he received a letter from The American Mold Corporation in reference to Yokel Avenue and Highway 41, so he submitted the following recommendation:

The American Mold Corporation 1510 Yokel Avenue have experienced difficulty turning off Highway 41 east on Yokel Avenue due to trucks parking on both sides of the street.

It is my recommendation that parking be removed 200 feet from both sides of Yokel Avenue East off Highway 41 to elevate this problem.

The Board of County Commissioners approval is requested.

Signed William T. Judd, Traffic Director

Commissioner Schaad moved that Mr. Judd's recommendation be approved. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report of the County Highway employees for the past week, ending 11/17/78.  
Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking said right at the intersection of O'Hara Drive and St. George Road the ditch that runs down St. George Road, that several years ago the Commissioners gave the people permission to rip rap their banks, that the rip rap all slid into the bottom of the ditch and the water is coming out on O'Hara Drive and across St. George and then goes down on the opposite side and it has cut the shoulder pretty bad and then it comes back in around Walsh Road to get into the road ditch again. He said he thinks they will go out there and just clean the ditch out of it and open it up so the water can go the way it is suppose to go, that people by the name of Upton lives there right now but he noticed there is a for sale sign in their yard, but the Commissioners might get some calls from someone not wanting it done the way they will have to do it, but he thinks it should be cleaned out and this is the only way he can see to remedy the problem.

Commissioner Willner wondered if they could call the people and ask them to get the rip rap out of the ditch and concrete it in.

Mr. Siebeking said they have but they won't do anything, that Mr. Upton doesn't seem to be concerned and he is apparently trying to sell out, so they have had no response. He said the calcium chloride tank is to be brought in on Wednesday and to be set and as soon as they get the tank installed, the people will follow up and blumb it up and get everything ready, also they are going to run the wire underground so they don't have to worry about overhead wires, so he is hoping it will be put in by next week.

COMMENT ON YEARLY BIDS

Mr. Siebeking said that the Purchasing Department is asking him to give them some figures on bituminous mix for next year for bids, so he recommends that they ask for bids of maybe 17,000 ton of hot mix and 3,000 of cold mix, that they can easily use this amount, so he will turn in these figures to them.

RE: MOHR ROAD

Commissioner Schaad told Mr. Siebeking to make a note on Mohr Road just east of the railroad off St. Joe, going east, underneath the railroad bridge, there is a real bad chuckhole, that someone might hit it and be thrown against the guardrail, so he asked him to have someone patch it.

RE: GREEN RIVER ROAD

Commissioner Willner said he was out on Frank Zimmerman's property out on Green River Road where the water was cutting out from his field, that we promised him that we would fix it and we never have, so he is going to give Mr. Siebeking a note, that he has three places on Green River Road where the field is washing into the ditch between his home and Boonville-New Harmony on the west side of the road.

RE: IRENE AND BASSETT AVENUE

Commissioner Willner said he also got a call from some people on Irene and Bassett Ave. and he keeps telling them that the County is going to clean their ditches, that we have been doing this for a couple of years so we really ought to do something about it. Commissioner Ossenberg said he got this call too.

RE: MR. SIEBEKING

Mr. Siebeking said that Maasberg Ditch is done and while they were there they started at Wallenmeyer and are going to Baseline and then east to the Railroad tracks, that they actually went a little further to Fehenbachers and opened that ditch so his water could get into the ditch. He told the Commissioners to go to see it if they get time since they have done a beautiful job, that they already have the spoil banks down and seeded in with wheat.

RE: REVENUE SHARING MONEY

Commissioner Ossenberg asked Ms. McBride if there is going to be a special meeting in January on Revenue Sharing, since they totally cut Mr. Siebeking out of Revenue Sharing money.

Mr. Siebeking said that last year his Revenue Sharing money that the Council allowed was in the budget book, that they asked for it this year but he was zeroed in on all of it, so he was just wondering if they refused all of it or if they are going to

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wait until the first of the year to see what they are going to get in.

Ms. McBride said she didn't know for sure but she thought they put it in the Sheriff's Department, that she would suggest that he wait until the first of the year and ask for it at that time.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum said they have still been working on Boonville-New Harmony Road and they are putting concrete rip rap in for a retaining wall at the side of it, that in the meantime they went out on Burkhardt Road and they pulled the posts out of the ground so the next step they will take on that is that Quentin Stahl is having a man come in there, that they will probably have to have some fill and they will be able to grade the road down, but they did have to get the posts out before they could do anything else on it.

He said after that they are going to move on to a project that Commissioner Willner had out on Baseline Road and Old Princeton Road, that they have the headwall that he mentioned before, that they will have to get with Jack on that and get three or four loads of fill and get these extensions too.

Mr. Guillaum said he received a letter for damage done to Bridge #48 on #6 School Road, that the bridge was hit a month or so ago, that they didn't get any feedback from the Sheriff's office so he had someone from the office go over there to check it out but they did get the name of the person that hit it and according to their records he didn't have any insurance, so the Commissioners can go ahead and do their thing on this.

Mr. Guillaum said that he has a letter to the Gas Company, that he believed it was mentioned before, where they had a guy wire that was in a drainage ditch, that he believed this was brought up in a Commissioners meeting rather than drainage but as he recalls, they had a policy that anything that interfered with the normal maintenance of a ditch, such as a guy wire, had to be re-located, so they could maintain the ditch, so he went ahead and sent a letter to the Gas Company on this matter, so hopefully, they will take care of it.

He said they have another problem on a bridge that they are attempting to improve and he talked to Ed Cole on that this morning, that they need to re-locate the lines, that this has been hanging for almost a month and they haven't heard anything from them on it, so he is going to take care of that.

RE: SURVEYOR'S OFFICE TO GET A CAR

Mr. Guillaum said he made some plans to get a car through the Work Release Program, that it is a 1975 Dodge Dart and he can get it for \$500.00, that he drove the car and mechanically he couldn't find anything wrong with it, that it appeared to be in pretty good mechanical condition, that they are now working on what account the money can be taken from. He said this car will be a big help to them, rather than having the inspectors drive their own vehicles, and they want the check made out to the Vanderburgh County Circuit Court Work Release Program.

Mr. Brenner said they are having one heck of a time finding this money and they have insisted that they pay it, but it will go right back into the County.

Commissioner Willner said he imagined this is being done this way for their auditing, also County Wendel said that it probably wasn't County money, that it was probably federal funds.

Mr. Brenner said they aren't going to buy it for three or four months yet, so they are going to have to go to the County Council to transfer some money.

RE: BURKHART ROAD

Commissioner asked Mr. Guillaum if he is going to install guardrails on Burkhardt Road.

Mr. Guillaum said this is going to take a little thought, since he is talking about an enormous amount of material there, that he thinks since the beginning of the initiation of the program they are probably in the vicinity of the 9,000 over mark and they have been doing this for eight or nine months, and Burkhardt Road, alone, will probably be more than 5,000 feet.

Commissioner Willner asked Mr. Guillaum if he could do the work with CETA if the guardrail was furnished by the County.

Mr. Guillaum said there is no question as to whether they could do the work, that it is just the amount of money they have in the rail.

Commissioner Willner said he knows that it is a lot of money but they are going to have to do it, that this is all there is to it.

Mr. Siebeking said that all the guardrail on Lynch Road belongs to the County and he wondered how soon they will need it for Burkhart Road.

Mr. Brenner said that the CETA program ends on March 1st. 1979, that it was funded for one year.

Mr. Guillaum said that once they start on Burkhart Road, they would be handicapped as far as doing any other guardrail repairs and he picked up another one in addition to the one he was given today, that it appears that people are trying to take it down about as fast as they are putting it up.

Commissioner Willner asked if he didn't understand that the federal government didn't just reinstate CETA, and Mr. Brenner said that it goes for a year at a time.

Commissioner Ossenbergh said they have written the Commissioners a letter asking if the County could absorb some of the people, that the way he has it figured out is that they have 15 and there are two at the garage and two at Burdette that they aren't using now, so these positions aren't filled. He said the rest are asking to reduce 10%.

Mr. Brenner said programs only go a year at a time and they must go back and try to do it again and what is really sad is that he has seven people that have worked out pretty well and he has to get rid of them and if again approved, he will have to get new people.

Mr. Guillaum said their argument is that it is a training program, that it isn't a full-term employment, that it is purely a training program and there is no way that they can keep the same people on.

Commissioner Willner asked that Mr. Brenner get his CETA people's salaries and everything together so the Commissioners can look them over.

Mr. Brenner said he is going to apply for another CETA program but that they will have to get different people.

#### RE: REQUEST FOR STREET TO BE NAMED

A letter was received some time ago from a Francis Hillenbrand in reference to wanting a street named. The letter reads as follows:

Address R.R. 7 Box 391

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 number is: 963-5434. We would appreciate your immediate attention to this matter. Thank you.

Yours truly, Francis Hillenbrand

Mr. Stephen said nothing was done on this and that he had prepared a petition and it was okayed by the Area Plan Commission and the Commissioners. He said the people out there are trying to get their mail delivered and they have to have a street sign before it can be delivered, so there will be a petition to come in on this and the Commissioners can then do what they so desire.

#### RE: COMPLAINT OF DRAINAGE PROBLEM

Mr. Stephen said he has another complaint which is on drainage but he thinks it should be in the Commissioners meeting because it has to do with the County right of way, and he received a letter from Mr. Schmitt which reads as follows:

Commissioners:

We are getting all the water from Schmitt Lane and the east side of Oak Hill Road. They don't have proper drainage. That, we don't have to take, and won't!

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Mr. John Koch from the County Surveyor's office was here November 6th, 1978. He agreed very much that we had a problem. He said his report would be on your desk Thursday the 9th.

If the people between Heckel Road and Schmitt Lane had open ditches and larger tiles under their driveways, (some have no tile), we wouldn't have this problem.

When it rains, Oak Hill road is flooded, our driveway is flooded, the ditches, front and side are running over. It sometimes gets in our garage. Our drive stayed frozen all winter because of the excess water. There have been some occasions when our flagstone rock at the end of the drive, all wash in the ditch because of the force from the water. The water gets so deep around the 6000 block of Oak Hill Road that cars and school buses flood out. I'm sure Wib Schmitt can add to that. This happens every time it rains hard.

Schmitt Lane needs a larger tile with an open grate across the road. That would help take care of the running water from the top of Schmitt Lane. The water would go into the big ditches across from us. They dug out that ditch last year and it really improved things. It is past the North side of Schmitt Lane that is causing the problem.

There is no reason why we have to take other peoples water. Thank you.

Gary Schmitt, 5820 Oak Hill Road

Mr. Stephen further explained the problem and said it would take for a ten year storm, a 36 inch pipe, that there is an 18 inch in there now, that there is no way without digging a fairly good sized drainage ditch to accomodate that water, and there isn't hardly any way of doing that unless they really want to construct a fairly good sized ditch along the road. He said this is a problem that is pretty hard to solve.

Commissioner Willner said here again, the people are draining their property to the roads.

Mr. Stephen said this is correct, and not only that, but with some of the houses, underground, piping into it makes it pretty rank pollution water. He said the man may not be willing to buy larger pipe but he should be willing to help himself some, if the County could clean this out and resize the pipe which will help.

Commissioner Schaad said the man is complaining and if he wants a solution, here is one, and if he buys the pipe maybe we can help him.

Commissioner Ossenbergs said that Mr. Schmitt says in his letter that when it rains Oak Hill Road is flooded.

Mr. Stephen said what happens is that it is running off the properties and running right down and across the road then it comes across his land and onto his drive and in his garage, that they really need to put a shoulder in there that slopes away from the road, since there is no curb, and the people have sloped their lawns right down to the road and they need the shoulder that slopes away from the road since all their water pours down onto the County road.

Commissioner Ossenbergs said they could have a situation here where the water could come over the road and freeze and there could be a lot of accidents and maybe people getting killed too because of it.

Commissioner Ossenbergs said he thought they should go out there and look at it, that it is endangering the people's lives, it is polluted type water and this isn't right.

Commissioner Schaad said this still doesn't solve the problem of the road itself, because ice gets on it.

Mr. Siebeking wondered if they could go in there and open it up from the end of the pipe on down and come back up and go in there every 20 to 50 feet and put inlets in it, that this would help, since it drops off pretty fast from Schmitt Lane on.

Commissioner Willner told Mr. Stephen to let him know when they go out there because he has another one right down the street from it, that it is the same thing and they have to do something about it.

RE: CLAIM

Mr. Stephen said that the \$115,000 they requested was turned down by the State Board of Accounts, that they say we don't have any money.

Commissioner Ossenbergs said this is wrong, that he got into that this morning.

Mr. Stephen submitted the claim from Dan Riddle for the appraisals for St. Joseph Widening Project in the amount of \$6,650.00 and said they will process it on through, and he would recommend that they tell Mr. Cox to go ahead and buy the property. He said it appears that what happened is that S.B. 219 which gave the County the over \$850,000.00, that before that came along over \$500,000.00 out of Local Road and Street funds was put into the St. Joe Construction, when we said that over \$500,000.00 of S.B. 219 was going to do that job which is in their account as 216.1 and we were suppose to hold the Division of State Aid money, that this is where they are using the 219 money, and with the Local Road and Street money over there, someplace there has been a failure of theirs or someone's of getting through the allocation of the 219 monies, so therefore it is sitting there and on their books, hasn't been applied for to anything and too much money out of Local Road and Streets has been expended and there is no balance to allocate the \$115,000.00 and this is where they are, that they have no more Council Calls this year to straighten it out, so the State Board of Accounts said to go ahead and spend out of the construction money and they they will have to do some switching after the first of the year to get things straightened out.

The claim was approved by Mr. Stephen and Mr. Siebeking.

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

RE: CUTS IN

Mr. Stephen submitted the following cut applications for filing:

Evansville Indiana Water Department had applications for three cuts at the following locations:

Mesker Park Drive, 2304 North Burkhardt Road and 3999-4001 Bergdolt Road

The Indiana Bell Telephone Company had one application for a cut on Henze Road.

Applications received and filed.

RE: HOLIDAY CLOSING

All City and County offices will be closed on Thursday, November 23rd. and Friday November 24th. for the Thanksgiving holiday.  
The Commissioner's wish everyone a very HAPPY THANKSGIVING!!!

The meeting recessed at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Alice McBride..Chief Deputy

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS



COUNTY COMMISSIONERS MEETING  
NOVEMBER 27, 1978

The meeting of the County Commissioners was held on Monday, November 27, 1978, at 9:30 a.m. in the Commissioners Hearing Room with President Ossenberg presiding.

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

RE: GOVERNMENT CLASS ATTENDS MEETING

Commissioner Ossenberg welcomed the Government Class from Central High School, who's teacher is David Koehler.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

GERMAN TOWNSHIP ASSESSOR

Charles Waters	Goebel Lane	Deputy	\$20.00 Day	Eff: 11/27/78
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HIGHWAY DEPARTMENT

Thomas Blocker	928 W. Maryland	Truck Driver	\$4.87 Hr.	Eff: 11/22/78
Dennis Merideth	2432 N. Lafayette	Truck Driver	\$4.87 Hr.	Eff: 11/22/78
Thomas Waterman	2768 Forest Ave.	Truck Driver	\$4.87 Hr.	Eff: 11/22/78

RE: EMPLOYMENT CHANGES.....RELEASES

HIGHWAY DEPARTMENT

Thomas Blocker	928 W. Maryland	Truck Driver	\$4.78 Hr.	Eff: 11/22/78
Dennis Merident	2532 N. Lafayette	Truck Driver	\$4.78 Hr.	Eff: 11/22/78
Thomas Waterman	2768 Forest Ave.	Truck Driver	\$4.78 Hr.	Eff: 11/22/78

VANDERBURGH COUNTY SHERIFF'S DEPARTMENT

Gene Carr	Rte. 2 Seminary Rd.	Patrolman	\$12,206.00 Yr.	Eff: 12/29/78
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Commissioner Ossenberg explained to the students that these are the people that have been hired or released from the different departments of County Government, that they must be approved by the County Commissioners.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was received from the Travelers Insurance Company of North America on insured, Sword of the Lord Foundation, for the use of the Auditorium in holding their National Conference, which expires 2/1/79.

A Certificate of Insurance was received from the Meridan Mutual Insurance Company on insured, Hahn, Inc. for the use of the Auditorium in holding their Christmas Dance on December 1, 1978, which expires 11/12/79.

Certificates received and filed.

RE: OFFICIAL BOND FOR COUNTY ASSESSOR

Commissioner Ossenberg said they have the Surety Bond, by statute, for re-elected James Angermeier, County Assessor, the bond being in the amount of \$5,000.00. The carrier is the Indiana Insurance Company.

Commissioner Willner moved that the bond be approved and recorded. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM BLUE CROSS-BLUE SHIELD

A letter was received by County Attorney Ed Smith, Jr. from the Blue Cross-Blue Shield of Indiana which reads as follows:

Regarding: Account #01-23034.....Vanderburgh County Board of Commissioners

Dear Mr. Smith:

Your letter of November 2, 1978 regarding the above account has been reviewed by

our Corporations. While we disagree with your particular position as regards the refund check of \$18,712.21, we are acceding to your request and will be issuing a supplemental check shortly. Our Actuarial staff are now computing the calculations and will arrange for issuance of the supplemental check as quickly as possible.

In explaining our previous action, we would bring to your attention the fact that utilization for both accounts #23034 and #23160 have been considered in establishing premium rates. Having considered both accounts jointly in past calculations, it seemed appropriate to us to make any premium adjustment on that same basis.

However, as indicated above, while we think we were correct in our action, we are acceding to your request.

Sincerely, C.J. Hill, Director  
Customer Services Department

Commissioner Schaad commended Mr. Smith for his action.  
Letter received and filed.

Commissioner Willner asked if the Commissioners accepted their last check and Mr. John said that the check wasn't accepted, that he was told to hold it, that it is in the safe.

Commissioner Ossenbergs said that Mr. John should continue to hold the check until they get the other check, that he didn't know what the date of it is but the whole thing about this letter is, that his contention all along with Mr. John was that the Commissioners authorized them on the three-four policy but they never did have anything to do with the supplemental policy, and therefore they owed us a refund on that supplemental policy.

RE: LETTER FROM INSURANCE COMPANY

A letter was received by Mr. John from the Metropolitan Life Insurance Company on the Group Insurance Bid, which reads as follows:

Dear Mr. John:

We have completed our review of the specifications for bid on your Group Insurance program for county employees and find that we are unable to comply with the bid deadline of December 4, 1978.

Therefore, we respectfully decline submitting a bid at this particular time.

However, we wish to thank you for considering the Metropolitan and it is our hope that we can be of service to you sometime in the future.

Sincerely, Harold J. Maybee

Letter received and filed.

RE: LETTER ON PROPOSED INCREASE ON PARKING LOT RATE

The following letter was received by the Commissioners from Mr. Dewes, Manager of the Vanderburgh Auditorium:

Gentlemen:

Following our recent discussion, we are listing proposed increases on the Auditorium parking lot:

Daily	Increase from \$.25 to \$.50
Monthly	Increase from \$6.00 to \$11.00
Prepaid Lot:	
	Evening only - Increase from \$40.00 to \$65.00
	Full Day - Increase from \$60.00 to \$100.00

The above rates would become effective, with your approval, on December 1, 1978.

Vanderburgh Auditorium  
Fred Dewes, Manager

Commissioner Schaad said he thought these increases to be reasonable and that they should have an increase since everything else has gone up in price.

Commissioner Willner said they would at least have to meet the federal guidelines by complying with the 7% and they are asking the Gas Company to do it, so he thinks local government should.

Commissioner Ossenberg said he also thinks rather than December 1, 1978, if the federal guidelines are met, he would think that January 1, 1979 would be a more effective date.

The Commissioners agreed that this should be checked out since they thought they should live within the federal guidelines, so this matter was referred to County Attorney Smith.

RE: CLAIMS

A Claim was submitted by STECO, Inc., for professional engineering services provided in conjunction with the Pavement Marking Demonstration Program as per agreement from 10/1/78 thru 10/31/78. PMS-000s (63) for Phase 111 in the amount of \$668.58 which has been approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by STECO, Inc. for professional engineering services provided in conjunction with the Pavement Marking Demonstration Program as per agreement from 9/1/78 thru 10/31/78. PMS-000S (63) for Phase 11 in the amount of \$161.62 which has been approved by Mr. Stephen and Mr. Siebeking.

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

Mr. Stephen explained that one of these claims is for Phase 11 and the other is for Phase 111 and the time frame was a little different on them so they sent two claims.

A Claim was submitted by Torian Agency, Inc. for Insurance - General Fund, on Policy #36C721674 - to add five 1978 Chevrolet Impala's which are the new cars for the Sheriff's Department in the amount of \$635.00, and on Policy #36C721674 to delete a 1977 Pontiac with a credit of \$176.00, making the total of the claim to be \$459.00.

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

Commissioner Ossenberg said that while these letters aren't on the agenda, that he would like to make them part of the record.

RE: LETTER FROM DEPARTMENT OF THE ARMY

Commissioner Ossenberg received a letter from the Department of the Army, Louisville District Corps of Engineers, which reads as follows:

Dear Mr. Ossenberg:

Address...P.O. Box 59, Louisville, Ky.

The purpose of this letter is to bring to your attention the various types of assistance available to state and local governments through the United States Army Corps of Engineers in the event of floods or other natural disasters. Some governmental entities have knowledge of this assistance as a result of recent disaster experiences but others, not so involved for a number of years, may not be fully aware of what we can do for you. Therefore, I wish to take this opportunity to explain in general terms the assistance that we can render to you during such emergencies.

The following three basic types of assistance that can be furnished by the Corps of Engineers are discussed more fully in subsequent paragraphs.

a. Under the authority of Public Law 645-86th Congress, we operate a flood plain information service which can assist you in related long range planning so that construction can be regulated to avoid resultant damages in areas subject to flooding.

b. Under the authority of Public Law 99-84th Congress, we can perform emergency work before, during, and after floods.

c. Under the authority of Public Law 288-93rd Congress, we can perform emergency work in connection with any type of natural disaster upon request of the Federal Disaster Assistance Administration.

Our flood plain information service under Public Law 645-86th Congress is not an emergency service but rather a long range planning function that can assist you in flood plain management. The service provides for the compilation and dissemination of information to states and local communities to aid them in providing for use and regulation of flood plain areas. The work performed involves surveying and mapping of flood plain areas together with hydrology and frequency studies to establish flood damage potential, flood elevations, and extent of inundation of the areas involved. For additional information on this program, you should contact Mr. R. D. Reid, Chief, Flood Plain Management Services Branch, at the address indicated on the letterhead or at telephone number (502) 582-5742.

Public Law 99-84th Congress provides the Corps of Engineers broad authority for flood fighting. We can take action under our own initiative to prevent imminent flood damage, accomplish flood fighting and rescue operations during a flood, or participate in repair and restoration of flood control facilities after a flood. Requests for such emergency assistance should be submitted directly to this office by the local government concerned when they have committed all available resources and are unable to cope with the situation. Additional information on this program can be obtained from Mr. Norman Gilley, Emergency Operations Manager, at the address indicated on the letterhead or at telephone number (502) 582-5616.

Public Law 288-93rd Congress provides for the furnishing of Federal assistance under the direction of the Federal Disaster Assistance Administration, U.S. Department of Housing and Urban Development (FDAA), subsequent to a determination by the President that an emergency or major disaster exists in the area. This law covers floods and other types of natural disaster and permits a broader range of assistance than Public Law 99 discussed in the preceding paragraph. Assistance furnished by the Corps of Engineers under this program will be in accordance with directions received from FDAA and will generally be based on requests submitted to that office by the Governor of the state concerned. Additional information on this program can be obtained from your nearest FDAA Regional Director or from DHUD Publication 3300.6 entitled "Federal Disaster Assistance Program - Eligibility Handbook under Public Law 93-288" dated December 1975.

In addition to the material assistance we can furnish in time of emergency, we have a staff of experienced engineers who can provide you with expert technical advice for planning purposes. I trust that the information contained in this letter will be of assistance to you and assure you that we stand ready to help when necessary.

Sincerely yours, Thomas P. Nack  
Colonel, Corps of Engineers  
District Engineer

Letter received and filed.

RE: LETTER FROM SOUTHWESTERN INDIANA MANPOWER CONSORTIUM

Commissioner Ossenbergh received a letter from Mr. C. Thomas Akin, Executive Director of the Southwestern Indiana Manpower Consortium, addressed to all CETA Public Service Employment Job Sites on the Effects of New CETA Legislation and Reduced Funding, dated November 9, 1978.

He said this matter was discussed last week, as to what effects the new CETA legislation would have by the funding being reduced.

The letter reads as follows:

As you have probably heard by now, Congress has re-enacted the Comprehensive Employment and Training Act (CETA) for another four years. With this re-enactment have come some important changes in Public Service Employment (PSE) programs and in the amount of funding the Southwestern Indiana Manpower Consortium will receive for PSE jobs.

Most of the changes are too complicated to discuss in this letter. Three of them, however, need to be brought to your attention right away:

1. Funding for PSE jobs has been cut back substantially. The reduction is the result of a decreased emphasis in Congress on PSE jobs and of a funding formula which compares local and national unemployment

situations. Because of this cutback, it will be necessary to eliminate over three hundred (300) PSE jobs in the Consortium. (Special Projects under Title VI will not be cut; only regular slots under Titles II and VI will be affected.) In order to keep from laying off a large number of PSE workers, we are asking you to examine the possibility of hiring any CETA participant(s) at your agency onto your own payroll.

Please notify the Consortium's administrative office in writing by November 20, 1978, of the names of any PSE workers your agency will be able to absorb by November 30, 1978, and by December 31, 1978. An employer's willingness to hire these people with its own funds or to help them find other suitable unsubsidized jobs will definitely be a factor in allocating future PSE jobs and special projects.

2. The new legislation has set a limit on participation in public service employment jobs of seventy-eight (78) weeks eighteen (18) months in a five year period. Only twenty-six (26) weeks, six (6) months of participation before October 1, 1978, will be considered a part of the seventy-eight (78) weeks. This means that PSE workers who have been enrolled for six (6) months or longer before last October 1, will have to leave the program no later than September 30, 1979. The CETA program operator in your area will be contacting all participants to let them know their final date. We ask that you, also, explain this new requirement to your PSE employee(s) and encourage them to begin looking for an unsubsidized job right away if your agency is not able to absorb them.
3. Eligibility for PSE jobs has been changed so that all new participants enrolled must be long-term unemployed and economically disadvantaged. As a result, some existing PSE jobs may be inconsistent with the skills of eligible clients.

Thank you for your cooperation in providing as quickly as possible the information requested above. Please direct your written responses and any questions you may have to Ann Penfield, Director of PSE Programs.

As we change to meet the requirements of the new CETA legislation, we hope to continue to work with you in providing CETA services to our clients and, through them, to the communities in southwestern Indiana.

C. Thomas Akin, Executive Director

Commissioner Ossenberg said that this basically means that we lose our CETA employees.

Commissioner Willner said that if they have been in County employment for six months or more, then they have to let them go no later than September 30, 1979.

Mr. Guillaum said this is no surprise then, because they had figured that the program would be wrapped by the end of March, 1979, so they are giving us more time.

Commissioner Ossenberg suggested that after this meeting, he and Mr. Guillaum should go down and talk to Mr. Akin.

Reporter Alice Jackson asked how many employees they are talking about.

Commissioner Ossenberg said there are five in the Surveyor's office, that County Highway did have two but they have none now, and this could effect Shirley Cox and the Courts, and some of the Judges with CETA employees.

He said there are fifteen CETA employees working in County Government, but he would have to get a clarification on this, since he thinks some of these CETA slots are actually given to the County by the City of Evansville because the unemployment rate in the County was so low that we lost a number of them, but the City had a number of them and they were gracious enough to let the County have some of them.

He said he will have to talk to Mr. Akin, also what they are basically saying is that CETA is a Training Act and they should be able to now go out on their own and find employment in private industry.

Ms. Jackson said she supposed that the County will not be able to absorb these people then.

Commissioner Ossenberg said that basically, the Commissioners have nothing to say about the courts, that it is up to the Commissioners as to if they want to absorb

through the Bridge Fund because basically they trained all these people in the Bridge Fund since they have been working on the bridges, and the question is do they want to add these people to the County payroll, and if not, if they enjoy the privilege of having more CETA people and want to train more people into that Bridge Fund.

Commissioner Willner said that Mr. Guillaum gave them a figure of the amount of money the Bridge Fund has saved just by having these CETA people.

Mr. Guillaum said they made their salary in probably a month or two, but from the way the letter reads the program will go for six months more than what they figured anyway.

Commissioner Ossenbergh said he interpreted it that way but then after what he heard last week he is a wee bit confused as to where CETA really stands, that he knows it was re-enacted for a four-year period but he really doesn't know and this is why he thinks they should go down and talk to Mr. Akin about it and get his determination of it.

RE: LETTER FROM HORIZON HOMES

The following letter was received by Ms. Shirley Jean Cox, the Secretary of the Election Board, from Mr. Corn of Luther Village, Inc. where one of the polling places was located for the General Election which was held on November 7, 1978:

Dear Mrs. Cox:

We are writing to ask you to bring to the Attention of the Board. The inadequate reimbursement for the use of a room or area for the polling places used on election days.

We principally provide a part of our building as a service to our Elderly Residents, who probably would not travel two blocks to vote.

We calculate that it costs us in labor charges alone, about \$75.00 to assemble and dismantle an area for voting. This does not include utilities and other costs. For this we receive \$30.00.

While we are happy to aid in community services, as an ex-committeeman I know the increasing difficulty of obtaining a polling place. I also pay taxes like everyone else, and gripe about increase costs of government.

Nevertheless it is our opinion that you should give some thought to increasing this payment before the next election.

Accordingly we ask you to place this on the agenda for consideration.

We would also like to compliment Juanita Roth and her crew for cleaning up the litter and leaving the building as clean as possible.

Respectfully yours, Lawrence Corn, Manager  
Precinct 1-22

Ms. Shirley Jean Cox answered the letter as follows:

Dear Mr. Cron:

This will acknowledge receipt of your letter concerning the above aforementioned, which I am forwarding to the County Commissioners as the Vanderburgh County Election Board has no jurisdiction over the location of polling places.

I feel certain your request will receive full consideration by the Board of Commissioners, however I do know that they are limited by statute to the amount of \$30.00 per polling place which includes the room, tables and chairs, and any janitorial services performed. I heartily agree that the amount allowed is insufficient.

Thank you for expressing your feelings and perhaps the Legislature will see fit to increase these allowances.

Most Sincerely, Shirley Jean Cox, Clerk

Commissioner Ossenbergh said the only thing he can say about this is that he will discuss it with the area legislatures and see what they can do in the general assembly.

Mr. Brenner asked if there isn't an additional \$15.00 fee allowed for janitorial fee.

Mr. John said it is up to the Inspector to fill out the claim as to who is taking care of the janitorial duties, that he didn't see why this couldn't be revised so they could also get this fee.

Commissioner Willner suggested that they reproduce this letter and send copies along with copies of the reply to all the local legislators, and Commissioner Ossenbergh said that is a good idea.



Mr. John said he didn't think, however, that schools can be paid the janitorial fee, since they take care of their own janitorial services.

Commissioner Ossenberg said that one thing he is going to request of the Indiana General Assembly and that is, if we continue to use schools, which he thinks they can use them more for adjacent precincts in different parts of the building, and that is that they seriously consider closing schools the day of an election; that the biggest problem they had at his precinct is that the grade school children were out at recess and at lunch and what literature they had on tables, etc. to pass out to voters was spread all over the playground and it took several of the workers to pick up all the litter, so he thinks they can cut the election costs if the General Assembly would consider closing schools on election day and he is sure they can vote many many precincts in schools from adjacent precincts in different parts of the building.

He said he will reproduce the letters and send along a letter to the legislators.

#### RE: REFUND CLAIMS

Refund Claims were received by the Commissioners from Claimant, Mead Johnson & Co. based on the carrier's decision from last year.

Mr. John said this is similar to the refund that Whirlpool got, and this claim is from Mead Johnson & Co. for the years of 1975, 1976 and 1977 for goods which are to be shipped out of the state and are in temporary storage in Indiana.

He said he suggests that the Commissioners deny the claims and forward it to the state Tax Board where they will continue the litigation to find out whether or not these claims are legitimate under that case.

County Attorney Wendel said he thought the Commissioners are suppose to vote to accept or deny it after the State Tax Board acts.

Mr. John said he didn't think so, that there are instructions on the form, that he knows he personally, is going to deny it, that there are three places for officials to sign it and if any of them refuse to sign, it is forwarded to the State Tax Board. The total amount of the three claims amount to \$246,000.00 for the three-year period.

Mr. John said he wants it in the minutes that he is disapproving it, and if the Commissioners want to continue with the meeting, he will take the forms to the County Treasurer and the County Assessor and get their disapproval before having it disapproved by the Commissioners, since this is the way the instructions read.

The Commissioners agreed that Mr. John do as he suggested, and bring the matter up later in the meeting.

#### RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees at the County Highway Department for the past week which ended 11/24/78. Absentee Report received and filed.

#### RE: MR. SIEBEKING

Mr. Siebeking said that Dan English of the English Coal Company called this past week and he has a backhoe and also a John Deere grader that he would like to rent to the County on an hourly basis if they need it, since he would like to keep the two pieces of equipment plus the two operators busy.

He said he talked to Mr. Stephen and he suggested that he get back with Mr. English and have him fill out a regular bid form on equipment in case something comes up where we need them in case of an emergency like they did last winter, so they could have it ready, that he did give him a price of \$23.50 per hour for the backhoe and \$30.00 per hour for the grader.

Commissioner Schaad asked Mr. Siebeking what the County paid last year.

Mr. Siebeking said they had all prices last year with the snow, that they ran anywhere from \$15.00 per hour to \$40.00 per hour on different pieces of equipment, but apparently they have slowed down their operations in the coal fields this winter from the way he talked and these are both fairly new pieces of equipment, so he told him that he would check with the Commissioners, so with their permission that is what he will do, that he will tell him to just pick up a bid form and have him fill it out so that it will be on record.

Commissioner Ossenberg said he would like to suggest that if Mr. English is required to fill out a bid form, they should all be required to fill one out, and Mr. Siebeking said this is true.

Commissioner Ossenberg said that way it is legal and in case of emergency they can just start calling them.

Commissioner Willner said he was thinking that since the Commissioners had promised to do the passing blister on Green River Road at the Day School, and if Mr. Siebeking is keeping his crews busy, then maybe they could possibly let Mr. English do that, especially the dirt work and then the County can come in with the trucks and do the rock work, since he knows that Mr. Siebeking's crews has been busy cleaning ditches and he had another ten requests last week for ditch cleaning and he just isn't going to get to it.

Mr. Siebeking said they are keeping busy and he would have to pull off something else to get this work done.

Commissioner Ossenberg said he agrees because he wants that problem taken care of out there since it is very dangerous.

Mr. Siebeking said he will call Mr. English back if the Commissioners want him too, but he will just let him fill out the bid form anyway and Mr. English can then get with Mr. Guillaum since he has a drawing on the passing blister.

Commissioner Willner said the prices look real good to him, that from what Mr. English tells him, he is just trying to keep his people busy to keep from having to lay them off.

Commissioner Schaad wondered if they would have to take bids on this, and he asked what the job will amount to.

Mr. Siebeking said he would say it would cost in the neighborhood of \$1,000 since they should be able to do it in from ten to fifteen hours. He said he will call Mr. English and tell him to get a bid form from the Purchasing Department, to fill it out and have it on record, and if the Commissioners then want him to do this job he can contact him.

Commissioner Schaad said to put him to work on that job then.

Mr. Siebeking reported that the repair on the cuts have been made out on St. George Road and Englefield Road, that whoever was responsible for them did the repairs, that the County didn't have to do it. He said that Tom Goodman called him Wednesday and told him that they had been taken care of, that he is telling the Commissioners they have been repaired on Mr. Goodman's word, since he hasn't had a chance to look at them himself.

Mr. Siebeking said that back in July, a fellow by the name of Terry Cook who lives on Schlensker Road was laying rip rap and setting posts and it is on the County right of way, that he has explained to him that he is making himself and the County liable in case there is an accident out there, and no one is apparently able to get through to him what it is all about, that Mr. Koch has also talked to him, so he is wondering if one of the attorney's should write him a letter and tell him that any type of work that he does like this, that he is making himself liable. He said that Mr. Cook is laying the rip rap right out to the edge of the pavement and a lot of it is on the County right of way and he wanted his mailbox set up out there with cross-ties up around it, that he is fixing it up nice but it is on County right of way, so he wondered how it should be handled.

Commissioner Ossenberg said he had a note on this matter on his desk this morning and he put it on the County attorney's desk, since Mr. Siebeking suggested that the attorney write Mr. Cook a letter.

County Attorney Smith said that he will write Mr. Cook a letter.

Mr. Siebeking said they didn't get their calcium chloride tank in on Wednesday, that it was probably due to the holiday's, but they are ready for it, since the pad has been built.

RE: LETTER FROM LAW OFFICE OF CAINE & WELBORN

Commissioner Schaad said he received a letter from Jack Caine of the Law Offices of Caine & Welborn, that it reads as follows:

Dear Mr. Schaad:

I am the attorney for Mr. and Mrs. Adrian Wilson of 4415 Mesker Park Drive,

Evansville, Vanderburgh County, Indiana. Mr. and Mrs. Wilson state that the County has on more than one occasion in repairing Mesker Park Drive has moved the road over onto their property and Mr. and Mrs. Wilson are concerned with the loss of their property and the nearness of the moved road to their house. In all fairness I think that the County Surveyor should survey the road along their property line to determine whether or not they have moved part of their road onto the Wilson property, and if so, arrangements should be made to return that portion of the road to its proper easement.

I would appreciate it greatly on behalf of my clients if you could check into this and also with the County Surveyor. If you wish to call Mr. and Mrs. Wilson you may do so. Their home number is 423-3245.

Very truly yours, Jack E. Caine  
Attorney at Law

Mr. Siebeking said he would check it out, that Mesker Park Drive is a hard surfaced road and he didn't know how it could be moved onto their property, but he will take a look at it.

RE: COUNTY LINE ROAD

Commissioner Ossenberg said he had a call from Bob Lutz this morning on the County Line Road and he explained to Mr. Lutz what the Commissioners are going to have done out there, that evidently they have been on him a good deal out there this week, so he told him, weather permitting, that the County will put the rock and the calcium chloride down when they see that the road is passable.

He said he also explained to him the Posey County situation, that the Commissioners went along with this, and they are just going to have to do something on County Line Road.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum said they got the posts removed along Burkhardt Road in preparation for grading it down, but it cost them a broken toe and a broken finger, but that is done. He said they did complete their repair on Baseline Road, that they had a wing out there that had washed out and taken part of the roadway with it, but Mr. Nussmeyer has completed that, so they will get together on the final figures and turn in a claim,

RE: REFUND CLAIMS.....CONTINUED

Commissioner Ossenberg said that the Mead Johnson claims have been denied by both the County Auditor and by the County Treasurer. The County Assessor was unavailable.

Commissioner Schaad moved that the County Commissioners deny the claims also. Commissioner Willner seconded the motion. So ordered. The claims will be sent to the State Tax Board.

RE: MR. STEPHEN

Mr. Stephen said that on Tuesday he and Mr. Crooks went to the Evansville Association Retarded Citizens center and they were sealing the cracks, that at the meeting before, they had wanted some kind of material to put down as a tape so their material would bridge over, that he had mentioned using the tape used for pipe but that proved to be not acceptable because the material they are using is a coal tar product and has creosote in it and it attacked and expanded the plastic, that they had two different types, one of clear and one of black, that they also had a very thin type plastic that they found that would stand up, that it was very thin and with very little strength so he wasn't interested in that, but it was just to bridge the material across until it cured, that it took about twenty-four hours to set up and even then they didn't know if it would pick up or not when the traffic ran over it, so he hasn't had any reports on it as yet, so he will have to check with Tom Jones to see if it has helped the situation over this past weekend with all the rain.

Commissioner Schaad said it seems to him that Mr. Stephen should have a report this morning, also that this is just a temporary measure to keep from having any more damage to the building through the winter.

Mr. Stephen said he understands this, but he is making this report since Mr. Crooks isn't here this morning.

RE: ASPEN DRIVE.....COMPLAINT

The following letter was received by Commissioner Ossenberg from Mike Hoffman:

4000 Aspen Drive  
Evansville, In. 47711

Dear Tom:

I have been a resident at my current address for one year. During this time a number of trucks and private vehicles have crossed over Aspen Drive, a dead-end street, leaving behind unsightly dust, mud, and other debris while traveling to the Romaine Development adjacent to Aspen Ridge. Until the last six months this was a necessity because there was no other direct access. However, a new street is now available off Bergdolt Road for these vehicles to have access to this area. Therefore, until or if Aspen Drive is completed to the Romaine Development, I would like to request a barricade be erected to restrain traffic through this area.

If you need to contact me for further information, I may be reached at the above address. Thank you for any assistance you may be able to provide.

Sincerely, Mike Hoffman

Mr. Stephen said that he would answer this letter and tell Mr. Hoffman that this isn't a County accepted road and that the County can't do anything for him at the present time.

RE: PERMISSION GIVEN TO ATTEND MEETING

Mr. Stephen said that Mr. Siebeking told him that the meeting for the Southwestern Indiana District is tomorrow and they would like to go and want to use the County car.

Commissioner Schaad moved that Mr. Siebeking and Mr. Stephen be permitted to attend this meeting and to use the County Car. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

An application was filed with Mr. Stephens by the Indiana Bell Telephone Company to make cuts in Mohr, Meier, Kleitz Roads and Mesker Park Drive. Application received and filed.

The meeting recessed at 10:40 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

*John Ossenberg*  
*Bob Schaad*  
*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
DECEMBER 4, 1978

The meeting of the County Commissioners was held on Monday, December 4, 1978, at 9:30 a.m. in the Commissioners Hearing Room with President Ossenberg presiding.

Deputy Sheriff Larry Barchett opened the meeting, this being the first meeting of the month.

The minutes of the previous meeting as well as those of the special meeting that was held on Monday, November 20th. on the Proposed Highway 41 Overpass, were approved as engrossed by the County Auditor and the reading of them was dispensed with.

RE: AUTHORIZED TO OPEN BIDS

County Attorney Smith was authorized to proceed with the opening of the bids that were received this morning on Group Life and Health Insurance for County Employees.

RE: GOVERNMENT CLASS WELCOMED

Commissioner Ossenberg welcomed the Government Class from Central High School who is attending the Commissioners meeting today.

RE: NOTICE OF ROADS BEING CLOSED

Commissioner Ossenberg announced that Red Bank Road is closed today and will be closed for two weeks due to bridge work.

This is between Upper Mt. Vernon Road and Hogue Road.

He said that Old Boonville Highway will also be closed beginning Thesday morning and will be closed the remainder of the week, from the Eagles Club to Hoosier... for installation of a sanitary sewer, according to Jack Alles, Assistant City Engineer.

RE: MONTHLY REPORT

The Report on the Clerk of the Circuit Court was submitted for the month october, 1978.

Report received and filed.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Brent Ellard	813 E. Blackford	Rink Guard	\$3.50 Hr.	E66: 11/17/78
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COUNTY HIGHWAY DEPARTMENT

Horace G. Luther	1628 E. John St.	Laborer	\$4.78 Hr.	E66: 11/29/78
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KNIGHT TOWNSHIP REASSESSMENT

Naomi Kreisle	4107 E. Morgan	Deputy	\$20.00 Day	E66: 12/4/78
Brenda Carney	5614 West Haven	Deputy	\$20.00 Day	E66: 12/4/78
Norma Jarvis	3217 N. 12th Ave.	Deputy	\$20.00 Day	E66: 12/4/78

PIGEON TOWNSHIP ASSESSOR

June Hallenberger	1607 Fountain Ave.	Clerk	\$20.00 Day	E66: 12/4/78
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RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Kim Babbs	303 S. Woods	Rink Cashier	\$3.50 Hr.	E66: 11/14/78
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LEGAL AID SOCIETY

Brenda Heck	4208 E. Riverside	Intern	\$30.00 Day	E66: 11/17/78
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RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by Greene & Greene Agency, Inc. on Insured,

Keller Crescent Social Club, Inc. for the use of the Vanderburgh County Auditorium.  
The policy expires on 4/8/79.  
Certificate received and filed.

A Certificate of Insurance was submitted by Lukens & Sons Insurance, Inc. on Insured, Swanson-Nunn Electric Company, Inc. for the use of the Vanderburgh County Auditorium for their Christmas Party. The policy expires on 4/30/79.  
Certificate received and filed.

RE: OFFICIAL BOND

An Official Bond was issued by the Indiana Insurance Company on Curt John as Vanderburgh County Auditor for his new term of office, in the amount of \$10,000.00.

Mr. John said that the claim for this will come in later, since the Indiana Insurance Company has several of the officeholders bonded, so they will all come in together.

Commissioner Schaad moved that the Official Bond be approved and recorded. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT SUBMITTED

The following letter was received by Commissioner Ossenberg from the Southwestern Indiana Manpower Consortium:

Dear Mr. Ossenberg:

Enclosed please find one (1) copy of your CTI-FY79-8-PSE Title VI Vanderburgh County Contract.

If you have any questions, please feel free to contact me at (812) 426-5544.  
Thank you.

Sincerely, Linda J. Jones  
Fiscal Officer

Commissioner Ossenberg said this contract was previously signed by all the Commissioners, that it is, in effect, putting the contract together.  
Contract received and filed.

RE: LETTER FROM HUMAN RELATIONS COMMISSION

The following letter was received by County Auditor, Curt John:

Dear Mr. John:

To confirm our conversation a few weeks earlier, the Human Relations Commission would like to arrange the use of the addressograph equipment in your office for mailing labels in connection with a new Commission publication.

The Commission further understands that cost of this arrangement would include a fee for 1000 plates at approximately \$28.00, or \$7.00 per box, and possibly a small initial fee. Clerical personnel from the Commission office would, upon your staff's instruction, make the original plates and run off labels periodically for this quarterly publication.

The Commission will be most appreciative if you would propose this matter to the County Commissioners at your early convenience. (Letter read County Council but was changed through motion.

Thank you for your cooperation.

Respectfully, Ann Geise Angermeier  
Editor

Mr. John said what they would like to do is to get permission to use it similar to the way the Cooperative Extension Office makes use of the machine, that there are periods of time when the machine is not in use, that the two major busy times are in the spring and in the fall, during tax billing time, and he believes there to be enough down time on it to where they could use it if they would incur the expenses, that it wouldn't actually cost the County anything.  
He said he told them that if they presented this to the Commissioners and get their approval, that it would be okay for them to go ahead and make use of the machine,



that they have a periodical they want to send out and it will basically be the same people each time and they want to send them out quarterly.

Commissioner Schaad questioned Mr. John as to if this would disrupt his operation in any way.

Mr. John said that it wouldn't, that if it would, he wouldn't let them use it, that he would work it around their schedule and the girls in that office will instruct them the first time on how to type up the address and he thought they could then handle it themselves.

Commissioner Willner asked if they would have to go before Council for this funding, and Mr. John said that is City and they would have to go before the City Council if they need funding for it.

Commissioner Schaad moved that it be approved, subject to Mr. John's surveillance, that he should watch it and to let the Commissioners know if there any problems. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad moved that the letter be amended to read that Mr. John propose this matter to the County Commissioners rather than to the County Council as stated. Commissioner Willner seconded the motion. So ordered.

RE: HEALTH DEPARTMENT RENT SUIT

Commissioner Ossenberg told Mr. John that on the Health Department Health Suit, the County owes \$45,716.87 and he asked if this is correct.

Mr. John said that it is, and if the Commissioners recall when it was first filed, the City claimed, he believed, \$120,000.00 in back rent but they hadn't taken into consideration some of the fees that the Health Department collects and some extra rent they had added on, that they allocate their rent by departments and there were a couple of years where they had made a bad judgement in allocation, so they have corrected this and he would more-or-less agree with this amount if the County is liable for rent, which he believes they are. He said that County Attorney Paul Wendel has worked this out with the City Attorney, that this is the City Controllers figure and he agrees with it, also that the County has a health rate, so it would be out of the Health Department's rate.

Commissioner Ossenberg said that he has been involved somewhat about it and it is considerably lower than what they maintained the County owed and he supposed that a deal was worked out by a previous administration and this administration has consistently maintained that the County owed part of it for the rent of this building, that it is owed by the County to the City.

Mr. John said that it hasn't been presented to the Council but it is a suit against the County, or rather against the County Commissioners as executors of the County, and it would be up to them to determine the settlement on the case. He said he knows that for the last two years, the County Council has approved the rent for the Health Department.

Commissioner Ossenberg said that County Attorney Wendel called this morning and said that he broke a tooth off and was trying to find a dentist, that this is actually what he has worked out on this, that the Commissioners contention, all along, was that the City was saying that the County owed them 21% and it is boiled down to where the County actually owes them around 17.8%.

Mr. John said that wasn't the whole contention, that part of it was whether or not the County in fact owed rent and how far back they should go, that the first dollar amount thrown out, he believed, was over \$120,000.00. He said the Commissioners can postpone approving this matter for one week if they want to, that they may want to present it to the County Council tomorrow just for informational purposes only, and then give final approval next Monday.

Commissioner Schaad moved that this matter be held in abeyance until next week. Commissioner Willner seconded the motion. So ordered.

RE: TELEPHONE REQUEST

The following letter of request was received by the Commissioners from Judge Dietsch:

Gentlemen:

As of January 1, 1979, William D. Stephens will assume the bench as Judge of

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4.

Vanderburgh Superior Court. It will be necessary to move the telephone jack in the Judge's Chambers, Room 116 Courts Bldg., from one end of the room to the other.

Your prompt attention to this matter will be greatly appreciated.

Yours truly, Terry D. Dietsch

It was noted that there would be a \$35.00 charge by the Telephone Company.

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

RE: REQUEST FOR GRAVEL

Commissioner Ossenberg said that Sheriff DeGroot called him last week and made a request but he told him that he had to submit it in writing, so the Sheriff submitted the following letter:

Dear Sir:

In order that we may park our Selective Traffic Enforcement vehicles in a safe, secure location when not in use, this agency has been given special permission by First Sgt. Don Lehr, Indiana State Police, to park said vehicles at the Evansville Post located on Highway 41 North.

Due to the somewhat limited space they have for their own use, we are using an area of non-paved grassy space that will eventually develop into a muddy, slippery quagmire if preventive steps are not taken to head this off.

Therefore, I do formally request the Commissioners approval of providing two (2) dump trucks of small gravel being placed in this designated area.

Respectfully submitted:  
James A. DeGroot, Sheriff  
Vanderburgh County

Commissioner Ossenberg said he had the County Attorney to check it out and found that it can come from Mr. Hotz's budget to do this but not from the Highway's budget, providing we park our vehicles there.

He said as he understands when the building of the Indiana State Highway Police has been finished on 64 and 41, there is a strong possibility that this will be a substation for the Vanderburgh County Sheriff's Department, that he questioned whether we could do it or not and the County Attorney's said that since it is our properties that is parking there, that it couldn't come out of the Highway budget but could come out of Buildings and Grounds and he would imagine that Mr. Hotz would have to contract that.

Commissioner Willner moved that a couple of loads of gravel be hauled out there and that the truck from Burdette Park possibly be used to haul the rock. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenberg asked Mr. Hotz to contact Ray Wolf and see if the truck from Burdette Park can haul the gravel.

RE: DELINQUENT TAX MATTER

Commissioner Ossenberg said he received a telephone call this past week from a Dr. Teng S. Weng of 6 Evergreen Way, East Greenbush, New York... 12061, in reference to taxes on property located at 1000 Westchester Road, 47710 and 2701 Westchester Road, 47712, that he moved from Evansville in June to New York, working in Albany, that he had called a Ms. McIntire of the Treasurer's office and told her he had lost his statement and his cancelled checks in moving, that he had heard nothing as of that date and he has a copy of the letter he sent on October 22, 1978, to the Treasurer's office and has yet to receive anything in the line of another tax statement.

He said he had the Commissioners secretary to go to the Treasurer's office to get the statements, that apparently he owned three parcels of property and paid one in full and then there is a statement of \$167.41 on one piece of property and \$100.48 on another. He said that Dr. Weng had actually told him that he didn't hear from anyone, that he actually called him because he went to a library in Albany and apparently they have a book on County Government and their names were listed, so he called him to see what could be done because he wants to pay his taxes, so he wrote the following letter to Dr. Weng:

Dear Dr. Weng:

I have checked with the Treasurer's office regarding your taxes and plan to bring this matter before the Board on Monday. The Ms. McIntire that you dealt with previously

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was not in the office, however, another employee made up the new statements from the record books after she was unable to find any copies in the file, so as soon as it is determined whether or not you have to pay the penalty, I will send these statements to you and you can, in turn, send the payments to the Treasurer's office.

Commissioner Ossenberg said that since then, in checking, that while County Treasurer, Lewis Volpe probably had a very fine idea in sending out just one statement, that a lot of people were delinquent, a lot of them hadn't paid the second half since they were waiting for their fall statements, so he asked County Attorney Smith to check into this, that he thinks this man to be sincere and wanting to pay his taxes, so he asked the County Attorney if the Commissioners could actually waive the penalty.

County Attorney Smith said he would check into it as soon as he gets the bids on the County Insurance open.

This matter will be held in abeyance until later in this meeting.

#### RE: LAW SUIT FILED

A Law Suit was filed by Max L. Lingo and Antimina M. Lingo, against Treva K. Fortune, Evansville Engineering Co., Elmo Dockery, Elmer Culp, Doris and Edwards, Inc., Joseph L. Edwards, Joseph Greg Edwards, Phillip E. Heston, Edna M. Heston, Vanderburgh County, A Political Subdivision Defendants.

Commissioner Ossenberg said this is a political subdivision at Green River Road and Millersburg Road, from where the Commissioners received all the law suits, that it doesn't mention the County Commissioners at all, but it is on a political subdivision and is in the care of the County Commissioners.

He said he thought these were people who has taken it on themselves in suing the people who own the land, the builders and engineers of this subdivision and the Commissioner's are a defendant as political subdivision as the County Commissioners.

Commissioner Schaad moved that this matter be referred to the County's liability carrier as recommended by County Attorney Smith. Commissioner Willner seconded the motion. So ordered.

#### RE: CLAIMS

A Claim was submitted by Mark Owen for lodging and food in Indianapolis, Indiana, in the amount of \$86.56 and a mileage claim in the amount of \$30.00 for travel to and from the Drug and Alcohol Deferral Service in Indianapolis, which was approved by Judge Terry Dietsch and is apparently to be paid from his account.

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

A Claim was submitted by the American Timber Bridge & Culvert, Inc. for bridge materials, Acct. No. 203-4525, Bridge #54, in the amount of \$27,440.21, which was approved by Mr. Stephen and Mr. Siebeking.

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

A Claim was submitted by Ron Leonhardt, Executive Director of the Vanderburgh County Convention and Visitors Bureau, for lodging, food and travel expenses in the amount of \$87.43, as approved by the County Commissioners.

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

A Claim for Refund was submitted by Jerry Cooper for refund for permit #1644 at 2625 Melrose, since the zoning permit was revoked by the Area Plan Commission, in the amount of \$19.00 which was approved by Mr. Crooks.

Commissioner Schaad moved that this refund be approved. Commissioner Willner seconded the motion. So ordered.

There were a number of claims submitted for meal expenses and Mr. John said the reason these claims have come before the Commissioners is because he thinks that maybe the County Commissioners and the Election Board should set some guidelines to go by on expenses after elections, that through the years the bills are getting higher and higher, so he believes some guidelines should be set, since there are some drinks and tips included, that in the past they have been paid but in his opinion they are getting to the point where they are too high.

Commissioner Ossenberg said he questioned some of them, that they have all been approved by the Election Board.

He said he didn't know how this came about but they have always denied tips and he had a talk with Mr. Hamilton of the State Board of Accounts this morning and he explicitly said to deny tips, and one question on a lot of the claims was the drinks that were included on them, that there are no itemized statements on the meals and while he is going to overlook this, he isn't going to allow tips, and in the future he wants itemized statements.

Ms. Cox asked how they get around it when the tips are added to the bill and aren't separate.

Commissioner Schaad said that if the tips are included with the price of the meals it doesn't show up and this is how they get around it.

Mr. John said he is sure the person who pays the bill will know and he can deduct it from his claim in the future.

Ms. Cox said these are all attorneys, that they are professional men and work at a minimum of twelve hours per day, some, more than that, and they have always been treated to a good meal and the price of meals have gone up, however she will be glad to relay this information to the Chairman of the Election Board.

These claims are as follows, and are for meals on election day by Election Board Members:

Jeffrey Frank.....	\$52.79	Stephen LaPlante.....	\$26.82
Charles A. Spaetti.....	\$24.63	Carl Heldt.....	\$34.65
Daniel Hewins.....	\$44.66	P. M. Mitchell.....	\$38.54
Wayne Turpin.....	\$25.95	Paul Wendel.....	\$35.70
Thomas Barefoot.....	\$36.68		

Commissioner Schaad moved that these claims be approved with gratuities deducted, and that they be itemized in the future. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM SHIRLEY JEAN COX

A letter was received by the Commissioners, which was directed to the Commission on Public Records members and Vanderburgh County Officials, from Shirley Jean Cox, as to an important meeting that will be held on Monday, December 11th at 11:30 a.m. in the Commissioners Caucus Room. The letter reads as follows:

As you are well aware available county storage space is almost a thing of the past and Vanderburgh County is not unique in its problem.

At a recent Clerks Association meeting, Mr. John Neuman, State Archivist with the Indiana State Library, as requested by our Association presented a rather detailed analysis of most records pertaining to the Clerks office with requirements for preservation, retention and destruction outlined. He has also compiled listings for the following officers:

Auditor  
Recorder  
Treasurer  
County Commissioners  
Sheriffs Department

Mr. Newman met recently with Mr. Jesse Crooks and myself and has graciously consented to be with us on the above meeting date.

We are requesting your attendance so that we can work together to help alleviate a very pressing county problem and at the same time better plan for the protection and preservation of our vital county records.

PLEASE MARK YOUR CALENDAR AS A MUST FOR THIS MEETING

Commissioner Ossenberg said this matter was brought up last week, that in the last meeting on the Commission of Public Records, he was still tied up in the Commissioners meeting, so he asked if there was ever anything further brought up at that particular meeting about microfilming.

Ms. Cox said that Mr. Neuman is here and he is working on that inventory, that it is an almost insurmountable job since the basement is loaded with old records of various nature and as she pointed out to Mr. John, who is the Chairman on the Commission on

Public Records, is to have the Commissioners support on this project and to ask the County officeholders to attend this meeting and to cooperate, that what they plan on doing by saying a detailed outline is that Mr. Newman went down and outlined every record she has in her office and has also done it for five other offices she has listed, telling how long it has to be retained, if it is permanent and if it should be put on microfilm, that it is a beautiful guideline, so at their meeting next Monday they would like to have all the officeholders there that are mentioned, that Mr. Newman will film a copy of the detailed analysis and let them have about a month to look it over to see if they will go along with the retention schedule and the permanent nature, or if there are any questions, then to call the committee back at the end of that month and then if everything is okay and if these schedules meet with their approval, then the next step is that Mr. Newman has agreed to come down and go with each officeholder to their storage area or to their offices and mark those things with a D that can be destroyed, then the DAR, Conrad Baker, Willard Library, etc., can at that time, at the meeting, say aye or nay as to wanting these things and the County can then proceed to dispose of all the old unnecessary records that are taking up space, then Mr. Crooks will step in and inventory those records of a permanent nature that they do have left, so what she would like to do is to ask the Commissioners for their full cooperation in this respect and asking the cooperation from the other officeholders, because without it they won't be able to accomplish anything.

Commissioner Schaad moved that the Commissioners cooperate and that they send a note to all the officeholders and ask them to attend the meeting next week, in this room, to discuss the matter. Commissioner Willner seconded the motion. So ordered.

The letter had previously read that the meeting would be held at 11:00 a.m. but there was some question as to if the Commissioners meeting would be over by then, so they decided to have the meeting at 11:30 a.m. and Mr. John said he can conduct the meeting until the Commissioners get there.

Commissioner Ossenberg said he was either going to suggest this, or that the Commissioners meeting start at 9:00 a.m. instead of 9:30 a.m. next Monday.

It was then decided that the Commissioners meeting will start at 9:00 a.m. next Monday, and that the meeting on the public records be held at 11:30 a.m.

#### RE: TAX CERTIFICATES

Mr. John submitted the following Tax Certificates that are to be held by the County Auditor for one year:

Tax Code.....10-67-47.....Pt. Summer Camp on Leased Lane.....11-8-11  
 Tax Code.....21-26-16.....Northeastern Enl. 10 ft. L. 2 Bl. 3  
 Tax Code.....21-43-1.....Dalzell Place L. 1  
 Tax Code.....21-43-8.....Dalzell Pl. Pt. L. 14  
 Tax Code.....21-78-11.....Southern Enl. L. 12 Bl. 18  
 Tax Code.....21-89-5.....Blackford Grove L. 6 Bl. 6  
 Tax Code.....24-34-47.....Rietman & Schultes Add. E½ Vac Orr Ave. Bl. 4  
 Tax Code.....24-36-39.....Rietman & Schultes Add. Pt. L. 1 Bl. 7

#### RE: TAX SALE DEEDS

Mr. John submitted the Tax Sale Deeds on properties that are to be recorded, appraised and sold after being properly advertised:

Tax Code.....6-117-18.....Imp. only Summer Camp No. 1  
 Tax Code.....21-43-13.....Dalzell Place Lots 20 ½ 21  
 Tax Code.....21-43-18.....Dalzell Pl. Lot 27  
 Tax Code.....21-61-6.....Southern Enl. L. 7 Bl. 13  
 Tax Code.....21-61-7.....Southern Enl. L. 8 Bl. 13  
 Tax Code.....21-61-8.....Southern Enl. L. 9 Bl. 13  
 Tax Code.....21-66-10.....Southern Enl. L. 14 Bl. 9  
 Tax Code.....21-72-2.....Southern Enl. Iglehearts Sub. L. 2 Bl. 8  
 Tax Code.....21-74-10.....Southern Enl. 7 ft. Lots 10, 11 Bl. 20  
 Tax Code.....21-76-7.....Southern Enl. Adj. 6 ft. Vac Alley L. 7 Bl. 24  
 Tax Code.....21-88-13.....Blackford Grove Lots 22, ½ 23 Bl. 5  
 Tax Code.....21-89-7.....Blackford Grove 25 ft. L. 9 Bl. 6  
 Tax Code.....22-3-7.....Goodsell's Enl. 21 ft. Pt. Vacated Alley L. 37 Bl. 4  
 Tax Code.....22-76-26.....Kronenberger Add. Lots 33, 34 Bl. 1  
 Tax Code.....22-77-25.....Kronenberger Add. Lots 31, 32 Bl. 2  
 Tax Code.....24-36-9.....Rietman & Schultes Add. L. 11 Bl. 6  
 Tax Code.....24-38-31.....Rietman & Schultes Add. Pt. Lots 18, 19 Bl. 9  
 Tax Code.....24-39-21.....Ballard's Add. L. 23 Bl. 1  
 Tax Code.....27-11-2.....Kazer's Sub Eichel & Lowenthals Sub. ½ all Lots 2, 3 Bl. 11



Commissioner Schaad moved that the Tax Certificates be received and filed, and that the Tax Sale Deeds be recorded, a copy of which are to be submitted to the County Assessor for appraisals to be made. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS ON INSURANCE

Bids were received from the following on Health Insurance and/or Group Life Insurance for County employees:

American United Life Insurance Co...Gerald Dauble, for Life Insurance. A D & D  
Investors Diversified Services, Inc. ...for Life Insurance. A D & D & Excess Risk Ins.  
Lafayette Life Insurance Co. for Life Insurance. A D & D...Excess Risk Ins.  
Bob Goff for Conventional Group Insurance.. (No bid amount included.)  
Great-West Life Assurance Co. for Life Ins. A D & D..Stop Loss Coverage.  
I.D.S. Life Ins. Co. for Life, A D & D & Excess Risk Coverage.  
Bob Goff (Time Ins. for Life Ins. Coverage.  
Great Fidelity Life Ins. Co. for Self Insurance Coverage.  
Blue-Blue Cross for Life, A D & D, Conventional Coverage and Stop-Loss.

Commissioner Schaad moved that all bids be turned over to Ben Davenport for analysis and study and that he come back with a recommendation.

Commissioner Willner asked Mr. Davenport how long it would take him to study the bids and to come back with a recommendation.

Mr. Davenport said he should have most of the work done today and he hopes to write a report for the Commissioners this week and should deliver it by Friday. He said he would like for anyone here to look at the bids so the facts will be known before they are extended, that this way the competition will know what the other bids are before he does his work.

Commissioner Schaad included in his motion to have all the bids laid out so that everyone can look at them after the meeting.

Commissioner Willner seconded the motion. So ordered.

RE: MR. HOTZ

Mr. Hotz said that the fumes at the County Garage were discussed last week, so he contacted Midwest Roofing and secured an estimate on an exhaust system with four drops and it would be somewhere around \$3,500.00, also they would put in two large exhaust fans which would give them complete change of air in the entire garage every eight minutes and it would be approximately \$2,200.00. He said he also contacted George Koch & Sons and they will have figures and specifications in sometime this afternoon or tomorrow, so this is where they stand at this moment.

Commissioner Schaad said the exhaust system is okay for the summer time but in the winter they are going to throw out all the heat from the building.

Mr. Hotz said that the recommendation of George Koch & Sons was to put one fan toward the south end of the building which would blow the air back to where they work on the trucks and the exhaust fan would pick it up and then there would be a air duct at the north end of the building, that this was their recommendation. He said that Mr. Siebeking doesn't seem to think too much of the exhaust system with the four drops, also there is no way to take the fumes out without taking the heat with it, but he thinks they are talking about three or four months out of the year that they will be using it.

Commissioner Ossenbergh said whether they like it or not they are going to have to do it because Osha is going to come in here and make them do it.

Commissioner Schaad asked if he was correct in thinking that the thing wouldn't have to be running constantly.

Mr. Siebeking said that whatever kind of system it is, it can be set up on a switch if it is a motor type thing and it could be turned on and off as they need it.

Mr. Hotz said these were the only two companies he contacted because he felt they are the two largest and more or less specialists in that field, that Midwest has put in a number of large systems in the City and George Koch Co. is big in that field too, that they will give us a figure on the exhaust system with four drops too, but he doesn't really recommend it, that he thinks it will be much better with the fan than with the exhaust system, and then vent it to the outside.



Commissioner Ossenberg said they will wait and see what the other company comes up with, but as he has said, they have an Osha inspection coming up in January.

Mr. Hotz said he should have the other proposal and figures by next Monday.

Commissioner Ossenberg asked if the City or State garage ever experienced the same thing, that Mr. Hotz might get in touch with them; that if they have, find out how they corrected it.

After further discussion, Commissioner Willner said there is only one way to do it and that is to crawl under the truck and hook the hose up, that he does it all the time, that they should stick the hose out the door or up through the ceiling, that it is very simple.

Mr. Crooks said that there is an Energy Conservation Program in the works, that any new building built today does have to have the type thing that Commissioner Willner is talking about, that they use the hook-up system to the exhaust pipe on the vehicle and exhaust only the exhaust fumes, not the entire system, that they do have to have another exhaust system involved but they don't take out near the amount of air that they would have to take out if they had a room exhaust system being used.

Mr. Hotz said as for the office, they installed a new heater there last year, that this takes in the air from inside the garage and they are getting those fumes into the office so what they are doing there is that they are putting in a new exhaust pipe in that will take the air from the office to the floor and take that air and re-circle it, so this will solve that problem.

He said that \$3,500.00 is a lot of money to have this work done in the garage though.

Commissioner Ossenberg said he is inclined to go along with Commissioner Willner, to hook those things up and put the hose outside.

Commissioner Willner said this is better for the mechanics, that he wouldn't work on a vehicle without an exhaust, that it will give you a headache and you are through for the day.

Commissioner Ossenberg said they will wait to see what the other proposal is.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report on the County Highway employees at the garage for the past week which ended on December 1, 1978.  
Report received and filed.

RE: LETTER OF RESIGNATION

The following letter of resignation was received by the Commissioners from Thomas Goodman:

Gentlemen:

I regret to inform you that I will be leaving the job of County Road Inspector as of December 8, 1978. It has been a truly rewarding experience working with everybody. I state these reasons as my decision on this matter:

1. I find it hard to lead an average life, on below average pay.
2. The steady deterioration of my automobile from on the job use.
3. Automobile Insurance is doubled because of use of auto for work.

Therefore, even with my part-time job, I find it hard to make ends meet. Working 2 jobs has me constantly exhausted with little time for myself.

Sincerely, Thomas R. Goodman

Commissioner Schaad moved that the resignation of Thomas R. Goodman be accepted. Commissioner Willner seconded the motion. So ordered.

RE: MR. SIEBEKING

Mr. Siebeking said he brought up the fact of English Coal Company having several pieces of equipment last week, that they could use on various jobs and they went down and filled out a form in the Purchasing Office, so it is on file as to the type of machinery they have and the cost per hour.

He said that Commissioner Willner had suggested that they use them on the passing lane out on Green River Road, that there is a tree that has to come down out there and he is going to see that the tree is taken down this week since it is in the way, so if the Commissioners desire they can do the work, that their form is filled out and their bid is \$23.50 per hour for their backhoe operator and fuel and \$30.00 for their grader which is with operator and fuel.

He said they have been checking all of their accounts the past week and a half to be sure they have used the money to the best advantage and also any encumbrances they might have that they can do.

He said that their third truck has finally come in, that this is revenue sharing money and he finds that this money cannot be encumbered, so of course if it isn't spent, they have lost it, that they do have enough money in this account for trucks and equipment, that everything is paid for and this is an over-run they have left, that they have enough money to buy two new pickup trucks with trade in of the old ones if the Commissioners so desire, so he recommends they buy them, that it doesn't have to be on bid since they will be less than \$5,000.00 per truck, so they can just purchase them, that they are F-100, six cylinder, automatic transmissions, that burn regular gasoline and painted orange, that they said they will sell the department two trucks with the trade of the two they have for \$9,100.00, and this is the amount of money they have in that account.

He said if they want to buy anything that has to be bid on, they won't have time and they will lose the money, that everything was suppose to be in today but he talked to the County Auditor's office and they gave him until Wednesday.

Commissioner Ossenberg said he feels that if they need two new trucks, they should buy the bigger ones.

Commissioner Willner said if they won't have time, they could take invitational bids, that Mr. Siebeking should go to the various dealers and get their bids and get them to the Commissioners by Wednesday morning.

Mr. Siebeking said he would have to get the bids to the Commissioners tomorrow because the paper work has to be taken care of and he has to have it down to the Auditor's office Wednesday morning, so he will get on it today.

Commissioner Willner said, in getting back to the backhoe and the grader, he wanted to know what money Mr. Siebeking has and if this is a good price on the two items.

Mr. Siebeking said he thought it was, that he has compared these prices with what he paid last winter, that they went anywhere from \$25.00 to \$45.00 per hour for a backhoe last year and it was the same price for graders, that they never paid less than \$30.00 per hour last year to rent a grader for snow removal, that they were all over that, so he thinks this is a good price, that the money would come out of his contractual accounts, so if the Commissioners desire, he could use the money from his regular 201 account to pay for the job on Green River Road and he didn't think it should take more than two or three days.

Mr. Guillaum said he thought it would take longer than that, more like a week, that they are actually swaying that ditch out, bringing in the dirt and filling the existing ditch.

Mr. Stephen said they will also have excess dirt that will have to be hauled away.

Commissioner Ossenberg said they still owe Mr. Roebuck some dirt from that law suit, and Mr. Siebeking said they got the dirt out there, that his crew couldn't put it where they wanted it so they just stockpiled it and they were happy with it, and they are going to put it in themselves.

Commissioner Willner asked what kind of a job are they talking about out on Irene and out in there.

Mr. Siebeking said he thought they were talking about a dragline job out there and apparently the English Coal Company doesn't have one because they only give him an offer on these two pieces of equipment, that they can't reach this job with a grade-all, that he is talking about from Irene to Heckel Road there along Green River Road where that ditch has to be moved over too.

Commissioner Willner said he would like to give him the job on Green River Road and lets see what he does.

He then moved that the Commissioners hire the English Coal Company to install the passing blister on Green River Road by Evansville Day School, minus the aggregate, hard surface and the removing of the tree. Commissioner Schaad seconded the motion. So ordered.

Mr. Siebeking said he will just notify them and tell them to contact Mr. Guillaume since he does have a drawing on that.

He then asked what the other stakes are out on Green River Road, south of there, all up and down through the field, that it is staked off on both sides all through there.

Stephen said someone wants to do something out there, that there is a big tile running back up through the road to that area, that somebody was wanting to make a pond.

Mr. Siebeking said they were out there Thursday to check and see what would be involved in moving that tree and he noticed that they have it staked and flagged all through there and he just wondered what was going on.

He said all of the snow equipment is ready to go if they need it.

Commissioner Schaad what the progress is on the calcium chloride.

Mr. Siebeking said they called him Friday and they are to come in tomorrow with the tank and their people that are going to install it, that they will do the work because they come in with it, so he is hoping it will be installed by the end of the week. He said he talked to one of the gentlemen and asked him about material, and he said that just as soon as the tank is installed and plumbed up he will have a load on the way, so he is hoping that by next Monday he can report that it is up and ready to go. He said in case we get a snow or into ice before then, he does have about two tons of salt and sand mixture they had held over from last year, that they have re-worked that pile so they have this to fall back on in case they need it for anything, but they have the pad up and everything is ready.

RE: DAVE GUILLAUM....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaume said they completed the Hogue Road project and they are in pretty good shape on Boonville-New Harmony, that they have the other half of that structure out there they are going to have to pour out there and they should finish that this week.

RE: CLAIM

Mr. Guillaume submitted a claim from Southwest Engineering for the repair of Bridge #49 on Baseline Road in the amount of \$7,000.00  
He said it looks like a pretty good job.

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

RE: COMMENTS ON C.E.T.A.

Commissioner Ossenberg said he would like to hit on the highlights of the meeting with Tom Akin, the Executive Director of the Southwestern Indiana Manpower Consortium and that they are in better shape than they thought they were.

Mr. Guillaume said what he gathered was that they have until September for the people in the program, but one thing the Commissioners weren't aware of, that when they were down there they got with Ann Penfield a little later on this, that there was still a question on the eligibility of a couple of people in the program and he thinks they have it worked out, that one of the people they will be able to keep without question, and apparently someone gave another person some wrong information when they were initially signed into the program, that he feels it wasn't a problem in his office, that they went through the procedure they felt they had to do, that they sent him through the County personnel and it was one of those deals where they apparently had a freeze on the hiring and the person was ineligible for the program, but in getting back to what Commissioner Ossenberg brought up, he still feels, for the overall program, they still have until September so they have six months more eligibility for the people than they thought they did, and after that time, he got the impression that if they went with another phase of the program or retitled it, they would have a good chance of getting it continued.

Commissioner Ossenberg said they did ask if there was a possibility of the County absorbing one or two people with the experience out of bridge funds, since they cannot go with the same personnel after September, so there was a strong possibility that he was going to bring it up before the Commissioners at that time, that they may absorb one or two out of the bridge fund for general foreman work, and they then have to have inexperienced people to bring on for the new people, but he did tell them that by outlining and doing other things they would have a Phase II and even possibly a Phase III.

Mr. Guillaume said that Ann Penfield had more information in detail than Mr. Akin did, since she is the program director, but never-the-less he got the impression from her

that they have until September with the program they have.

RE: MR. STEPHEN

Mr. Stephen said that he and Mr. Siebeking attended the meeting last Tuesday and they distributed some information for the next four fiscal years of the Transportation Act as to the amounts of money that was funded and the federal share.

He said some of them have increased 5% and some of them have remained the same, federal funding that lasts for 1979 through 1982, secondary, urban, safer off systems and some of these are very little, that this is for the whole United States.

He said what they pointed out was bridge replacement, that this is the one that really increased, from \$180,000,000.00 to \$900,000,000.00 in this fiscal year and then to \$1,100,000,000.00 the following year and 80% funding as compared to 75% at the present time.

He said that as he reads it, as they come to the states they are going to be someplace between 15% to 30%, the portion to the states could be used for off-systems bridges, that what they pointed out was to get the plans made for your bridges so that when the money is actually released and you can apply for it, that you have someplace to use it, that the money will be broken down to the states and the states will have it and it will then be up to them as to how they decide to release it, and we will then get our share for the counties.

He said they are going to try to change the formula for the amount the state highway department gets and there is a drive on now to change that funding and the county starting to get a bigger share than what they have in the past, so that will probably come up in the legislature in January.

He said he gave this information to Mr. Lochmueller and he said we should get our projects in before February so we can get on his list, since he is the one that keeps things up to date as to how they are programmed in getting them started.

Commissioner Schaad said it would be helpful if they knew how much they are going to get.

Mr. Stephen said it looks like we'll be getting a little over four times and if it is distributed out about the same ratio, which we will have to assume at the present time, and they only have to come up with 20% instead of the 25% as a match.

RE: REQUEST FOR GRAVEL...CONTINUED

Mr. Hotz said he just talked to Ray Wolf at Burdette and the dump truck that he has is only one-half ton and it will require a lot of loads out there to deliver gravel at the Evansville State Police Post on Highway 41 North.

Mr. Stephen asked if Midwest doesn't have a yearly bid with the County, but Commissioner Ossenberg said they don't have. Mr. Stephen said that Moser has a yearly bid.

Mr. Ossenberg told Mr. Hotz to get a price from both of them for the hauling.

RE: DELINQUENT TAX MATTER

Commissioner Ossenberg asked County Attorney Smith if he found out anything on the delinquent tax matter of Dr. Weng.

County Attorney Smith asked Commissioner Ossenberg what the records show as far as mailing as to his receiving notice at his last place of residence.

Commissioner Ossenberg said Mr. Weng maintains he hasn't received the bill since he left town and he has lost the billing.

County Attorney Smith said the provision states that the County Treasurer shall mail to the last known address shall make a person liable for any property tax, so the only thing he sees here that would give some relief would be if there was a failure to mail notice to the last known address.

Commissioner Schaad asked how much money they are talking about.

Commissioner Ossenberg said he is talking about \$167.41 on one parcel and \$100.48 on the other which he is willing to pay, but the delinquent would be around \$18.00. He said that Mr. Volpe had a good idea in sending both the spring and fall statements out in the spring to save postage but they are having to zerox so many of them because people are waiting for their fall notices.

He said he thinks this man has good intentions and that the penalty should be waived.

After checking with Mr. Volpe, the County Treasurer, Mr. John said that Mr. Volpe will

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check with Ms. McIntire to see if she remembers and if so, he will waive the penalty but if not, he doesn't think it should be waived.  
This matter will be taken up again next week.

The meeting recessed at 11:20 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
DECEMBER 11, 1978

The meeting of the County Commissioners was held on Monday, December 11, 1978, at 9:00 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Cynthia Kay Price 7010 Arcadian Hwy. Part time \$4.50 Hr. E66: 12/7/78

CIRCUIT COURT....Changed to a new Account

117.1 Harold Huck	2329 E. Delaware	Bailiff	\$5.00 Hr.	E66: 12/9/78
117.1 Steve Hipfel	451 S. Weinbach	Bailiff	\$100.00 Wk.	E66: 12/9/78
129.2 Terry Golding	1210 Vann Ave.	Night Intern	\$3.00 Hr.	E66: 12/9/78
119.6 Sheri DeVoy	1400 S. Grand	Typist	\$2.75 Hr.	E66: 12/9/78

COOPERATIVE EXTENSION SERVICE...123

Jill Ann Nicholson 700 Senate Ave. Pt. time Office \$30.00 Wk. E66: 11/20/78

COUNTY AUDITOR

Patricia Gugin 417 Shreeder Pt. time Help \$20.00 Day E66: 12/11/78

COUNTY TREASURER

Kathy Crowe	1214 Shiloh Sq.	Pt. time Help	\$20.00 Day	E66: 12/4/78
Rhonda McClarney	2608 S. Dexter	Clerk	\$6,597.00 Yr.	E66: 12/11/78

SHERIFF'S DEPARTMENT

Ed Galloway 817 W. Franklin Civilian Jailer \$6,500.00 Yr. E66: 12/2/78

COUNTY SURVEYOR

Mark Tuley 1524 St. James Instrumentman \$9,880.00 Yr. E66: 12/11/78

VANDERBURGH COUNTY R.E.S.C.U.E., INC.

Lawrence Nnachi Oko 726 Chandler Week-end Counselor \$3.00 Hr. E66: 12/7/78

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

119.5 Harold Huck	2329 E. Delaware	Bailiff	\$5.00 Hr.	E66: 12/8/78
119.5 Steve Hipfel	451 S. Weinbach	Bailiff	\$100.00 Wk.	E66: 12/8/78
119.6 Terry Golding	1210 Vann Ave.	Night Intern	\$3.00 Hr.	E66: 12/8/78
129.2 Sheri DeVoy	1400 S. Grand Ave.	Typist	\$2.75 Hr.	E66: 12/8/78

SHERIFFS DEPARTMENT

Rick E. Chambers Civilian Jailer \$6,955.00 Yr. E66: 12/2/78

COUNTY SURVEYOR'S OFFICE

Lloyd Rittenour	1404 McArthur Dr.	Rodman	\$8,840.00 Yr.	E66: 12/4/78
Mark Tuley	524 St. James	Instrumentman	\$8,840.00 Yr.	E66: 12/11/78
Tony Lupfer	4513 Outer Fulton	Laborer	\$4.78 Hr.	E66: 12/8/78

VANDERBURGH COUNTY PROSECUTOR

John P. Salb 970 Varsity Dr. Intern \$84.80 Pay E66: 12/7/78

VANDERBURGH COUNTY R.E.S.C.U.E., INC.

Jack Steele 1209 S.E. Second St. Emp./Tr. Developer \$9,500 Yr. E66: 12/1/78



RE: LETTER FROM CONVENTION AND VISITORS COMMISSION

The following letter was received by Commissioner Ossenberg from Bill Brooks, President of the Convention and Visitors Commission:

Dear Tom:

The statute which provides for the appointment of the Convention and Visitors Commission members allows for the County Commissioners to annually appoint two persons for one year terms which begin January 1 and end December 31.

Commission members may be reappointed.

In that regard, I have asked the County Commissioners' current appointees, William Montrastelle and Gary Nickolick, if they will serve another term. Both have indicated they would be willing to do so.

I heartily concur with their willingness to stay on and respectfully request their reappointment for 1979 by the County Commissioners.

Sincerely, William L. Brooks  
President..Convention & Visitors Comm.

Commissioner Schaad moved that the Commissioners re-appoint Gary Nickolick and Bill Montrastelle to serve on the Convention and Visitors Commission. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM SHERIFF'S DEPARTMENT

The following letter was received from Capt. James Moers of the Sheriff's Department:

A new telephone for Capt. Moers, and a new number Sgt. Hayes telephone transferred from Downstairs to Upstairs (Jail Part) with extension on it. With same Telephone number.

Cat. James Moers.

It was noted that the cost will be \$67.00 for installation if combined with orders approved 12/4/78, otherwise it will be \$86.00, that the additional monthly charge will be approximately \$15.55 for new line plus approximately \$5.75 for extension which will be a total of \$21.30 additional per month.

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

RE: NOTICE OF CLAIM

A Notice of Claim was submitted to the Commissioners from the Plaintiff, the Credit Bureau of Evansville vs. Joe Ann Benton, Vanderburgh County Auditor's Office, Defendant.

Commissioner Schaad moved that this claim be referred to County Auditor John. Commissioner Willner seconded the motion. So ordered.

RE: 1979 BUDGET REQUEST FOR YOUTH EMERGENCY SERVICE

Mr. Bill Stravia appeared on behalf of the Youth Emergency Service to request that they be included in the County's budget for next year. He submitted the following letter:

Youth Emergency Service, Inc. was indeed fortunate to be included in the County's budget for last year. It is on the County Commissioner's agenda to be considered for financial support again this year.

Youth Emergency Service is a 24 hour, residential, drug free facility designed to provide a supportive environment for those individuals who require assistance in discontinuing their dependance on drugs. This facility is located at 5600 Old Boonville Hwy. in Knight Township of Vanderburgh County. For the upcoming contract year Youth Emergency Service has been allocated 16 residential slots. Services have also been extended to include an additional 3 outpatient slots. The intended utilization of these slots consists of a pre-candidates phase and after care counseling for graduates. These are presently at full capacity.

Due to increased efforts in community awareness and improved cooperation with the criminal justice system this year 72% of the clients receiving treatment presently are from Vanderburgh County alone.

A site visit by State Certification Officers for the State of Indiana Department of Mental Health, Division of Addiction Services was conducted on 8/8/78. Youth Emergency Service's certification was renewed for the sixth year.

A cost breakdown indicates that Youth Emergency Service is at present providing residential treatment for one client at a minimal cost of \$13.58 per day in comparison to \$111.00 per day at a hospital psychiatric unit. This type of service is also considered in many cases to be a viable alternative to incarceration in prison or jail. This figure is well under the cost of approximately \$30.00 per day required to maintain an individual at Pendleton. Not only is Youth Emergency Service providing rehabilitation with re-entry into productive living in approximately four to six months but also at a cost less than that of most other alternatives.

#### PRESENT FUNDING:

Youth Emergency Service, Inc. is funded on a cost reimbursement basis from the National Institute of Drug Abuse (NIDA). This contract required a 60% - 40% local match. For the upcoming year NIDA's share is \$50,400 and the local share is \$33,600.

#### FUNDING REQUEST:

- A. Total Operating Budget.....\$84,000.00
- B. National Institute of Drug Abuse Share .....\$50,000.00
- C. Prime Contractor's Share .....\$31,080.00
- D. Request from County for Balance .....\$ 2,520.00

#### JUSTIFICATION FOR REQUESTING COUNTY SUPPORT:

Youth Emergency Service, Inc. is providing an important service to the community. As was stated before 72% of the present client population are residents of Vanderburgh County. A number of these individuals would be incarcerated, at the expense of the County, if they were not receiving treatment.

With the assistance of NIDA Youth, Emergency Service, Ind. was established and has been operating in this community since 1973. They have gradually decreased their support to 60% and continued sharing the cost of operation with State and local funding sources. The concept behind this being that if a valuable service is being provided to the community some of the monies needed for it's operation should come from that community, however, with recognition of the fact that full financial support would at this time be an unrealistic burden on local resources. The request being made at this time is for but 3% of Youth Emergency Service's total operating expenses for the upcoming year. A proposed budget for the next twelve months is attached.

Respectfully submitted,  
Dee A. Dixon, B.S.

Mr. Stravia said he would like to say, in closing, that he would like to thank the Commissioners for including them in last year's budget and their consideration of the request this year will be greatly appreciated.

Commissioner Ossenberg told Mr. Stravia that at the present time there is a question out of the State Board of Tax Commissioners, as to whether the Commissioner's can actually spend tax monies to social agencies; that they have verbally told them that they can not.

He said he sent one of the County attorney's to Indianapolis last week and he again conferred with them and again, they have asked for a letter, in writing, which the Commissioners have sent, so until they get an answer back, he doesn't know how they can act on this request, that they have definitely turned them down on Black Expo and on the Freedom Festival, and while this one may come under a different category, he thinks they are going to have to wait until they hear from the State Board of Tax Commissioners, as to whether they are even allowed to grant expending tax monies to social agencies.

He said if it is permissible, they will be heard on the January Council Call, that is, if they get approval from the state this week, however if they get approval after that, they will have to be heard on the February Council Call.

Commissioner Willner asked if there was new legislation on this, and Mr. John said "no" that it is just a different position taken by the State Tax Board, that they do this on several things, that they will approve it for two or three years and then they decide that it isn't legitimate.

County Attorney Smith said it is the Attorney General's opinion that has come out, that they have pretty well laid out guidelines as to what we can do and can't do.

Commissioner Ossenberg said this is where it stands, that if they get an answer this week and the state approves it, they will be in time to put them on the January Council Call.

RE: AGREEMENT SIGNED

An Agreement was submitted that is between the County Coroner and Dr. A.J. Venables, the pathologist, for the signatures of the Commissioners and then to be signed by the County Council.

Commissioner Ossenberg explained that this agreement is for autopsies to be performed and that there are three copies to be signed.

Commissioner Schaad moved that all three copies of the agreement be signed. Commissioner Willner seconded the motion. So ordered.

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 pipe, Guardrail, Calcium Chloride, Rental of Construction Equipment, etc., which will be needed for next year.

RE: CHECK RECEIVED FROM BLUE CROSS BLUE SHIELD

Commissioner Ossenberg said that while the County Attorney was in Indianapolis, he did some checking on Blue Cross-Blue Shield and on Friday he received a check, by registered receipt, accompanied by the following letter:

Dear Mr. Smith:

Enclosed is our check #041888 in the amount of \$52,397.27. This amount represents the balance of the refund due for account #23034, Vanderburgh County Board of Commissioners. The enclosed Actuarial Summary gives the details which allow us to arrive at our actuarial calculation.

The fund balance at April 30, 1978 was \$71,109.48. Our previous check refunded \$18,712.21. Therefore, the remaining balance to be refunded is \$52,397.27.

Account #23160 has a negative fund balance. Therefore, no monies can be refunded.

I trust you will find this action acceptable. Please advise me if you have any questions.

Sincerely, C.J. Hill, Director  
Customer Services Department

Commissioner Ossenberg noted then, that we have this check in the amount of \$52,397.27 plus the \$18,712.21 that Mr. John has been holding.

Commissioner Schaad moved that the Commissioners endorse the checks and refer them to the County Auditor for deposit of same.

RE: CHECK RECEIVED FOR DAMAGES

A check was received from Cynthia Casey Shaw of Haubstadt, Indiana for damages to a guard rail on St. Joe Avenue in the amount of \$75.00, which is a conditional payment subject to inspection by the Surveyor's office. A notarized release was attached.

Commissioner Schaad moved that the check be accepted and that it be referred to Mr. John for deposit. Commissioner Willner seconded the motion. So ordered.

This will be deposited in the Account of the Cumulative Bridge Fund.

RE: CLAIMS

A Claim was submitted by Brink's Inc. for services rendered to the Clerk of the Circuit Court for the month of December, in the amount of \$102.40 as per contract.

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

A Claim was submitted by Szabo Food Service for meals served to inmates and deputies 10/1/78 through 10/15/78 in the amount of \$4,465.50 and for meals served them from 10/15/78 through 10/31/78 in the amount of \$4,785.30 or a total of \$9,250.80; which has been approved by Sheriff DeGroot.

Commissioner Schaad moved that this claim be paid. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by the Holiday Inn of Bloomington, Indiana for Gary O'Risky of the Vanderburgh County Sheriff's Department, for lodging while attending the Identification-I-Kit Class at Indiana University, which was approved by the Commissioners. The claim is in the amount of \$31.03, as approved by Sheriff DeGroote.

Commissioner Schaad moved that this claim be paid. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by the Evansville Vanderburgh County Building Authority, with following letter attached on Fixed and Additional Rental:

Dear Mr. Ossenberg:

In accordance with Article III, Section 3.01 Fixed Annual Rental and Section 3.02 Additional Rental, the following amounts will be due and owing as of December 29, 1978.

<u>Lessee</u>	<u>Fixed Rental</u>	<u>Additional Rental</u>
City of Evansville	\$170,734.50	\$196,286.00
County of Vanderburgh	331,285.00	380,863.50
Evansville-Vanderburgh School Corp.	52,980.50	60,909.00
	<u>\$555,000.00</u>	<u>\$638,058.50</u>

The Fixed Rental Check should be made payable to the National City Bank of Evansville, Trustee, and the Additional Rental check should be made payable to the Evansville-Vanderburgh County Building Authority, as per contract.

Sincerely, C.G. Ruston, General Manager

Commissioner Schaad moved that the Fixed Rental be paid in the amount of \$331,285.00 and that the Additional Rental be paid in the amount of \$380,863.50. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said this dropped a few thousand dollars in the 1979 budget.

A Claim was submitted by David Excavating Co. Inc. for the Nurrenbern Road Project, which is 99% complete, in the amount of \$4,334.00, which was approved by Mr. Siebeking and Mr. Stephen.

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

#### RE: DELINQUENT TAX MATTER

In reference to the delinquent tax matter of Dr. Teng S. Weng that was brought up last week, Commissioner Ossenberg wrote him the following letter:

Dear Dr. Weng:

Attached are the tax statements made up by the Treasurer's Office. Mr. Volpe has agreed to waive the delinquent fees if the full amounts are paid by December 15, 1978.

Sincerely, Thomas L. Ossenberg, President  
Board of Co. Commissioners of Vanderburgh County

Copy of Letter received and filed.

#### RE: HEALTH DEPARTMENT RENT SUIT

The matter of the Health Department Rent Suit was held in abeyance until this week since County Attorney Wendel wasn't present at the meeting last week.

Mr. John told Mr. Wendel that he has explained to the Commissioners that he and Mr. Wendel had worked on it and he agrees with the amount owed being \$45,716.87 and he thought the Commissioners also wanted his opinion on it.

County Attorney Wendel said he thinks this to be the amount that the County owes, that it isn't only for rent but he found that they were even using the wrong formula's based on percentage for several years so the County has been paying too much once in awhile for other Health Department expenses and there were some revenues the County wasn't receiving such as from the birth and death certificates, and all of that is being taken into account, that we actually owe more rent than this, but this is the net figure when they took into consideration of what the County overpaid and balanced it off against what they haven't paid enough on.

He said what they have to settle the suit is an agreed judgement, saying that this is the correct amount and that the County will pay it, so with the Commissioners consent, he will sign final approval for the County.

Commissioner Schaad moved that County Attorney Wendel sign it and settle the case. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS

There were a number of bids received to cover the purchases by the Surveyors Office for 1979 on Corrugated Metal Pipe, Pipe Arches, Sectional Plate, Structural Bridge Flooring, Guard Rail and Other Culvert and Bridge Material, Calcium Chloride plus the rental of construction equipment. They are as follows:

Bauer Brothers, Inc. on pipe, etc.  
 Orbie of Illiana, Inc. for Calcium Chloride  
 David Excavating Company, Ind. for backhoe, Bulldozer and scraper rental  
 American Timber, Inc. for Bridge materials in various amounts  
 All Metal Manufacturing Co., Inc. for pipe, etc.

Commissioner Schaad moved that all these bids be taken under advisement, referred to Mr. Kinder for study, and recommendation next week. Commissioner Willner seconded the motion. So ordered.

There were then found to be more bids for the materials for the Surveyors office. They are as follows:

Young Metal Products, Inc.  
 P & H. Construction Company  
 James H. Drew Corporation

It was noted that the bid from James H. Drew Corporation was opened by mistake and resealed by a clerk in the Auditor's office, since there was no indication on the envelope that it was a bid.

County Attorney Wendel suggested that the clerk make note of the error on the envelope and that it be considered along with the other bids.

Commissioner Schaad moved that these bids also be taken under advisement, referred to Mr. Kinder for study and recommendation next week. Commissioner Willner seconded the motion. So ordered.

RE: BID RECEIVED FROM THE ENGLISH COAL COMPANY

Commissioner Willner said he received a bid from the English Coal Company this morning, that they are bidding on a drag line at \$35.00 per hour, operator included. Mr. Wendel asked if this is an informal bid and Commissioner Willner explained that he is bidding on no particular job like they did on the backhoe, etc. that he just wants to keep his equipment and operator busy since the Coal Companies are down now. Commissioner Schaad moved that this bid be accepted. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR NORTHERN HILLS DRIVE TO BE VACATED

Commissioner Willner said that Mr. Joe Seib has bought a parcel of property on St. Joe and Darmstadt Road, that it was subdivided by a previous owner, that the Subdivision is the Northern Hills Subdivision, that Mr. Seib is a farmer and wants the Subdivision depleted.

He said that in the Subdivision there is Northern Hills Drive that will have to first be vacated so he wanted him to bring this matter before the Commissioners this morning, so they can appoint viewers so it can be viewed and they can make a determination, that there is nothing there and it is all farm land now, so he wants the Commissioners to vacate Northern Hills Drive.

Commissioner Schaad said it was a subdivision with this road apparently platted but the subdivision was apparently never built and the road was never built, and he wants to go back and rescind it all.

County Attorney Smith said if the County has never accepted it, there is nothing to vacate.

Commissioner Willner said that under the Subdivision Ordinance and under the Zoning Ordinance the Commissioners have accepted it, so he has to go through the vacation of it.

County Attorney Wendel said he will then have to file a petition with his neighbors, saying that he wants to vacate it and the Commissioners will have to appoint viewers and if they find any detriment or benefit, they will also have to appoint an appraiser.



Commissioner Willner said there is nothing there, so he thinks they will just need to appoint viewers, that he checked and there is no standard form for it.

RE: COMMENT ON LIABILITY INSURANCE COVERAGE AND TRAFFIC STUDY

County Attorney Smith said that he was up at the State Convention of County Officials on Wednesday and Thursday of last week, which had a session of the County Attorneys throughout the state, and one thing that has bothered he and Mr. Wendel was the liability exposure of the County on various things such as the road condition cases where the Commissioners are considered negligent and they sue the County, claiming damages. He said that he received a letter from Sheriff DeGroot recently, where two prisoners got into a fight so the one that got hurt has obtained an attorney and he is going to sue the County.

He said he would like to call the attention of the Commissioners to maybe looking into extending their liability coverage because in talking to the other County Attorney's, he finds that they do have coverage to cover most any claim that might arise and he isn't sure that they do, that they have liability coverage on their vehicles, that it hasn't come up yet but it has come up in some of the other counties throughout the state and that is Civil Rights Suits, so with all of this, he does think that the Commissioners should give it some serious thought to their exposure, since otherwise, they will be personally liable.

Commissioner Ossenberg said if the Commissioners will recall, back in August they had the Insurance Audit Inspection Company out of Indianapolis to come down and look over their Liability Insurance, and at that particular time, he felt a great need that they should have this seriously studied like they have had their Health Insurance studied, and on November 29th. the State Board of Accounts okayed the \$3,000 in Account 130-246 for an Insurance Consultant, that he had received a letter from Mr. M.C. Holtz, that they had asked for a charge of \$3,000 and was looking forward to the Commissioners authorization, that he had written to Mr. John and it was put on the Council Call agenda and he thinks it was heard in September or October and now he has written to Mr. Holtz informing that the necessary funds have been appropriated to cover the costs for preparing the correct specifications for Property Casualty Insurance for Vanderburgh County and he asked that this letter be considered as the authorization for this service. He said he was told that this probably wouldn't be done before next year so this money has been encumbered, also at the time of this particular study, all of the County Attorney's are going to have to become involved with him and they are going to have to see just what they are covered with and put the Insurance out for bid, that he thinks this is the only proper way to do it and the other Commissioners agreed with him at that particular time.

Commissioner Schaad said that a Traffic Study was done by Engineering Associates and if he remembers correctly, this was done with federal funds, and at that time they made certain recommendations, and having attended previous road schools, the attorney's told the Commissioners how vulnerable they were if they didn't make the traffic study to begin with and then if they didn't implement it, if they recommended that a stop sign be put up at a certain street and it wasn't put up, and there was an accident there, they could be very vulnerable, so he is just wondering, since they have had this study made, that they haven't done anything to implement it.

He said that Keith Lochmueller had the study, that he will be in later, but he didn't think they have done anything toward putting these recommendations into effect. This matter will again be brought up when Mr. Lochmueller arrives.

RE: MONTHLY REPORT

Mr. Crooks submitted the Building Commissioner's Report for the month of November, 1978, and said they are still running about 5% ahead of last year on building permits. Report received and filed.

RE: ROOF LEAKING AT E.A.R.C.

Mr. Crooks said he had a call from Tom Jones Friday morning and he said they have a number of leaks in the roof at the Evansville Association for Retarded Citizens, and he told him that there isn't much they can do right now, that he will wait until the first of next week and he will then go back over there to have another look, so he does plan on going over there with him today or tomorrow to see where those leaks are really coming in at.

He said the temporary work has been completed but they still have leaks, that the work held on the other one, that the only time it leaked is when he had this heavy, long extended rain, but the temporary work on the other one has been completed, that they still have some material and they said they would be more than glad to retouch it when they find where the problem is.

He said he didn't know if the Commissioners remembered or not but when they put that down they had trouble with the tape that was put on there, that it was pulling up



since the material was affecting it.

Commissioner Schaad said he thought they found a tape that was suitable, and Mr. Crooks said they thought it was, that it could be that the water was deeper on Friday and made it run up higher than where it did before.

RE: MR. HOTZ

Mr. Hotz said that in reference to the situation at the County garage, both Midwest and George Koch & Sons assured him that they would have their bids here this morning but at this point he hasn't received them as yet, unless they come in the morning's mail, so there is nothing they can do until they get these estimates.

Mr. Hotz said that he received a very good report from the administrator at Hillcrest, since they insulated those rafters with about six inches of insulation, that the building was between 10 and 15 degrees cooler during the summer. He said the night man, after the children have all taken their showers, turns the boiler off and doesn't turn it back on until about 5:30 a.m., so they are conserving some heat and they are doing a good job, and he is anxious to see the gables finished since they will be conserving more energy.

Mr. Hotz asked the permission of the Commissioners that he might take the balance of the week off for his vacation.

This was agreeable with the Commissioners.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the County Highway employees for the past week which ended on 12/8/78.

Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking said that Hank is to be out at the garage before noon today so they can get started on the installation of the calcium chloride tank this afternoon or tomorrow. He said they are going underground with the wire, so all he has to do is contact them as soon as they get here because he doesn't know exactly where the wire has to go, but they are going to run it underground so they won't have to worry about anything happening to it.

He said they had problems over the weekend with the ice storm but fortunately they had a good supply of salt and sand, but the trees and the tree limbs were giving them more problems than anything, so the crews are still out this morning cleaning up. He said the power was off and they had telephone problems, but they were in contact with the Sheriff's Department and any emergencies they received, they got the message to him either by radio or ran out to tell them, that this is the first time their phone has been out for that long a time.

RE: CLAIMS

Mr. Guillaum submitted a claim from the Vanderburgh County Circuit Court Work Release Program for payment of a 1975 Dodge Dart that the County bought from them for the Surveyor's office, in the amount of \$500.00, which he approved.

He said they did get the money approved by the County Council for this car.

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

A Claim was submitted by the Southwest Engineering, Inc. for concrete beams sold to Vanderburgh County and delivered to the County Garage, in the amount of \$3,993.00, which includes the labor and equipment costs in hauling them. This was approved by Mr. Guillaum.

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

A Claim was submitted by County Attorney Ed Smith for travel expenses of lodging, transportation and registration in attending the Convention held in Indianapolis, by the Association of Indiana Counties, in the amount of \$132.12.

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

RE: MR. GUILLAUM...REPORT ON BRIDGE AND GUARDRAILS

Mr. Guillaum said they have still been working on the repair of Boonville-New Harmony Bridge project, and if they get their concrete this week they should be able to pour the other section of it and have it completed.

He said they looked to try to determine how to do it, that they had proposed at one time to move that ditch line over, but it is a heck of a situation, that the bridges they put in, this is probably the widest section of the road itself and aside from re-locating the ditch, there is really not a good way to get anymore width out of it, without getting any right of way.

He asked what they ran into before when they tried to get this right of way.

Commissioner Willner said that the people were going to hire an attorney and fight us since they didn't want to give up any ground.

RE: STREET PLANS ON MULLENS ESTATE SUBDIVISION

Mr. Stephen submitted the plans for the streets in Mullens Estate Subdivision for approval which are Swingway and Cunningham.

He said that the drainage plans on this subdivision came before the Commissioners a few weeks ago, and the plans are done according to county standards of that, if they build it and it passes inspection, then it would be acceptable for County maintenance, that this is according to the Subdivision Control Ordinance, that they want approval of the street plans so they can go ahead and build it.

Commissioner Schaad moved that the Commissioners approve the preliminary plans for the Mullens Estate Subdivision. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad asked if Mr. Stephen is notified when it is built so he can inspect it to see if it meets county standards.

Mr. Stephen said if they don't do it then, they have to pay for the core drilling the concrete and the testing, but if they do it ahead of time when he can take a sample, they pay for the testing of it at the time, that this gets them the strength test and if he is out there to certify that they have the full six inches of concrete in their forms, then it doesn't really have to be core-drilled to find what the thickness is, but if they don't notify him before it is acceptable, then they have to core drill and test it, so they can show him that they are building according to the plans.

He said that the Subdivision Control Ordinance calls for them to get submitted for approval, two sets of plans for signing, showing agreement that they build it as they have said and if it is, it will be accepted for county maintenance.

After further discussion, Commissioner Ossenberrg said this area is adjacent to Melody Hills which has completely fallen in.

Mr. Stephen said this is what happens if water tends to run under the concrete and it washes the dirt away.

Commissioner Ossenberrg said that the only road that is holding up in that subdivision is the extension of O'Hara Drive that Judge Lensing built, and before he could build it, Mr. Nussmeyer made him put down a rock layer, a screen mesh and drain pipes over so many feet, that this is the only road in that area that is holding up.

Mr. Stephen said they do not have that requirement specified in the Ordinance.

Commissioner Ossenberrg said it is the same thing in Evergreen Acres and Aspen Drive and as long as they don't have a rock base of screen mesh and a drainage pipe and he thinks it should be written in the subdivision code if it isn't, that they are laying that right over clay and it cracks.

Commissioner Schaad said he didn't suppose we have too many subdivisions with concrete streets but we sure don't want a re-occurrence of what happened in Melody Hills.

Commissioner Ossenberrg said that three years ago, at the top of Twickingham Drive, a man's wife got out of the car and fell through the concrete, that when they were done repairing it they had dumped over 100 bales of straw in it and mud-jacked that thing eight feet before they could ever hit anything.

Mr. Stephen explained what needs to be done to fill these voids and said they need something to keep that from traveling down hill and if the water is under there and can't get all the way down the hill, ever so often there should be a barrier so the water can be conducted under the slab.

Mr. Siebeking asked why this couldn't be required of the contractor to put this in on a new street.

Mr. Stephen said they could but the cost would be great.

Commissioner Ossenberg said the cost is going to be greater to the taxpayer initially.

Mr. Stephen said maybe they had better go back to stone and asphalt and eliminate the concrete streets, that where they get into trouble is on the grades, since when it is flat they have no problems and they have some grade in this one.

Commissioner Ossenberg said he realizes, just like Twickingham Court right now, that it is steep but they are going to have to go out and cut from four to five sections of that road out of there since it has deteriorated with nothing underneath it.

Mr. Stephen said they have a problem and the only thing to do would be to put lugs underneath there to stop the water from flowing, to force it back up on top again, that he can see that they are always going to have a maintenance problem in keeping the cracks sealed even after the roads are accepted, so the County will have to assume the responsibility of sealing the cracks, and from what he has seen, he doesn't think the builders or contractors are doing too good a job in actually sealing those cracks after they are done, some of them do and some of them don't, that they should be sealed so the water can't get underneath there, but they do have a problem and the specifications they have to work with do not spell it out right now.

He said they have no assurance that putting a stone layer in there is really going to stop it either, because the problem is that a slab can support itself and if they get some depression underneath with freezing and thawing, it creates some void and fills with water, so they can still have a void forming underneath there, so he doesn't know if they are actually required to put down a stone layer or gravel, etc. for the concrete to rest on, that they guarantee a good job on it.

Commissioner Schaad asked how thick the concrete is on Twickingham and out in there.

Mr. Stephen said it is supposed to be six inches but he doesn't know if it is or not.

Mr. Siebeking said he has been out there and in a lot of places he doesn't think it is over four inches thick, also he doesn't think they have any reinforcing of any kind out there on those streets either.

Mr. Stephen said reinforcing isn't required either in the specifications, also that the six inches of concrete which is designed for cars is really not heavy enough for these streets since they have garbage trucks plus school buses.

Commissioner Ossenberg said they had a core drill on Aspen and it was six inches but then Romaine Construction Company has a subdivision going south of them and there were 10 to 14 concrete trucks up there at a given time and Aspen was being used and creating the deterioration of that concrete street where it is going to cost Citizens Realty a sum of money to cut those places out, that it isn't a county accepted street so he told them they could do what they wanted to do, since they could legally do it, so they went out and blocked the street off to keep them from going there and then the people started going over the people's yards.

He said if Mr. Stephen thinks, on this grade, that it is alright on a level, he will go along with it, but if they have a light bit of grade, he thinks something should be done.

After further discussion, Mr. Stephen said that maybe stone with blacktop of sufficient thickness would be better because on a steep hill, since if the water gets in there and it gets soft, it will push down with the street, whereas the concrete spans over the soft places and as the water runs out, it takes soil with it, and it is pretty hard to get a void underneath that kind of a street, so they might discourage the use of as much concrete as they can, especially on the hills, although they like curbs and it is pretty hard to put the curbing along a blacktop street.

Commissioner Ossenberg said he thought they spent almost \$3,000.00 last year in just repairing curbs in Melody Hills that crumbled.

Mr. Stephen asked the Commissioners if they want to hold this so they can discuss the requirements for streets and maybe make some changes in the specifications.

Commissioner Schaad said that they should note that a grade over a certain amount would have to have different specifications on the plat, that he thought this would solve it, but this depends on what is underneath it.

Commissioner Ossenberg said that Cunningham Drive is a perfectly level street and it has completely deteriorated, that the County spent a fortune out there sealing the cracks, bought a new machine to do it, that the street just went to pieces and they

sealed all the joint sections out there and it still didn't do any good.

Mr. Stephen said that under those conditions, it looks to him like someone didn't put sufficient cement in the concrete.

Commissioner Willner asked Mr. Stephen what affect it would have if it would require under a concrete street, to lay some of this plastic tile down with perforated holes in it, right down the center of the street from the starting point to the ending point, to lay it right under the concrete.

He asked if this wouldn't take the water from both sides and run it to a center point to keep it from washing out.

Mr. Stephen said not necessarily, that what the State Highway's requirement is, is to put tile down either side to the outside rather than in under the pavement, that is to weep out and trap water trying to get underneath there, that they have a blacktop surface which is pretty impervious to water that they are using, that he thinks it would be the same way on concrete if they kept the cracks sealed, that this is the point that they can't do all the time, that they need a program to seal cracks yearly and that gets expensive and time consuming.

Commissioner Willner said why don't they require a tile down each side then, and Mr. Stephen said that where they get steepness it wouldn't hurt anything to do this, except that possibly more storm sewers and more frequent inlets to storm sewers might be something that would be required.

Commissioner Willner asked Mr. Stephen to come back next week with a recommendation.

RE: REPLAT...WEDEKING AVENUE OFF BAUMGART ROAD

Mr. Stephen said there is a radio station out on Wedeking Avenue off Baumgart Road, that he has a replat of a subdivision where the County designed a drainage system to help improve the drainage out there by putting down a ditch on over to Crawford Brandeis, that there is a 30 inch pipe under the highway.

He said these people are wanting to buy some land out there but want to close the road and a man out there is refusing to sign a petition to close the road, so they told Mr. Stephen that they would come talk to him but he told them he isn't the one that makes the decisions, also that they have a 60 foot right of way, that they are trying to get him to say that it is okay to close the road, but he doesn't think they should. He said they are wanting to re-locate their power through the night and instead of one tower, it takes a series of six, and they don't know how their guy wires are going to be laid out so they want to close it up, that they would permit the drainage but they wanted it at the edge of the property.

Commissioner Schaad said the County can't put in a drainage ditch down there if it isn't a county accepted road.

Mr. Stephen said they would almost have to put it in the roadway now and then if they abandoned it there would be a stipulation that the drainage stay.

He said he pointed out to them that if we constructed this and then gave up the road, we would want to be sure if we have this grassed in, and they give someone permission to farm this land but they did not do it through this swail, so at one place it is going to be hardly existant, that it would be easy enough, on a long through slope, for someone to farm right through it, and a quarter of a mile is in our certified mileage to the state highway.

He said they asked for a pipe but he told them a pipe would stick out of the ground two feet unless they start deeper, but that the County wouldn't buy the pipe, that he wanted to bring this to the attention of the Commissioners.

He said he told them that they should check with the Commissioners and the Commissioners agreed that they should.

RE: MR. STEPHEN....TRAINING SCHOOLS

Mr. Stephen said that there are two things in a letter the Commissioners received that he wants to bring their attention to, one is how they are handling, after the third year, the federal aid secondary funds and the safer off-systems funds, going into the pot, that it passed the state highway commission on November 27th. so this is now the policy.

He said the other letter concerns local agencies doing the construction engineering on the various federal funded projects and they are running training schools on the 22nd. and they would like them to take courses, that they have a description of the course and when they are going to be offered, so they should be thinking about sending some of the people to attend some of these courses, because it would be well if they have some of the county personnel on the St. Joe and Lynch Road projects and they should have some of this schooling, as far as the inspections are concerned, that they should

have someone from the Surveyor's office to go, that it must be in by December 22nd.

Commissioner Schaad said Mr. Stephen had better get together with Mr. Brenner and Mr. Lochmueller on it.

Mr. Lochmueller said that what Mr. Stephen is saying is that it is super important that the County have their people there, that if they don't it will be what happened to Evansville one time when the construction engineer was pulled away and they had to get someone else, that it is just a matter of getting people to those schools, and it is really important that they have that office manager and any inspectors because they will have to be qualified, because the state will still have someone in to look over their shoulders, that this is very important.

Commissioner Schaad said that Mr. Stephen should talk to Mr. Brenner and see who he wants to send and do whatever they have to do.

RE: MR. LOCHMUELLER

Mr. Lochmueller said he will have the U.S. 41 Project Report for the Policy Board tomorrow, and by December 22nd. he will have the information on the inventories that was made, that they had a lot of people out there who did a lot of work and he was fortunate in getting a lot of University people to help, that it just takes time but they are making a lot of progress.

Commissioner Ossenberg asked Mr. Lochmueller if anything has been done to implement the Traffic Safety program that Engineering Associates made for us.

Mr. Lochmueller said they are getting ready again for the work program for next year since by February 14th. they are going to have to have all the jobs in. He said he thinks they need to look at taking some of our money and putting it into the safety program, that he has heard comments on signs but he has also heard about the law suits, that he has looked at the new signing program, the striping program that they got for 100%, that he has been planning on taking some slides, that he has never been so impressed, to go down in some of the valleys where they had bridges, that he saw a real horrible situation in Warrick County and one here on Old Boonville Highway, that nothing had been done but now they have by this bridge program, that they are putting up luminated signs up and when a headlight hits it, there is a whole series of them, that all he is saying is that what he has seen of the program in the hazardous areas, they should start implementing them, and that should be at least that portion that should be in the work program, also he will be coming with some projects and sitting with the County Commissioners on highway projects, but he feels then that they should be getting with their engineer and should be getting their right of way and soon, also what they want in for bridge replacement for next year, that they shouldn't wait and then get caught at the end of the year by not having submitted the jobs. He said there are safety funds and there are some bridge replacement funds and he would be glad to work with Mr. Stephen and Mr. Brenner, that it has to be done. He said that the Safety Program would be part of the items that will be discussed at the meeting they will have on the annual element, but he does know that they are going to have to get the bridge replacement projects under way.

Commissioner Ossenberg asked if the bridge replacement isn't being updated now, and Mr. Hartman said Mr. Guillaum did a bridge inspection about two years ago and they try to keep it updated and as they replace bridges they re-do the schedules, that they are even up to the year of 1980 now and past that as far as bridge replacements are concerned.

Commissioner Ossenberg told Mr. Lochmueller to get with Mr. Guillaum on the bridge replacement.

RE: OLD BOONVILLE HIGHWAY CLOSED

Commissioner Ossenberg said that last week he announced that Old Boonville Highway would be closed from the Eagles Club to Hoosier Avenue, that he has been told that it will also be closed this week.

RE: HOLIDAY CLOSING

The following announcement addressed to all County Officeholders and Department Heads was presented by Commissioner Ossenberg:

All County offices will close at noon on Friday, December 22, 1978 and remain closed until Tuesday, December 26, 1978.

Also, all County offices will close at noon on Friday, December 29, 1978 and remain closed until Tuesday, January 2, 1979. Pay checks will be available after 3:00 p.m. on Thursday, December 28th.

Thomas Ossenberg, President  
Board of Commissioners of Vanderburgh County



RE: CONTRACT...PUBLIC SERVICE EMPLOYMENT

Ms. Bailey, the Executive Assistant to the County Council, distributed copies of the new contract for the P.S.C. for the Treasurer's office. She said that as the Commissioners will recall, the Treasurer is trying to collect on delinquent taxes, that from February 1st through July 31st. he did have CETA employees to help him with the delinquent taxes and trying to collect them, that this is the same contract that they have again, except that it is for November 1st. through October 31st. 1979, so the program lasts one year. She said she got together with the Public Service Employment Planner, Connie Robinson, Friday, and she asked that the contract be given to the Commissioners and have them evaluate it and then give it back to her so she can average them and give the average to the Planner.

RE: MR. HOTZ ...CONTRACT AWARDED

Mr. Hotz said he did receive one bid in the mail from Midwest on the exhaust system at the County garage which includes four drops, at the approximate cost of \$3,500.00, that this includes everything except for the electrical work. He asked Mr. Siebeking if he saw the bid.

Mr. Siebeking said he did, that it looks kind of expensive, but he was looking at one Friday out at K & W and if it is anything like that, since it exhausts everything out through the roof, that it is all sealed and it has a fan in the end of it and the drops are put up so they can be lowered and raised.

Mr. Hotz asked if it would be possible to take this out of the Cumulative Capital Improvement Fund, since they have quite a bit of money in there they aren't going to use.

Commissioner Ossenberg said it is a separate item though, so they would have to have approval from the County Council. He asked if they would have to re-advertise if they went before the County Council to ask for this money.

Mr. Hotz explained that the Council allowed \$40,000 for Washington-Hillcrest but it is in the same numbered account.

County Attorney Wendel said they could transfer it with a letter then.

Mr. Hotz said he was looking for two bids, that in talking to both individuals, it seems that this company has more knowledge of the system and they have installed a number of them and he thinks this bid is a good bid.

Commissioner Willner moved that the bid of Midwest be accepted for the exhaust system at the County garage. Commissioner Schaad seconded the motion. So ordered.

RE: COMMENTS BY COUNTY ATTORNEY SMITH

County Attorney Smith submitted a computer readout as compared to the tax rates over the County with other governmental units that he got at the convention and thought the Commissioners would like to see it.

He also submitted a kind of County Hot Line, that every Monday morning they can call a number and they have a three-minute informational thing on County government.

He submitted a list in reference to the Boards that the County Commissioners appoint. He said he also wanted to call the Commissioners attention to the fact that he had quite a session with the City officials in Indianapolis concerning their Massage Parlor administrative enforcement. He said they were very glad with our action taken because they had a problem up there with the enforcement of their ordinance and they want a copy of the opinion and also, they are going to have to amend their ordinance pretty much like ours.

He said the Sheriff wants to get together with him on it, so if the Commissioners want him to set it up he will.

The Commissioners agreed that County Attorney Smith set up a meeting with Sheriff DeGroote and work out the enforcement of it.

County Attorney Smith said he discussed the mechanics of it, as to how they go about regulating through the issue of citations, kind of like a traffic citation and that sort of thing.

He said that the Commissioners referred to the overpasses of Boonville-New Harmony Road at Bender Road a couple of weeks ago, that he wrote them and received a call and a letter from their Division Engineer and he received a call from their Marketing Representative in Cincinnati and he is referring it to the Philadelphia office and he did receive a response from it.



He said they are looking into it and will be in touch with us shortly.

Mr. Smith said that the Commissioners had asked him to write concerning the fallen tree at Hillcrest and he received a response on it, which reads as follows:

Dear Mr. Smith:

Thank you for your letter regarding the fallen tree on the Former Naval and Marine Corps Reserve Center, 2700 West Illinois Street, Evansville, Indiana, GSA Control No. N-IND-554. We have forwarded your letter to Lt. Renwick, Commanding Officer of the Naval and Marine Corps Reserve Center in Evansville, and asked that he take prompt action in seeing that the tree is removed and the fence repaired.

We hope that this problem will be solved shortly. Should there be any other problems concerning the property, please contact our office.

Sincerely, Daniel K. Connolly  
Director, Real Property Division  
Federal Property Resources Serv.

Letter received and filed.

The meeting recessed at 11:25 a.m.

PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Margie Meeks, Secretary

*D. K. Connolly*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

683

COUNTY COMMISSIONERS MEETING  
DECEMBER 18, 1978

The meeting of the County Commissioners was held on Monday, December 18, 1978, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: CONTRACTS AWARDED

There were a number of bids received last week to cover the purchases by the Surveyor's Office for 1979 on Corrugated Metal Pipe, Pipe Arches, Sectional Plate, Structural Bridge Flooring, Guard Rail and Other Culvert and Bridge Material, Calcium Chloride plus the rental of construction equipment. They were referred to Mr. Kinder for study, so recommendations can be made today.

Mr. Stephen said that James Drew is low on Guard Rail and his recommendation is that this bid be accepted.

Commissioner Schaad moved that the bid of James Drew be accepted for Guard Rail. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen said that the bid of Young Metal Products, Inc. for Culvert Pipe are out of line and he would recommend that this bid be rejected, since they had list price with no discount.

He said that All Metal Manufacturing Co., Inc. had list price and varied discounts from 13% to 17% depending on the items which made the only place they are competitive or have a better price is on the Pipe Arch, and Bauer Brothers bid is low on practically everything except the other item, so he didn't know if the Commissioners want to accept both of these bids and they buy from whichever has the better price or not, that he would recommend that both these bids be accepted.

Commissioner Schaad moved that the bid of Young Metal Products, Inc. be rejected. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad moved that the bids of All Metal Manufacturing Co., Inc. and Bauer Brothers be accepted so they can buy it from whichever has the lowest price. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen recommended that the bid of American Timber Bridge & Culvert, Inc. for Culvert & Bridge Material be accepted.

Commissioner Schaad moved that the bid of American Timber Bridge & Culvert, Inc. of Fort Wayne, Indiana be accepted. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen recommended that the bid of Orbie of Illiana, Inc. be accepted for Calcium Chloride.

Commissioner Schaad moved that the bid of Orbie of Illiana, Inc. be accepted for Calcium Chloride. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked Mr. Stephen if the Calcium Chloride will be the same price as the others was, that was delivered.

Mr. Stephen said it has gone up a little for next year, that he thinks they were buying it for 32¢ and it will be 36¢, and this was the only bid on Calcium Chloride. He said if they buy 32% solution it is 3¢ less and this is what they use in the winter time, that they would increase it to 38% in the summer time, so the 38% will be 3¢ and 32% will be 33¢, that he thought the 32% was 32¢, in which case it has raised a penny.

Mr. Stephen said they received two bids on Equipment, one from P. & H. Construction Company and the other from David Excavating Company, but the equipment they bid on aren't exactly the same so he would recommend that both bids be accepted.

Commissioner Schaad moved that the bids of P. & H. Construction Company and David Excavating Company be accepted. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM LARRY LUTZ

Commissioner Ossenberg said he received a letter from Mr. Lutz, dated December 15, 1978, which reads as follows:

Dear Mr. Ossenberg:

The Vanderburgh County Council has seen fit to allow the Office of Perry Township Assessor to be re-located within Perry Township. I therefore will not exercise the option on Room 219 in this Civic Center Complex if and when it is vacated.

Thank you and the members of the Board for your consideration.

Sincerely, Larry E. Lutz,  
Perry Township Assessor-Elect

Letter received and filed.

RE: MONTHLY REPORTS

The Bureau of Traffic Engineering County Report was submitted for the month of November, 1978.

Report received and filed.

The Monthly Report of the Clerk of the Circuit Court was submitted for the month of November, 1978.

Report received and filed.

The Case Report for the Legal Aid Society of Evansville, Ind. Joint Department of Legal Services was submitted for the month of November, 1978.

Report received and filed.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY TREASURER

Elizabeth Sapp	Part time	\$20.00 Day	Eff: 12/12/78
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206.6 Connie John	2825 Edgewood	Investigator	\$7,168.00 Yr.	Eff: 12/5/78
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VANDERBURGH CLERK OF CIRCUIT & SUPERIOR COURTS

113-027 Sharon Yunker	5313 Sherbrooke	Dep. Clk.	\$261.38 Pay	Eff: 12/15/78
113-021 Kathleen Powers	3808 VanMeter	Dep. Clk.	\$261.38 Pay	Eff: 12/15/78
113-016 Rita Strange	2517 Pollack	Dep. Clk.	\$261.38 Pay	Eff: 12/15/78

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY TREASURER

M. Catherine Day	Part time	\$20.00 Day	Eff: 12/15/78
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VANDERBURGH CLERK OF CIRCUIT & SUPERIOR COURTS

113-027 Elizabeth Chandler	2805 Oakhill Rd.	Dep. Clk.	\$261.38 Pay	Eff: 12/15/78
113-021 Sylvia Schnerr	4404 Greencove	Dep. Clk.	\$261.38 Pay	Eff: 12/15/78
113-016 R. Grace Wohlhueter	1806 Conlin Ave.	Dep. Clk.	\$261.38 Pay	Eff: 12/15/78

RE: COUNTY HEALTH AND LIFE INSURANCE

Commissioner Schaad moved that the County keep the present carrier, Blue Cross-Blue Shield on Health Insurance and that they keep the present carrier, the American United Life on the Life Insurance, that the employees of Vanderburgh County will be asked to pay \$5.00 from their pay to cover the family plan and to pay \$1.00 on a single plan. Commissioner Willner seconded the motion, with the assurance that the Insurance Companies will be in to sign a new contract. So ordered.

Commissioner Ossenberg explained that in their general consideration of the Insurance under Blue Cross-Blue Shield, all employees are receiving much much better benefits under the High Option, so consequently, the Commissioners feel as though the participation of the \$5.00 per month for a family plan isn't asking too much per employee. He said the experience with United Life has been a very good experience with several thousand dollars being returned to the County, so therefore, taking that into consideration, the Commissioners looked at it and they feel as though American United Life will be the best Insurance for Life.

Commissioner Ossenberg said he would like to thank Ben Davenport, since he has been a great help to the Commissioners with the Insurance bids, that he has expertise in Insurance, and he certainly hopes that the County Council will see fit to put him on a retainer fee to keep the Commissioners abreast of what goes on in Health and Life Insurance, and likewise, they are doing the same thing in Liability Insurance.

RE: LETTER FROM THE AMERICAN FAMILY INSURANCE GROUP

The following letter was received by the Manager of the Vanderburgh Auditorium, from the American Family Insurance Group:

Attention: Manager      Re: James E. Burkdoll, Evansville, Indiana; Policy 13-P19760

Please be advised that James E. Burkdoll, Route #7, Box 164B, Evansville, Indiana does have the above numbered Homeowners Policy in force with limits of \$100,000 Bodily Injury and \$25,000 Property Damage on the usual Section Two Coverages. Coverage has been increased to \$500,000 Bodily Injury per occurrence for the December 16, 1978 event, which is a reception.

Signed, Glenn J. Adler, Underwriter

Letter received and filed.

RE: CHECK RECEIVED....LETTER ON SAME

The following letter was received by Mr. John from County Attorney Wendel:

Dear Mr. John:

On today's date I received at my office by mail draft No. 28894, dated December 8, 1978, in the amount of \$400.00 from the Cincinnati Insurance Company. This draft is made payable to the Board of Commissioners of the County of Vanderburgh and to me as the Board's Attorney. The draft is for reimbursement for repairs to the County bridge structure 40 A which is located on No. 6 School Road. The date of the accident causing the damages was October 22, 1978, and the person causing the damage was Mr. Garry Barton. Please present the draft for endorsement at the December 18, 1978, Commissioners' meeting.

Thank you for your attention to this matter.

Yours truly, Paul Wendel,  
County Attorney

Commissioner Schaad moved that the Check in the amount of \$400.00 for total damages be accepted and endorsed. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad moved that the check be deposited into Acct. 203-2250, Cumulative Bridge. Commissioner Willner seconded the motion. So ordered.

RE: HOLIDAY CLOSING

Commissioner Ossenberg announced that the next meeting of the County Commissioners will be held on Tuesday, December 26, 1978, at 9:30 a.m.

He said this is also a reminder that the County offices will close at noon on December 22nd.

The Commissioners want to wish everyone a very Merry Christmas.

RE: TELEPHONE REQUEST

The following letter of request was received by the Commissioners on December 4th, 1978 from Roman Gehlhausen, the Knight Township Assessor, and was approved on the same day:

Dear Sirs:

In order to get phone service to one desk that has been moved because of the Reassessment, we find it necessary to have an extra long cord installed. We hesitate to get a new phone installed as the cost to the County is not necessary. The desk will be moved back to its original position as soon as the Reassessment is finished.

Please call an order into the Telephone Company for a 13' cord (from floor base) in order that we might facilitate this move.

Your attention to this matter would be appreciated as we did not anticipate this move before today and the calls are in excess of the normal day.

Thank you, Roman F. Gehlhausen  
Knight Twp. Assessor

It was noted that the charge would be \$29.00 less \$19.00 if combined with another order.

A note attached to this letter was submitted to the Commissioners today and reads as follows:

The request from Mr. Gehlhausen, Knight Township Assessor, for a long cord on phone 5263 was approved by the Commissioners on December 4th.

Now the phone company has informed us that they do not put in the long cords for safety reasons.

So in order to get this phone where the Assessor needs it, the Building Authority will have to install a floor outlet which will run around \$50.00. They need approval.

Commissioner Ossenberg said he thinks the explanation of it is, that what he needs is for this phone to be moved to the back of the office for the reassessment, because they can't get anything done with the phone being at it's present location, so they want to move the phone to the back so they won't be interrupted during the reassessment process.

Commissioner Schaad moved that the Commissioners approve the installation of the floor outlet. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACTS TO BE STAMPED

Commissioner Schaad moved that all the contracts that were approved this morning be stamped with the Commissioners signature stamps. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....THIRD READING.....VC-12-78

Petitioner and Owner of Record.....Jerry Allen Whipple of 1012 Meyer Circle

Premises affected are situated on the East side of Walnut Road, a distance of 1000 feet North of the corner formed by the intersection of Radio Road, and more commonly known as 11709 Walnut Road.

The requested change is from R-1 to R-3.

The present existing land is vacant and the proposed land use is for apartments. This petition was denied by Area Plan with eight negative votes, two affirmative votes and one abstention.

Mr. Whipple said his request is to rezone this property from R-2 to R-3 for the purpose of building twenty-eight apartment units and that he would like to submit the plans to the Commissioners for this project.

He said the two reasons for the Area Plan's denial of the petition which were brought up by the remonstrators were the drainage problem and the traffic problem, and as far as the drainage is concerned, he had talked with Mr. Mitchener, an Inspector with the Building Commission, that he had accompanied him to the site and told him the proper floor elevation which is around a foot and a half above the present ground grade and he said there would then be no problem with drainage, that he asked for a letter to this effect to present to the Area Plan's meeting but he said it wasn't necessary, that he would attend the meeting, but he wasn't there, therefore when this objection was made, he had no defense, that the other objection to this petition was a request for a comprehensive traffic plan, so the morning before the Area Plan Commission met, he went to the Urban Transportation Department to see their report to the Area Plan Commission, and they stated there had been a mix up in the paper work, that they hadn't received this petition from the Area Plan Commission, so it then went to them upon his request, and they then submitted a favorable report on the traffic pattern of this request, based solely on the parking lot traffic and the number of parking spaces which was acceptable, however what he wanted from the Urban Transportation Department was what these apartments would do to the overall traffic pattern of Walnut Road, Campbell Road, and Radio Road, that he thinks it may be relevant to give the Commissioners a diagram of the area, which he did at this time, and explained it to the Commissioners. He said he has delayed this petition twice in an effort to get the answers to the objections made by the remonstrators, and he has talked to the County Surveyor who said that any problems with drainage in the area are caused by the creek that runs across Campbell and under the bridge at Walnut and then south, parallel to Walnut Road, also that this ditch was completely cleaned out several years ago, and the responsibility of keeping the ditch clean was that of the homeowners and some of them didn't keep the ditch clean, so when there are heavy rains, there can be some flooding on the west side of Walnut Road.

He said he has recently made an inspection of the property, that we have had quite a bit of rain and he didn't see any flooding in the area right now, however, because this flooding does occur from time to time, only on the west side, he proposes to make this a legal ditch and said it will be advertised shortly, so with this being done, he thinks this would be a solution to the drainage problem.

He said he has since been back to the Urban Transportation on the traffic problem, and they said they wouldn't issue a report to him, that they would issue a report to

Mr. Ossenberg, and in talking to the County Commissioners, he has devised a plan to help the traffic situation and that would be to make Walnut Road one way going South, Park Avenue, one way going North and Campbell, Radio and Hillsdale all having two-way traffic.

He said there is a small bridge on Campbell Road at that point, up to Park Avenue, East, the road is only 16 feet wide and possibly there should be two feet added which would allow for two-way traffic, and he feels that these items would solve the problems that were raised by the remonstrators and he believed it would be a very cost effective manner in dealing with it, and he feels that the overall economics of the project would be very favorable, the sewer taps for the area, they have run \$5,600.00, a water service for the twenty-eight units they have run \$3,750.00 which is an investment on the part of the developer in the area of \$350,000 to \$400,000, that the tax revenue would be approximately \$4,000 per year, where they use 8% of gross rents which is a national average for property taxes.

He said in a recent study made in November of 1978 by the Department of Metropolitan Development, they indicate there is a six-tenths of 1% vacancy rate of apartments in the City of Evansville. He said this project falls into Zone 1 by them and it shows a two-tenths of 1% vacancy rate in the North side, that there are approximately 8,000 apartments units in Evansville with only 4% being in zoned 1. He said this area is two miles from the Industrial Park just North of Petersburg Road, three miles from Whirlpool, and four miles from the Lynch Industrial Park, so with the additional employees working in the area, he thinks there is a natural growth to the North side. He said the neighborhood is bound by Hwy. 41 on the West, Park on the East, Campbell on the North and Hillsdale on the South, and there are several non-conforming uses in the area at the present time and he wouldn't call it strict conformity, that those in the area have been doing with the property as they desire and he would like to have the same opportunity, that he feels that with the additional investment in the area, it would help the overall neighborhood and he feels they have given a feasible plan for traffic control and for drainage, with the drainage ditch being made into a legal drain, that they will also be offering economically housing which is needed on the North side.

He said he considers this project to exemplify good planning, good government and orderly growth.

Commissioner Ossenberg said he hasn't personally received a report from the Traffic Engineer.

Mr. Whipple said he spoke to Mr. Lochmueller who said it would be sent to Commissioner Ossenberg.

He said that two-way traffic has been used up to now, successfully, but he believed there to be some complaints from some people in the area, but he thinks this will be a plan that would help the area if there are apartments there or not.

Mr. John Basham who lives on Walnut Road appeared and said he has a petition of the remonstrators, which he submitted to the Commissioners at this time, which is noted as being received and filed.

He said in response to Mr. Whipple, they have fourteen feet paths out there but they only have twelve of pavement or gravel, and as far as the water on the East and West side of the ditch, about twice a year they can't tell where the ditch is, since all the head water from the hill comes down there, that this area will actually float a boat down their main street which is Walnut Road, and as far as changing the traffic pattern, some years ago, a man who ran a Tool and Die Shop asked that Walnut Road be made a one-way and Radio Avenue be made one-way the other way, and the Commissioners rejected it because they said it wasn't needed. He said they are a working class of people out there and they pay taxes, they have fought to get the sewer out but finally got it stuck on them, they fought to get the roads straightened up, which they did, but they are falling through again but they did patch them, with the help of Commissioner Willner, also the contract went through for the sewers which went down the center of the road which softened the bed and the road, so Mr. Whipple is proposing here to double the amount of traffic and he doesn't see how they can stand it. He said that Mr. Whipple is talking about the traffic pattern going out on Hwy. 41, that there is a six-way stop right there at the Tri State Health Club where there are trucks in and out of there constantly and they have had wrecks on top of wrecks there.

He said that Mr. John Koch of the Surveyors office came out there and he submitted a picture of Mr. Koch's car and said he almost got killed there, that it happened on December 3rd. and also on November 3rd. after the meeting of the Plan Commission, Jeff Wilson who lives at the corner of Radio Avenue and Walnut Road ran into the same place because there is a manhole and there isn't enough room to go between the two ditches in order to put the sewer to where it could be level, so they had to move it to the middle of the road, so they have to hit the manhole cover, that there is no way around it. He said he doesn't feel that it will be an asset to them at all to build these apartments, in any way, and they feel that it is very unfair to have something like this shoved on them, which they really don't need, that they are in the middle of an industrial park on both sides of them now, also as far as the traffic problem is concerned, they have



events that take place at the 4-H Center several times a year and with the traffic to and from Whirlpool and they have to cross all the paths and with the additional traffic, it will really create a problem, so he asks that the Commissioners please deny the request for the apartments.

Mr. Jim Ellis of 11600 Walnut Road said he has lived out there for twenty-eight years and the water comes down on the East side of the ditch and flows toward the West side and when cars meet on the road they have to pull onto the shoulder and if it is slick, they go into a ditch, that it isn't wide enough for two cars, so he really and truly believes they shouldn't have any more traffic on that road. at least until they get it fixed.

Mr. Clifford Fehrenbacher said that he is also a resident on Walnut Road and that he would like to say that the sewer lines were built just for the people that live out there now, that they weren't built big enough to carry any more than the two-block area that is there now, so they don't need the apartments out there.

Mr. Whipple said he would like to answer some of these objections, that he has been to the sewer department and he has received cost analysis on the taps they would have and there seems to be no problem with the capacity of the sewer, also in regard to the road not being wide enough for two vehicles, he thinks this indicates a need for some kind of correction, and obviously the drainage ditch being cleaned and maintained by the County and kept clean would solve the drainage problems. He said he is a property owner out there and he isn't against other people in what they are doing, that there are non-conforming uses and some people are raising pigs out there, that all he is saying is that he wants to do with his property, what he wants to do, and the other people can do what they want to do with theirs.

Commissioner Ossenbergsaid he might explain the proposal that Mr. Brenner spoke to Mr. Whipple about, that a ditch to become a legal drain, would require public hearings and would require 51% of the property owners before it could become a legal drain, that it is quite a lengthy process.

Commissioner Willner said they have initiated the petition and he understands that it still takes one more public meeting. He said that he would like to say a few words before making a motion, that he has talked to Mr. Whipple and he can see both, pro's and con's, that he can see where a good unit might upgrade the property values and he can also see the problem of flooding and the traffic problem. He then moved that Petition VC-12-78 be denied. Commissioner Schaad seconded the motion. The vote being unanimous in the affirmative, the petition was denied.

Commissioner Willner said he would like to say one more thing, that at the time the sewers were put down he did ask the Commissioners to try to upgrade the Hillsdale Sub-division as far as the streets are concerned, that they have taken an initiative to alleviate the drainage problem, and he thinks when they have that well in hand, they also need aid to the traffic problem, but this is several years in coming and he thinks until then, that they would be putting the horse before the cart, so this is the reason for the denial.

RE: REZONING PETITION.....THIRD READING.....VC-18-78

Petitioner and Owner of Record....Frontier-Kemper Constructors of 1695 Allen Road

Premises affected are situated on the North side of Allen Road, more commonly known as 1695 Allen Road.

The requested change is from RR-3A to M-2.

The present existing land use is for equipment storage and the proposed land use is for the same use.

This petition was approved in Area Plan with nine affirmative votes.

Mr. Stephen LaPlante, Attorney for the petitioner, appeared and stated that Mr. Robert Pond, the General Manager of Frontier-Kemper is in the audience today, that the petitioner owns property south to the south of the area to be rezoned which is zoned M-2, also the property to the East is zoned M-2 and in his opinion, the property to the West would be zoned M-2 if it weren't for the fact that it is owned by public entity. He said his client wishes to store his equipment behind their premises which is mining equipment, that they have no anticipated construction, that there is a gravel bed down and it is perfect for the purpose they intend to use it for, and it does require the M-2 zoning, so he would request at this time, that this ordinance be passed by the Commissioners.

Commissioner Willner asked if this property is now under water.

Mr. LaPlante said it is not.

Commissioner Willner then asked if the ingress is along the track.

Mr. LaPlante said that it is and he explained where the ingress and egress were.

Commissioner Schaad moved that petition VC-18-78 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the petition was approved.

RE: REZONING PETITION.....FIRST READING.....VC-19-78

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 a distance of Zero feet South of the corner formed by the intersection of said U.S. Highway 41 North and Stacer Road in Vanderburgh County, State of Indiana and the second of which is situated on the East side of U.S. Highway 41 North a distance of Zero feet North of the corner formed by the intersection of said U.S. Highway 41 North and Volkman Road in Vanderburgh County, State of Indiana, more commonly known as Parcel 1 is 18026 U.S. Highway 41 North up to but not including 18700 U.S. Highway 41 North, and the commonly known address of Parcel 2 is 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 land use is Agricultural and the Proposed Land use is for the development of an industrial park.

Mr. Bob Becker, Attorney for the petitioner, appeared and explained that this petition involves the two parcels, that the parcel on the West side of Hwy. 41 consists of about 70 acres and the one on the east side of Hwy. 41 consists of about 62 acres, that at this time they are just asking that it be rezoned for industrial purposes, but they are in the process right now of negotiating with some developers of the property, so hopefully, by the time the Area Plan meets and most certainly by the time the Commissioners hear it on Third reading, they will be able to give them more definite plans.

Mr. Charles Fredenburg said that he represents his mother, Ms. Norma Fredenberg and they own 140 acres, part of which adjoins the property that is requesting to be rezoned and the rest of it adjoins said property, that he thought he had some problems when he came here this morning, but after hearing the problems that the Hillsdale area had, his problems seem very small, that he has nothing against the industrialization of this area or of it's progress, and he doesn't know if he is even in order, since after reading that customarily no action is taken by the Board of Commissioners with respect to rezoning petition on first reading, other than to refer the petition to the Area Plan Commission.

Commissioner Ossenberg said this is true, that the Commissioners are required, by statute, that they hear it and automatically refer it to the Area Plan Commission, which will meet on the 3rd of January and if he wants to remonstrate against it, this is where he would go.

Mr. Fredenburg said he really doesn't want to remonstrate against it, that he just wants to bring up one thing, that it is the flood plain situation, that they went through this once before, the ASC and the Soil Conservation were in on it and they all know when the industrialize they are going to put a lot of hard surface down and make a lot of fast run-off, that our land is ranch creek bottoms and he just wondered if the Commissioners have the authority to ask for some type of plan to keep the run-off in tact by having some type of holding basins or that type thing.

Commissioner Ossenberg said that when the final plat comes before the Commissioners, they have the final say-so but by statute they have to refer it to the Area Plan Commission on first reading and it will come back to the Commissioners on the third Monday of the month, so it is good that Mr. Fredenburg brought it up because now Mr. Becker will probably have an answer for him.

He said that the Area Plan Commission's meeting will be on the first Wednesday of the month and Mr. Fredenburg said he couldn't be there but possibly an attorney could attend the meeting for him.

Commissioner Schaad moved that Petition VC-19-78 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-20-78

Petitioner and Owner of Record.....Gene & Gail W. Whitehead of 2850 Carolina Avenue.

Premises affected are the east side of North St. Joseph Avenue between Mill Road and Belmar Drive, more commonly known as 5901 N. St. Joseph Avenue.

The requested change is from A to R-3A.

The land is presently vacant and the proposed land use is for a Mobile Home Park.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that Petition VC-20-78 be referred to the Area Plan Commission on First Reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-21-78

Petitioner and Owner of Record.....Eugene A. and Janet M. Hahn of 1408 Shanklin Ave.

Premises affected are situated on the South side of Highway 460-66 (Diamond), a distance of 1000 feet East of the corner formed by the intersection of Hwy. 460-66 and Mesker Park Drive.

The requested change is from A to M-2.

The land is presently vacant and the proposed land use is for a warehouse.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that Petition VC-21-78 be referred to the Area Plan Commission on First Reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-22-78

Petitioner.....Eugene A. and Janet M. Hahn of 1408 Shanklin Avenue.

Owner of Record.....Estate of Donald G. Davis - 3750 Guion Rd. Suite 250, Indianapolis, Ind.

Premises affected are situated on the East side of St. Joseph Avenue, a distance of 200 feet South of the corner formed by the intersection of Allen Road and St. Joe Ave.

The requested change is from A to C-1B and R-3.

The land is presently vacant and the proposed land use is for a Convenience Store, Drug Store and Apartments.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that Petition VC-22-78 be referred to the Area Plan Commission on First Reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-24-78

Petitioner.....Claude F. Bruner of 1518 Pollack Avenue.

Owner of Record.....Genevieve C. Dages of 12501 Highway 57

Premises affected are situated on the South side of Highway 57, a distance of 1450 feet Northeast of the corner formed by the intersection of Boonville-New Harmony Road, more commonly known as 12501 Highway 57.

The requested change is from A to C-1B.

The present existing land use is residential and the proposed land use is for Farm Implement Sales.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that Petition VC-24-78 be referred to the Area Plan Commission on First Reading. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

There were several claims from Mr. Lewis Volpe, the County Treasurer, that didn't necessarily have to go through the Commissioners meeting, but since they were submitted, Commissioner Ossenberg said he will read them and will ask permission for their Executive Assistant to stamp the Commissioners names on them. They are as follows:

Federal Tax deducted from 12/15/78 payroll.....	\$36,355.67
State Tax deducted from 12/15/78 payroll.....	\$ 5,188.21
A.S.I. deducted from 12/15/78 payroll.....	\$15,744.22
Co. Retirement deducted from 12/15/78 payroll.....	\$33,876.62
Welfare Retirement deducted from 12/15/78 payroll.....	\$ 2,138.90
Sheriff Retirement deducted from 12/15/78.....	\$ 1,530.00
Pigeon Retirement deducted from 12/15/78 payroll.....	\$ 130.98
Knight Retirement deducted from 12/15/78 payroll.....	\$ 19.78
Perry Retirement deducted from 12/15/78 payroll.....	\$ 18.30
Center Retirement deducted from 12/15/78 payroll.....	\$ 14.66
Indiana Judges Retirement System deducted from 12/15/78 payroll.....	\$ 197.04
F.O.P. Credit Union deducted from 12/15/78 payroll.....	\$22,851.43
Hwy. Credit Union deducted from 12/15/78 payroll.....	\$ 305.00
U.S. Bonds deducted from 12/15/78 payroll.....	\$ 557.50
United Way deducted from 12/15/78 payroll.....	\$ 128.05
Union Dues deducted from 12/15/78 payroll.....	\$ 227.95
D.R.I.V.E. deducted from 12/15/78 payroll.....	\$ 84.00
F.O.P. Dues deducted from 12/15/78 payroll.....	\$ 67.75
Garnishment & Levy on Larry Lupton, Yvonne Pressley & Joe Ann Benton....	\$ 54.66
Welfare Dept. Dues (I.P.W.A.) deducted from 12/15/78 payroll.....	\$ 232.62

Commissioner Schaad moved that these claims be approved and that they be stamped with the Commissioner's signature stamps. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by Torian Agency, Inc. ..Insurance - Highway Department, Policy #36C721674 - Delete 1968 Ford Tk, 1967 Ford Tk, 1967 Ford Dump Truck...\$147.00 Credit. Policy #36C721674 - Add two 1979 Ford Dump Trucks in amount of \$124.00 and Policy #36C721674..Add 1979 GMC Tandem Dump Tk. at \$33.00, making the total amount of the claim to be \$10.00.

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

A Claim was submitted by County Attorney Edwin Smith, for Office Allowance for October, November and December in the amount of \$499.97.

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

A Claim was submitted by County Attorney Paul Wendel, for Office Allowance for the months of November and December in the amount of \$333.30.

It was noted that his claim filed on 10/30/78 for October office allowance in the amount of \$166.67 has not been paid, if same has been misplaced, this claim is amended to include that amount.

Commissioner Schaad 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 #36C721674, Add 1979 Jeep 4 Dr. S/W for the Work Release Program, in the amount of \$54.00.

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

A Claim was submitted by Monarch Insurance Agency, Inc. for Insurance...Public Official Bond for Shirley Jean Cox as the Clerk of Vanderburgh Circuit Court in the amount of \$25,000, Indiana Insurance Company - bond # 10 065 317 from 1/1/79 to 12/31/79 in the amount of \$88.00 and Public Employees Blanket Bond in the amount of \$50,000 Indiana Insurance Company # 10 061 391 from 1/1/79 to 1/1/80 in the amount of \$528.00, making the total amount of this claim to be \$616.00.. Rider attached to be recorded and kept with original bond.

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

A Claim was submitted by Alvey Scott Motors for a 1979 GMC Model TC7D064, Serial # T47DB9U568502, Cab/Chassis, Dump Body and Hoist, Less Credit of \$221.16 for 366/8 Eng., making the total amount of the claim to be \$22,007.66.

Commissioner Schaad 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 of the County Highway Department for the week ending December 15, 1978.  
Report received and filed.

RE: MR. STEBEKING

Mr. Siebeking said the Calcium Chloride tank has been installed and they brought in a load of calcium chloride in Friday late and the electricity is being installed today, so they are in good shape and they have a good supply of sand on hand.  
He said a situation came up over the weekend that he really doesn't know how to cope with, that due to an act of God which was the ice, last weekend, a large tree out on Kissell Road uprooted and went across the road.  
He said the tree would probably be on private property, that it went directly across the road and the road was closed, so they went out and cut the tree apart and moved it from one side to the other so that the road was open, that one of his men then went out yesterday and was cutting fireplace wood and was stopped by a gentleman who said his mother owned the property, and this morning the Sheriff came out and didn't arrest him, that he just told him of the complaint.  
He said he wanted to know where the Highway Department stands when a tree goes across the road, they have to open the road up so the traffic can get through and they are expected to go back out to clean it up, and he asked where they stand.

Commissioner Willner asked if the worker that was cutting up the wood was working on his own time or on County time.

Mr. Siebeking said the man was working on his own time, and the owners son told him that was their tree and that he didn't want anyone taking any firewood off the property, but yet he would expect them to clean it up and there is still part of the tree laying on the County right of way.

County Attorney Wendel said to give the owner a reasonable amount of time to get the tree off the County right of way and if he doesn't, tell him it is the County's tree, that even if it came off of their land and if he doesn't take reasonable steps to get it back on his land, then it belongs to the County.

Mr. Siebeking said the owner apparently thought the man was going to cut the wood and sell it and apparently wanted the money for the wood, so when the deputy was there, he told the man to take the wood back out there and call the Sheriff's Department and have the deputy to go with him and dump it back exactly where he picked it up and then notify those people that the tree and the wood is there and that they are expected to clean it up.

County Attorney Wendel said to give them a reasonable amount of time to clean it up and otherwise the County will toss it out of the right of way.

Mr. Siebeking said his question is, when a tree comes down across the road, does that tree belong to that person or does it belong to the County Highway Department.

County Attorney Wendel said it still belongs to the owner.

Commissioner Willner then asked who would be liable if someone hits that tree though.

County Attorney Wendel said the County would be liable.

Commissioner Ossenberrg said he disagrees with this.

Mr. Siebeking said this is true, that they are told that if a tree goes across the road it is the County Highway's responsibility, that is why they have people out at all hours of the day and night to get the roads open when the trees go down, since he has been told that it is the County's responsibility if someone hits that tree.

Commissioner Ossenberrg asked if a car goes down the road and a tree on private property falls and hits that car, whose responsibility is that.

County Attorney Wendel said there would be no liability in that case, that it would be an Act of God, but there is when a tree is down for a time, that this becomes a problem.

Commissioner Ossenberrg said they accept these premiums and every time he turns around, it is an Act of God, that when you walk down the street it is an Act of God.

Mr. Siebeking said that he is going to still keep operating like they have always done,



that when a tree falls, they are going out and get the road opened up, push the tree off to the side and when they get time they are going back out and clean that tree up, because that is what they have always done.

Mr. Siebeking said that several people have called him when a tree has gone down and they have gotten the road opened up again and they would say, don't worry about it, that they will clean it up themselves because they want the wood, and he wishes everyone would do this, but if they don't get a call from anyone, they will go ahead and clean it up and get rid of it, especially off the County right of way.

Commissioner Schaad asked when the tree fell and when the man went out to clean it up.

Mr. Siebeking said the tree fell last Saturday and the man took the wood yesterday.

Commissioner Schaad said they had a week then to do something about it and didn't, and he asked if that was a reasonable length of time.

County Attorney Wendel said he thought this to be a reasonable length of time to get the tree out of there.

Commissioner Schaad asked if the tree has been taken back out there.

Mr. Siebeking said the deputy told him not to take it back today, that he was going to talk to them, but his point is that a tree that is on private property and falls across the road, it is his responsibility to open up the road, and he asked if it is his responsibility to clean it up after they get it off the road, that if the tree is still theirs after it falls across the road, why wouldn't it be their responsibility to clean it up after his crew gets the road open, rather than the County Highway Dept. cleaning it up.

County Attorney Wendel said it is their responsibility to clean it up and if they don't, they are abandoning the tree and the County Highway Department can then do anything they want to do with it, but they do have to have a reasonable amount of time to clean it up.

Commissioner Schaad said a week is enough time.

RE: REQUEST TO PATCH RUSTON LANE

Commissioner Willner told Mr. Siebeking he has had requests from six school bus drivers to see if the County could patch Ruston Lane between Green River Road and Highway 57, that they said the road is so bad and a couple of months ago, a truck came through and got a few of the bad places and left some bigger ones and never went back to finish, so he asked that the road be patched.

Mr. Siebeking said he would take care of it.

RE: POOR RELIEF

Larry Alexander....1661 Lodge Avenue.....Knight Township, Ms. Mueller, Investigator

The Report of Notice of Poor Relief Action from the Knight Township Trustee states that Mr. Alexander applied for medical assistance but was denied because they felt his income was sufficient to meet his needs.

Mr. Alexander stated his reason for requesting help was made in May because of insufficient insurance coverage for his wife's hospital confinement in June, that he was told to have his wife admitted on the premise that the Trustee's assistance was pending. He said he felt that the denial was made after his wife returned to work in July, that they made the request in May, that she went in the hospital in June and some time after that she wasn't sure she was going back to work but a month later when the bills started coming in, they determined that she should go back to work to help meet the expenses and the hospital told them that the request to the Trustee had been denied, and in November, they got an official response that it was denied and therefore he got information on how to make an appeal, so he did make an appeal because he felt they were unjustly treated.

He said he requests that assistance be made, that he figured his net income before his wife went into the hospital and the bills totaled over \$1,500 after his wife came out of the hospital.

Commissioner Ossenberg asked what his total income was.

Ms. Mueller said he had \$281.00 coming in every other week and his application was made June 2nd of 1978, that they got the doctor bills but they never got the hospital bill,



but it was verified that his wife had gone back to work and they also have proof that she was released from the hospital in January of 1978.

Mr. Alexander said that was another situation and another doctor.

Commissioner Willner asked what the doctor's bill amounts to.

Ms. Mueller said that one doctor bill is \$482.00 and another one is \$108.00.

Commissioner Schaad said the report shows that Mr. Alexander tithes 10% of his income to his church.

Mr. Alexander said that is the basic amount but doesn't include their offerings.

Commissioner Schaad said he thinks charity begins at home.

Mr. Alexander said this is a regular procedure but he hasn't been tithing since his wife went into the hospital, that the hospital bill was \$1,100 plus the \$1,500.

Commissioner Ossenberg explained to Mr. Alexander that they have to follow guidelines set out by the Welfare Department and the Federal Government, and anyone with a net monthly income for one person of \$210.00 is over-income and there isn't anything they can do about it, that \$240.00 per month is allowed for two people and \$280.00 per month for three people, so the Commissioners hands are tied and he would like for the Trustees in the future, so advise the applicants, since the Commissioners can't, under an appeal process, go over what the federal government says, that he knows they have a right to appeal, but it is just a waste of time if the income exceeds what the guidelines are, that he has often said these guidelines are too low, but until congress or someone does something about it, the Commissioners hands are tied, that they can't do anything for the appeal process.

Commissioner Schaad moved that the appeal be denied. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner told Mr. Alexander that if there is any future way they can help him, they would be glad to, but they just can't go over the guidelines.

RE: MR. GUILLAUM.....BRIDGE AND GUARDRAIL REPORT

Mr. Guillaum said they finally completed the work on Boonville-New Harmony Road and they were putting up the guardrail sections today. He said he took a trip up to Vincennes this past week and looked at some beams that looked like might be a good deal, that he has a surplus of perhaps 14 or 15 right now remaining from the other projects, that they probably won't be using, that the ones he looked at are also used beams but might be a little longer than the others, that these are 34 feet and they can get them for something like \$8,000 for six beams, that they would cost from \$2,500 to \$2,700 each for new ones. He said they are on a temporary bridge but it won't be removed for some time, so it will probably be spring before they are available, but it is something to think about.

Commissioner Willner moved that the Commissioners give Mr. Guillaum authorization to negotiate for these beams and to bring back concrete price. Commissioner Schaad seconded the motion. So ordered.

Mr. Guillaum said that Commissioner Willner brought something to his attention a week or so ago, that he took a look at it and he thinks he had a good point, that there is a railroad structure on Baseline Road, just off Hwy. 41, that has been burned at one time. He submitted the following report on this structure:

Gentlemen:

After inspection of the L & N R. R. Structure West approximately ¼ mile of U.S. 41 on Baseline. The following conclusions and recommendations are suggested.

1. Abutments, bearing areas, and stringers are sound and more than adequate for commercial traffic.
2. Decking has been burned and consequently weakened to the point of localized failures. The Deck should be immediately replaced to avoid possible deck failure and damage and/or injury.
3. The profile grade of the approach onto and off of the tracks is poor. This situation could be relieved by wedging the low area and tapering the approach with H.A.C.

These improvements are necessary to avoid closing the structure to traffic.

Sincerely, Dave Guillaum  
Deputy Surveyor

Commissioner Willner said there is actually a place in this structure where a wheel could fall through, that he realizes it isn't the County's responsibility but he thought that possibly the wedging would be our responsibility and he thought they could possibly ask the Railroad to participate with them and they might be able to upgrade the crossing.

Mr. Guillaum said they should notify the Railroad Company right away and his idea is to forward this letter to them, that the Commissioners do want some action taken on it.

Commissioner Schaad said if they contact the local Superintendent they will probably get some action on the thing, and he thinks they will co-operate, since they have in the past.

Mr. Guillaum said he talked with one man from the L & N, that he believed it to be the same man he talked to at the time of the problem on Nurrenbern Road with the blocked tracks, that he could talk to him and try to tell him what needs to be done on it. He was told to contact Bob Moye.

Mr. Guillaum said that on the Ohio Street Bridge, the man who had the barge contacted him and if at all possible, he would like to try to repair that rail himself, rather than to go through other channels, that he has had a number of comments on what to do with the thing, and actually they have a walkway on the other side, that right now, they have it temporarily closed, so from this standpoint it is really not vital that they even have the extra walkway open, that they have a number of options, so they will do whatever the Commissioners want them to do on it, that this man has offered to use his people and repair the bridge back to it's original condition.

Commissioner Schaad said he thought it should be done, with the supervision of Mr. Guillaum, to see that it is done right.

Mr. Guillaum said the man told him that for around \$200.00 he could straighten it up and he felt that if it went in another direction, that his deductible on his insurance would be much more, so he would prefer to go this route if he could.

Commissioner Willner asked who would be liable if the man would get hurt or would fall off into the creek.

Commissioner Ossenberg said he thought they would be required, by law, to have Workmans Compensation, and Commissioner Schaad wondered if the Commissioners could have a contract with him and let him get a bond.

County Attorney Smith said they can just for the contract amount.

Commissioner Ossenberg said he doesn't see how the man can fix it for \$200.00 when the engineer's estimate was \$5,000.00.

Mr. Guillaum said what he is intending to do is, not to come in and remove any of the deteriorated beams, that he is just going to prop the rail back up, take a couple of eye beam posts and weld it, that this is comparable to what they did to the other end when it was pushed over, that the support beam is really eaten up on the outside, so they felt that if they were going to go in and do it they would probably be replacing that beam rather than trying to weld something to it, that this is where the cost came in, but he didn't know what the Commissioners wanted to do on it.

Commissioner Ossenberg asked what the County Attorneys' thoughts are on this.

County Attorney Wendel said if the Commissioners want the people to repair it themselves, he would suggest that the Commissioners be named as additional insured's on as workmans compensation insurance with his employees, since if he doesn't have any, the County is taking a big risk if something happens.

Commissioner Ossenberg said if he doesn't have any insurance, it is just out of the question, that Mr. Guillaum had just better work with County Attorney Wendel on this.

County Attorney Wendel said that since the cost is under \$5,000, the Commissioners don't need a really formal contract with him, but they should make sure he has insurance, but the cost would depend on how they want it repaired.

Mr. Guillaum said that what the man was going to do in the way or repair was probably what we would have done as far as the replacement of the beam is concerned, that he won't be doing any beam replacement, that he will just be pulling the rail up and welding in a couple of eye beams.

Mr. Stephen asked how he is then going to straighten the outside channel iron, and Mr. Guillaume said he isn't going to.

Mr. Stephen said then, that he wouldn't be putting it back into the position that it was before, to which Mr. Guillaume said, this is true.

The Commissioners agreed that it should be fixed right and that it should be put back into the condition that it was before the damage was done.

Commissioner Ossenberg told Mr. Guillaume that in his negotiations with the gentleman, he should have one of the County Attorney's with him.

RE: CUTS IN

Mr. Stephen said he has a cut permit from the Wittekindt's and they don't know whether they are going to do it themselves or contract it, that they are wanting to put a force main sewer line along Browning Road, from Hillsdale North, approximately 4,500 feet, starting at Hillsdale and running North along Browning Road to their Browning Road Estates Subdivision so they can put a pump along the sewer along Hillsdale. He told them that he would have to have the Commissioners establish the bond necessary, that they are wanting to stay on the West side of the road, but there is a gas line next to the pavement and there is a water line running up to a little beyond the Country Club and then it runs over to the other side.

The Commissioners agreed that they should have a \$5,000 bond.

Commissioner Schaad moved that the Commissioners approve of a \$5,000 bond. Commissioner Willner seconded the motion. So ordered.

There was discussion of who is responsible for removing the brush in the area, which must be done before they can dig the trench, if the job is going to be done right, and Mr. Siebeking said if the brush is on the County right of way, he will take care of it.

RE: MR. STEPHEN TO TAKE VACATION

Mr. Stephen told the Commissioners that he is taking his vacation next week and the following week.

The Commissioners wished Mr. Stephen a Merry Christmas and a Happy New Year.

RE: LETTER FROM FRANK ALDERSON

Commissioner Ossenberg said he received a letter from Mr. Alderson of the Insurance Audit and Inspection Company, which reads as follows:

Dear Mr. Ossenberg:

Thank you for your November 30 letter advising that we are authorized to prepare specifications for property insurance for Vanderburgh County which they will submit to agents and brokers of their choice for bidding purposes. We will, of course, provide a written comparative analysis of all proposals received along with recommendations and after the County has received its new policies, we will review them for compliance with the specifications. This all will be performed at a fee not to exceed \$3,000.

We will contact you within the next 30 days to set a definite date for our visit to secure the necessary detail.

Sincerely, Frank C. Alderson  
Executive Vice President

Commissioner Ossenberg said that the money for this has been approved by the County Council and he has asked Mr. John to encumber it.

Commissioner Willner moved that it be approved. Commissioner Schaad seconded the motion. So ordered.

RE: LEGAL NOTICE OF PLANNED IMPROVEMENT

The following notice is hereby given that the Vanderburgh County Board of County Commissioners, in cooperation with the Federal Highway Administration and the Indiana State Highway Commission, is developing plans for an improvement and upgrading of the intersection of St. Joseph Avenue and Meier Road, located on the northwest edge of the City of Evansville, in Vanderburgh County.

The existing St. Joseph Avenue hill extends for about 1200 feet and elevates from 406 to 434.5 MSL (mean sea level). The intersection will be graded 700 feet (350 feet on either side of the Meier junction) lowering the hill a maximum of 8.5 feet. The resulting small hill would exhibit a 4.5% gradient on the South and a 2.8% gradient on the North.

The total construction length on St. Joseph Avenue will span a distance of about 800 feet. The two lane road will be widened to 24 feet (two 12' lanes). At the Meier junction, St. Joseph Avenue will include a passing "blister". Shoulders will be widened to 8 feet and will be grass covered. A 4 foot wide by 1 foot deep sodded earthen ditch will provide drainage along either side of the road.

Construction will extend for about 476 feet to the west of St. Joseph Avenue on Meier Road as its gradient will be lowered a maximum of 12.8 feet to correspond with the height of the reconstructed St. Joseph Avenue. The improved Meier Road will ascend from St. Joseph at a gradient varying between about 3% and 7.5%. Meier Road will have two 12 foot lanes and 8 foot shoulders with earthen drainage ditches on St. Joseph Avenue. The mounds of earth at the northwest and southwest corners of this junction will also be graded to improve sight-distance.

Additional right of way, 20 feet to 120 feet wider than the existing right of way will be needed all along the project corridors. Because of the high elevations and deep roadway cuts, the slope "run off" will require considerable right of way to provide slopes which are not steeper than 2 to 1. The total additional right of way required is about 70,450 square feet. The preliminary plans for this improvement indicate that no temporary right of way will be needed, nor will any individuals, families, or businesses be displaced. As presently planned, traffic services will be maintained during the construction period.

Acquisition of any right of way necessary to implement the improvement will be the responsibility of Vanderburgh County authorities. Approximately seventy percent of the total construction costs estimated at about \$203,450.00, will be defrayed by the Federal Highway Administration, with the Indiana State Highway Commission serving in a liaison capacity between local authorities and the Federal agency. May 1979 is the date currently anticipated for possible opening of construction bids.

Give-away location sketches are on hand, a draft corridor-design study report, detailed plans, and written views and comments which may be received from any source relative to the proposed project are publicly available for inspection and copying during normal office hours in the office of the County Engineer, Civic Center Complex, at Evansville, Indiana, and in Room 1205 of the Indiana State Office Building, 100 North Senate Avenue, Indianapolis, Indiana, 46204. It has been jointly determined by the Federal Highway Administration and the Indiana State Highway Commission that this proposed project falls within the guidelines of a non-major environmental action in accordance with Volume 7, Chapter 7, Section 2 of the Federal Highway Administration's Federal Aid Highway Program Manual, dated December 30, 1974.

Any interested party including representatives of Federal, State, and local governmental agencies; agricultural, commercial, industrial, business, transportation and utilities interests; civic, social, economic, ecological, and environmental concerns; and other interested citizens and property owners, may obtain sketches and other pertinent information, upon request, at the aforementioned offices, or may petition that a corridor design public hearing be held by submitting a written request to the Highway Commission's Planning Information Manager at the aforementioned Indianapolis State Office on, or before January 15, 1979. In the event a request for hearing is forthcoming, a notice establishing the time and place for it will be published. Otherwise, plans will be finalized as currently proposed.

This notice is published in compliance with Title 23, U.S. Code, Federal Road Acts of 1958, and the Federal Highway Administration's Federal-Aid Highway Program Manual, Volume 7, Chapter 7, Section 5, dated December 30, 1974, and the Indiana State Highway Commission's approved Action Plan.

INDIANA STATE HIGHWAY COMMISSION  
Donald C. Pratt, Chairman

Mr. Brenner said it reads that there is no temporary right of way, that they were hoping to take most of that right of way, that there are real long slopes and they wanted to cut a slope and then give it back to them.

Commissioner Ossenberr told Mr. Brenner that he could get in touch with Mr. Pratt.

Commissioner Willner said that while they are on the subject of St. Joe Avenue, he wondered if they shouldn't have more plans for federally funded projects, that he believes this will be the last one they have and he asked if they have any other federally funded pro-projects at this time other than Meier Road.

Mr. Brenner said they have Lynch Road and St. Joe.

Commissioner Ossenberg said that Mr. Lochmueller stated that their priorities should be set by their annual element, which he thinks has to come out in February, also that there is talk of a City-County conjunction of the extension of Covert Avenue along with Warrick County, which would be participation by Vanderburgh County, the City of Evansville and Warrick County, that this is one possibility, then there is a possibility of other federal programs that Mr. Lochmueller brought out, that Mr. Brenner may want to include his bridge, but they do have updated bridge projects, so they can possibly put bridges into there.

Commissioner Willner said he thinks that the bridges are in pretty good shape, but not the roads along that safety features.

Commissioner Ossenberg said he thinks Mr. Lochmueller included the safety features, that some monies should be devoted to the implement of safety features.

Commissioner Willner said he was just thinking that our next dangerous intersection on St. Joe Avenue is Schenk Road which is almost as bad as Meier Road, that it isn't quite as high but this is where the doctor at Mead Johnson got killed, that it is a two-way stop now which is kind of like the same thing Meier Road had, so he thinks they should get this one on the board.

Commissioner Ossenberg said that the Commissioners will go into a meeting with Mr. Lochmueller in advance and then they will come out with their annual element, and at that particular time, they can include that particular phase, that this could well come under the safety program.

Commissioner Schaad asked Mr. Stephen if he has had a chance to look at the traffic inventory that was done by Engineering Associates, that he and Keith Lochmueller were going to get together.

Mr. Stephen said he hasn't had the time as yet to do this.

Commissioner Schaad said he thinks it needs to be done, that they need to get this thing implemented.

#### RE: STATUS OF U.S. 41 TRAFFIC STUDY INVENTORIES

Commissioner Ossenberg said that he and Lani Etheridge will give the Commissioners a Status of the U.S. 41 Traffic Study Inventories as of December 15th. 1978, which reads as follows:

As requested, the Evansville Urban Transportation Study staff began the special survey of traffic conditions on U.S. 41 from Diamond Avenue to Southlane Drive nearly three weeks ago. Several students from the Indiana State University at Evansville have been assisting the staff in performing the necessary inventories which require a considerable number of workers. At this time, data collection for three of the inventories in the survey has been completed and work on the remaining five inventories is at least half way complete. No conclusions will be drawn until the entire survey is complete and it has been analyzed by EUTS and ISHC officials.

#### Accidents Inventory-100%

All of the accident data for the U.S. 41 corridor has been collected. Accidents have been increasing in number during the last several months, but the cause has not yet been determined. Not all of the accidents have been occurring at the signalized intersections, however; many have occurred right on top of the Division Street overpass.

#### Turning Movements Inventory-100%

The turning movement inventory has been completed. Turning movements counts were taken during the morning and evening rush hours and during off peak hours at each U.S. 41 intersection.

#### Traffic Count Inventory-100%

Automatic traffic counters were placed at the approach to each intersection along U.S. 41 in the survey area.



Travel Time 1 Delay Inventory-50%

Members of the EUTS staff have been driving on U.S. 41 and its cross streets using the floating car technique to determine the travel times along the roadway corridors as well as the delay at each signalized intersection. Half of the work on this inventory has been completed.

Vehicle Classification Inventory-50%

Information on vehicle types-trucks & automobiles - which was collected during the turning movement counts is being compared to information gathered from the other inventories. This inventory is halfway finished.

Signal Equipment Inventory-75%

The EUTS staff is checking the signal equipment at each U.S. 41 intersection to determine the signal timing and number of dials in the controllers. Work on the signal inventory is 75% complete.

Vehicle Violation Inventory & Spot Speed Inventory-0%

The vehicle violation and spot speed inventories have not yet been started.

Concluding Remarks

The traffic inventory survey will be completed by December 22, 1978. The analysis of this survey will be coordinated with the Indiana State Highway Commission and will be completed in the first or second week of January, 1979. The results of the analysis and some possible solutions will be presented at public information meetings to elicit opinions and suggestions from the community. The alternative solutions will then be tested using a computer simulation technique and a cost-benefit analysis will be performed for each solution. The results of these studies will then be presented to the EUTS Policy Committee.

RE: POOR RELIEF

Pearl McCrayer.....669 S. Elliott St.....Pigeon Township, N. Walters, Investigator

The Notice of Poor Relief Action Report which was submitted by the Trustee, states that Ms. McCrayer applied for assistance but was denied because she voluntarily quit her job at Whirlpool and she had 9½ years seniority.

Ms. McCrayer failed to appear this morning, so no action could be taken by the Commissioners at this time.

Francis Egan.....211 W. Delaware St.....Pigeon Township.....N. Walters, Investigator

The Notice of Poor Relief Action Report which was submitted by the Trustee, states that Mr. Egan applied for assistance but was denied because he quit his job at Whirlpool with 11 years seniority.

Mr. Egan failed to appear this morning, so no action could be taken by the Commissioners at this time.

RE: CUTS IN

The following applications for cuts were submitted by Mr. Stephen for filing:

Evansville Indiana Water Department to cut Boehne Camp Road and Upper Mt. Vernon Road to lay 1750' 8" Water Main Extension.

Evansville Indiana Water Department to cut into Meadow Village Subdivision Located between 11th. and 12th. Avenue, North of Allens Lane, to lay a Water Main Extension.

Evansville Indiana Water Department to lay a Water Main Extension from Mt. Pleasant Road to Baumgart Road approximately ½ Mile up Baumgart Road to lay a water line.

Staub Contractors, Inc. to cut 11th Avenue, in Meadow Village Subdivision, two cuts at Allen Court and three cuts at Chris Court.

All Cut Applications received and filed.



RE: MULLENS ESTATE SUBDIVISION.....STREET PLANS APPROVED

Mr. Stephen had submitted the street plans for the Mullens Estate Subdivision last week for the Commissioners approval, and he was asked to come back this week with a recommendation.

Mr. Stephen recommended that Section A, Part 1 of Mullens Subdivision have street plan approval.

Commissioner Schaad moved that the streets in Mullens Subdivision, Section A, Part 1 be approved. Commissioner Willner seconded the motion. So ordered.

The Commissioners want to wish everyone a very MERRY CHRISTMAS.

The meeting recessed at 11:45 a.m.

PRESENTCOUNTY COMMISSIONERS

Tom Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.  
Paul Wendel

Secretary: Margie Meeks

Bob Schaad  
Robert L. Willner  
BOARD OF COUNTY COMMISSIONERS

701

COUNTY COMMISSIONERS MEETING  
DECEMBER 26, 1978

The meeting of the County Commissioners was held on Tuesday, December 26, 1978, 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, with one correction made, which was that on Page 10 where Commissioner Willner asked who would be liable if someone hits a tree that falls across the road, it should have read that County Attorney Wendel said that the property owner and the County would be liable, not just the County.  
The reading of the minutes was dispensed with.

RE: HOLIDAY CLOSING

Commissioner Schaad announced that all County offices will close at noon on Friday, December 29th. and the next Commissioners meeting will be held on Tuesday, January 2nd. at 9:30 a.m. since the offices will be closed on Monday which is New Year's Day. The County Commissioners wish everyone a Very Happy and Prosperous New Year.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY AUDITOR

Cathy Day	R.R. 5 Wortman Road	Part time	\$20.00 Day	E66: 12/18/78
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PIGEON TOWNSHIP TRUSTEE

Helen Ann Eickhoff	2700 W. Pennsylvania	Clerk	\$6,354.00 Yr.	E66: 12/29/78
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VANDEBURGH COUNTY BAIL BOND PROJECT

Joseph Adams	3517 Wansford Rd.	Commissioner	\$11,340.11 Yr.	E66: 1/1/79
Beverly Corn	607 Chateau Dr.	Adm. Asst.	\$ 7,612.50 Yr.	E66: 1/1/79

VANDEBURGH COUNTY WORK RELEASE PROGRAM

K. Allan Henson	4603 Mesker Pk. Dr.	Director	\$18,000.00 Yr.	E66: 1/1/79
Harris Howerton	1317 Savannah	Asst. Director	\$13,000.00 Yr.	E66: 1/1/79
James Keating	2881 Washington Ave.	Co-ordinator	\$10,500.00 Yr.	E66: 1/1/79
Beverly Corn	607 Chateau Dr.	Adm. Asst.	\$ 3,000.00 Yr.	E66: 1/1/79

RE: EMPLOYMENT CHANGES.....RELEASES

VANDEBURGH COUNTY BAIL BOND PROJECT

Joseph Adams	3517 Wansford Rd.	Commissioner	\$10,500.00 Yr.	E66: 12/29/78
Beverly Cron	607 Chateau Dr.	Adm. Asst.	\$ 2,412.02 Yr.	E66: 12/29/78
Larry McDowell	1101 Lombard	Asst. Comm.	\$ 524.94 Pay	E66: 12/29/78

VANDEBURGH COUNTY PROSECUTOR'S OFFICE

Jackie Rae Starks	1430 Cass Ave.	Investigator	\$4,691.00 Yr.	E66: 12/29/78
Connie Skinner	602 Drexel Dr.	Secretary	\$8,700.00 Yr.	E66: 12/29/78

VANDEBURGH COUNTY WORK RELEASE PROGRAM

K. Allan Henson	4603 Mesker Pk. Dr.	Director	\$17,500.00 Yr.	E66: 12/29/78
Harris R. Howerton	1317 Savannah	Asst. Director	\$12,200.00 Yr.	E66: 12/29/78
James Keating	2881 Washington	Co-ordinator	\$ 9,900.00 Yr.	E66: 12/29/78
Beverly Corn	607 Chateau Dr.	Adm. Asst.	\$ 7,737.98 Yr.	E66: 12/29/78

RE: RIDER 11 TO BE ATTACHED TO BOND

The Indiana Insurance Company submitted a Rider 11 to be attached to Bond No. B 7-200 on Insured, the Vanderburgh County Auditor's Office and is effective as of January 1, 1979.

Rider 11 received and attached to bond.

RE: OFFICIAL BOND

An Official Bond was submitted by Crown Insurance Agency on insured, Robert T. Dorsey, as the Pigeon Township Assessor, which will be in effect from the 1st day of January, 1979. Claim to follow.

702 2.  
Commissioner Willner moved that this bond be signed by the Commissioners. Commissioner Schaad seconded the motion. So ordered.

RE: CERTIFICATE TO THE AUDITOR

A Certificate to the Auditor of Vanderburgh County was submitted to the Commissioners by the Clerk of Superior Court, showing the Evansville-Vanderburgh Levee Authority District as the Plaintiff, vs the Successor in Interest of Evansville Suburban Land and Mining Company, Inc. etal.

It was explained that this is a condemnation for right of way acquisition for the Pigeon Creek Levee.  
Certificate received and filed.

E: NOTICE OF CLAIM

The following letter was received by the Commissioners from the Law office of Barefoot and Thomas:

Gentlemen:

Pursuant to I.C. 34-4-16.5-1 et. seq., Dorothy Rogers presents to the County Commissioners of Vanderburgh County written notice of claim for suit in tort.

On or about June 26, 1978, at approximately 12:00 p.m. Dorothy Rogers was entering the main second floor elevator located in the Civic Center Complex when said elevator malfunctioned and fell approximately two (2) feet below surface level causing Dorothy Rogers to fall in said elevator and sustain severe, permanent and disabling injuries present and future, medical expenses and loss of wages.

At the time of the accident and at the time of the filing of this notice, Dorothy Rogers resided at 306 Reis, Evansville, Indiana.

As a result of the injuries and loss sustained as described afore said, Dorothy Rogers demands the sum of One Hundred Thousand Dollars (\$100,000.00).

Respectfully submitted,  
Thomas Barefoot  
Attorney at Law

County Attorney Smith said that this should be referred to the County's liability carrier and that a copy should also be referred to the Building Authority, and we should have a record of doing this.  
He said he was in the elevator at the time this happened.

Commissioner Willner moved that this matter be referred to the County's liability carrier and that a copy also be referred to the Building Authority. Commissioner Schaad seconded the motion. So ordered.

County Attorney Smith said that the Company who has the maintenance of the elevator would primarily be liable and probably the Building Authority.  
He said this is a preliminary move, that they have to do this first, in order to institute the suit.

Mr. John asked Mr. Smith if he denies the claim.

County Attorney Smith said the claim should be denied.

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

RE: CHECK RECEIVED

Earlier this month Mr. Hotz had taken a clothing rack and some outdated law books to Curran Miller's Auction Barn so they could be sold at Public Auction.

Commissioner Schaad said they sold the clothing rack at \$35.00, that they had 103 boxes of the outdated law books that no one wanted.  
He said they were offered to the Museum and everyone they thought might be interested in them, but no one was interested, but they did sell them at 25¢ per box which amounted to \$25.75, so with the 20% commission which was \$12.15, the amount the County made on this auction is \$48.60.  
The check from the Auction Barn in the amount of \$48.60 was submitted at this time.

Commissioner Willner moved that the check be accepted and signed, and that it be deposited in the County General Fund. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Mark Owen of the Vanderburgh Court Drug and Alcohol Deferral Service, for food and car rental while in Indianapolis to attend a meeting on Drug and Alcohol Deferral Service, in the amount of \$37.35.

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

A Claim was submitted by the Evansville Travel Service, Inc. for travel fare to and from Indianapolis by Mark Owen, in the amount of \$66.95.

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

A Claim was submitted by Crown Insurance Agency for the Public Official Bond of Robert T. Dorsey for the year of 1979, in the amount of \$20.00.

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

A Claim was submitted by Citizens Realty and Insurance, Inc. for the Public Official Bond of Mark R. Owen as Director of Deferred Prosecution of Vanderburgh County for the year of 1979, in the amount of \$20.00.

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

A Claim was submitted by Citizens Realty and Insurance, Inc. for the Public Official Bond of Roberta Jo Ann Cantyne as Legal Secretary for the Drug and Alcohol Service, in the amount of \$20.00.

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

A Claim was submitted by Nalley Coal Company of Boonville, Indiana, for Bridge #54, 90% completed on bid of \$17,250.00, less 10% retainage fee, making the total amount of this claim to be \$13,972.50 which was approved by Mr. Stephen and Mr. Siebeking.

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

RE: REQUEST TO TRAVEL

Mr. John asked the Commissioners for permission to travel to Indianapolis to hand-carry the settlement to the State Board of Tax Commissioners so we will get our money quicker.

Mr. John said that before they distribute settlement they have to receive a check through the replacement from Indianapolis for the difference between the Auditor's books and theirs, so they have to have it by Friday and if it were mailed up, he wouldn't get his check in time, so hopefully they will get it done today and he can drive up there and then get the check in the mail either tomorrow or Thursday.

Commissioner Willner moved that Mr. John be permitted to travel to Indianapolis. Commissioner Schaad seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. John said that presently he leases equipment from N.C.R. and they do their tax billing on it, that they have a piece of equipment now that is much more sophisticated at approximately the same cost, and it has the ability to store the figures, that they can make changes in there, and instead of manually feeding each assessment in during billing time, it will automatically print the bills, so he would like permission to advertise for proposals on this leased equipment.

Commissioner Willner moved that the Commissioners approve to advertise for the lease of this equipment for the Auditor's and Treasurer's offices. Commissioner Schaad seconded the motion. So ordered.

Mr. John said he will advertise on Friday, December 29th and January 5th. with the bids to be opened on January 8th. 1979.

RE: CORRECTION DEED

County Attorney Smith submitted a Correction Deed on property purchased by Anthony William Hill in 1974, since the legal was incomplete and was just discovered, so before selling the property the deed needed to be corrected. The Deed read, in part, that this conveyance is made for the purpose of correcting the prior deed which contained an incorrect description in that Lot Fourteen (14) was inadvertently omitted from Block Four (4) in Oakdale, an addition to the City of Evansville, Vanderburgh County, Indiana, according to the recorded in Deed Book plat thereof; which said prior deed was dated November 25, 1974 and recorded in Deed Book Volume 610, Page 66 in the office of the Recorder of Vanderburgh County, Indiana.

Commissioner Willner moved that the corrected deed be approved and signed. Commissioner Schaad seconded the motion. So ordered.

RE: HEALTH INSURANCE FOR COUNTY EMPLOYEES

Commissioner Schaad said that the Commissioners did approve the high option Health Insurance for the County employees and he understands that the Council approved the money for it, providing that each County employee would contribute \$5.00 per month on the family plan and \$1.00 per month on the single plan, but they weren't aware of it before they agreed to do this, and then they realized that the union had a contract and they said that \$1.00 per month is all they would pay, but the Commissioners feel that since they are getting many more benefits than they did before, that they would go along with the \$5.00, but until this is resolved they can do nothing. He said that Commissioner Ossenbergs was working with the union and thought that maybe they would go along with it, but until they have this clarified, they can't very well ask the other county employees to contribute the \$5.00 and the union only contribute only \$1.00, that this wouldn't be fair, so they would like for the union to go along with them and contribute the \$5.00 too.

Commissioner Willner said their representative isn't here today, that he probably went to Danny Klein's funeral, but he thought the contract to be binding even though it hasn't been signed.

He said he talked to Al Knarian who is the shop steward and he tentatively agreed, as far as he was concerned and Mr. Knarian asked him to contact Mr. Forrester, but he was unable to contact him this morning.

He said that up to now the Commissioners have given the contract to Blue Cross-Blue Shield so they evidently have the contract, so they need to pass the employees participation program but then need to get the approval of the union to go along with the \$5.00 participation.

County Attorney Ed Smith said they could go ahead and approve it, subject to the confirmation from the union.

Commissioner Schaad said that the contract is in effect now and he wondered if they couldn't just hold it up and not sign it until this thing is resolved.

County Attorney Smith said the new insurance is to be effective the first of the year, that he is sure they decided to go on a calendar year basis, so he thinks they need to establish the withholding today.

Commissioner Schaad moved that they withhold \$5.00 from each County employee who has a family plan and then they will just have to resolve it with the union.

Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said he didn't think there would be any problem, but they can't just take it for granted.

He said that it isn't so much the \$5.00 they get back, that the family plan is much more than the single plan, but what happens so often, since they got it for \$1.00 on either plan, they would take the family plan and a lot of these people already have coverage from other insurance and it is costing the County a lot more money, but if the employees have to put in \$5.00 maybe they will look at it the second time and think that since they have other insurance they will just take the single plan, so it is more than just the \$5.00 that is involved here, and he thinks this will save the County quite a bit of money.

Commissioner Willner moved that they set the employees participation in the Health Insurance Plan at \$1.00 per month for a single plan and \$5.00 per month for a family plan, subject to the approval of the Teamsters Union. Commissioner Schaad seconded the motion. So ordered.

RE: MR. HOTZ

Mr. Hotz said that late last summer a tree fell at the Hillcrest Home and damaged a chain link fence and believe it or not, the federal government finally got to it last week and have removed the tree and also replaced the fence, so it has been taken care of.

County Attorney Smith said he had contacted them on this matter.

Mr. Hotz said this tree was on the Old Marine Hospital property and the fence belongs to the federal government, that they did a good job on it.

He said they have also had the smoke detectors and the fire alarm system completed with one exception, that the Telephone Company has yet to hook up this system with the Fire Department, that it will be one of three ways that this system will operate and will turn the phones on at the Fire Department and when the sprinkling system goes off, the Fire Department will be on the way without a phone call. He said he thought it would be in this morning, but Vanguard that made the installation will give them maintenance and a quarterly inspection which is mandatory by the State Fire Marshal, so that will be four times per year, and the fee is \$27.00 per inspection, that they will send a copy of this report to the State Fire Marshal first and then to the Commissioners, also one to the Hillcrest Home and one to his office, so he would like the approval of this.

Commissioner Willner moved that it be approved. Commissioner Schaad seconded the motion. So ordered.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the Absentee Report on the employees at the County Highway Department for the week ending December 22, 1978.  
Report received and filed.

RE: MR. SIEBEKING

Mr. Siebeking said that two weeks ago when the river was up he thinks they developed a new problem out on Graffe Road where the creek goes under the levee, that there are two sets of tile under there, that if the Commissioners remembers, several years back one of those tiles caved in when the river was up and they had to put up a temporary bridge over the top of the cave in and after the river went down they got it taken care of, so now the next one is sinking fairly fast, that it went down at least 12 inches, so he and Mr. Stephen went down to look at it and he is thinking that they will have to go in there and dig that out and put one of the big pipes in it that they are installing all over the County, because this is the only road that residents have to get out when the river reaches 40 feet, that it will be quite a job since they will have a lot of dirt to move, that there is a fill across the creek, but he is afraid it is going to have to be done and his crew can't do it because there is too much fill there, but he thinks it can be done with the people that Mr. Stephen works with in installing these pipes, but he did want to bring this to the Commissioners because he does think it is going to be a problem.

He said he doesn't have an estimate as to the cost but they will need one of the big 12 feet pipes like they put out on Nurrenbern Road which costs about \$12,000 and \$13,000, that this is what it will take, but it will be the idea of digging the old ones out and laying this one in and getting it backfilled then, but it will definitely have to be done.

He said those were old boiler tubes that were in there and he thinks they have probably deteriorated, that they were put in way back in the 1930's.

Commissioner Schaad asked Mr. Siebeking if he wanted it approved this morning so he can get with Mr. Stephen and advertise for bids.

Mr. Siebeking said he didn't think they would have to advertise for bids because the pipes have already been bid in and they also have a lease with P & H Construction Co. for the use of their dragline and other equipment, so it can be done by them, that he thinks it can be put in on the same basis that they have put the others in. He said there may be such a thing that they can wait until the spring, that he doesn't know, but they will have to watch it and he did want to bring it to the attention of the Commissioners.

The Commissioners agreed that this matter be held up until Mr. Stephen gets back from vacation.

Mr. Siebeking said that another thing that has really been concerning him and also Mr. Judd, and that is the signing and the barricading of roads, etc.



He said he has an idea that might help, and he thinks they should ask the news media to maybe come up with some kind of an appeal to the people of Vanderburgh County, to see if they can't get some of these signs returned to the County, that they are talking about road signs such as Mr. Judd makes up for them that says, High Water, Road Closed, that on signs such as these, they are talking about an average of \$15.00 per sign, that on signs such as road signs, they are talking about from \$5.00 to \$7.50 per sign, also on stop or yield signs, they are talking about from \$15.00 to \$18.00 per sign, so they are talking on an average of from \$25,000 to \$35,000 per year on signs that are either hanging in someone's family room or in some child's room, since this is apparently the fad.

He said that during the last seige of high water they lost 8 of the signs that Mr. Judd made up for them, within three days, that they lose signs all the time, and he wondered if the news media, the Commissioners, or someone could make an appeal to the people of Vanderburgh County to have these signs returned, no questions asked, either to the County Garage or to the Traffic Department, that he thinks they might get some of these signs back.

He said they leave the barricades but take the signs, that they can put a sign up on a barricade today and tomorrow the sign will be gone, that he doesn't know what the answer is, since they have tried all methods of mounting the signs on the barricades, since the Sheriff's Department want them to either flare it or to have a sign on the barricade, that a couple of weeks ago when the water was up over Allens Lane, they had it barricaded and has signs up as to the road being closed and the people kept moving the barricades back down, they took the signs and they put signs back up that afternoon and he had a man out there that he had to pay almost five hours over time to just move barricades back and forth because people kept moving them out of the way, so the Sheriff's Department finally sent a car out there and the Deputy sat out there and wrote tickets for two solid hours, since people were just going through the barricades, that they don't pay any attention, but when they get right down to it, it is a big cost to his department, to Mr. Judd's department, and to the taxpayers, so he just wondered if some kind of an appeal could be made to the parents in Vanderburgh County, that maybe they will get some signs back, but something has to be done.

Commissioner Schaad said he is sure that this isn't a problem of Vanderburgh County alone, that he is sure this problem is all over the United States, but there should be something that they can do.

Mr. Siebeking said he was thinking, that with the permission of the Commissioners, he would call the television stations, since Mr. Madden is on Channel 25 and he always has comments to make on problems such as this, or maybe they could get something on the Why program, or perhaps they could get some of the reporters to do an article on it. He said it really concerns them since it keeps them busy trying to keep signs out there and he knows that Mr. Judd gets disgusted of having to make all these signs.

County Attorney Smith said there is another aspect to this too, and this is the thing they were talking about a week or so ago, about the exposure of potential liability to the County, that it could result from an accident because of no sign being there, that this really concerns him as to the potential liability exposure.

Mr. Judd said that one day he can put up road signs and the next day three-fourths of them are gone and he has signed Adler Road several times this year.

Mr. Siebeking said he wanted to bring this problem up to the Commissioners, that it is something they should think about, that it really concerns him, not only because of the cost it involves, but the fact that they run them to death trying to keep up with them, also as to the liability factor, since if they have a road closed and there is a sign stating that it is closed and why it is closed and to know that the sign will be gone in a short time after being put up.

Commissioner Schaad said that, then if someone runs through it and has an accident, the County is liable.

Commissioner Willner asked what if they make the signs oblong and put them in about a 300 pound block of concrete and deliver them with the wrecker, would this stop their problem.

Mr. Siebeking said they would push them off to the side but they probably wouldn't be picking them up and taking them off like they have been doing.

Commissioner Willner said he was reading in a trade magazine where one county did that, that what they do is to drive big spikes through the metal sign and then pour them in concrete and it is impossible to pull them out, that this would cost a considerable amount for all the concrete, but this was when they were delivering them with a wrecker, especially when they posted signs for a bridge being out or such as that, but he thought this would keep anyone from stealing them.

Mr. Siebeking said they even have some stop signs that Mr. Judd made up that they use on an emergency basis and they have even disappeared, that it is a problem and he supposed this problem to be everywhere, but it really concerns him.

Commissioner Willner asked Mr. Siebeking, if when he signs anywhere, doesn't the people have to run around them.

Mr. Siebeking said they sign them so the people can get around them, that they don't block the complete road off, and if it is a local traffic deal, they try to keep that sign on it, since people that live there must get in there but it is to stop the through traffic, but they take out any kind of sign they have out there.

Mr. Judd said that the stop sign standards that he takes out has a 60 pound base and they take them right along with them.

Commissioner Willner said this isn't enough, that they need about 300 pounds.

Mr. Siebeking said that the gates they put up out on Weinbach where they closed the road off completely, they had someone to hit that south gate trying to break it open and they really bent it into a U, that he would like to see the vehicle that they were running into it with, but they sure worked it over.

RE: COMMENT ON TRUCK ROUTE ORDINANCE

After further discussion, County Attorney Smith said he was talking to Judge Kissinger last week and he told him that he would bring this to the attention of the Commissioners, that he was concerned about the decision impact on the Truck Route ordinance that the Commissioners adopted on the condition of the roads and all of the abuse that the County roads are taking, particularly since the Commissioners aren't able to enforce the load limits, that he and Judge Kissinger agree, that they can see no reason why, in light of the statute that requires that the Commissioners provide an alternate route, and he told him that they had it worked out, that just designate our state highways below sidlers and it is a truck route, so if they could get the state highway to agree to this, then their ordinance would pass Busler with Judge Kissinger.

Mr. Judd said he had them all signed and was ordered to take them off the state highways, that he had no jurisdiction to put them up on a state highway.

County Attorney Smith said he thinks someone needs to get in touch with the state highway department to get this thing resolved, that this is just common sense, and it isn't going to hurt anything.

Mr. Judd said they stated to him that all state highways and federal highways are automatically truck routes, so they don't have to be marked, that the engineer at Vincennes was the one that ordered him to take the signs down.

Commissioner Schaad told County Attorney Smith to start with Mr. VanNeelan at the Vincennes office then, that he should tell them that we understand that they are automatically truck routes but that doesn't solve our local situation as far as the County roads are concerned, because we haven't designated an alternate route for the trucks and if they let us put the signs up, the Judge would go along with us. He said he didn't think that the State Highway Department understands this and they need to be asked if we can do it.

Mr. Siebeking said he forgot to mention that the calcium chloride installation has been completed and they have 8,000 gallons in the tank, the paper work has been done and they are ready to roll, also they have plenty of sand.

RE: AUTUMN WINDS SUBDIVISION

Commissioner Schaad said that Mr. Stephen is on vacation but that there are two matters for the Commissioners and Jim Morley has one of them.

Mr. Morley said the roadway of the Autumn Winds Subdivision was completed and because of the concrete shortage they ran out of time and didn't get to backfill the dirt against it, but the owner has a conditional sale or an escrow account of some \$3,000.00, depending upon his completion of the roadway this year in acceptance for the Commissioners and he would like to ask that they approve the acceptance of the pavement and withhold any maintenance of the roadway, itself, until the grading and seeding has been completed, as soon as the weather permits, in the spring. He submitted a letter to the Commissioners from the firm of Morley and Associates, Inc. which reads as follows:

Gentlemen:

In behalf of our client, Mr. George Howard developer of Autumn Winds Subdivision, we would like to inform the Board of County Commissioners that the construction of all the

roadway pavement has been completed and request that the roadways be accepted and maintained by Vanderburgh County.

The County Highway Engineer, Mr. Louis Stephens has suggested that this request for acceptance be made subject to the completion of the final grading of the shoulders along the roadways. This work could not be completed due to weather conditions but it is under contract and will be completed when weather conditions permit. Our office will inform Mr. Stephens when this work has been completed.

The roadways are concrete with a rolled curb and the pavement width is 29 feet. The roadway names and respective linial distances are as follows: Whispering Tree Lane, 1812 feet; Wind Circle South, 380 feet; Wind Circle North, 210 feet. Whispering Tree Lane runs from Mt. Pleasant Road on the south boundary of Autumn Winds Subdivision to Mt. Pleasant Road on the west boundary of the subdivision. Wind Circle North and South are cul-de-sacs which intersect with Whispering Tree Lane.

The County Surveyors office was notified when subgrade was ready for inspection and when the roadway pours were started. Mr. Louis Stephen conducted a final inspection on December 20, 1978.

Inspectors from our office visited the site throughout the roadway construction and we hereby certify that all subgrade and pavement construction witnessed by us was in accordance with the specifications.

Copies of the concrete cylinder test reports are enclosed.

Sincerely, Stephan L. Murray  
Vice President

Mr. Morley said they have also enclosed a Report of Concrete Cylinder Test from Hanson Testing & Engineering.

Commissioner Schaad then submitted a letter that Mr. Stephen wrote Morley and Associates, Inc. in regards to the Autumn Winds Subdivision Streets. The letter reads as follows:

Gentlemen:

On December 20, 1978, James Morley and I made a field inspection of the construction of the pavement of Autumn Winds Subdivision. Prior to pouring, County Road Inspector Tom Goodwin checked forms for minimum 6" thickness.

Field check results were: the street will be recommended for county acceptance for maintenance after the following conditions are fulfilled:

1. Grading of area behind curbs.
2. Seeding for erosion control of area behind curbs.
3. Streets are cleaned of all mud and debris and Developer, Builders, and Contractors keep street free of mud and debris during construction.

Sincerely, L. H. Stephen, P.E.  
Vanderburgh County Highway Engineer

Mr. Morley said they need the approval of the Commissioners on the paving and essentially agreement with Mr. Stephen's letter that the developer still has the responsibility of doing all this and that the County isn't going to do any maintenance on the streets until all of the dirt work is finished.

He said the big investment is in the pavement and they would like the acceptance of the pavement itself, that it meets the construction requirements.

Commissioner Schaad asked Commissioner Willner if he has any objection on this.

Commissioner Willner said he has no objections but asked if it isn't highly unusual.

Mr. Morley said it really is, that there wouldn't even be any reason to ask for it, if it wouldn't be for the escrow amount of \$3,000 and they weren't sure that Mr. Stephen's letter would be enough to necessarily release him, that he is afraid because of the way the escrow reads, that the escrow account says something about the roadway completed and accepted by the County, but they want the concrete pavement accepted, but not the roadway, that it is really crazy.

Commissioner Willner moved that the concrete pavement, having met the standards, be approved, but the road will be accepted for maintenance by the County when the shoulders have been completed which will be at a later date. Commissioner Schaad seconded the motion. So ordered.

RE: RIGHT OF WAY FOR ST. JOE AVENUE

An Easement was submitted whereby the Parkview Convalescent Center, Inc. conveys to the County the right of way on St. Joseph Avenue.

Commissioner Willner moved that the Easement from the Parkview Convalescent Center, Inc. be approved and signed. Commissioner Schaad seconded the motion. So ordered.

RE: CLATM

The Claim for the Permanent right of way at 2819 N. St. Joseph Avenue from the Parkview Convalescent Center, Inc. was submitted in the amount of \$26,060.00, which was approved by Mr. Stephen.

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

Commissioner Willner asked who was the right of way buyer for this easement.

Commissioner Schaad said that the buyer was Dan Riddle.

The meeting recessed at 10:40 a.m.

PRESENT

COUNTY COMMISSIONERS

COUNTY AUDITOR

COUNTY ATTORNEYS

Bob Schaad  
Robert L. Willner

Curt John

Ed Smith, Jr.

It was noted that Ronald M. Jourdan will take Ed Cole's place to represent the Southern Indiana Gas & Electric Company as Government Liaison Representative.

Secretary: Margie Meeks

  
  
BOARD OF COUNTY COMMISSIONERS