

**MINUTES
COUNTY COMMISSION MEETING
SEPTEMBER 7, 1993**

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MINUTES
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The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Monday, September 7, 1993 in the Commissioners Hearing Room with President Richard J. "Rick" Borries presiding. President Borries apologized for the late start, but stated the Board had met in Executive Session prior to the Commission session.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

Commissioner Borries welcomed the meeting attendees, introduced members of the County Staff (Attorney Alan Kissinger, Commissioner Tuley, himself, Commissioner Hunter, County Auditor Sam Humphrey, and Joanne Matthews, Recording Secretary) and asked the group to stand for the Pledge of Allegiance.

Mr. Borries subsequently asked if there are individuals or groups present who wish to address the Commission but do not find their particular item of interest on this evening's agenda. There was no response from the audience.

RE: AUTHORIZATION TO OPEN BIDS/PERFORM TITLE SEARCH
SERVICES IN CONNECTION WITH 1993 TAX SALE

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, Attorney Kissinger was authorized to open the bids received on the subject project. So ordered.

RE: KNIGHT TOWNSHIP TRUSTEE/REVISED POOR RELIEF GUIDELINES

Mrs. Emarie West, Chief Deputy, was recognized and said she is here to submit revised Poor Relief Guidelines for Knight Township and to have the said guidelines signed by the Commissioners, signifying they have received copies of same -- not signing because they either approve or disapprove the guidelines. In response to query from Commissioner Borries, Mrs. West said the revised standards did go into effect on September 1st. One of the major changes was an increase in the income guideline on Page 5. Another change concerns utility assistance -- Item 5(d) on Pages 7-8. If somebody is receiving subsidized housing, they will not be paying on that person's utility bill. When their lease is drawn up there is an allowance figured in in regard to the amount of rent that they pay and sometimes that rent can be anywhere from them receiving a utility reimbursement to a zero amount on up to -- oh, sometimes it can get up to \$50 or \$60, depending upon what kind of income they do receive. But they feel they are already receiving a subsidy -- it is already being allowed in that lease with their housing and in many cases we were subsidizing the subsidy. So that is spelled out in that particular section.

Commissioner Hunter said it is his understanding that when there is a shut-off notice that the Trustee will then come to their assistance.

Mrs. West said if they do not have the subsidized housing.

Mr. Hunter said if all else fails and the shut-off notice appears, then the Trustee will come in behind? He is thinking about the situation where something like this happened a few months ago and the utilities were shut off and they used some sub-standard horrible heating device and they all burned up and there were children involved.

Mrs. West said they try to weigh the cases on an individual basis, too. But they wanted to try to eliminate the gray areas so should there be an appeal the Trustee will not be overruled -- and they will have their guidelines to go by.

Mr. Tuley said that basically that is the Commissioners' job -- if there is an appeal, be certain the Trustee followed the guidelines.

Mrs. West said, "Right -- our Township Board and the Trustee are the ones who approve the guidelines."

Mr. Hunter said, "Also, on Page 5 with regard to the amount of income and persons per household -- what did you use for a source on that? Is this from Federal guidelines? Or more adapted to local needs?"

Ms. West replied this was more adapted to local needs. It was increased by \$50.00 increments.

Mr. Hunter asked if Mrs. West feels comfortable this is a fair amount?

Mrs. West said it sometimes gets to a situation where if they are higher, they once again are subsidizing what their income is.

Mr. Hunter noted this is a good point.

Mrs. West entertained further questions.

Attorney Kissinger asked, "Are these guidelines enacted or proposed in compliance with some specific statutory authority?"

Mrs. West responded, "Our Township Trustees are supposed to have guidelines, yes."

Mr. Kissinger said, "What I am asking is, is there a specific State statute setting up the format within which you are to draw your guidelines?"

Mrs. West responded, "I.C. 12."

The Commissioners proceeded to sign the revised Poor Relief Guidelines, with Commissioner Borries noting one of the Board Members still has pretty good handwriting for an 86-year old. (He was referring to his Mother, whom he said is probably the oldest elected official in the County.) There being no one else present from the Commission Office, he then asked Ms. Matthews to temporarily retain the three copies of the Revised Guidelines and forward same to the Commission Office for their files and future reference. (Guidelines were given to Mark Abell in the Commission office on 9/9/93.)

RE: SEWER SYSTEM PROPOSAL/DAYLIGHT, IN - HUGH MILLER

The meeting continued with President Borries stating that Mr. Hugh Miller (with the Daylight, IN Industrial Group) is here tonight in regard to a sewer system proposal they are working on.

Mr. Miller stated he is with Curran Miller Auction & Realty Company and their offices are in Daylight, IN in the Green River Rd. and Highway 57 area. Part of the Industrial Group is with him tonight -- Mr. Ken Alvey of Alvey Sign Company and Daryl Hobgood of Hobgood Contractors. They want to thank the Commissioners for the opportunity to appear before Board. For some time, particularly in his business of selling real estate in the area, they have realized that one of things that was really stymieing the growth -- particularly in the Industrial Park (and Darryl has some land of an industrial nature that he would like to develop) has been the lack of sewers in the area. They have been working toward trying to

achieve a sanitary sewer system for that area and have solicited the assistance of Jim Biggerstaff and Steve Brooks to give them guidance and counsel and to prepare some preliminary plans. They have made some preliminary inquiries as to the possibility of obtaining some State grant money to assist them with this project. If it is appropriate, he would like to have Jim Biggerstaff explain the program to the Commissioners, how it would work, the assistance they need from the Vanderburgh County Board of Commissioners, and how they can proceed. However, perhaps Mr. Brooks should first offer a few comments.

Mr. Steve Brooks said he has made some preliminary inquiries of the Indiana Department of Commerce. This is two-pronged. It's a retention project. They have approximately 256 jobs in the area at present. He's not done enough research with all the companies out there at this point to determine what the potential for new jobs might be -- but the Department of Commerce is not terribly interested in retention; they are more interested in new job creation. But, again, as they get into this and knowing that they have a potential industrial park planned and not having talked to Vision 2000, there may be some prospects out there that opening this area up with sewer would lend that area to be a good location for a new factory or what have you. It's a tremendous area. They've got interstate; they've got rail; they're in close proximity to the airport and, of course, the airport just received a foreign trade zone designation. The only thing that is lacking -- and, as usual, there is one critical piece -- is sewers. His involvement would be (and he would stress that this won't cost the County anything; he is doing this on behalf of the Daylight people) to see just what we need to do to secure a grant. If it looks like there is good potential for a grant, that grant would have to be an application from Vanderburgh County. He would prepare all of those documents for us to send up to the Indiana Department of Commerce. Mr. Brooks then entertained questions.

President Borries said he would first want to say that probably the most important economic development tool that you could have for new job creation is sewers -- everywhere in the county, literally -- and he's certainly grown to believe this. That is a critical thing that certainly impedes or hinders a lot of development, so he thinks the Daylight Industrial Group is right on track on this. By the lack of questions from the Board, he feels they will get a lot of solid support for their work on this sewer. No doubt about it, that is a critical economic development tool.

Mr. Biggerstaff of Utilities Consulting Co., Inc. in Newburgh, IN said, "This is about the fifth project we've done similar to this. Normally there is a 40/60 or 70/30 split on these projects. It is based on jobs for the community related to industrial development. I have the cost estimates and we've estimated this project at about \$463,000. We've had the endorsement of the health department. Basically, what they are really interested in is an all gravity system. This is the only way you adequately serve an area." Mr. Biggerstaff then submitted copies of the preliminary plans to the Commissioners for their perusal, pointing out the industrial area they represent. In explaining how this fits together, he said, "There is a development contract entered into by the Industrial Group, the County Commissioners and the City of Evansville. The role of the County is basically to submit and execute all grant applications to the Department of Commerce. The County becomes the liaison as the entity that lets the project out for bids. We primarily does all the necessary work as far as engineering, bidding specs, etc., to meet the standards of the County and the City of Evansville. This is the way the project works. We carry it all the way through from start to finish and when the project is out bids and completed and inspected under the guidelines of the Evansville Board of Works or the Utility Board, it becomes their system. Under the Industrial Group, if it is a 30/70 split, the Industrial Group basically puts up the 30%. The rest is funded

through a program. All claims and everything is paid through the County. At the end of the project the State requires a normal audit. They audit every project. They check our figures; they check the bidding process; they check everything -- so it's basically really a match -- that is what it is -- and all the assistance comes out of these projects. The balance of the money comes from the tap-in fees and contributions by the Industrial Development Group. Mr. Biggerstaff said he also has some plot plans of the routing he will leave with the Commissioners. In response to query, Mr. Biggerstaff said the service area is primarily all the area north of Kansas Road to Daylight and an area west of Daylight, which is along what we call the Schlensker Ditch -- and it would accommodate any residential or any commercial or industrial development in that area. He then entertained questions.

President Borries said Mr. Biggerstaff obviously has all the plans in order and the next thing we need to do is push forward to try to get a little help from the State.

Commissioner Hunter asked if County Engineer John Stoll would like to come forward. He and John sat in on a meeting with these gentlemen a couple or three weeks ago -- mainly because this is his area and at that time he wanted John to be aware of what is going on. He then asked if Mr. Stoll felt comfortable with the proposal.

Mr. Stoll said he doesn't see any problem with it. If they need help from his office they can help them out.

Mr. Hunter asked if Mr. Biggerstaff has yet spoken with Mr. Leek in the Utility Department?

Mr. Biggerstaff said they have not. His brother has and they are in favor of a gravity system.

Mr. Hunter said he met with Norm and he knows he was very much in favor of it.

Mr. Biggerstaff said one of Board members is on vacation this week, but they have a meeting set up next week to proceed with regard to the City of Evansville's agreement. This is one of their proposed routes. This is basically what they want -- a gravity system. It is maintenance free; all connections are gravity from the house to the system; we're not dealing with septic tanks; not dealing with gray matter; not dealing with high maintenance. Primarily it is an all gravity system.

Mr. Hunter said he agrees with Mr. Hugh Miller; the only thing holding back development in the industrial corridor on Highway 57 is, as Rick said, the lack of sewers. We've got I-164, we've got I-64, we've got the railroads and all the necessary ingredients for that area of the county to take with the exception of this one item which is a stumbling block. Therefore, he would hope the Board of Commissioners would give their support to this project.

Commissioner Tuley said he told Mr. Miller during a phone conversation that he would do whatever he could do as a Commissioner to help them. He will not say that publicly. If there is any way he can help him, or help speed this up, Mr. Miller should feel free to contact him.

Mr. Borries said he would third this. He will support the extension of sewers anywhere in the county. As he said, he thinks this is the key economic development tool, because nothing of any substantial amounts of industrial growth can take place until such time as you get those sewers. He doesn't know that the Industrial Group needs a motion -- other than the fact they've gotten some verbal support. Unfortunately, we would be a little strapped for money to do anything right off the bat here, because the

Commissioners would have to go before Council and sometimes that is worse than pulling teeth.

Mr. Miller stressed they are not here looking for money. In fact, that is one of the neat opportunities about this. If the program works like they think it is going to, they're not going to need financial assistance from the County. On behalf of the Daylight community he wants to thank the Commissioners for their support and they will be working closely with John Stoll and keep the Commissioners informed. The Commissioners should feel free to call them at any time.

President Borries said the Commissioners appreciate their willingness to do this and the Board of Commissioners will act as the sponsoring agency wherever necessary and stay in contact with them whenever they need to cross the t's and dot the i's.

Mr. Brooks said, "What I'll do -- I've got some preliminary workups to do. The Department of Commerce is a client of mine. I do all their Enterprise Zone analyses statewide. I'll do the preliminary workup to see what they think. And if it's go from there, we'll go ahead with the application and we'll be back here to ask for your signatures."

President Borries wished the group good luck and thanked them for their proposal and the presentation of same.

Mr. Hunter said he understood them to say the other day that once that sewer system is functional and accepted, the rest of the county -- the gravity flow from Old State or Highway 41 (or wherever they talked about) would flow into that system. So that opens up that whole area at no cost to the county. So it looks like it is a win-win situation for us. It sounds great.

RE: PETITION TO VACATE AN UNNAMED STREET IN THE DETROY RD.
AREA - KAHN, DEES, DONOVAN & KAHN

Commissioner Borries said he has a note from Joanne Matthews indicating that no one from KDDK is going to be at today's meeting, but they are requesting that the Commissioners set the Hearing Date. She has scheduled advertising on September 13th, with the Hearing scheduled at 5:30 p.m. on Monday, September 17th. This will sufficient time for mailing of Certified Notice to the abutting property owners, review by the County Engineer and the Area Plan Commission, as well as obtaining the necessary letters from the utility companies prior to the hearing. He would entertain a motion with regard to advertising and setting the Hearing Date.

Motion made by Commissioner Tuley to advertise as scheduled and conduct the Hearing at 5:30 p.m. on September 27th, with a second from Commissioner Hunter. So ordered.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Bid Recap: Attorney Kissinger reported that only one (1) bid was received with regard to performing the title search services in connection with the 1993 Tax Sale. Bid was from Evansville Titles Corp. in the amount of \$25,000 based on an estimated 100 parcels. He is assuming that bid could also be broken down into a unit price of \$250 per parcel.

Mr. Borries asked if this should be turned over to the County Auditor for his approval and a recommendation.

Attorney Kissinger said that is correct.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Ordinance re Temporary Reduction of Speed Limit on North Green River Rd.: Attorney Kissinger said the County Engineer will be addressing this item more fully during his report, but he thinks there is going to be a request that the Commissioners consider reducing the speed limit on a temporary basis on that portion of North Green River that is presently under construction as a work site. There is specific statutory authority to do that and at the risk of being presumptuous he has already started preparing an Ordinance for that purpose. John Stoll can probably address the Commission more fully concerning the need.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

President Borries said Mr. Abell is on vacation and is not here tonight to submit a report.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Borries asked that the record show that Mr. Morphew has submitted the progress report for period of August 27, 1993 thru September 2, 1993.....report received and filed.

County Line Road West: Mr. Borries said he drove this road yesterday and it is fantastic. He went out Baseline Rd. all the way to the County Line, turned south and then traveled the County Line Rd. all the way into St. Wendel. That portion is completely done. To the north they have it completed up to the railroad tracks. They are now getting ready to oil and proceed with the portion past the tracks. They're doing a really fine job. In terms of air quality that it is going to be a great improvement. He thinks the width is more than adequate.

Mr. Morphew said he understands quite a few bicycle enthusiasts were also out there.

Commissioner Borries said they did a nice job out there and he received a thank you call with regard to the paving.

Hillsdale Rd.: Mr. Humphrey asked if they paved Mt. Pleasant Rd. from Old State to Highway 41.

Mr. Morphew responded they did not. They paved Hillsdale Rd. all the way from Old State Rd. to Browning Rd.

Mr. Hunter asked if Mr. Morphew saw what they did to the striping on Hillsdale Rd.

Mr. Morphew stated he did. He doesn't know for sure what happened, but underneath the machine that does the striping is a heater and it is supposed to dry that paint. As it goes through the front, the heater in the back is supposed to heat it and dry it. He thinks it failed to work -- half the road is painted yellow. Actually, several roads were done this way, including Mesker Park Drive and Hillsdale.

Mr. Borries asked if Traffic Engineering did this work and are still doing it?

Mr. Morphew responded affirmatively, saying that since then they've re-done a couple of the roads properly.

Mr. Borries said we have an agreement with Traffic Engineering and he is glad they are getting these roads. The one new portion he drove along on Boonville-New Harmony Rd. yesterday is not yet striped. And the portion between Hwy. 57 and Old Petersburg Rd. -- have we completed setting the culverts in there? Who is going to do that? The County Highway -- or is this contract work? Koester?

Mr. Hunter said it is Koester.

Mr. Morphey said that is Old Petersburg Rd. to Green River Rd. and it is not yet completed.

Gradall/Breakdown: Mr. Morphey asked if the Commissioners saw one of the Gradalls being hauled by a wrecker the other day and Mr. Borries said he certainly did. Mr. Morphey explained a seal in the transmission blew and pumped all the oil out. However, it is not going to cost the county to repair the Gradall because the transmission is under warranty.

RE: COUNTY HIGHWAY ENGINEER - JOHN STOLL

Copperfield Subdivision, Phase II, Section II/Request for Waiver of Sidewalks: Mr. Stoll said this is the matter deferred from last week. With regard to the one (1) mile distance from the City Limits, this is not really a factor. The Subdivision Ordinance states the subdivider shall provide curbs and gutters for all streets within and bounding the subdivision, including those within one (1) mile of the City Limits except where specifically waived by the Board of Commissioners of Vanderburgh County. So sidewalks are required unless waived. He thinks this subdivision is roughly 1.2 miles of the City Limits. However, the way this reads they would have to have sidewalks -- so the one mile rule really wasn't a factor. The way they proposed installing the sidewalks was consistent with the way they had been built throughout the remainder of the subdivision -- so he didn't see any problem with it. This ordinance is not real clear. It states the subdivider shall provide sidewalks -- but that doesn't say whether it should be both sides or one side or what. When he was talking with Keith Poff of Morley & Associates, Mr. Poff was stating his concerns about the way the ordinance reads -- and that was one of them. They didn't feel that a waiver of sidewalks was necessary if they were putting them on one side of the street -- because this could be construed to mean that one side would be enough.

Mr. Borries said that is right -- it doesn't say both sides.

Mr. Hunter asked why then are they coming to the Board of Commissioners seeking a waiver.

Mr. Stoll said he guesses that has just been the practice and he believes Area Plan recommends they come in and get a partial waiver -- that is what it comes down to.

Mr. Borries said he's always gone that they were mandatory -- there was just no waiver -- within the one mile. He can't recall ever waiving any that were within the one mile, but that is not to say his memory is totally accurate.

Mr. Hunter said he still thinks the Board needs some guidelines based on the size of the lots, because to him a lot frontage of 90 ft. to 100 ft. is a high density subdivision and needs sidewalks, whereas some of these that have two, three or four acres -- it would be ludicrous to spend that kind of money. But he thinks we need guidelines based on the frontage and the number of.....

Mr. Borries said while Mr. Stoll is looking at Newburgh, we might want to look to see what they are doing up there. There may be some out there. And he would basically agree with this. He just has a problem in terms of some areas where there is large frontage, you're talking about a lot of expense to put sidewalks in. If it's a high density situation, he has no opposition to sidewalks.

Mr. Tuley asked if we can change this ordinance to spell it out, so there is no confusion on future development.

Mr. Hunter said this is what he has asked for the last two to two and a half years -- that there be some specific guidelines, which would help the developers. What they do is kind of like a crap shoot. They come in here asking for a waiver, hoping they will get out of putting sidewalks in -- if not totally, then partially.

Mr. Tuley said we need to spell it out.

Mr. Hunter said that is right -- then they won't have to come to us.

In continuing, Mr. Hunter said another thing that came up was that the sidewalks has to go in first when the streets go in -- then the sidewalks get destroyed. Then you come in and cut a portion of it out to put the driveway in. In talking to Roger Lehman, it would make a lot more sense for the sidewalk to be the last thing that went into a subdivision -- or the last thing that went into a house. There would be less concrete; less cost - and Roger was willing to include the sidewalk on his final inspection. But we never really got it off the ground. But, to him, that would make an awful lot more sense than the way we are doing now.

Commissioner Borries said he would like to have input from perhaps some home builders on that.

Mr. Tuley asked who the President is of the Homebuilders Association.

Mr. Borries said that Jeff Hatfield is.

Mr. Hunter suggested we get him in here next week.

Auditor Humphrey said he came back from Clearcrest yesterday and whatever road it is you take to go over to Highway 41, six bicycles and four runners were on the road and you could hardly pass them.

Mr. Hunter said that is why we're looking to build the Pigeon Creek Greenway -- to get them off the road and onto 40 miles of bike path.

Mr. Stoll said another issue on the sidewalks will be that once they are all built in high density areas, he is sure we'll end up with requests like the City does where sidewalks that have been broken up we have to have some sort of maintenance plan so we can replace them when they do get torn up. He doesn't think the County has as severe a problem as the city -- the City has to replace the sidewalks whenever they start deteriorating.

Mr. Borries asked that Mr. Stoll research this and talk to the Homebuilder's Association to determine what they feel would be appropriate, as well as talk with the Area Plan Commission -- in other words, see what would be reasonable for everybody involved.

The meeting proceeded with a motion from Commissioner Hunter that the waiver of sidewalks in Copperfield Subdivision II, Section II, as submitted last week be approved. Seconded by Commissioner Tuley. So ordered.

Agreement with Jobs Club re Cleaning Services for County Engineer's Office: Mr. Stoll said this agreement states they will clean the County Engineer's office once a week on Fridays. They will vacuum, dust, clean, etc. The fee is \$15.00 per week. This includes dusting the walls and cleaning the woodwork and take out the trash. We are to pay them within 30 days of receipt of invoice for their services, provide a trash depository, notify the Jobs Club of any problems, notify the Jobs Club of any scheduling changes and they guarantee their work, as agreed. They agreed not to discriminate against any person. It is just a standard language agreement.

Auditor Humphrey said the law says 45 days from the time we receive the claim. He said if Mr. Stoll will get his claims in early, they will be paid.

Mr. Hunter asked who administers this program

Commissioner Borries said that program is administered directly through the Southwestern Indiana Mental Health Center. It is called the Jobs Club. It is for independent living people who are part of that direct program, and supervised by Jeff Omohundro. They have contracts with several groups. This is one of their incomes and they sometimes collect cans, etc. It is really great program. It gives them productive kinds of things and they are supervised.

Mr. Stoll said they have one staff person supervising the workers whenever they are doing the work.

In response to query from Commissioner Tuley as to how Mr. Stoll learned about them, Mr. Stoll said that back when their cleaning budget got cut when they first moved to their new offices, Phil Hoy suggested he contact them. They clean his offices at the Food Bank.

Mr. Borries said he is very familiar with them. He's been a Board Member of the Southwest Indiana Mental Health Center and he is glad Mr. Stoll is going to use them.

Mr. Tuley asked if Council gave Mr. Stoll money to pay for these services.

Mr. Borries said they are going to pay this out of contractual services.

Attorney Kissinger said if the Commissioners are going to approve John's entering into this contract, it would be appropriate to move to allow him to commit the County to the contract.

Motion to approve made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Mr. Stoll said we have the option of canceling the agreement. There is a provision for 30 days notice for either party to get out of the contract.

Auditor Humphrey asked if they have on-the-job insurance.

Commissioner Borries said they do have insurance. If the Commissioners would like to hear more about this program, we could have Jeff come to a meeting -- and it would also be good publicity for them. They do a fine job and have clients all over the city.

Mr. Stoll said that in addition to the offices at the Food Bank, they do cleaning for Operation City Beautiful and several offices downtown. The agreement states they are fully covered by Workmen's Comp Insurance.

Mr. Hunter commended Mr. Stoll and said he thinks this is an excellent idea. This is the kind of thing we ought to be doing more of.

Mr. Borries said they are in a transitional phase and are hoping that through this kind of thing -- they are in independent living situations and they report every day. They also have to learn how to manage money, etc., and it's really a great program.

Acceptance of Check from INDOT re USI: Mr. Stoll stated he has a check from INDOT with regard to the USI project in the amount of \$184,000. He talked with Sam the other day and this is to be

deposited into the Local Roads & Streets account. This is the \$284,000 the State didn't use when they originally proposed the intersection improvements.

Mr. Borries said that instead, the State agreed (in 1988, he believes) to turn over a portion of what they were going to use for a turn blister and grade improvements at that intersection. The County agreed to be the lead agency for the bond, so they turned that money over to us. -- and that's great.

Motion to accept and endorse the check was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Reduction of Speed Limit/North Green River Rd.: Mr. Stoll said Attorney Kissinger mentioned this early. The reason for this is that they will be diverting traffic over to the outside lanes sometime within the next couple of weeks. They had a meeting this morning and discussed the statute Alan referred to and determined the speed limit should be lowered 10 mph in order to improve the safety factor.

Attorney Kissinger said it will be for a temporary change in the speed limit. The Resolution will be set up so that when John comes in and says it is no longer needed, the Board can just rescind the action on the resolution. They said no traffic engineering report or anything is required for a temporary change at a work site. He will have that prepared for action by the Board next Monday. In response to query from Commissioner Hunter, Attorney Kissinger said the State statute requires a 10 mph change.

Mr. Hunter asked if this is sufficient.

Mr. Stoll said when they met today, the State felt that was sufficient.

Commissioner Borries asked if there is any update on the North Green River Rd. project.

Mr. Stoll said the contractor is trying to get all the necessary signs in order to help make it as safe as possible. It will take a while to get the signs. Once we get the signs, we can get out there and get a better time frame as to when the traffic will actually be shifted to the outside lanes, and how long everything will take in so far as building the road back up and putting in the temporary crossovers and everything else that is left out there.

Commissioner Borries said he appreciates Mr. Stoll's work. One of the things -- we have a lot of projects going and we always do, because you don't have an unlimited construction season in this part of the country -- but just like we talked about Boonville-New Harmony Rd. (he thinks it's the same contractor) -- under the previous County Engineer we had to kind of look at some of these contractors, because what happens is they end up getting busy and then we don't get things done that they contracted to do. He knows Mr. Stoll will watch this also. Mr. Borries said that hopefully we can get North Green River Rd. finished by November 1st.

Mr. Stoll said they're talking November; but it won't be November 1st. It will probably be mid to late November, judging from what they said -- although they haven't given any specifics. The contractor said they have put extra work crews out there, trying to make sure this thing does get done prior to the start of winter.

Mr. Borries said that as long as they stay on schedule we'll be okay. Before it gets too cold we want to make sure the contractors are going to deliver on what they said they would do.

Boonville-New Harmony Rd.: Mr. Stoll said we've solved the problem about the pipe having to be pulled back out -- so that's not really

the contractor's problem.

Orchard Rd. Bridge: Mr. Tuley asked if Mr. Stoll got a call re the Orchard Rd. Bridge.

Mr. Stoll said, "Not today -- for a few days."

Mr. Tuley said a call came into the Commission Office (he doesn't know her name) but she was concerned because the signs all say September 1 and we're beyond that date.

Mr. Stoll said that is Darmstadt. He talked to Gary just before he came over here and all the barricades have been taken down and it is open.

Orchard Rd. is supposed to open next week. They've had problems getting the paving contractor to go out there and finish up the job on the approaches. He's had plenty of calls on that one. They see a completed bridge but they can't drive across it. If he lived out there he'd probably as frustrated as they are. But it is supposed to open next week.

Mr. Borries said that is the down side. If government can go things efficiently -- which he believes they can -- but, frankly, sometimes these private contractors get in over their heads and they can't deliver on some of the things they need to do. It does take some monitoring.

Franklin Street Bridge: Mr. Hunter said Mr. Stoll gave the Board the options re the total closure or semi-closure. Even with total closure we still are going to come up short on the Fall Festival -- because it was April 1 thru October 1. Can we back that up or put a clause in where it has to be finished by October 1st or 2nd?

Mr. Stoll said his thoughts on that were either to start it sooner, which he will have to talk to the Consultant to make sure it could get on the State letting in advance, so they could start it before the April 1st date. The second option would be to put something in the Special Provisions that says it has to be open to traffic by then or else have a built in penalty.

Mr. Borries said he would like for Mr. Stoll to proceed. He is very, very concerned about a complete closure. He remembers in 1983 we built the Pigeon Creek bridge in 90 days -- basically on a double crew. Perhaps we can explore that option to see if we can't shorten that by either imposing a penalty clause. In the summer months he wouldn't mind seeing if we can't have two eight (8) hour crews -- see if we can't double shift that some way.

Mr. Stoll said the contractor has to do some demolition work, but that can go in any weather. So they could start it earlier -- but there's the funding issue, whether or not INDOT's funding rules for bridges in the urbanized area have changed. If that has changed and the contract is ready to go, then we could probably go ahead and start it in advance of April 1st. But if that funding rule is not changed or it takes longer to address the funding change (which they are supposed to do in October) then that might push it into a time frame where.....

Mr. Hunter interrupted, "I like Rick's idea of the double crews in the summer, because if we push it beyond April 1st then we've got the weather problem. I think we'd be better off to go with the double crews in the summer."

Mr. Stoll said he will talk with the Consultant about this. Since it is a Federal Aid job he doesn't know what kind of provisions they require and whether it would drive the cost up.

Mr. Borries said he doesn't recall whether the Pigeon Creek Bridge was a Federal job or not -- it may have been. But he knows we did it with double shifts and we did it within 89 days -- and that was a completely new bridge. It's just something to consider. He's not going to get into jeopardizing the West Side Fall Festival, because Franklin Street is the whole parade route and everything else. Instead of eating corn dogs, they'd be throwing them at the Commissioners. It would be a matter of whose brains they'd be using for a sandwich.

Request to Travel/Jasper: Mr. Stoll said he is requesting permission to travel to Jasper to attend the State's Transportation Improvement Program to discuss the projects over the next five years. He would like to take the County car.

Motion made by Commissioner Hunter to approve the travel request, with a second from Commissioner Tuley. So ordered.

Vogel Rd. Project: Mr. Stoll said his office is addressing all the Surveyors' office concerns about the plans and getting those finalized. The contractor should be out there within a week or so. They've already staked the centerline, so the right-of-way has been cleared.

Mr. Borries all of that out there is going to look a lot differently by the fall -- in a lot of areas.

RE: CONSENT AGENDA

Employment Changes: Mr. Hunter raised a question concerning an employee status change in the Health Department. Is this a new position or what? He doesn't understand this one.

Mr. Borries said it looks like the employee took from 8/30 thru 10/31 she is going to be on leave with pay and medical insurance. Beginning October 13-22, she will not get paid.

Mr. Tuley noted they wanted to continue her insurance, but she pay her share.

Veterans Service: Mr. Borries said he has one addition, that being a temporary clerk typist at \$5.00 per hour for three (3) days in Veterans Service -- because the typist in there is using some compensatory time. He thinks there has been a death in the family and she is out of town.

There being no further questions, a motion was entertained.

Motion to approve the Consent Agenda, as amended, was made by Commissioner Hunter, with a second from Commissioner Tuley.

Tax Adjustment Board: Mr. Borries asked Auditor Humphrey if this is the last year for this Board to meet and Mr. Humphrey responded affirmatively.

Auditorium Task Force: With the approval of the other Commissioners, Mr. Borries said he would like a little more time with regard to the Auditorium Task Force. He's had a lot of response. Having not had time to contact all the people to obtain confirmations, it looks as though we might have over 15 people (which is agreeable with him, if it is with the other Commissioners). However, he wants to get this together as quickly as possible. He is pleased with the interest on the part of people -- so that is good.

Commissioner Hunter suggested this matter be postponed for one week.

RE: NEW BUSINESS

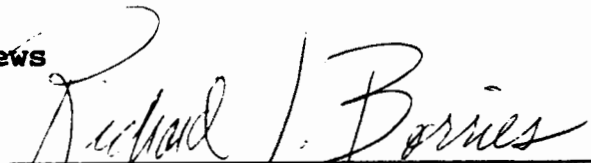
Lynch Rd. Extension: Mr. Borries said Commissioner Fred P'Poole is able to come down with regard to the Lynch Rd. extension. This is a very large project, one with which the State is already involved, because we've gotten interest free loans from the State and we wanted Commissioner P'Poole to be in attendance, not only to emphasize the importance of this project -- which has been long in planning and very long awaited as a significant economic development tool) -- but also one in which we're very much aware of the State's involvement and hope it will be ongoing so we can move this project along. The ceremony will be held at 2:00 p.m. on Thursday, September 9th, at Lynch Rd. and Oak Hill Rd.

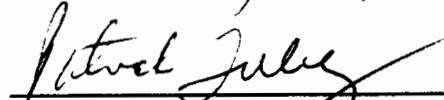
There being no further business to come before the Board at this time, President Borries declared the meeting adjourned at 7:00 p.m.

PRESENT:

Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member
Alan M Kissinger, County Attorney
Sam Humphrey, County Auditor
John Stoll/County Engineer
Bill Morphew/County Highway
Eric Williams/Sheriff's Deputy
Emarie West, Knight Trustee's Office
Darrell Hobgood/Hobgood Contractors, Inc.
High Miller/Curran Miller Action & Realty Co.
Ken Alvey/Alvey Sign Co., Inc.
Del Shanks/Shanks Development & Construction
Steve Brooks/Brooks & Associates
Jim Biggerstaff/Utilities Consulting Co.,. Inc.
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES
DON L. HUNTER
PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

September 7, 1993

5:30 P.M.

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ACTION ITEMS**
 - A. Any group/individual wishing to address the commission**
 - B. Opening of Bids/Perform Title Search**
re: Services in Connection with 1993 Tax Sale
 - C. Emarie West/Chief Deputy, Knight Township Trustee Office**
re: revised standards/Commissioners signatures required
 - D. Hugh Miller/Daylight Industrial Group**
re: sewer/system
 - E. Petition to Vacate Unnamed Street/Detroy Road Area**
***Kahn Dees Donovan Kahn**
- 5. DEPARTMENT HEADS**

Alan Kissinger ----- County Attorney
Mark Abell ----- Superintendent of County Buildings
Bill Morphew ----- County Garage
John Stoll ----- County Engineer
*See attached engineer requests

6. CONSENT ITEMS

A. Travel/Education Requests

B. Employment Changes:
see attached

C. Claims for payment:

1) Given & Spindler Management Co., Inc.
*September 1993

D. Council Call/Vanderburgh Auditorium
*transfer(see enclosed paperwork)

E. Approval of Commissioner Minutes for 8/30/93

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

**COUNTY ENGINEER'S
CONSENT AGENDA
SEPTEMBER 7, 1993**

1. **TEKOPPEL AVENUE - PROPOSAL:**
SUBSURFACE INVESTIGATION FOUNDATION RECOMMENDATIONS
2. **CLAIMS:**

DARMSTADT ROAD BRIDGE #214 203-4342
Sam Oxley & Co., Inc. (Inv. #4) \$ 22,117.28

COLUMBIA/DELAWARE BRIDGE #1C 203-4353
United Consulting Engineers (Inv. #9) \$ 28,401.07

LYNCH ROAD EXTENSION 216-4827
Bernardin Lochaueller (Inv. #90-038-1(18)) \$ 334.40

UNION TOWNSHIP ACCESS PROJECT 430 BOND
Alt & Witzig Engineering (Inv. #S3228) \$ 325.00

USI & SR 62 EXTENSION 430 BOND
Shetler Moving & Storage (Schoettlin Parcel) \$ 150.00
Bernardin Lochaueller (Inv. #90-003-2(3)) \$ 37,416.95
Blankenberger Brothers, Inc. (Est. #3) \$275,159.91

SCHEDULED MEETINGS

Mon	Sept 6	HOLIDAY - BUILDING CLOSED		
Tues	Sept 7	County Commissioners		
		Solid Waste	8:00 AM	RM 307
		County Department Head	4:00 PM	RM 303
		Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
Tues	Sept 7	County Council	Room 301	
		Final Budget Hearings	12:00 PM - 4:00 PM	
Mon	Sept 13/	Co. Tax Adjustment Board	9:00 AM	RM 301
		County Commissioners	5:30 PM	RM 307
Thurs	Sept 16	Pigeon Creek	5:00 PM	RM 307
Mon	Sept 20/	County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Tues	Sept 21	County Insurance Meeting	9:00 AM	RM 303
Thurs	Sept 23	County Employee Steering	9:00 AM	RM 303
Mon	Sept 27/	County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Tues	Sept 28	Co. Tax Adjustment Board		RM 307
		8:30 AM til 12:30 PM		
Wed	Sept 29	County Council		
		Personnel and Finance	3:30 PM	RM 301

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11101990	LOIS STUCKI	1401 LAUBSCHER RD	PART TIME DEPUTY	HOURLY 5.00	9-7-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Lois Stucki DATE 9/7/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township Assessor

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1113-1160	Susan Behme	415 S. Kelsey	Deputy	14,889.00	9/7/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Shirley Rogers
Chief Deputy
K-1st T.P. DATE 9/7/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.01362-1180	JOSEPH FLOYD		FULL-TIME CORRECTION OFFICER	\$17,699	AN	9-12-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.01362-1180	M. LEE KERSHAW		FULL-TIME CORRECTION OFFICER	\$18,584	AN	9-11-93
136.1-1990	JOSEPH FLOYD		PART-TIME CORRECTION OFFICER	\$7.00	HR	9-11-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Pratts*

JUDGE, CIRCUIT COURT

DATE

Sept 1, 93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY-CUMULATIVE BRIDGE 2030-02030

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
20301750	TERRY C. JAMESON	1211 S. VANN AVE.	LABORER	11	01	9-1-93
	RETURNED TODAY FROM LEAVE OF ABSENCE FROM ON THE JOB INJURY.					
	ON 7-29-93.					

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *William F. Morpheus*

DATE

9-1-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Health

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
213.0-1220	Robb, Gail	619 Raintree Circle Mt. Vernon, IN 47620	Public Health Nurse	25,908.00	9/6/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
213.1-1120	Robb, Gail	619 Raintree Circle Mt. Vernon, IN 47620	Lead Nurse	25,908.00	9/6/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Sam Alder Director

DATE 9/3/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Health 213.0

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
150	Chestnut, Shari R.	4208 Deer Trail Evansville 47715	Health Educator	23,503.00	8/30-10/13/93
	<u>MATERNITY LEAVE W/PAY AND MEDICAL INSURANCE.</u>				
	Chestnut, Shari R.	"	"	"	10/13-10/22/93
	<u>MATERNITY LEAVE WITHOUT PAY, WITH MEDICAL INSURANCE.</u>				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Sam Alder Director

DATE 8/30/93



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603

Vanderburgh County Engineering Department

Agenda for September 7, 1993

1. Copperfield Subdivision Section II (Phase II and III) ✓ *agreed.*
sidewalk waiver request — *D.H./PT*
2. Agreement with the Community Jobs Club, Inc. for the cleaning
of the offices of the Vanderburgh County Engineering Dept. — *agreed.*
3. \$284,000 check from INDOT to be deposited to the Local Road
and Street account *PT/SLJ.*



Alt & Witzig Engineering, Inc.

3405 W. 96th Street • Indianapolis, Indiana 46268

(317) 875-7000 • Fax (317) 876-3705

August 23, 1993

Vanderburgh County
Engineering Department

~~715 A Lowst Street~~ 201 NW 4th St. Room 307

Evansville, IN 47708

ATTN: Mr. John Stoll

RE: Subsurface Investigation &
Foundation Recommendations
Tekoppel Avenue
Evansville, Indiana

Gentlemen:

In compliance with your recent request, the following proposal is submitted for the subsurface and pavement investigation for the evaluation of Tekoppel Avenue in Evansville, Indiana.

Our investigation will include the following:

Determination of the subsurface soil, rock and groundwater conditions at the site to the depths which would significantly affect the stability of the existing roadway embankments.

Determination of the engineering characteristics of the subsurface materials encountered.

Providing recommendations regarding the treatment of in-place pavement and soils for support of the existing embankments and roadway.

Providing recommendations regarding management of possible erosion problems.

Thus, this subsurface investigation will provide recommendations regarding the subgrade preparation for the proposed roadway. We propose to investigate the subsurface soil, rock and groundwater conditions at the site by drilling exploratory test borings and shelly tubes. Two (2) borings drilled to depths of sixty-five (65) to eighty (80) feet along the roadway embankment and two (2) borings drilled to twenty (20) feet at the toe of the embankment are estimated for this project. We have also estimated five (5) shelly tubes. The number and depth of test borings required to obtain the necessary field data will be dependent upon the actual subsurface conditions encountered.

Offices:
Cincinnati, Ohio
Evansville • Ft. Wayne • Lafayette • Terre Haute • South Bend, Indiana

*Subsurface Investigation and Foundation Engineering
Construction Materials Testing and Inspection
Environmental Services*

The investigation will include laboratory testing to determine the classification, strength, compressibility, permeability, and other characteristics of the subsurface materials as necessary.

Alt & Witzig Laboratories are fully equipped with modern equipment for soils testing. Field exploration programs are conducted with our own drilling equipment. Field and laboratory testing is performed by trained, qualified personnel in compliance with the applicable specifications under the supervision of professional engineers.

The results of our field exploration and laboratory testing would be utilized in performing an engineering analysis in the formulation of our recommendations. The results of our foundation investigation, including our recommendations and substantiating data, will be presented in a written report prepared by a registered professional engineer.

It is proposed that our fee for the performance of the above outlined investigation be determined on a unit charge basis in accordance with our Schedule of Services and Fees. The following is a breakdown of estimated charges:

<u>Mobilization</u>	\$ 275.00
<u>Field Services</u> (including drilling of necessary soils borings, splitspoon sampling (ASTM D-1586) and standard penetration tests)	\$1,850.00
<u>Laboratory Testing</u> (including water content determination, unconfined compression test, unit weight determination, atterberg limits, grain size analysis, and other tests as needed)	\$ 500.00
<u>Field Engineering Services</u> (for site reconnaissance, field supervision and clearing underground utilities)	NO CHARGE
<u>Engineering Services</u> (for engineering analysis, recommendations and preparing a written report)	\$ 800.00

On this basis, it is estimated that our total fee for the above outlined investigation will be in the range of \$3,425.00. We will not exceed this amount without your prior approval.

Vanderburgh County
August 23, 1993
Page Three

Thank you for this opportunity to offer our services. We look forward to working with you in this project.

Very truly yours,

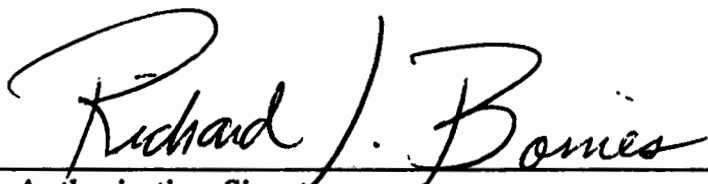
ALT & WITZIG ENGINEERING, INC.



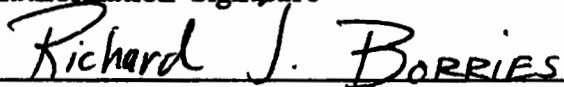
Eric Felix,
Project Engineer

EF:kdc

Terms of payment are Net 30 Days. Balances over 30 days bear interest at 1-1/2% per month. In the event Alt & Witzig Engineering, Inc. is required to employ an attorney to collect any balances due, I agree to pay reasonable costs and attorney fees.




Authorization Signature



Name (Printed)



Company Name



Date

ALT & WITZIG ENGINEERING, INC.
SCHEDULE OF SERVICES & FEES - SOILS INVESTIGATION

JANUARY, 1990

Engineering		
	Unit Rate	Cost
Principal Engineer	per hour	\$75.00
Project Engineer	per hour	\$60.00
Staff Engineer	per hour	\$48.00
Engineer Technician	per hour	\$29.00
Transportation	per mile	\$.40
Per Diem	per night	\$65.00

Field Services		
	Unit Rate	Cost
Mobilization and moving of men and equipment on & off site	per mile	\$ 3.00
Minimum Charge		\$250.00
All terrain vehicle for poor access areas	per day	\$260.00

Drilling (cased bore hole)		
Depth Range	Unit Charges	
Feet	Easy Drilling	Hard Drilling*
0 - 50	\$8.00	\$11.00
50 - 100	\$11.00	\$13.00

* 50 blows or more per foot, 5 tcf Qu or more, heaving sands

Field Services		
	Unit Rate	Cost
Soil Sampling using either split-barrel sampler (ASTM D-1586) or undisturbed tube (ASTM D-1587)	each	\$ 13.50
Rock Coring - \$50.00 set up per hole plus	per foot	\$ 26.00
Auger boring in uncased bore hole	per foot	\$ 7.00
Cost of special equipment or permits for moving drilling equipment about the site	Cost plus	20%
Set-up time per hole in excess of 1/2 hr. or stand-by time	per hour	\$125.00
Thin wall tubes - 3 inch	each	\$ 90.00
2" monitoring wells (complete)	per foot	\$ 20.50
Per diem (2 man crew)	per day	\$ 90.00

Laboratory Testing Services		
	Unit Rate	Cost
Unconfined compression test, without stress strain curve	per test	\$ 8.00
Hand penetrometer test	per test	\$ 6.50
Density determination	per test	\$ 11.00
Moisture content test	per test	\$ 6.50
Grain size analysis, mechanical and hydrometer	per test	\$ 48.00
Atterberg Limit Determination	per test	\$ 40.00
Preparation of undisturbed sample for laboratory testing	per tube	\$ 14.00
Consolidation test	per test	\$350.00
Unconfined compression test with stress strain curve	per test	\$ 45.00
Moisture density relationship of soils		
ASTM D-698 (standard)	per test	\$ 90.00
ASTM D-1557 (modified)	per test	\$100.00
CBR test	each point	\$ 97.00
Triaxial testing		
Unconsolidated, undrained	each point	\$150.00
Consolidated, undrained	each point	\$210.00
Consolidated, drained	each point	\$300.00
Pore pressure measurements	each point	\$120.00
Permeability test		
Undisturbed sample	per test	\$175.00
Remolded sample	per test	\$187.00
pH test	per test	\$ 21.00
Water quality	per test	\$210.00
EP toxicity	per test	\$425.00

Additional laboratory testing fees available upon request.

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PROJECT:

BID OPENING DATE:

* * * * *

Bidder Name

Amount

Evansville Titles Corp.

\$25,000⁰⁰(1

COMMENTS:

ACTION TAKEN:

Utilities Consulting Co., Inc.
Land Surveyors * Civil Engineers * Development Consultants * Utility Consultants

109 State Street, Newburgh, Indiana 47630
Phone: {812} 853-2796 * Fax: {812} 853-2542

September 7, 1993

Daylight Industrial Park Group
13020 State Road #57
Evansville, Indiana 47711

RE: Sanitary Sewer Extension
Estimated Cost
Daylight Industrial Park Group

Gentlemen:

The estimated cost to develop the above referenced sanitary sewer extension is calculated to be as follows:

Phase I

1.	12" Gravity Sewer to Boonville-New Harmony Road Interceptor Sewer	
	{a} 11,200 lineal feet 12" gravity sewer @ \$15.00 per foot	\$168,000.00
	{b} 28 manholes @ \$1,200.00 each	33,600.00
2.	10" Gravity Sewer from Pumping Station #1 to Highway #57 & Green River Road	
	{a} 4,300 lineal feet 10" gravity sewer @ \$12.80 per foot	55,040.00
	{b} 11 manholes @ \$1,200.00 each	13,200.00
3.	Sewage Pumping Station {250 G.P.M.}	
	{a} Lump Sum	40,000.00
	{b} 6750 lineal feet 6" P.V.C. Force Main @ \$6.40 per foot	43,200.00
4.	8" Gravity Sewer to Daylight Area along Highway #57	
	{a} 2,600 lineal feet 8" gravity sewer @ \$10.00 per foot	26,000.00
	{b} 6 manholes @ \$1,200.00 each	7,200.00
	SUBTOTAL	\$386,240.00
5.	Contingencies	
	{Legal, Engineering, Accounting, etc}	77,200.00
	TOTAL COST PHASE I	\$463,440.00

Phase II

6.	8" Gravity Sewer West of Petersburg Road along Boonville-New Harmony Road	
{a}	4,150 lineal feet 8" gravity sewer @ \$10.50 per foot	\$43,575.00
{b}	10 manholes @ \$1,200.00 each	12,000.00
7.	Sewage Pumping Station to Serve Area West of Petersburg Road along Schlensker Ditch	
{a}	2,600 lineal feet 8" gravity sewer @ \$10.50 per foot	27,300.00
{b}	7 manholes @ \$1,200.00 each	8,400.00
{c}	125 G.P.M. Sewage Pumping Station Lump Sum	35,000.00
{d}	3,600 lineal feet 6" Force Main @ \$6.20 per foot	<u>22,320.00</u>
	SUBTOTAL	\$148,595.00
8.	Contingencies {Engineering, Legal, Accounting, etc}	<u>22,000.00</u>
	TOTAL COST PHASE II	\$170,595.00

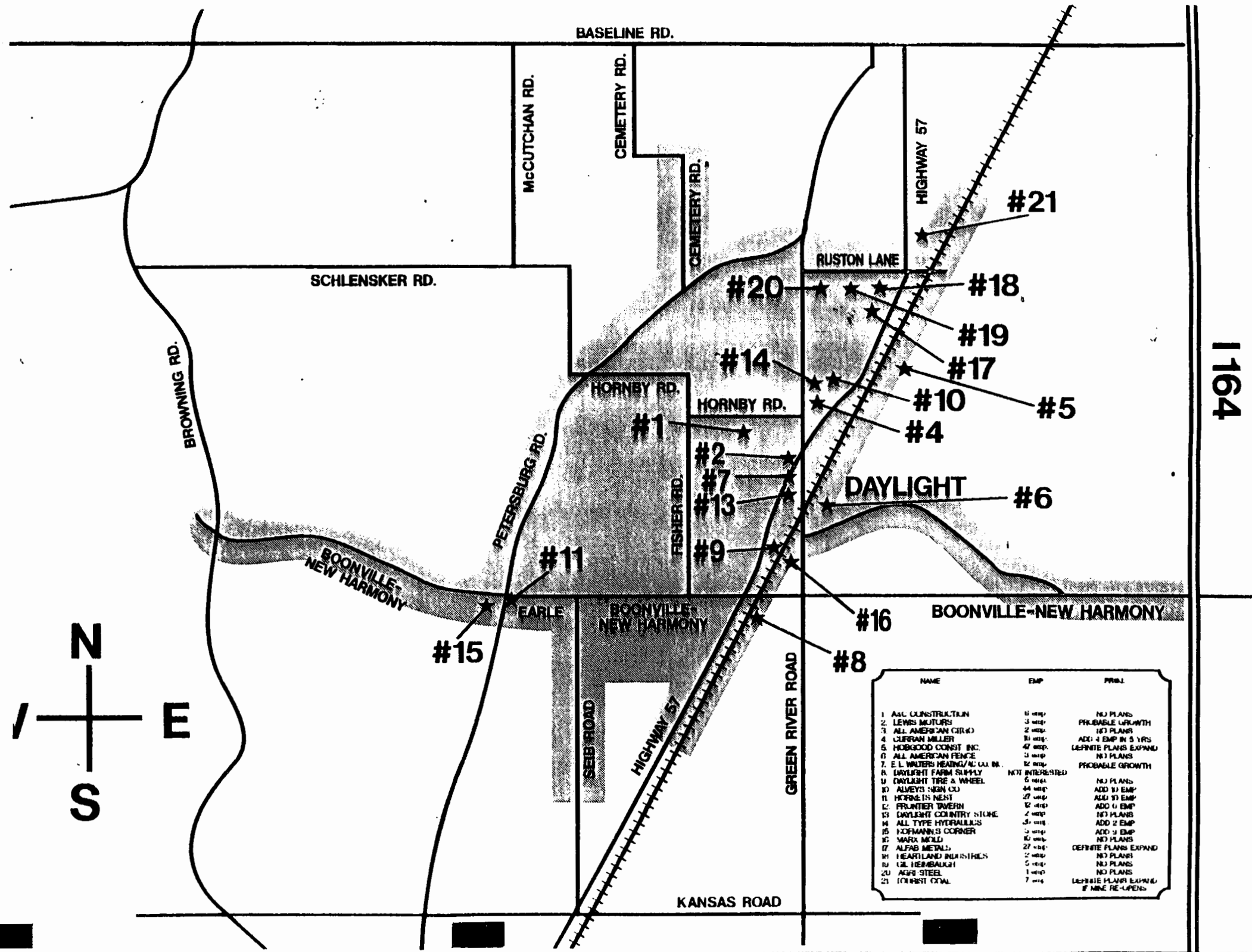
Respectfully,
UTILITIES CONSULTING CO., INC.



James H. Biggerstaff Jr.
President

cc: File

JHB:bsp



NAME	EMP	PROJ.
1. A&C CONSTRUCTION	15 emp.	NO PLANS
2. LEWIS MOTORS	13 emp.	PROBABLE GROWTH
3. ALL AMERICAN CREDIT	2 emp.	NO PLANS
4. CURRAN MILLER	10 emp.	ADD 4 EMP IN 5 YRS
5. HOBGOOD CONST. INC.	47 emp.	DEFINITE PLANS EXPAND
6. ALL AMERICAN FENCE	15 emp.	NO PLANS
7. E. L. WATERS HEATING/AC CO. INC.	12 emp.	PROBABLE GROWTH
8. DAYLIGHT FARM SUPPLY	NOT INTERESTED	
9. DAYLIGHT TIRE & WHEEL	6 emp.	NO PLANS
10. ALWAYS SIGN CO.	44 emp.	ADD 10 EMP
11. HORNE'S NEST	27 emp.	ADD 10 EMP
12. FRONTIER TAVERN	12 emp.	ADD 6 EMP
13. DAYLIGHT COUNTRY STORE	2 emp.	NO PLANS
14. ALL TYPE HYDRAULICS	35 emp.	ADD 2 EMP
15. FORMANN'S CORNER	15 emp.	ADD 1 EMP
16. WAREX MOLD	10 emp.	NO PLANS
17. ALFAB METALS	27 emp.	DEFINITE PLANS EXPAND
18. HEARTLAND INDUSTRIES	12 emp.	NO PLANS
19. GIL HEIMBAUGH	5 emp.	NO PLANS
20. AGRI STEEL	1 emp.	NO PLANS
21. TOTAL	7 emp.	DEFINITE PLANS EXPAND IF MINE RE-OPENS



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRI
DON L. HUNTER
PATRICK R. TULEY

AGENDA REQUEST

NAME OF REQUESTOR: Sandra Toton

REQUESTOR TITLE: General Manager

DEPARTMENT: Vanderburgh Auditorium

REQUEST(S) BEING MADE:

Council Call -
Request for transfer of funds from Sylvester Lipson
account to Union Overtime \$3000.00

DATE TO BE PLACED ON AGENDA: Sept. 7, 1993

ACTION **CONSENT** ✓ **OTHER**

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, AUGUST 27, 1993 THRU THURSDAY, SEPTEMBER 2, 1993

FRIDAY, AUGUST 27, 1993

Gradall and one crew ditched and placed culvert on Wedeking.
Paver, roller and eight crews paved Bergdolt Road.
Two Patch Crews repaired driveway on Boonville New Harmony and
916 Hillsdale.
Tiger Mower and weed crew cut weeds on Seib and Petersburg Rd.

MONDAY, AUGUST 30, 1993

Gradall and one crew placed pipe on Wedeking.
Paver, roller and ten crews paved County Line West.
Trash crew ran regular routes.
Weed crew worked on work orders.
One crew worked in garage.

TUESDAY, AUGUST 31, 1993

Paver, roller and twelve crews paved County Line West.
Patch Crews - two crews worked on work orders.
Weed crew worked on work orders.

WEDNESDAY, SEPTEMBER 1, 1993

Paver, roller and ten crews paved County Line West.
Gradall and one crew placed culvert on Wedeking.
Two patch crews worked on work orders.
Weed crew cut weeds at the garage.

THURSDAY, SEPTEMBER 2, 1993

Gradall and one crew ditched and placed pipe at 3020 Allens Lane.
Paver, roller and eleven crews paved County Line West.
Two patch crews worked on work orders
Weed crew and Tiger Mower worked on work orders.

VANDERBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, AUGUST 27, 1993 THRU THURSDAY, SEPTEMBER 1, 1993

FRIDAY, AUGUST 27, 1993

Crew #1 - finish concrete inlets on 12th Ave, clean logs from creek at Allens Lane Bridge and clean bridge off.
Crew #2 - wash trucks.

MONDAY, AUGUST 30, 1993

Crew #1 - finish 12th Avenue drains, saw drain box.
Crew #2 - cut weeds on Boonville New Harmony, Emge & Buente Rd.
Crew #3 - install concrete pipe across Wedeking.

TUESDAY, AUGUST 31, 1993

Crew #1 & Backhoe - replace culvert 12th Ave, repair drain at Green Briar Drive and Green Briar Court.
Crew #2 - restack rip rap on Folz Road culvert.

WEDNESDAY, SEPTEMBER 1, 1993

Crew #1 - 12th Avenue and Hobart, repair guardrail on Oakhill Rd.
Crew #2 - dig out Frontage Road with jack hammer to install curbing
Crew #3 - cut weeds on Owensville, Volkman and Baseline roads.

THURSDAY, SEPTEMBER 2, 1993

Crew #1 - install pipe at 3020 Allens Lane & Folz Road.
Crew #2 - install curbing on Frontage Road.
Crew #3 - haul concrete and dirt to Frontage, haul rock to Heppler Road, cut weeds on St. George Road.

Memorandum of Agreement

This agreement is made and entered into, by and between the Community Jobs Club, Inc., hereinafter referred to as the Jobs Club, and the Vanderburgh County Engineering Department, hereinafter referred to as V.C.E.D., executed this third day of September, 1993.

Section I:

The Jobs Club agrees to:

- a. Provide trained Club employees to perform cleaning services for V.C.E.D. (Old Courthouse - Suite 307, 201 N.W. 4th Street), including entrance area, offices, and meeting areas.
- b. Insure that the cleaning is done on a once a week basis (Friday evenings) unless a specific agreement is made to change because of scheduling conflicts and/or holidays.
- c. Provide staff supervision.
- d. Specific duties will be:
 - 1. Vacuum all carpeted areas.
 - 2. Dust desks, drafting tables, file cabinets, chairs, etc.
 - 3. Routinely clean telephones and computer screens.
 - 4. Empty all trash cans and replace with bags supplied by Jobs Club.
 - 5. Take trash to designated area for removal.
 - 6. Dust woodwork, chair rails, etc. where applicable as necessary.
 - 7. Spot clean walls as feasible.
 - 8. Clean window of entry door routinely, and window sills and windows of office as necessary.

Section II:

V.C.E.D. agrees to:

- a. Provide payment of \$15.00 billed on a per diem basis. Remittance will be made within 30 days of receipt of invoice for services.
- b. Provide a trash depository.
- c. Notify Jobs Club staff of any problems as they arise.
- d. Notify Jobs Club representatives of scheduling changes, closings, etc.

Section III:

Jobs Club representative is Jeff Omohundro (423-7791)

V.C.E.D. representative is John Stoll (424-9603)

All material and work is guaranteed to be as specified. All work is to be completed in a workmanlike manner, according to standard practices. Any alteration or deviation from the above specifications involving extra costs will be executed only upon specific orders. All agreements are contingent upon strikes, accidents or delays beyond our control. Jobs Club workers are fully covered by Workman's Compensation Insurance.

Section IV:

The following items will be mutually complied with in all areas of professional service:

- a. The Jobs Club and V.C.E.D. agree to comply with all State and Federal laws protecting the confidentiality of member records.
- b. The Jobs Club and V.C.E.D. agree not to discriminate against any person with regards to provision of services, scope of services, termination of services, or the extension or withdrawal of any program benefit whatsoever for reasons of race, creed, national origin or sex.

Section V:

This agreement shall take effect September 3, 1993. It shall conclude at any time following a 30 day notification from either party regarding termination of services.


Richard L. Borries, President
County Commission

9-7-93
Date


Patrick Tuley, Vice-President
County Commission

9-7-93
Date


Don L. Hunter, Member
County Commission

9-7-93
Date


John Stoll
County Engineer

9/7/93
Date


John K. Browning, Board President
Community Jobs Club, Inc.

Sept 3, 1993
Date

BOLP 0356000205 14

DATE	INVOICE/CREDIT MEMO	TYPE	DESCRIPTION	GROSS	DISCOUNT	NET
8/10/93	C800005556		AGENCY 800-PAYMENT FROM HIGHWAY DEPARTMENT	284000.00	.00	284000.00
			<i>finished in LR/S account.</i>			
			TOTALS	284000.00	.00	284000.00

State Form 43379 (R/8-92)
APPROVED BY STATE BOARD OF ACCOUNTS
THIS WARRANT VOID AFTER 2 YEARS AFTER DEC. 31 OF THE YEAR OF ISSUE

AUDITOR OF STATE OF INDIANA
STATE HOUSE, INDIANAPOLIS, INDIANA 46204

4000/565000/108500 WARRANT NO.
20-103 13133064

13133064

PAY TWO HUNDRED EIGHTY-FOUR THOUSAND DOLLARS AND NO CENTS

To Treasurer of State

DATE THE SUM OF
08/20/93 *****284,000.00

PAY
TO THE
ORDER
OF
VANDERBURGH COUNTY COMRS
305 ADMINISTRATION BLDG
1 N W MARTIN LUTHER KING BLVD
EVANSVILLE IN 47708

Ann G. Moore
AUDITOR OF STATE

11 1313306411 1:0740010351 80000000 211

PRESCRIBED BY STATE BOARD OF ACCOUNTS

REVISED COUNTY FORMS NO. 20 - 1947
NO. 21 - 1947

September 08, 1993

QUIETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 10168

FUND 216

\$284,000.00

I HEREBY CERTIFY THAT: STATE AUDITOR/INDOT

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN.
IN THE SUM OF \$284,000.00 DOLLARS

ON ACCOUNT OF PER AGREEMENT OF 8/3/93 BETWEEN
THE STATE AND THE COUNTY

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA

1245

RECEIVED
AUG 31 1993
RECEIVED

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VENDOR NAME

INDIANA
SITTLER Moving & Storage# 3991

On Account of Appropriation for

430 Bond USI & SR 62

[illegible]

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Lynne Thomas
Name
Deputy Clerk
Title

Date 30 Aug, 1993

VANDERBURGH CO. ENGINEERING DEPT
OLD COURTHOUSE, SUITE 307
201 N.W. FOURTH ST.
EVANSVILLE, IN 47708

Form Prescribed by the
State Board of Accounts

1245

Revised County
Form No. 17

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME Alt & Witzig Engineering, Inc. # 1811

On Account of Appropriation for 430 Bonds - Union Twp Access

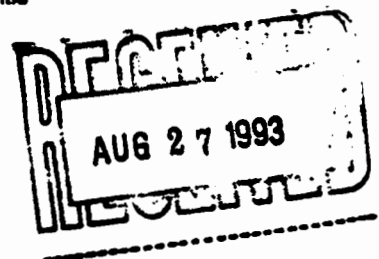
Invoice No.	Itemized Claim	Amount
S3228	Re: Tekoppel Avenue - Field Inspection	\$325.00

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Walt E. Witzig
Name
President
Title

Date 8/24, 1993



A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA


VENDOR NAME Bernardin, Lochmueller & Assoc., Inc. # 985

On Account of Appropriation for Lynch Road Extension - Phase 2 216-4827

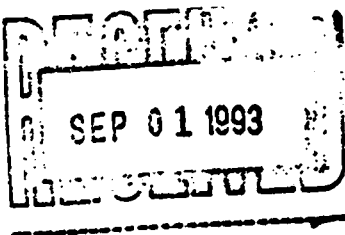
Invoice No.	Itemized Claim	Amount	
90-038-1(18)	Fee due for Preliminary Engineering for	334.	40
	Design of Lynch Road Extension from		
	Burkhardt Road to S.R. 62 & Telephone Road		
	in Warrick County. INDOT Project No.:		
	RS-6882(), RS-6887() from May 1, 1993 to		
	May 31, 1993.		

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.


Name
Thomas G. Bernardin, Secretary
Title

Date June 3, 19 93



A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDEBURGH COUNTY, INDIANA


VENDOR NAME Bernardin, Lochmueller & Associates, Inc. # 985

On Account of Appropriation for 430 BOND USF & SL 62

Invoice No.	Itemized Claim	Amount	
93-003-2(3)	Fee due for USI Overpass at S.R. 62	37,416.	95
	INDOT Project No.: C-E 180().		
	Contract No.: R-20697 - Construction Engineering		

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.


Name
Secretary
Title

Date August 23, 19 93

Claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME Given and Spindler Management Co., Inc. # 1867

On Account of Appropriation for 1440-3790

Invoice No.	Itemized Claim	Amount	
	Management fee for September 1993.		
	Contract dated April 6, 1992 between		
	Given & Spindler Management Co. and		
	the County Commissioners.	\$4110	15
	total	\$4110	15

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Sandra J. Jaton
Name
Gen. Mgr.
Title

Date Sept. 2, 1993.

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME United Consulting Engineers, Inc # 1262
1625 N Post Road Indpls., IN 46219-1995
 On Account of Appropriation for 203-4353 COL-DEZ BR#1C

Invoice No.	Itemized Claim	Amount
9	For Construction Engineering Services on	
	Project STP-BHZ-E140(001). Bridge No 1-C	
	in accordance with Appendix "D" of our	
	Agreement dated February 18, 1992 and your	
	Notice to Proceed letter dated September	
	18, 1992	
	STP-E140(001) -----71.76% = 20,380.61	
	BHZ-E140(001)-----28.24% = 8,020.46	
	TOTAL AMOUNT DUE THIS INVOICE #9 -----	28,401 - 67

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

United Consulting Engineers, Inc.
Jacob E. Hall ^{Name}
Jacob E. Hall, President ^{Title}

Date 7/28, 1993

Amount to be properly itemized, must show: Kind of service where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

Vanderburgh County, Indiana

To Sam Oxley & Co., Inc. Dr.

On Account of Appropriation For VC 93-0601 *203-4342-DIMONSTEAD R #214*

19. 93.		Order Number	ITEMIZED CLAIM	DOLLARS Cts.					
August	15		Total complete to date	8	3	4	4	7	61
			Less: Retainage 5%		4	1	7	2	38
				7	9	2	7	5	23
			Previous Applications	5	7	1	5	7	95
			TOTAL DUE THIS APPLICATION Est. # 4	2	2	1	1	7	28
			We Appreciate Your Business!						

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Sam Oxley & Co., Inc.

Date August 26, 19 93 . .

Jean Orling Sec./Tres.
Title

7	Filter Fabric	SYS		2.50	
8	NO.2 Stone	TON		27.68	
9	Rip-Rap- (12 in)	TON		19.25	
10	Underdrain	LFT		12.66	
11	NO. 53 Stone	TON	80.1	27.32	2,188.33
12	Concrete Approach	SYS	164	53.25	8,733.00
13	Concrete Barr. Wall	CYS		400.00	
14	Reinforce Steel	TON	7.4	1.05	7.77
15	Latex Overlay	SYS		40.30	
16	SS Anchors, Nuts	EA	510	18.63	9,501.30
17	Sandblast & Paint	LSUM		37,697.00	

**MINUTES
COUNTY COMMISSIONERS MEETING
SEPTEMBER 13, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m.	1
Introductions & Pledge of Allegiance	1
Request for Approval of Specs for Post Frame Building for Sheriff's Training Center on Kansas Road (project V-9393) & Permission to Advertise for Bids	1
Data Processing/Agreement between Software Partners/32 & The City of Evansville/Vanderburgh County for TAPESYS & THRUway System Software Licenses & Documentation	1
Ordinance Amending Chapter 154 (Floodplain Management Ordinance - Second Reading	2
Ordinance Amending Chapter 153 (Zoning Code) by Adding Thoroughfare Regulations & Repealing Chapter 152 of the Vanderburgh County Code of Ordinances (First Reading) .. (To be advertised 9/17/93, with 2nd Reading Scheduled 9/27/93 and Final Reading on 10/4/93)	2
Health Department/Contract Between Board of Health & Animal Medical Services PC (T. C. Butler, DVM) to Provide Veterinary Services to Evansville Animal Shelter	2
Tax Adjustment Board/Appointments	2 & 6
County Attorney/Alan M. Kissinger	3
Superintendent of County Buildings/Mark Abell	3
Agreement between Indiana Bell Communications & the County Re-signed (excludes the City)	
County Highway/Fred Howard	3
Weekly Progress Report County Line Rd. West (should be finished in two weeks)	
County Engineer/John Stoll	4
Request To Go On Council Call/Transfers Lincoln Pointe Subdivision/Acceptance of Streets & Storm Sewer Improvements Clarification re Acceptance of Checks for Storm Sewer Mtce. (Checks to be submitted to the Drainage Board for Acceptance, Endorsement & Deposit into the Proper Account) Resolution re Temporary Reduction of Speed Limit on North Green River Rd. (approved)	
Consent Agenda	6
Old Business	6
Lynch Rd. Extension Project	
New Business	6
Health Department/Available Health Care Funds Auditorium Task Force/Appointments to be Made Data Processing Board/Appointment to be Made Executive Session/September 27th @ 4:30 p.m. to Discuss Pending Litigation & Personnel Matters Drainage Board Meeting/September 13th Barr Creek/Permission To Go on Council Call for Appropriation from Cumulative Bridge Fund to Stabilize Bank	

**Pigeon Creek Greenway Project/Council Call for
Appropriation to Begin Clean-up of Pigeon Creek**

Meeting Adjourned @ 6:35 p.m. 9

MINUTES
COUNTY COMMISSIONERS MEETING
SEPTEMBER 13, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, September 13, 1993 in the Commissioners Hearing Room with President Richard J. "Rick" Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (B. J Farrell, Mark Abell, Attorney Alan Kissinger, Commissioner Tuley, himself, Commissioner Hunter, Auditor Sam Humphrey, Recording Secretary Joanne Matthews and Stephanie Elpers, a senior at Reitz High School, who is part of Commissioner Hunter's student intern program) and asked the group to stand for the Pledge of Allegiance.

Mr. Borries then asked if there are any individuals/groups present who wish to address the Commission, but do not find their particular item of interest on tonight's agenda. There was no response from the audience.

RE: REQUEST FOR APPROVAL OF SPECS FOR POST FRAME BUILDING FOR SHERIFF'S TRAINING CENTER ON KANSAS ROAD (PROJECT VC-9313) & PERMISSION TO ADVERTISE FOR BIDS

The Chair recognized Mr. Daryn Burgdorf of the Purchasing Department, who stated he is requesting approval of the specs for construction of a post frame building for use as a Fitness Center at the Sheriff's Training Center on Kansas Road and permission to advertise for bids on September 15, 1993 and September 22, 1993, with bid opening scheduled on October 11, 1993.

Motion to approve the specs and authorize advertising for bids was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: DATA PROCESSING/AGREEMENT BETWEEN SOFTWARE PARTNERS/32 AND THE CITY OF EVANSVILLE/VANDERBURGH COUNTY FOR TAPESYS AND THRUWAY SYSTEM SOFTWARE LICENSES AND DOCUMENTATION

Mr. Roger Elliott was recognized and said he brings to the Commission tonight the subject contract re purchase and installation of two products. TAPESYS is a tape library management system AND THRUway is a product that allows all nodes or all computers on the network to talk to a singular computer on the network for file backup. The cost for the acquisition is \$17,369.50 split between the City and the County, with the County's share being \$13,671.53. There are adequate funds within the budget for this purchase and it was recommended by Data Board for the Commissioners' signatures at their meeting of August 24th.

Commissioner Borries asked Mr. Elliott to explain a bit about the library management system.

Mr. Elliott said it is a software product that catalogues tapes, insures you don't overwrite tapes of previous versions, keeps track of what has been backed up as well as what is to be backed up. For example, if you wanted to know what tapes were available for use tonight, you could generate a list off this application.

Mr. Borries said Mr. Elliott is talking about tapes of recorded meetings and stuff like that.

Mr. Elliott responded negatively saying, "No, tapes of computer data".

Mr. Borries entertained questions. There being none, a motion was entertained.

Motion was made by Commissioner Tuley to approve the agreement with a second from Commissioner Hunter. So ordered.

RE: ORDINANCE AMENDING CHAPTER 154 (FLOODPLAIN MANAGEMENT ORDINANCE) - SECOND READING

Commissioner Borries noted that Joanne Matthews has advertised, as required, and tonight the Board is hearing the subject Ordinance on Second Reading. The ordinance essentially allows the City of Evansville and Vanderburgh County to participate in the National Flood Insurance Program. The Ordinance will be heard on Final Reading next week. He then entertained comments or questions. There being none, a motion was entertained.

Motion was made by Commissioner Hunter to approve the Ordinance on Second Reading, with a second from Commissioner Tuley. So ordered.

RE: ORDINANCE AMENDING CHAPTER 153 (ZONING CODE) OF THE CODE OF ORDINANCES BY ADDING THOROUGHFARE REGULATIONS AND REPEALING CHAPTER 152 OF THE CODE OF ORDINANCES (FIRST READING)

Commissioner Borries said this Ordinance is being heard on First Reading tonight. Basically, it redefines some items, repeals others, etc., and there are permit exhibits which give various changes according to classifications, controlled access, major arterial, minor arterial, collector roads, etc. If approved on First Reading tonight, the Ordinance will be advertised on September 17th, with Second Reading on September 27th and Final Reading scheduled on October 4, 1993. A motion was entertained.

Motion to approve the subject Ordinance on First Reading was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: HEALTH DEPARTMENT/ CONTRACT BETWEEN BOARD OF HEALTH & ANIMAL MEDICAL SERVICES PC (T.C. BUTLER, DVM) TO PROVIDE VETERINARY SERVICES TO EVANSVILLE ANIMAL SHELTER

It was noted by Commissioner Borries that he has the above contract for approval by the Board. Each of the Commissioners should have a copy of the contract in their meeting packets. The contract has been reviewed by Keith Rounder and the County Board of Health will give final approval to the contract. He asked if there are any comments, questions or objections. There were none. He said he would assume then the Commissioners can enter this for the record and forward to the Board of Health for official action.

RE: TAX ADJUSTMENT BOARD - APPOINTMENTS

President Borries said this is the last go around for the Tax Adjustment Board. The appointees to the 1993 Tax Adjustment Board would be the same as for the 1992 session, with the exception that there is one person who was previously appointed who could not serve because he had moved out of the county. So a replacement for this individual does need to be appointed.

In response to query from Commissioner Borries, Auditor Humphrey said the Tax Adjustment Board needs to meet the first week of October. They can meet on Monday, October 4th, and Wednesday, October 6th. Following brief discussion among the Commissioners, it was determined this matter will be deferred until later in tonight's meeting, after Ms. Farrell has confirmation from the suggested individual that he can serve on the Board on the

aforementioned dates.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Commissioner Borries recognized Attorney Kissinger, who stated he has nothing to report, except he will be prepared to comment when the County Engineer makes his report in reference to the temporary speed limit reduction on North Green River Rd.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Mr. Borries recognized Mark Abell, Superintendent of County Buildings, who stated he has been absent for a couple of weeks but is now back. He did want everybody to know that during his absence apparently nothing had happened, with the exception that Terry Wells resigned from the media.

Telecommunications System/IIN Agreement: Mr. Abell said that the City did not want to go along with us on the telecommunications system. Indiana Bell has redrawn the agreement between them and the County, eliminating the city. He thought it would be a good idea if the Commissioners executed the revised agreement to make it official with the City off -- if that is okay.

Attorney Kissinger said this was discussed with Indiana Bell today during a meeting and this is exactly the same agreement, with the exception that the City is not a part of the agreement. They felt it was possible the previous agreement could be declared void in consideration of the fact it was drawn up for both governmental entities. They wanted to make sure the County felt secure in the agreement. Otherwise, the agreement is exactly the same. His opinion at this point is that we're either in or we are out without re-signing this agreement -- so it is not going to have any significant effect.

President Borries asked if any of the Commissioners have any hesitancy about re-signing the agreement. Both Commissioners Tuley and Hunter stated they have none whatsoever. Mr. Borries said the last time he signed the agreement and asked for the initials of the other Commissioners. Having conferred with people who have had other dealings, he feels we are on the right track with this system -- so at this point we're going to stay with the course here.

Motion to re-sign the IIN Agreement between the County/Indiana Bell Communications Systems/Indiana Bell Telephone Co., Inc and VanAusdall & Farrar was made by Commissioner Tuley, with a second from Commissioner Hunter, with emphasis expressed by Commissioner Borries that this is exactly the same as the initial agreement. So ordered.

RE: COUNTY HIGHWAY - FRED HOWARD

President Borries said that Bill Morphew is not present today. However, he would welcome Fred Howard, the Assistant at the County Garage, and accept his report for the record.

Weekly Progress Report: Mr. Howard presented the progress report for period of September 3, 1993 thru September 9, 1993report received and filed.

County Line Rd. West: Mr. Howard reported that this project will be completed approximately two weeks from today. Mr. Hunter noted he went out and looked at it over the weekend and the oil was down from the railroad north. Mr. Howard said they were out there paving again today. He talked with Milton, who is in charge of the paving crew, and he said they should be completely finished two weeks from today.

Mr. Borries entertained questions of Mr. Howard. There were none.

RE: COUNTY ENGINEER - JOHN STOLL

Request To Go On Council Call: Mr. Stoll said he needs to go on Council Call with regard to several transfers: \$2,000 from repair of buildings and grounds to engineering equipment so they can buy a Fax machine; \$20 from repair of buildings and grounds to electrical to close out another bill they had on the rewiring of their office space over at the Courthouse; and \$75,000 from the Lynch Rd. bridges to the Columbia-Delaware Bridge.

Mr. Borries entertained questions of Mr. Stoll. There being none, a motion was entertained.

Motion to approve the request was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Lincoln Pointe Subdivision/Acceptance of Streets & Storm Sewer Improvements: Mr. Stoll submitted request, as stated (copy attached hereto as part of the formal record). The streets and storm sewers were all constructed as planned and everything seems to be okay. He would recommend acceptance. The developer knows he has to pay the fifty cents (50 cents) per foot acceptance fee for the storm sewers outside the road right-of-ways and is prepared to do this.

Mr. Borries entertained questions.

Ms. Matthews stated she has a question and needs clarification -- since there has been confusion in the past. Recently the Commissioners accepted the streets and storm sewer improvements in Brookview Heights during a Commission meeting. Mr. Keith Poff of Morley & Associates has brought a check to the Auditor's office (the footage needs to be verified prior to acceptance, endorsement and deposit of the check). The acceptance of the streets and storm sewer improvements was formally approved in a Commission meeting. However, since the fifty cents (50 cents) per foot requirement for maintenance of storm sewers outside the road right-of-ways is a part of the Drainage Code, should such checks be formally accepted in a Drainage Board meeting. There are two accounts set up -- one for maintenance of storm sewers and one for maintenance of retention basins.

President Borries confirmed that such checks should be accepted by the Drainage Board and Ms. Matthews said she will hold the subject check for acceptance at the September 27th Drainage Board meeting.

Motion to accept the streets and storm sewer improvements in Lincoln Point Subdivision, as submitted, was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: RESOLUTION RE TEMPORARY REDUCTION OF SPEED LIMIT ON NORTH GREEN RIVER RD.

Mr. Stoll asked if President Borries wants him to read the Resolution into the record -- and Mr. Borries so requested. Mr. Stoll read, as follows:

RESOLUTION OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY REGARDING TEMPORARY
WORKSITE SPEED LIMIT ON NORTH GREEN RIVER ROAD

Whereas, a potentially hazardous condition exists along certain portions of North Green River Road in the vicinity of worksites along said road; and,

Whereas, Indiana Code 9-21-5-11 authorizes the establishment of temporary maximum speed limits in the vicinity of worksites by local authority;

BE IT HEREBY RESOLVED that the temporary maximum speed limit on North Green River Road, from its intersection with Morgan Avenue to its intersection with Green River Court, is established at 35 (thirty-five) miles per hour.

This resolution shall become effective after it has been adopted by the Board of Commissioners of Vanderburgh County and signed by its President, and when appropriate signs or signals giving notice of the temporary speed limit have been erected along the affected part of the roadway, and shall remain in effect, until rescinded.

DATE: September 13, 1993

Richard Borries, President
Vanderburgh County Commissioners

ATTEST:

Sam Humphrey, Vanderburgh
County Auditor

APPROVED AS TO LEGAL FORM:

Alan M. Kissinger, Vanderburgh
County Attorney

Commissioner Borries said he likes the way John Stoll has been informing the public and he thinks we're going to have to continue to do that. He knows that he is working with Koester Contractors on this project to make sure that we take every step to get this construction completed -- and part of that is the communication, because it is going to be difficult for people to travel that area. What always happens -- and he clearly remembers this same situation on First Avenue some ten years ago when the First Avenue Bridge was installed -- businesses really feel the impact of this and they get squeamish or nervous if mixed signals are sent out to tell people to avoid the area -- because it affects their business. At this time we are not telling people to avoid the area but, certainly, to watch their speed -- use caution.

Mr. Stoll said he has been talking with Dan Bernard and other members of the media. Once we get the signs that INDOT has requested in, then he's going to have a news conference. He's hoping for next week; that way we can get it all out in the media and well publicized and, hopefully, make it safer to travel when we switch the traffic to the outside lanes.

Ms. Matthews asked if this Resolution needs to be advertised.

President Borries said it is a temporary worksite speed limit, so he doesn't think we would have to advertise it.

This was confirmed by Attorney Kissinger who said that, as a matter of fact, this is a product of a specific statute that allows a temporary reduction in speed limits of 10 mph in worksites by local authority. But it does not require a traffic engineering study, etc., and the effectiveness of the resolution is based on the posting of the necessary signs or signals without the advertising.

There being no further questions or comments, President Borries entertained a motion.

Motion to approve the Resolution was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: CONSENT AGENDA

Commissioner Borries entertained comments or questions concerning the agenda. There being none, a motion was entertained.

Upon motion made by Commissioner Hunter and seconded by Commissioner Borries, the Consent Agenda was approved. So ordered.

RE: TAX ADJUSTMENT BOARD - APPOINTMENTS

Returning to the appointment of Tax Adjustment Board members, Mr. Borries said the Board does need to take action.

Commissioner Hunter submitted the name of Mr. Rolland Eckels to replace Eric Nicholson. Mr. Borries said the other members include Ed Ziemer, Ed Witte and Rita Heathcotte. They will be notified as to their appointment to this Board and subsequently notified of the meeting dates.

Motion made to approve the foregoing was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: OLD BUSINESS

Lynch Rd. Extension: Mr. Borries said he thinks he did share with each of the Commissioners some brief comments regarding Lynch Rd. However, he would note that Commissioner Fred P'Poole was down and he knows that due to some conflicts both in town and out of town that neither of the Commissioners were not able to attend -- but were invited. But on Thursday, September 9th, Commissioner Fred P'Poole of the Indiana Department of Transportation was here and we did begin to break ground on the long awaited Lynch Rd. Extension project, which is one that does carry enormous significance for the northern part of our county. It is not going to be one that is completed overnight but, frankly, through the help of INDOT we are hopefully going to be able to get this project done. It is a very expensive project.

RE: NEW BUSINESS

Health Department/Available Health Care Funds: Mr. Borries said for the record he would want to read the following communication, as far as media publicity, from the County Department of Health -- materials that describe specifics of the currently available health care funds for pregnant women and children in high risk communities. Vanderburgh County is high risk due to high infant mortality rate, a large number of teenage pregnancies, delayed prenatal care, immunization rate of 50.9% and the fifth criteria is the apparent scarcity of the accessible and affordable health care. Approximately \$800,000 in Indiana will go to selected managed care, primary care, and demonstration projects in 1994 and additional funds will be designated in 1995. They will assist with these services and the first step is a Community Forum & Technical Assistance Meeting to discuss this funding initiative and agree on gaps in current services in Vanderburgh County. The first one to be held will be on Thursday, September 30, 1993 from 3:00 - 5:00 p.m. in the United Way Screening Room in the Old Post Office Place. Again, it has to do with criteria that will allow for better health care, particularly for women and infants -- basically under the County Health Department.

Auditorium Task Force: Commissioner Borries requested that the other Commissioners try to get their appointments to the Auditorium Task Force finalized so the Board can take action with regard to these appointments next week.

Data Processing Board: Ms. Farrell said it has also been brought to her attention that the Commissioners need to make an appointment to the Data Processing Board.

Mr. Borries asked, "Taking whose place?"

Ms. Farrell said she is not sure. Roger Elliott just brought the matter to her attention, saying there is a vacancy in the Commissioners' spot -- but he didn't say who left or was leaving.

Mr. Borries asked the Commissioners to be thinking about this appointment. That Board meets once a month in the morning.

Executive Session: Mr. Tuley moved the Board schedule an Executive Session at 4:30 p.m. in Room 307 for purposes of discussing Pending Litigation & Personnel Matters. Seconded by Commissioner Hunter. So ordered.

Drainage Board Meeting: President Borries announced a Drainage Board Meeting will be held immediately subsequent to the Commission Meeting.

President Borries entertained further matters of business to come before the Board.

BARR CREEK: Mr. Robert Brenner, County Surveyor, was recognized and stated that Mr. Dave Ellison of Big Creek Drainage Association is present with regard to two projects on Barr Creek. Both kind of relate to the Drainage Board, but they require action by the Commission.

There are two projects on Barr Creek and before they get to the bridge there is a right angle curve and they need some money to stabilize the bank. We have pledged \$3,000 matching funds to do a 3 to 1 slope on Mr. Martin's property. We have another project going with Soil Conservation further downstream. Those will come up tonight at the Drainage Board Meeting. However, Mr. Ellison wishes to speak to the Commissioners about the bank stabilization, which can be done with bridge funds. Since we are running out of everything else, he needs to speak to the Commission about this. Two years ago, he believes, we went to the County Council and they appropriated \$5,000 for snagging of objects in Pigeon Creek. The entire \$5,000 was returned. The work we did do was paid for by other agencies or by donations. Mr. Ellison is here again -- they have some cars and other things they wish to snag and they need to go on Council Call for an appropriation and first need Commission approval.

Mr. Humphrey asked how much they need.

Mr. Brenner said he will let Mr. Ellison tell him. But they had \$5,000 before and the money was returned intact, without a dime being spent. The same possibility exists to go out and raise funds. They had very good luck before getting things removed without money.

Auditor Humphrey said that is what the County is -- without money.

Mr. Brenner said he's heard that.

Mr. Dave Ellison of 2040 Baseline Road introduced himself and said he is representing the Big Creek Ditch Association, Inc. They have about 200 ft. to 250 ft. around from the 3 to 1 slopes they just worked on that needs maybe some structure on the banks. This is an experimental project they started with on Barr Creek -- trying to slow the water down and trying to slow the maintenance down on this creek. What they want to do now is stabilize that creek with perhaps some tires. It's been done within other creeks in Posey and Warrick counties. They are requesting \$500 to \$600 to try this

as an experiment. It is very visible from Boonville-New Harmony Rd. Everyone can drive by there and check it out to see if what they are doing is working. In response to query from Commissioner Tuley, Mr. Ellison said they are going to try to stabilize the bank with old automobile tires -- just the tire itself. They would put them in the bank with a piece of metal and kind of "nail them to the bank" to hold them. As silt and water come down through that bank they fill the tires with silt and, therefore, vegetation will start to grow. Then, hopefully, when the water hits the bank the tires with the silt will hold the bank and keep it from eroding. Blankenberger Bros. tried it on a creek down in Posey County and it is just unbelievable how it stabilized that creek. They've tried a little experiment with 3 to 1 side slopes. If the Commissioners get a chance, they can drive out Boonville-New Harmony Rd. -- just west of Highway 65 -- right where we put in a new bridge four years ago. It really looks great and, hopefully, this will catch on within their association.

Pigeon Creek Greenway Project: Mr. Ellison said he will change hats now to discuss this project. They just met at Greeley's and he was asked to come to the Commissioners to see if they can get the \$5,000 put to them last year or whatever funding would be available. He just heard Mr. Humphrey say there is little to be found -- but we have a car just north of Diamond Avenue laying in the creek; we have approximately 250 to 300 tires within the creek and all other kinds of obstacles. We've got a barge still down at the mouth of the creek and these are things that the clean-up committee (of which he is a part) wants to start doing something about. They've been talking about this for around two years and they are now ready to approach it and, if at all possible, start cleaning the creek up. But they need funds and authority to do this and they are trying to get the authority on Wednesday from the Parks Board. With the Commission's funding they can possibly get this done by the end of the calendar year.

Mr. Borries asked where the \$5,000 would be. It has probably been appropriated -- and just needs to be transferred.

Mr. Brenner said it was appropriated and sat in the account for a year. It then reverted back into the General Fund. It's now brand new money that has to come out of the General Fund.

Auditor Humphrey said the General Fund is broke.

Mr. Brenner said that may be. But the Commissioners need to let him get past them and get to Council -- then it's his problem. All he is asking is to come before the Commissioners to get permission to go on Council Call.

With regard to stabilization of the bank, Mr. Borries asked Mr. Brenner if this can come out of the Cumulative Bridge Fund.

Mr. Brenner responded, "Absolutely. You're allowed to protect the bridge and that is what you are doing. You are upstream of the bridge and can do it 250 ft. up the creek."

Mr. Borries entertained a motion.

Motion made by Commissioner Hunter to approve going on Council Call for an appropriation in the amount of \$5,000 out of the Cumulative Bridge Fund.

Mr. Borries then entertained a motion to approve the request to go on Council Call for \$5,000 with regard to clean up of Pigeon Creek.

Motion to authorize Mr. Dave Ellison, representing the Pigeon Creek Greenway Committee, to go on Council Call was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Mr. Borries said the Commissioners will ask for the appropriation -- but that may be the Kiss of Death for it. He will try to be present at the Council Meeting.

In response to query from Commissioner Borries as to when Council will meet, Ms. Farrell said they usually meet the last Wednesday of the month -- but they may not meet on the scheduled Wednesday due to the A.I.C. meeting.

Mr. Borries said they may meet on September 29th or some other day. The A.I.C. is having their State Convention and the next week is the Fall Festival.

Mr. Ellison asked whether, if necessary, he can have someone else attend the Council Meeting. Mr. Borries responded affirmatively.

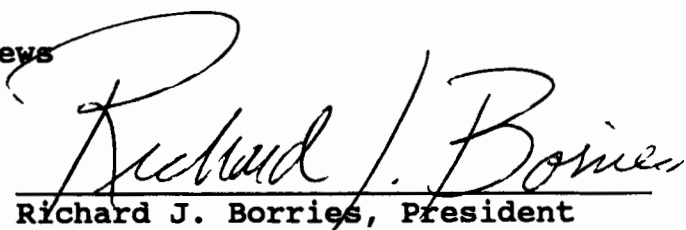
Mr. Ellison expressed appreciation to the Board, saying he doesn't know where else to turn -- unless we get some "in kind" services. But they have to get this project started before they get people to jump in and back us. If we just keep sitting here and saying we are going to do something and nothing gets done, then people will begin to wonder if we are going to do anything.

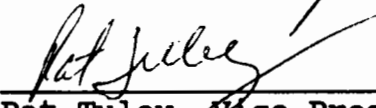
There being no further business to come before the Board, President Borries again reminded the group of the Drainage Board Meeting -- which will convene immediately. He then declared the Commission Meeting adjourned at 6:35 p.m.

PRESENT:

Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member
Sam Humphrey, County Auditor
Alan M. Kissinger, County Attorney
Mark Abell/Supt. County Bldgs.
John Stoll, County Engineer
Fred Howard, Asst. County Highway Supt.
Robert Brenner, County Surveyor
Roger Elliott, Data Processing
Daryn Burgdorf, Purchasing Department
Eric Williams, Deputy Sheriff
B. J. Farrell/Commission Office
Stephanie Elpers/Commissioner Office
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Pat Tuley, Vice President


Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

September 13, 1993

5:30 P.M.

FINAL

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ACTION ITEMS**
 - A. Any group/individual wishing to address the commission**
 - B. Daryn Burgdorf/Purchasing**
re: Approve specs for VC-9313/Post Frame Bldg for Sheriff Dept.
 - C. Roger Elliott/Data Processing**
re: Signature of an agreement between Software Partners/32 and the City of Evansville/Vanderburgh County for TAPESYS and THRUway system software licenses and documentation
 - D. Ordinance Amending Chapter 154 (Floodplain Management Ordinance)**
re: Second Reading
 - E. Thoroughfare Plan Ordinance**
re: 1st Reading on Ordinance Amending Chapter 153, Zoning Code of the Code of Ordinances by adding thoroughfare regulation; and repealing Chapter 152 of the Code of Ordinances
 - F. Letter from David Bunner**
re: Contract for Veterinary Services for Dr. Butler and the Animal Shelter

G. Board Appointment:
Tax Adjustment Board

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney
Mark Abell ----- Superintendent of County Buildings
Bill Morpew ----- County Garage
John Stoll ----- County Engineer
*See attached engineer requests

6. CONSENT ITEMS

A. Travel/Education Requests

Recorder (2)

B. Employment Changes:
see attached

C. Claims for payment:

1) Given & Spindler Management Co., Inc.
re: expenses per contract.....\$ 3,249.46

D. Commissioner Minutes for 9/7/93
re: acceptance/approval

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

SCT

City of Evansville/Vanderburgh County Computer Services

Civic Center Complex, Room 205
1 NW Martin Luther King Jr. Blvd.
Evansville, Indiana 47708
Fax (812) 426-5646

P. R. Cappelletti, CIR Courts
(812) 426-5608

Roger Elliott, Site Director
(812) 424-4578

Joseph Profaizer, Sr. Systems Manager
(812) 426-5245

Russell Riddle, CIR Financial
(812) 426-5644

Menzie Strickland, Operations Specialist
(812) 426-5233

Larry Ice, Programmer/Analyst
(812) 426-5242

Tim VanCleave, Micro-computer Specialist
(812) 426-5233

September 3, 1993

AGENDA REQUEST

NAME OF REQUESTOR: Roger Elliott

REQUESTOR TITLE: Director

DEPARTMENT: Computer Services Department

REQUEST(S) BEING MADE:

- Signature of an agreement between Software Partners/32 and the City of Evansville/Vanderburgh County for *TAPESYS* and *THRUway* system software licenses and documentation. This software provides network tape library management services. The \$17,369.50 software cost will be split between the city and county at the current percentage split.

The agreement was recommended for Board of Public Works and County Commissioners signature by the Data Processing Review Board at their last regularly scheduled meeting.

A copy of the agreement is attached for your review, three (3) agreement originals will be available for signature at the meeting. The agreement has been reviewed by both the City and County Attorney.

DATE TO BE PLACED ON AGENDA:

County Commissioners	Tuesday, September 7, 1993
Board of Public Works	Wednesday, September 8, 1993

ACTION ____ **CONSENT** ____ **OTHER** ____

The undersigned each represent and warrant that s/he is authorized to execute this document on behalf of the respective party and any and all actions necessary for this to constitute the valid and binding act of the respective party have occurred.

for City of Evansville

By *Not Present*
Jack McNeely, President
Evansville Board of Public Works

By *Jack E. Corn Jr.*
Jack J. Corn, Jr., Vice President
Evansville Board of Public Works

By *Valerie A. McKinney*
Valerie McKinney, Member
Evansville Board of Public Works

Attested By *Sharon A. Evans*
Sharon A. Evans, Secretary
Evansville Board of Public Works

Effective Date *Sept 8, 1993*

for Vanderburgh County

By *Rick Borries*
Rick Borries, President
Vanderburgh County Board of Commissioners

By *Patrick Tuley*
Patrick Tuley, Vice President
Vanderburgh County Board of Commissioners

By *Don Hunter*
Don Hunter, Member
Vanderburgh County Board of Commissioners

Attested By *Sam Humphrey*
Sam Humphrey, Vanderburgh County Auditor

Effective Date *September 13, 1993*



SOFTWARE PARTNERS/32, INC.
447 Old Boston Road, Topsfield, MA 01983

**SOFTWARE LICENSE AND SERVICES AGREEMENT
ORDER FORM**

Client: City of Evansville and
Vanderburgh County Indiana
Address: Department of Public Purchasing, Room 323
One NW Martin Luther King Jr. Boulevard
Evansville IN 47708

Purchase Order No:
Purchase Order Date:
Contract No: 071693-1-KF
Number of Training Days: 0

Products and Services	Level +	Fees	Customer ID Number
TAPESYS Single CPU License	I		
VAX 6620		\$ 11,000.00	
THRUway License	I		
One Host and One Remote Node		5,000.00	
Six Additional Nodes at \$500 Each		3,000.00	
Less 15% Non Profit Discount		-2,850.00	
Maintenance for One Year for THRUway		1,200.00	
Shipping and Handling		19.50	
TAPESYS and THRUway License Cost:		\$17,369.50	

+ (I) Initial (A) Additional (S) Annual Standard Technical Support

Designated CPU: Make/Model: _____ CPU Location: _____
Operating System: _____
Serial No.: _____

Designated CPU: Make/Model: _____ CPU Location: _____
Operating System: _____
Serial No.: _____

Designated CPU: Make/Model: _____ CPU Location: _____
Operating System: _____
Serial No.: _____

Designated CPU: Make/Model: _____ CPU Location: _____
Operating System: _____
Serial No.: _____

Additional Programs running on CPUs other than indicated above must be acquired on a separate SP/32 Order Form.

Contracts Administrator

Technical Support Contact

Name: _____
Address: _____

Name: _____
Address: _____

Phone: _____

Phone: _____

Billing/Accounts Payable Contact

Shipping Contact

Name: _____
Address: _____

Name: _____
Address: _____

Phone: _____

Phone: _____

Special Notes TAPESYS and THRUway Licenses include one set of documentation and one 9-track 1600-bpi tape for each product. TAPESYS license includes a one-year warranty and technical support. THRUway license includes a 90-day warranty and technical support.

Executed by Client:

Executed by SP/32:

Signature: _____
Name: _____
Title: _____

Signature: _____
Name: _____
Title: _____

The effective Date of this Agreement shall be:

This order is placed subject to the terms and conditions above and on the following pages. Tapes will be 1600 BPI.

08/02/93

TERMS AND CONDITIONS

Software Partners/32, Inc. (SP/32) and the Client identified on the Signature Page hereby agree that the following terms and conditions will apply to each license granted and to all services provided under this Agreement.

1. DEFINITIONS

- 1.1. "Program" or "Programs" shall mean the computer software owned by SP/32 and/or distributed by SP/32 for which Client is granted a license pursuant to this Agreement, and the related documentation, instructions, users' guides, and subsequent updates, whether in printed or machine readable form.
- 1.2. "Order Form" shall mean SP/32's standard form for ordering Program licenses and services. When completed and signed by both parties, the Order Forms (including the Signature Page of this Agreement) shall document the Program licenses which have been granted and the services which are to be provided under this Agreement.
- 1.3. "Price List" shall mean SP/32's standard fee schedule (which is attached) that is in effect when a Program license or any other products or services are ordered by Client.
- 1.4. "Supported License" shall mean a license for which Client has ordered Technical Support Services for the relevant time period, or which is ensured to be operable under the terms of SP/32's standard Warranty.
- 1.5. "Warranty Commencement Date" shall mean the date on which SP/32 begins initial support period for Client's use of Programs.
- 1.6. "Support Commencement Date" shall mean the date on which Client has ordered Technical Support Services for the relevant time period.
- 1.7. "Key" shall mean a feature in the software which allows the software to run for a designated amount of time.
- 1.8. "Temporary Key" shall mean that key (with a limited lifespan) that is issued upon ordering a demonstration version of the software and/or upon receiving a written or verbal agreement to purchase.
- 1.9. "Permanent Key" shall mean that key that is issued upon receipt of payment-in-full and the executed software license agreement by SP/32.

SP/32 will allow the key to cease running if all reasonable attempts fail in collecting from Client payment-in-full and/or the executed software license agreement. See 3. TERM AND TERMINATION.

2. PROGRAM LICENSE

2.1. Rights Granted

- A. SP/32 hereby grants to Client a non-transferable, non-exclusive license to use the Programs Client obtains pursuant to this Agreement, as follows:
 - i. To use the Programs solely for the Client's own internal data processing operations on the specific CPU designated in the relevant Order Form or on a backup CPU if the designated CPU is inoperative. Client may not use the Programs for commercial time-sharing, rental, or service bureau use;
 - ii. To copy the Programs for archival or backup purposes. All archival and backup copies of the Programs are subject to the provisions of this Agreement, and all titles, trademarks and copyright and restricted rights notices shall be reproduced in such copies.
- B. Client agrees not to cause or permit the reverse engineering, disassembly, or decompilations of the Programs, or create derivative works from the Programs.
- C. By virtue of this Agreement, Client acquires only the right to use the Programs and does not acquire any rights of ownership. All rights, title, and interest in the Programs shall at all times remain the property of SP/32.

2.2. Acceptance of Program

For each Supported License delivered under this Agreement, Client shall have a 15-day Acceptance Period from delivery date in which to evaluate the Programs. During the Acceptance Period, Client may cancel the license by giving written notice to SP/32 and returning the Programs in accordance with Paragraph 3.6. Unless such cancellation notice is given, the license will be deemed to have been accepted by Client at the end of the Acceptance Period.

2.3. Transfer and Assignment

- A. A Program may be transferred to a CPU of like configuration or the designated CPU may be transferred to another location within the Client's organization, only with SP/32's prior written consent. A transfer to a different operating system, another location, or a larger system is subject to a transfer or upgrade fee.
- B. The rights granted herein are restricted to use solely by Client and may not be assigned or transferred to a third party without the prior written permission of SP/32, which consent shall not be unreasonably withheld.

2.4. Documentation

SP/32 will provide Client with relevant user documentation as specified in the Price List. Copying of the documentation, user guides, and other reference materials is not permitted unless SP/32 consents in writing prior to such copying.

2.5. Verification

On SP/32's reasonable request, but not more frequently than annually, Client shall furnish SP/32 with a signed statement (a) verifying that the Programs are being used pursuant to the provisions of this Agreement; and (b) listing the location, type, and serial number of any and all CPUs on which the Programs are run.

3. TERM AND TERMINATION

3.1. Preliminary Term

Upon receipt of an order from Client, SP/32 shall issue to Client a 35-day temporary key, pending execution of this Agreement.

- A. Upon execution of this Agreement and upon payment by Client of invoice within 40 days, SP/32 shall issue a permanent key to Client. SP/32 shall not issue said permanent key unless these two conditions have been met:
- B. Where Client has paid the invoice but the Agreement has not been executed within 35 days of issuance of the temporary key, SP/32 shall extend the key for no more than two successive 30-day periods, provided that:
 - i. Reasonable efforts toward negotiating the Agreement are in progress, and
 - ii. The Programs shall be deemed to have been accepted according to Paragraph 2.2.

3.2. Term

This Agreement and each license granted hereunder shall remain in effect perpetually (if not otherwise specified on the Order Form), unless terminated as provided in Paragraph 3.3 or 3.4 below.

3.3. Termination by Client

Client may terminate this Agreement or any license at any time.

3.4. Termination by SP/32

SP/32 may terminate this Agreement or any license upon written notice if Client breaches this Agreement and fails to correct the breach within 30 days following written notice specifying the breach.

3.5. Effect of Termination

Termination of this Agreement or any license shall not limit either party from pursuing any other remedies available to it, including injunctive relief. Notwithstanding such termination, Client's obligation to pay all fees that accrued prior to such termination shall survive.

SP/32 shall be held harmless for any claim whatsoever arising out of discontinuance of usage of Programs by Client due to breach by Client.

3.6. Return of Programs Upon Termination

If a license granted in this Agreement expires or otherwise terminates, Client shall (a) cease using the applicable Programs, and (b) certify to SP/32 within one month after termination that Client has destroyed or has returned to SP/32 the Programs and all copies. This requirement applies to copies in all forms, partial and complete, in all types of media and computer memory, and whether or not modified or merged into other materials.

4. WARRANTIES, REMEDIES, LIMITATION OF LIABILITY

4.1. Infringement Indemnity

SP/32 will defend and indemnify Client against a claim that Programs furnished and used within the scope of this Agreement infringe a United States copyright or patent, provided that: (a) Client notifies SP/32 in writing within 30 days of the claim, (b) SP/32 has sole control of the defense and all related settlement negotiations, and (c) Client provides SP/32 with the assistance, information, and authority necessary to perform the above; reasonable out-of-pocket expenses incurred by Client in providing such assistance will be reimbursed by SP/32.

SP/32 shall have no liability for any claim of infringement based on: (a) use of a superseded or altered release of Programs if such infringement would have been avoided by the use of a current unaltered release of the Programs that SP/32 provided to Client; or (b) the combination, operation, or use of any Programs furnished under this Agreement with programs or data not furnished by SP/32 if such infringement would have been avoided by the use of the Programs without such programs or data.

In the event the Programs are held or are believed by SP/32 to infringe, SP/32 shall have the option, at its expense, to (a) modify the Programs to be non-infringing, (b) obtain for Client a license to continue using the Programs, or (c) terminate the license for the infringing programs and refund the license fees paid for those Programs, prorated over a 5-year term from the Warranty Commencement Date. This Paragraph 4.1 states SP/32's entire liability for infringement.

4.2. Warranties and Disclaimers

A. Warranties

i. Program License Warranties

For each Supported License, SP/32 warrants for the period of time indicated on the Order Form from the Warranty Commencement Date that the Programs, unless modified by Client, will perform the functions described in the documentation provided by SP/32 when operated on the designated hardware and operating system. SP/32 agrees to provide enhancements made to Software and documentation to Client, and to make its best effort in answering questions by telephone between the hours of 9:00 a.m. and 5:00 p.m. Eastern Time, excluding standard holidays, during the warranted period. SP/32 shall make its best effort to reply to the Client within 4 hours of receipt of Client's first call. This warranty does not apply and will be considered null and void if the Programs are used or operated in a manner or in an environment not consistent with their intended purpose or are modified or repaired by Client in any manner which adversely affects their operation or reliability.

SP/32 does not warrant that the Programs will meet Client's requirements, that the Programs will operate in the combinations which Client may select for use, that the operation of the Programs will be uninterrupted or error-free, or that all Program errors will be corrected.

If Client does not obtain Technical Support Services, the Programs are distributed "as is."

ii. Media Warranty

SP/32 warrants the tapes, diskettes or other media it uses for distribution of Programs to be free of defects in materials and workmanship under normal use for 90 days from the Warranty Commencement Date. During the 90-day period, Client may return defective media to SP/32 and it will be replaced without charge. Replacement of media is Client's sole remedy in the event of a media defect.

iii. Services Warranty

SP/32 warrants that its consulting services will be of a professional quality conforming to generally accepted industry standards and practices. This warranty shall be valid for 90 days from completion of service.

B. Limitations on Warranties

i. **THE WARRANTIES ABOVE ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, WHETHER EXPRESSED OR IMPLIED, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND INFRINGEMENT. NO ORAL OR WRITTEN INFORMATION OR ADVICE GIVEN BY SP/32, ITS EMPLOYEES, DISTRIBUTORS, OR AGENTS WILL INCREASE THE SCOPE OF THE ABOVE WARRANTIES OR CREATE ANY NEW WARRANTIES.**

ii. As an accommodation to Client, and according to mutual agreement

between Client and SP/32, SP/32 may supply Client with preproduction releases of Programs, labeled "Alpha" or "Beta". These releases are not suitable for production use. SP/32 does not warrant preproduction releases; these releases are distributed "as is".

iii. During the lifetime of the Programs, SP/32 may, from time to time and at its sole discretion, offer new releases of the Programs to the Client. The warranties stated in Paragraph 4 are made for the latest version of the Programs. SP/32 will not be liable for coverage for Programs which the Client operates for more than 30 days beyond distribution of new releases of the Programs.

4.3. Exclusive Remedies

For any breach of the warranties contained in Paragraph 4.2 above, Client's exclusive remedy, and SP/32's entire liability, shall be:

A. For Programs

The correction of Program errors or replacement of Program media. If SP/32 is unable to make the Programs operate as warranted, Client shall be entitled to recover the applicable license fees paid to SP/32.

B. For Services

The reperformance of the services. If SP/32 is unable to perform the services as warranted, Client shall be entitled to recover the fees paid to SP/32 for the deficient services.

4.4. Limitation of Liability

IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES, INCLUDING LOSS OF PROFITS, REVENUE, DATA, OR USE, INCURRED BY EITHER PARTY OR ANY THIRD PARTY, WHETHER IN AN ACTION IN CONTRACT OR TORT, EVEN IF THE OTHER PARTY OR ANY OTHER PERSON HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. SP/32'S LIABILITY FOR DAMAGES HEREUNDER SHALL IN NO EVENT EXCEED THE AMOUNT OF FEES PAID BY CLIENT UNDER THIS AGREEMENT, AND IF SUCH DAMAGES RESULT FROM CLIENT'S USE OF THE PROGRAMS, SUCH LIABILITY SHALL BE LIMITED TO LICENSE FEES PAID, PRORATED OVER A 5-YEAR TERM FROM THE WARRANTY COMMENCEMENT DATE OF THE RELEVANT LICENSE.

The provisions of this Article 4 allocate the risks under this Agreement between SP/32 and Client. SP/32's pricing reflects this allocation of risk and the limitation of liability specified herein.

5. TECHNICAL SERVICES

5.1. Transition from Warranty to Technical Support Services

Technical Support Services for Programs are available from SP/32 on an annual basis. Technical Support Services include services to ensure the working order of the Programs, ensure the Programs perform the functions described in the documentation provided by SP/32 when operated on the designated hardware and operating system, and ensure that the Programs will continue to perform on the latest release of the operating system. SP/32 guarantees Client's eligibility to receive Technical Support Services from SP/32.

Applicable Technical Support ordered by Client will be provided by SP/32 at applicable fees described in the Price List. Prices on the Price List will not change during Client's first year of Warranty coverage. Thereafter, prices may change at the determination of SP/32, but may not increase more than 10% during any consecutive 12-month period. Client will receive 60 days warning of SP/32's intention to raise prices.

Ninety days prior to the termination of Client's Warranty for the Programs, SP/32 will send Client a proposal to secure Technical Support Services from SP/32 for the Programs, accompanied by a Technical Support Service Order Form. Client will indicate its desire to receive Technical Support Services by returning the Technical Support Services Order Form within 15 days to SP/32. Client will issue appropriate purchase order to SP/32 to secure Technical Support Services, if Client requires same for invoices. Thirty days prior to the termination of the Client's Warranty for Programs SP/32 will send an invoice to Client for Technical Support Services to be rendered by SP/32 during the 12 months following the Warranty. Client will remit payment in full before the end of the Warranty period. Failure to do so will result in cancellation of Technical Support Services from SP/32 to the Client.

5.2. Renewal of Technical Support Services

A. SP/32 will notify Client by letter 90 days before Technical Support Services are scheduled to expire that renewal is necessary. If Client is invoiced by purchase order, Client will issue to SP/32 a purchase order for Technical Support Services for the 12 months following expiration of current

Technical Support Services, within 30 days of receipt of notice to renew. Thirty days before Technical Support Services are scheduled to expire, SP/32 will issue an invoice to Client for the coming 12-month period of Technical Support Services. Invoice will indicate the cost for Technical Support Services for the coming 12 months. Client will indicate its desire to continue Technical Support Services by remitting in full the amount of the invoice prior to expiration of current Technical Support Services. Technical Support Services will terminate unless Client renews Technical Support Services for the next year.

- B. SP/32 may, where appropriate, prorate Technical Support fees so that Technical Support for all Programs on a single CPU are renewable on the same date, even if all the Programs were not ordered at the same time.
- C. If Client wishes to renew Technical Support Services which have expired, Client agrees to pay in advance a Technical Support Restart Fee equal to one-year Technical Support fee. The restart fee is in addition to the one-year Technical Support Service fee.

5.3. Consulting Services

SP/32 will provide consulting services ordered by Client under the terms and conditions of this Agreement and any relevant Price List or work order, and as may be described on the accompanying Order Form.

5.4. Installation and Training

At Client's request, SP/32 will provide remote assistance in the installation of each Program under a Supported License. Training Units that are provided with Supported Licenses, as indicated in the Price List and reflected on the relevant Order Form, are valid for one year from the Warranty Commencement Date.

5.5. Rights to Developments

This Agreement will govern Client's use of any enhancements, data, and information provided by SP/32 in the course of providing any technical or consulting services. Any ideas, know-how, techniques, and software which may be developed by SP/32, including any enhancements or modifications made to the Programs, shall be the property of SP/32.

5.6. Incidental Expenses

With respect to any on-site services requested by Client, Client shall reimburse SP/32 for actual, reasonable travel, and out-of-pocket expenses incurred and documented.

5.7. Software Held in Escrow

SP/32 agrees to maintain an Escrow agreement with its corporate counsel, by which sourceware for the product shall be held by said counsel, for distribution to Client in the event SP/32 is unable to perform in accordance with this Agreement.

6. PAYMENT PROVISIONS

6.1. Invoicing and Payment

- A. Invoices for payment of License Fees shall be payable on the Warranty Commencement Date. Technical Support Fees and other applicable fees shall be payable when invoiced. All fees shall be deemed overdue if they remain unpaid 41 days after they become payable.
- B. Fees for applicable Technical Support shall be due in advance. Such fees will be those in effect at the beginning of the period for which the fees are paid. If Client's procedures require that an invoice be submitted against a purchase order before payment can be made, Client will be responsible for issuing such purchase order 60 days before the payment due date.

6.2. Taxes

The fees listed in this Agreement do not include taxes. If SP/32 is required to pay sales, use, property, value-added, or other federal, state or local taxes based on the licenses granted in this Agreement or on Client's use of Programs, then such taxes shall be billed to and paid by Client. This shall not apply to taxes based on SP/32's income.

7. GENERAL TERMS

7.1. Nondisclosure

By virtue of this Agreement, the parties may have access to information that is confidential to one another ("Confidential Information"). Confidential Information shall be limited to the Programs and all information clearly marked as confidential.

A party's Confidential Information shall not include information which: (a) is or becomes a part of the public domain through no act or omission of the other party; or (b) was in the other party's lawful possession prior to the disclosure and had not been obtained by the other party either directly or indirectly from the disclosing party; or (c) is lawfully disclosed to the other party by a third party without restriction on disclosure; or (d) is independently developed by the other

party. Results of benchmark tests run by Client may not be disclosed unless SP/32 consents to such disclosure in writing.

The parties agree, both during the term of this Agreement and for a period of 3 years after termination of this Agreement and of all licenses granted hereunder, to hold each other's Confidential Information in confidence. The parties agree not to make each other's Confidential Information available in any form to any third party or to use each other's Confidential Information for any purpose other than the implementation of this Agreement. Each party agrees to take all reasonable steps to ensure that Confidential Information is not disclosed or distributed by its employees or agents in violation of the provisions of this Agreement.

If Client or any of its employees, agents, or representatives shall attempt to dispose of the Software or any of its aspects or components or any duplication thereof in a manner contrary to the terms of this Agreement, SP/32 shall have the right, in addition to such other remedies which may be available to SP/32, to injunctive relief enjoining such acts or attempts, it being acknowledged that legal remedies are inadequate.

7.2. Notice

All notices, including notices of address change, required to be sent hereunder shall be in writing and shall be deemed to have been given when mailed to the first address listed in the relevant Order Form (if to Client) or to the SP/32 address on the Order Form (if to SP/32).

7.3. Severability

In the event any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions of this Agreement will remain in full force and effect.

7.4. Waiver

The waiver by either party of any default or breach of this Agreement shall not constitute a waiver of any other or subsequent default or breach.

7.5. Export Administration

If the Programs are for use outside the United States, Client agrees to comply fully with all relevant regulations of the United States Department of Commerce and with the United States Export Administration Act to assure that the Programs and media are not exported in violation of United States law.

7.6. US Government Use

Use, duplication, or disclosure of the Programs and accompanying documentation by the Government is subject to restrictions as set forth in subparagraph (c)(1)(ii) of the Rights of Technical Data and Computer Software Clause at 52.227-7013.

7.7. Attorney's Fees

If either party commences an action against the other to enforce any of the terms hereof or because of breach by either party of any of the terms thereof, the losing party shall pay to the prevailing party reasonable attorney's fees and expenses which shall be deemed to have accrued upon commencement of such action ~~whether or not such action is prosecuted to judgment.~~

7.8. Entire Agreement

This Agreement and attached letter constitute the complete agreement between the parties and supersedes all previous agreements or representations, written or oral, with respect to the Programs and services specified herein. This Agreement may not be modified or amended except in writing signed by a duly authorized representative of each party. It is expressly agreed that any terms and conditions of Client's purchase order shall be superseded by the terms and conditions of this Agreement.

7.9. Titles

The titles of the articles and sections of this Agreement are for convenience only and are not part of this Agreement and do not in any way limit or amplify the terms and provisions of this Agreement.



SOFTWARE PARTNERS/32, INC.

447 Old Boston Road
Topsfield, MA USA 01983-9975

Telephone (508) 887-6409 • FAX (508) 887-3680

08/20/93



SOFTWARE PARTNERS/32, INC.

447 Old Boston Road

Topsfield, MA 01983

(508) 887-6409

FAX: (508) 887-3680

FAX TRANSMITTAL

NOTICE: THE INFORMATION CONTAINED IN THIS TRANSMISSION IS PROPRIETARY AND CONFIDENTIAL. IT IS INTENDED FOR THE INDIVIDUAL OR ENTITY NAMED BELOW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, PLEASE BE NOTIFIED THAT MAY DISSEMINATION, DISTRIBUTION, COPYING, OR DISCLOSURE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT) AND RETURN THE ORIGINAL OF THIS TRANSMISSION TO US AT THE ABOVE ADDRESS BY U.S. MAIL. WE WILL REIMBURSE YOU FOR THE POSTAGE.

TO:	Mr. Roger Elliot City of Evansville	DATE:	July 30, 1993
FROM:	Kathy Flory	FAX:	812-4265646

THERE IS 1 PAGE TO THIS FAX TRANSMITTAL

Roger,

Per our conversation, Software Partners/32, Inc. will offer the City of Evansville a hold on the existing maintenance price of \$1,650.00 for TAPESYS for a one year time frame at the time of purchase. This special offer is valid based on the purchased of THRUway maintenance of \$1,200.00 upfront.

If you have any questions, please don't hesitate to call.

Sincerely,

SOFTWARE PARTNERS/32, INC.

Kathy Flory
Kathy Flory

Jul 30 1993
4:51 p.m.

VAX and Alpha AXP License Rating Table

CPU model	Rating	CPU model	Rating	CPU model	Rating
DEC 3400 AXP	50	VAXserver 3800	10	6000-410	600
DEC 3400 AXP Server	50	VAXserver 3900	10	6000-420	1200
DEC 3500 AXP	100	VAXserver 4090	10	6000-430	1800
DEC 3500 AXP Server	100	VAXserver 4000-200	10	6000-440	2400
DEC 4610 AXP	900	VAXserver 4000-300	10	6000-450	2400
DEC 4810 AXP	900	VAXserver 6000-210	200	6000-460	2400
DEC 4620 AXP	1200	VAXserver 6000-220	400	6000-510	900
DEC 4820 AXP	1200	VAXserver 6000-310	200	6000-520	1800
DEC 7610 AXP	1200	VAXserver 6000-320	400	6000-530	2400
DEC 7620 AXP	2400	VAXserver 6000-410	400	6000-540	2400
DEC 7630 AXP	2400	VAXserver 6000-420	400	6000-550	2400
DEC 7640 AXP	2400	VAXserver 6000-510	400	6000-560	2400
DEC 7650 AXP	2400	VAXserver 6000-520	400	6610	1200
DEC 7660 AXP	2400	VAXserver 6610	1200	6620	1800
DEC 10610 AXP	2400	VAXserver 6620	1800	6630	2400
DEC 10620 AXP	6000	VAXserver 9000-110	2400	6640	2400
DEC 10630 AXP	6000	VAXserver 9000-310	2400	6650	2400
DEC 10640 AXP	6000	VAXserver 9000-320	4800	6660	2400
DEC 10650 AXP	6000	VAXserver 9000-330	4800	VAX 7610	1200
DEC 10660 AXP	6000	VAXserver 9000-340	4800	7620	1800
MicroVAX II	50	VAXstation II	10	7630	2400
MicroVAX 2000	20	VAXstation 2000	10	7640	2400
MicroVAX 3100	20	VAXstation 3100	10	VAX 8200	100
MicroVAX 3190	20	VAXstation 3200	10	8250	100
MicroVAX 3300	100	VAXstation 3500	10	8300	200
MicroVAX 3400	100	VAXstation 4000-30	10	8350	200
MicroVAX 3500	200	VAXstation 4000-60	10	8530	400
MicroVAX 3600	200	VAXstation 3520	10	8550	600
MicroVAX 3800	200	VAXstation 3540	10	8600	400
MicroVAX 3900	200	VAXstation 8000	10	8650	400
MicroVAX 4100	100	VAX 730	50	8700	600
VAX ft 110	100	750	100	8800	1200
VAX ft 310	300	780/785	100	8810	600
VAX ft 410	300	4000-200	200	8820	1200
VAX ft 610	300	4000-300	300	8830	1800
VAX ft 810	300	4400	300	8840	2400
VAX ft 110 server	10	4500	900	8842	2400
VAX ft 310 server	10	4600	900	8974	2400
VAX ft 410 server	10	6000-210	600	8978	4800
VAX ft 610 server	10	6000-220	600	VAX 9000-210	2400
VAX ft 3000-310	300	6000-230	900	9000-410	2400
VAXserver 3100	10	6000-240	1200	9000-420	4800
VAXserver 3300	10	6000-310	300	9000-430	4800
VAXserver 3400	10	6000-320	600	9000-440	4800
VAXserver 3500	10	6000-330	900	VAX 10610	1200
VAXserver 3600	10	6000-340	1200	10620	1800
VAXserver 3602	10	6000-350	1200	10630	2400
		6000-360	1800	10640	2400

		TAPESYS	HIERARCHY	THRUnet/Server	
	LICENSE	Price as of	Price as of	Price as of	
CLASS	RATING	5/10/93	5/10/93	5/10/93	
I	10	\$1,000	\$1,250	\$500	
II	20	\$2,000	\$2,250	\$1,000	
III	50	\$3,000	\$3,500	\$1,500	
IV	100	\$4,000	\$4,500	\$2,000	
V	200	\$5,000	\$5,500	\$2,500	
VI	300	\$6,000	\$6,750	\$3,000	
VII	400	\$7,000	\$7,750	\$3,500	
VIII	600	\$8,000	\$8,750	\$4,000	
IX	900	\$9,000	\$9,750	\$4,500	
X	1200	\$10,000	\$10,750	\$5,000	
XI	1800	\$11,000	\$12,000	\$5,500	
XII	2400	\$12,000	\$13,000	\$6,000	
XIII	3600	\$13,000	\$15,000	\$6,500	
XIV	4800	\$14,000	\$16,000	\$7,000	
THRUnet Clients:					
2 to 5	\$1,000				
2 to 10	\$1,750				
2 to 20	\$3,000				
2 to 50	\$5,000				
2 to 100	\$6,500				
2 to 200	\$10,000				
WARRANTY:		1 year	1 year	90 days	
MAINTENANCE RENEWAL:		15% of license price			
DOCUMENTATION:		\$300/set	\$50	\$50	
TRAINING:		\$1,050 per day plus expenses			
TK50 Tape		\$35	\$35	\$35	

THRUway			NetVault:	Standard	With LMS
Basic License	\$5,000		Server/Client	\$995	\$2,595
Additional Nodes:			2 to 5	\$1,995	\$4,595
1 to 9	\$500/ea		2 to 10	\$2,995	\$5,595
10 to 24	\$487.50/ea		2 to 20	\$5,450	\$8,995
25 to 50	\$475/ea		2 to 50	\$8,995	\$10,595
51 to 74	\$450/ea		2 to 100	\$10,995	\$13,995
75 to 99	\$425/ea		2 to 200	\$12,995	\$17,495
100 to 124	\$400/ea				
125+	\$375/ea				
WARRANTY: 90 days			WARRANTY: 90 days		
MAINTENANCE RENEWAL: 15% of License Price			MAINTENANCE RENEWAL: 15% of License Price		
DOCUMENTATION: \$50			DOCUMENTATION: \$50		
TK50 Tape: \$35			TK50 Tape: \$35		
			UPDATE FEE (for additional UNIX types): \$50		

**COUNTY ENGINEER'S
CONSENT AGENDA
SEPTEMBER 13, 1993**

1. **CLAIMS:**

CONTRACTUAL SERVICES 203-3930	
Hansen Testing (Inv. #118944)	\$ 350.00
DARMSTADT ROAD BRIDGE #214 203-4342	
Sam Oxley & Co., Inc. (Inv. #5)	\$42,176.67
STRINGTOWN RD BRIDGE #72 203-4348	
R.W. Armstrong (Inv. #19621)	\$ 2,452.50
COLUMBIA/DELAWARE BRIDGE #1C 203-4353	
United Consulting Engineers (Inv. #10)	\$22,067.54
GREEN RIVER ROAD NORTH 216-4910	
United Consulting Engineers (Inv. #17)	\$21,771.06

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

VANDERBURGH AUDITORIUM

sl

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
Hames, Ronald	5304 Warren	labor	11 01	9- ¹⁴ 93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDED
COMMISSIONER'S RECORD

SIGNED BY

Richard J. Boyce

DATE 9-13-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

PERRY TOWNSHIP ASSESSOR

sl

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
J79 66-1140-190 KENNETH B. WENTZES	EICHEL AVE.	DATA COLLECTOR	7 00 HOUR	9/10/93

RECORDED
COMMISSIONER'S RECORD

SIGNED BY

Donna L. Farnath

DATE 9-10-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

213.4 Health Department - WIC Program

CORRECTED SHEET FOR 8/20/93

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1990 Nancy Farnsworth	6130 Twickingham Dr. Evansville, IN 47711		Hourly 12 3165	8/26/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1230 Nancy Farnsworth	6130 Twickingham Dr. Evansville, IN 47711		Annual 25,717 00	8/26/93

RECORDED
COMMISSIONER'S RECORD

SIGNED BY

W. L. Jones

DATE

9/10/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department		BURDETTE PARK			
RELEASES		APPOINTMENTS MADE			
	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	MATTHEW SINGER		GUARD	5 00	8-25-93
1180	DANIEL KOLB		GUARD	4 45	8-25-93
1180	SUSAN BERNHARDT		GUARD	5 00	8-25-93
1180	ANDRA MUTH		GUARD	4 60	8-25-93
1180	DANA COURLEY		GUARD	4 40	8-25-93
1180	MARY MANGERLIN		GUARD	4 50	8-25-93
1180	BEN MORAN		DAY CAMP	4 40	8-25-93
1180	DANIEL GELARDEN		DAY CAMP	4 40	8-25-93
1180	SHAYNA WHITE		GUARD	4 50	8-25-93
1180	JENNIFER MURBERT		GUARD	4 35	8-25-93
1180	SUSAN SMITH		BUS DRIVER	6 25	8-25-93
1180	JASON ADAMS		DAY CAMP	5 00	8-25-93
1180	JACK BREUNIG		DAY CAMP	5 00	8-25-93
1180	ANDREA RAYMOND		GUARD	4 50	8-25-93
1180	BERT SANDEFUR		GUARD	4 35	8-25-93
1180	JEFF COMPTON		GUARD	4 35	8-25-93
1180	CANDICE GREEN		DAY CAMP	8 00	8-25-93
1180	VALERIE SCHOFFENHORST		DAY CAMP	10 00	8-25-93
1180	CHRISTOPHER DOERNER		CONCESSION	4 50	8-25-93
1180	RONALD NELSON		DAY CAMP	4 85	8-25-93
1180	J RACHEL HASKINS		DAY CAMP	4 65	8-25-93
1180	JANNIFER ACKER		DAY CAMP	4 40	8-25-93
1180	KRISTINA HILLS		DAY CAMP	8 00	8-25-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tuley DATE 9-10-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department		BURDETTE PARK			
		APPOINTMENTS MADE			
	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JEREMY JORDAN		GUARD	4 45	8-25-93 ✓
1180	TONY VIERBACHER FEHRENBACHER		GUARD (SLIDE)	4 25	8-25-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED					
	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tuley DATE 9-10-93

PARSONS COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

RELEASES

~~APPOINTMENTS~~ MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	CATHERINE KIRSCH		GUARD	4 55	8-25-93
1180	GREG BENEDYK		GUARD	4 35	8-25-93
1180	BLAIR BENFORD		DAY CAMP	10 00	8-25-93
1180	TEDD THOMPSON		GRND. CREW	7 00	8-25-93
1180	STACIE BALLARD		GIFT SHOP	4 25	8-25-93
1180	TODD HAMMONDS		GRND. CREW	4 25	8-25-93
1180	GARRICK BRINKMEYER		GRND. CREW	4 25	8-25-93
1180	MIKE MOSER		GUARD	4 50	8-25-93
1180	DARRELL LESLIE		GUARD	4 25	8-25-93
1180	ZACHARY MATTINGLY		GUARD	4 35	8-25-93
1180	JULIET LABHART		SLIDE GUARD	4 25	8-25-93
1180	LAURA BONE		FLOATSTAND	4 25	8-25-93
1180	STEPHANIE BONE		FLOATSTAND	4 25	8-25-93
1180	JULIE COLLINS		DAY CAMP	4 40	8-25-93
1180	DAVID GUGIN		DAY CAMP	4 40	8-25-93
1180	JENNIFER HUSKY		SLIDE GUARD	4 25	8-25-93
1180	KRISTINA LONDON		DAY CAMP	4 25	8-25-93
1180	MELANIE LUDWIG		DAY CAMP	4 40	8-25-93
1180	MARK MAGAN		GUARD	4 35	8-25-93
1180	CYNTHIA NAGEL		BUS DRIVER	6 25	8- 25 93
1180	AARON RALEIGH		GUARD	4 25	8-25-93
1180	JENNIFER ROBERTS		DAY CAMP	4 40	8-25-93
1180	STACY STREBOWSKI		DAY CAMP	4 40	8-25-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Mark T. Tully

DATE 9-10-93

TARRANT COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

RELEASES ~~APPOINTMENTS MADE~~

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JAMIE YOUNG		DAY CAMP	4 40	8-25-93
1180	DONNA BRUCKEN		DAY CAMP	5 00	8-25-93
1180	VENITA COMPTON		DAY CAMP	10.00	8-25-93
1180	SCARLETT JARRELL		GRND. CREW	4 25	8-25-93
1180	CARAUGHLYN COMBS		CONCESSION	4 25	8-25-93
1180	KEITH SIMON		SLIDE GAURD	4 25	8-25-93
1180	CATHERINE STILES-KENDALL		GRND. CREW	4 25	8-25-93
1180	GLORIA WILLIAMS		BUS DRIVER	6 25	8-25-93
1180	VALORIE HIRSCH		SLIDE GUARD	4 25	8-25-93
1180	CAROL GRIES		BUS DRIVER	6 25	8-25-93
1180	JAMIE SPRINGER		FLOATSTAND	4 25	8-25-93
1180	TRACI SCHMITT		GUARD	4 40	8-25-93
1180	SHAWN HAPPE		GUARD	4 35	8-25-93
1180	PAMELA WILLIAMSON		BUS DRIVER	6 25	8-25-93
1180	PAUL CARR		GUARD	4 50	8-25-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER
 COMMISSIONER'S RECORD

SIGNED BY Mark Tinty DATE 9-10-93

SCHEDULED MEETINGS

Mon	Sept 13	County Commissioners:		
		Solid Waste	4:30 PM	RM 307
		Commissioners Meeting	5:30 PM	RM 307
		Drainage Board	Immediately Following	
Thurs	Sept 16	Pigeon Creek	5:00 PM	RM 307
Mon	Sept 20	County Commissioners:		
		Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Tues	Sept 21	County Insurance Meeting	9:00 AM	RM 303
Thurs	Sept 23	County Employee Steering	9:00 AM	RM 303
Mon	Sept 27	County Commissioners	5:30 PM	RM 307
		Drainage Board	Immediately Following	
Wed	Sept 29	County Council		
		Personnel and Finance	3:30 PM	RM 301



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603

Off 9/13/93

Vanderburgh County Engineering Department

Agenda for September 13, 1993

1. Council call request for transfers:

<u>Amount</u>	<u>From:</u>	<u>To:</u>
\$ 2,000	Repair to Bldgs./Grounds	Engineering Equipment
\$ 20	Repair to Bldgs./Grounds	Electrical Supply
\$75,000	Lynch Rd. Bridges #1210/1211	Columbia/Del. Br. #1C

2. Lincoln Pointe Section 2 Street and Storm Sewer Acceptance

Streets:	Lincoln Pointe Blvd.	476 LFT
	Greencastle Drive	658 LFT
	Copperstone Pointe	135 LFT
Storm Sewers:	115 LFT of 12" RCP	
	292.4 LFT of 21" RCP	

James H. Hunt
Member

August 30, 1993

Vanderburgh County Commissioners
Attn: Mr. Richard Borries, President
Room 305 Civic Center Complex
Evansville, IN 47708

RE: LINCOLN POINTE SECTION 2
STREET AND STORM SEWER ACCEPTANCE
OUR PROJECT #93-2605-4

Dear Commission Members:

Construction of the street improvements within the above referenced subdivision was completed in early August 1993. Construction of the storm sewer improvements were also completed in August 1993.

The streets were constructed in accordance with the plans approved by the Board of County Commissioners on June 1, 1993. The storm sewer improvements were constructed in accordance with the plans approved by the Vanderburgh County Drainage Board on May 28, 1991.

All streets were paved with three inches (3") of H.A.C. on compacted aggregate base. Copperstone Pointe cul-de-sac measures 30 feet from the radius point to the back of the roll curb, while Lincoln Pointe Boulevard measures 40 feet to the back of the roll curb.

Following is a summary of the completed streets:

NAME	RIGHT OF WAY	WIDTH B/C TO B/C	LENGTH
Lincoln Pointe Blvd.	50	(variable) 29' min.	476.2 LF (0.09 mi.)
Copperstone Pointe	50	29'	134.6 LF (0.03 mi.)
Greencastle Drive	50/64	(variable) 29' min.	658.2 LF (0.12 mi.)

A sketch of the subdivision is enclosed showing the completed streets highlighted in yellow.

In addition, 115.0 lineal feet (including concrete end section) of 12 inch R.C.P. and 292.4 lineal feet of 21 inch R.C.P. was installed outside of the street rights-of-way. These pipes lie within a platted public drainage easement. The developer is prepared to pay the required fee of \$0.50 per lineal foot in order to have maintenance acceptance.

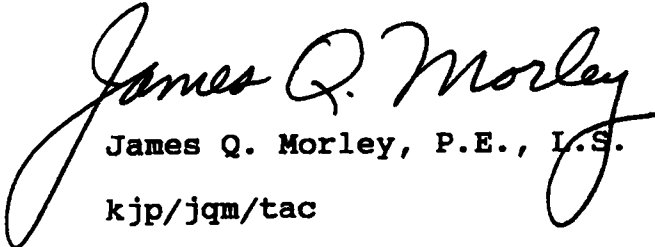
Vanderburgh County Commissioners
Attn: Mr. Richard Borries, President
Re: Lincoln Pointe Sec. 2-Proj. #93-2605-4
August 27, 1993

Page Two

We ask that you inspect the improvements and, upon your approval, accept the streets and storm sewers for maintenance. In addition, we request the erection of the proper traffic control and street information signs to be implemented at the time of acceptance.

If you have any questions or require additional information, please contact our office.

Yours truly,



James Q. Morley, P.E., L.S.

kjp/jqm/tac

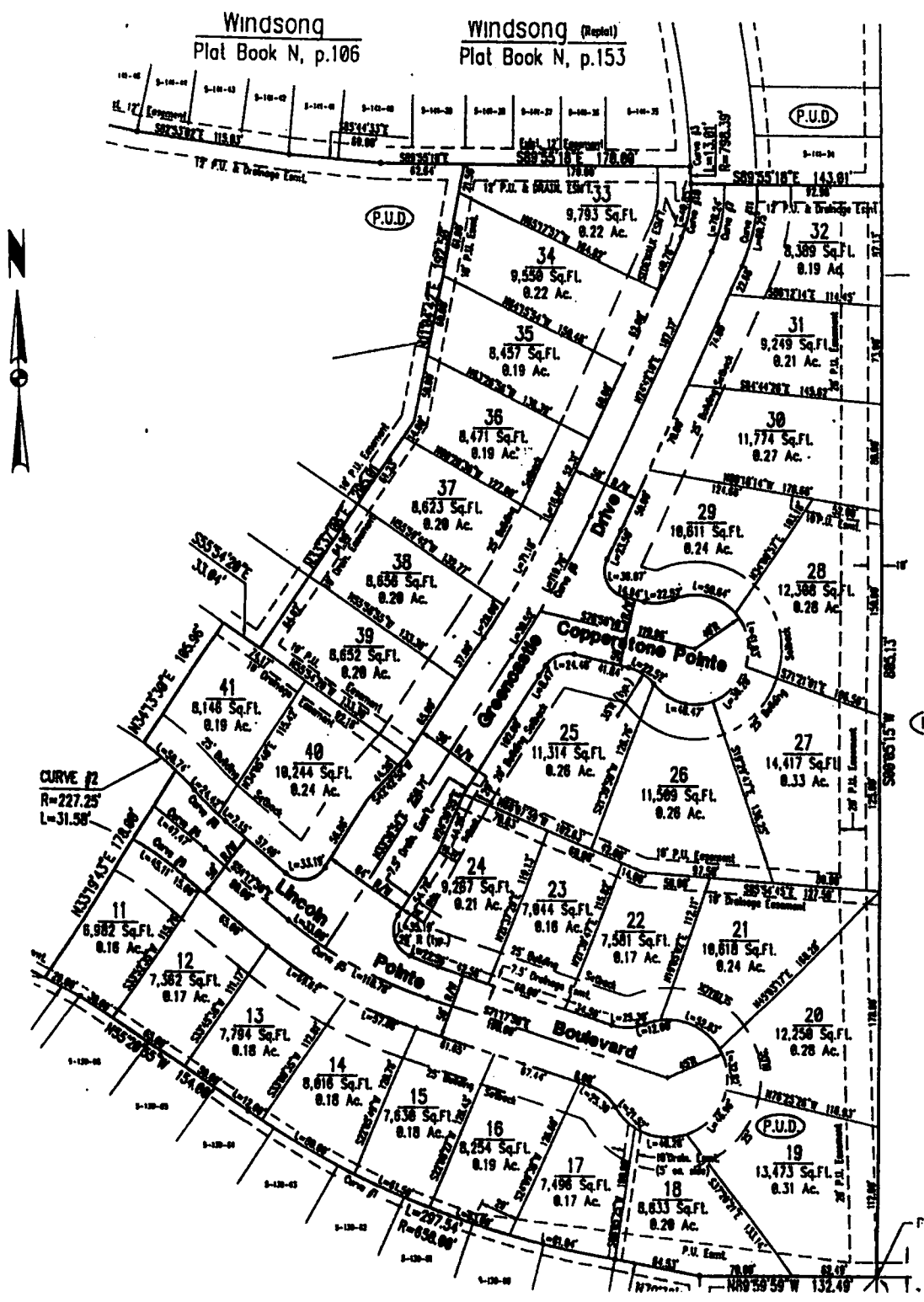
Encls: as stated

cc: Bill Jagoe
John Stoll-Vanderburgh Co. Engr.
File

tcmlsoll 2605str

Lincoln Pointe Sec. 2

A Subdivision of Indian Woods P.U.D.



RESOLUTION OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY REGARDING TEMPORARY
WORKSITE SPEED LIMIT ON NORTH GREEN RIVER ROAD

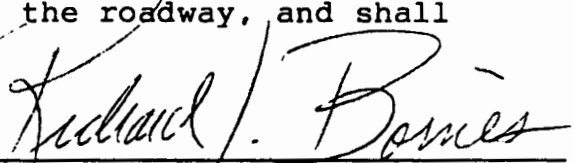
Whereas, a potentially hazardous condition exists along certain portions of North Green River Road in the vicinity of worksites along said road; and,

Whereas, Indiana Code 9-21-5-11 authorizes the establishment of temporary maximum speed limits in the vicinity of worksites by local authority;

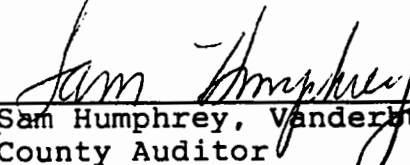
BE IT HEREBY RESOLVED that the temporary maximum speed limit on North Green River Road, from its intersection with Morgan Avenue to its intersection with Green River Court, is established at 35 (thirty-five) miles per hour.

This resolution shall become effective after it has been adopted by the Board of Commissioners of Vanderburgh County and signed by its President, and when appropriate signs or signals giving notice of the temporary speed limit have been erected along the affected part of the roadway, and shall remain in effect, until rescinded.

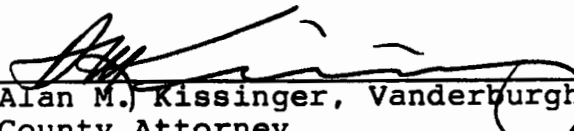
DATE: September 13, 1993


Richard Borries, President
Vanderburgh County Commissioners

ATTEST:


Sam Humphrey, Vanderburgh
County Auditor

APPROVED AS TO LEGAL FORM:


Alan M. Kissinger, Vanderburgh
County Attorney

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, SEPTEMBER 3, 1993 THRU THURSDAY, SEPTEMBER 9, 1993

FRIDAY, SEPTEMBER 3, 1993

One crew cleaned paver and distributor at the garage.
Gradall & three crews repaired shoulders and widened road on
Scott Road.
Tree crew worked on work orders.
Grader, payloador and three crews repaired shoulders on Old
Henderson Road.
Rock crew rocked mailbox approaches and drives.
Tiger mower worked on intersections

MONDAY, SEPTEMBER 6, 1993

HOLIDAY

TUESDAY, SEPTEMBER 7, 1993

Grader, Gradall and six crews pulled shoulders on Frontage and
Schmitt Lane.
One crew worked on County Line East and West.
Two patch crews worked on work orders on O'Hara Drive.

WEDNESDAY, SEPTEMBER 8, 1993

Two tree crews worked on Kleitz, Kasson and 1800 Schlensker.
Payloador, grader and three crews pulled shoulders on County Line
East, Huebner and Hornby.
Gradall and one crew installed culvert at 8646 St. Joe and
Frontage Road.
Tiger mower and Cycle mower worked on St. Joe, Volkman, Baseline,
Seven Hills, Cemetary and Barton Roads.
Two crews worked on landscaping St. George Road.
Trash crew ran regular routes.

THURSDAY, SEPTEMBER 9, 1993

Payloador, grader and five crews pulled shoulders on County Line
East and Huebner.
Two crews worked on landscaping St. George and Bergdolt.
Two tree crews worked on Hornby Road.
Gradall and one crew installed culvert at 1203 N. Red Bank.
Trash crew ran regular routes.
Cycle mower and Tiger mower worked on Dieffenbah, Schlensker and
Barton Roads.
Weed crew worked on Ridgeway, Felstead and Broadway.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, SEPTEMBER 3, 1993 THRU THURSDAY, SEPTEMBER 9, 1993

FRIDAY, SEPTEMBER 3, 1993

Crew #1 - pick up barricades on Boonville New Harmony, clean drains at Commercial Ct. and along St. Joe Avenue.
Crew #2 - clean drains in Evergreen Acres, build curbing on Frontage Road.

MONDAY, SEPTEMBER 6, 1993

HOLIDAY

TUESDAY, SEPTEMBER 7, 1993

Crew #1 - build drop boxes on Allens Lane, spray guard rail and bridges on Mesker Park Drive.
Crew #2 - straighten yard, load dirt, remove forms from Frontage Road, haul dirt to St. George & Whispering Tree Lane.

WEDNESDAY, SEPTEMBER 8, 1993

Crew #1 - concrete boxes on Allens Lane, install culvert on St. Joe Avenue.
Crew #2 - landscape on St. George culvert, grass, seed, and straw, pick up straw for St. George Road.

THURSDAY, SEPTEMBER 9, 1993

Crew #1 - install culvert at 1203 N Red Bank, pick up signs.
Crew #2 & Backhoe - install drop box, seed and straw St. George.

**VANDEBURGH CO.
HEALTH DEPARTMENT**

INTERDEPARTMENTAL CORRESPONDENCE

**TO: Rick Borries, President
County Commissioners**

**FROM: Sam Elder, Director
Vanderburgh Co. Health Dept.**

DATE: September 1, 1993

RE: Contract

This Contract was written for Animal Control by the City Attorney, and reviewed by Keith Rounder. It will be submitted to the County Board of Health at its next meeting.



LAW DEPARTMENT

1911 Lincoln Avenue / P.O. Box 2630
Evansville, Indiana 47728
(812) 473-0081, 473-0091
Fax No. (812) 474-1559

Frank F. McDonald, II
Mayor

Send Response To:
Suite 505
123 N.W. Fourth Street
Evansville, Indiana 47708
(812) 423-4441

July 20, 1993

Mr. Hadyn Angle
815 Uhlhorn Street
Evansville, IN 47710

Re: Contract for Veterinary Services

Dear Gene:

Enclosed herewith please find the original of the agreement I have prepared for Dr. Butler for the provision of Veterinary Services to the Animal Shelter. I believe I distributed this at a board meeting; however, if that is not the case, you could let any of the members of the commission and certainly Dr. Butler review the document for any comments and changes.

As we discussed in our telephone conversation, I have prepared this for the signature of the Vanderburgh County Board of Health in that your budgetary line item for this contract is in their budget. I believe it should be approved (although not signed) by the commission before being forwarded to the County Board of Health.

I am also enclosing a Uniform Conflict of Interest Disclosure Statement that was prepared and signed by Dr. Butler. Paragraph 8 of the conflict disclosure statement will need to be signed by the Mayor and paragraph 9 will need to be filled in as to the date the disclosure statement is submitted and the date of action on the contract. Although the County Health Department is going to sign the contract because this is coming about through the Animal Commission, I believe we should go ahead and file the disclosure and have the Mayor approve it. Once it is signed, the bottom of the second page indicates where copies need to be filed.

If you have any questions or comments, contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'DAB', followed by a horizontal line.

David Bunner
Attorney At Law

Enclosures

gl

cc: Leslie Blenner, City Controller

AGREEMENT FOR VETERINARY SERVICES

This Agreement is made and entered into this _____ day of _____, 1993 by and between the Vanderburgh County Board of Health (hereinafter Department) and Animal Medical Services PC (T.C. Butler, DVM), to provide veterinary services to the Evansville Animal Shelter.

For and in consideration of the promises, terms, covenants, and agreements contained herein the parties hereto agree as follows:

ARTICLE I. SCOPE OF SERVICES

Animal Medical Services PC agrees to provide veterinary services to the Evansville Animal Shelter as and when needed for injured or sick animals in the possession of the Evansville Animal Shelter.

The services to be provided are as follows:

- a. To provide basic life support care for injured animals picked up by Animal Control.
- b. To provide judicious use of tranquilizers, sedatives, and pain medications to injured animals.
- c. To provide basic support for broken limbs with the use of bandaging, splints and/or casts.
- d. To provide basic wound care including bandaging or suturing.
- e. To provide medications for animal treatment at the shelter as necessary and while animals are detained at the shelter.
- f. To provide the animal shelter an itemized list of charges for services rendered hereunder.
- g. To provide the animal shelter with on site visits as deemed necessary by the Animal Control Officer; to provide Emergency Care at the offices of Animal Medical Services PC, the Animal Shelter or at other locations as agreed upon by the parties.

ARTICLE II. COMPENSATION FOR SERVICES

Animal Medical Services PC shall be compensated for the services rendered to the Animal Shelter as follows:

- a. Cost of medications dispensed plus ten percent (10%) of cost.
- b. A base fee of Forty Dollars (\$40.00) per hour for services rendered.
- c. For services rendered after 6:00 P.M. Monday through Friday to 8:00 A.M. the following day and from Noon on Saturday through 8:00 A.M. Monday the base per hour fee shall be Fifty-Five Dollars (\$55.00).
- d. Three Dollars (\$3.00) per use of gas anesthesia machine, x-ray machine or surgery pack.
- e. Considering the charges outlined above, the per animal charge will be Forty (\$40.00) to Sixty (\$60.00) Dollars. Anticipated charges in excess of Sixty Dollars (\$60.00) will be conveyed to the Animal Control Officer in advance for his approval.
- f. Animal Medical Services PC acknowledges that it understands its charges are subject to appropriation and budgeting and charges for services will not exceed on an aggregate basis the properly budgeted and appropriated amounts.

ARTICLE III. DURATION AND TERMINATION

This Agreement shall be in full force and effect from the _____ day of _____, 1993 and shall terminate without notice on the 31st day of December, 1993.

The parties may by mutual written agreement extend the terms and provisions of this Agreement from year to year commencing January 1, 1994. To provide for a continuation of the services provided and the charges allowed for herein.

Any party may terminate this Agreement, with or without cause, by giving written notification to the other party thirty (30) days prior to such termination.

This Agreement is executed by the following persons on the dates indicated:

DATED: _____

ATTEST: _____

DATED: _____

ATTEST: _____

CLAIM No. WARRANT No.

IN FAVOR OF
NAME AND ADDRESS

KAHN, DEER, DONOVAN & KAHN
305 UNION FEDERAL BUILDING
POST OFFICE BOX 2446
EVANSVILLE, IN 47702-2446

I have examined the within claim and hereby certify
as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon contract.
statutory authority.

That it is apparently correct.
incorrect.

Auditor

23.10

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 130-3619

PURCHASE ORDER NO.

INVOICE NO. KODK 9/13

PURPOSE

Allowed 19

In the sum of \$

Richard J. Borries

Commissioners County

I certify that the within bill is true and correct; that the supplies and materials therein
itemized and for which charge is made were ordered by me and were necessary to the
public business; that each and every item has been delivered to me at prices mentioned
and was in accordance with contract, except:

9/13

19 93

Richard J. Borries

Warrant No. _____

Claim No. _____

Date _____

IN FAVOR OF

Vendor Name UNITED CONSULTING

Vendor No. 1262

\$ 21,771.06

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Cal. River Co.

Account No. 216-4910

Allowed _____ 19____

In the sum of \$

Richard J. Bonis
Patricia J. Julez
Stacy Hurd

Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Sept 10, 1993

John A. Stoll
Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>#17</u>	<u>-</u>	<u>8/26/93</u>	<u>216-4910</u>	<u>21,771.06</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 21,771.06

Date _____

IN FAVOR OF

Vendor Name UNITED CONSULTING

Vendor No. 1262

\$ 22,067.54

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name COL - DEL DRth / C

Account No. 203-4353

Allowed _____ **19**_____

In the sum of \$ 1.00

the sum of \$

Richard J. Barnes
Patricia J. Jolly
Ann & Hunter

Board of Commissioners

I hereby certify that the within bill is true and correct, that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Sept 10, 1993


Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
#10	-	8/26/93	203-4353	22,067.54
TOTAL				22,067.54

CLAIM No. WARRANT No.

IN FAVOR OF
NAME AND ADDRESS

RW. ARMSTRONG
2801 S. PENNSYLVANIA ST
INDIANAPOLIS, IN
46225-2022

\$ 2452.50

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 203-4348

PURCHASE ORDER NO. —

INVOICE NO. 19621

PURPOSE STRINGTOWN Rd. Be #12

Allowed 19

In the sum of \$
Richard L. Barrios
Nataniel J. [unclear]
[unclear]

Commissioners County

I have examined the within claim and hereby certify
as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon ^{contract} statutory authority.

That it is apparently ^{correct} incorrect.

Auditor

Sept 10 1993

[Signature]

and was in accordance with contract, except

I certify that the within bill is true and correct; that the supplies and materials therein
itemized and for which charge is made were ordered by me and were necessary to the
public business; that each and every item has been delivered to me at prices mentioned.

1490

CLAIM No. WARRANT No.

IN FAVOR OF

Sam Oxley & Company
P.O. Box 743

JASPER, IN 47546

• 42,176.67

ON ACCOUNT OF APPROPRIATION

For DARMSTADT Rd. Br. # 214

203-4342

Allowed _____ **19** _____

In the sum of \$

Richard J. Barnes
Patrolman
New York State

Commissioners _____ **County**

**I have examined the within claim and hereby certify
as follows:**

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon contract.
statutory authority.

That it is apparently correct.

Auditor

I certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned and was in accordance with contract, except.....

Sept. 10. 1993

Griffith

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
118944	—	9/1/93	203-3930	350. ⁰⁰
TOTAL				350. ⁰⁰

**MINUTES
COUNTY COMMISSIONERS MEETING
SEPTEMBER 20, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m.	1
Introductions & Pledge of Allegiance	1
Rejection of Bid/Perform Title Searches for 1993 Tax Sale ... (To be re-advertised)	1
Floodplain Management Ordinance/Final Reading	1
County Attorney/Alan M. Kissinger..... Authorization to Negotiate Settlement in the Guthrie May/Bauer Case in amount of \$53,000	2
Superintendent of County Buildings/Mark Abell	4
Update on Telephone Systems	
County Highway/Bill Morpew	4
Weekly Progress Report	
Paving Program Update	
Request to Review Permit Process (J. Stoll to research)	
County Engineer/John Stoll	6
Notice to Bidders/Garage Roof Repairs (Bid Opening Scheduled October 11th; project to be completed December 1st)	
North Green Subdivision/Street & Storm Sewer Acceptance (approved)	
Willow Creek Subdivision/Street Plans (approved)	
North Green River Rd. Project (J. Stoll to continue to monitor the situation)	
USI Project Update	
Orchard Rd. (should be open this week)	
Consent Agenda	8
Old Business	8
Auditorium Task Force (Commission to attempt to finalize details so official action can be taken next week)	
New Business	8
Letter to Be Sent to Firms/Riverboat Gaming Issue	
Meeting Recessed @ 6:30 p.m.	9
Meeting Reconvened @ 7:00 p.m.	9
Rezoning Petitions	9
VC-14-93/Petitioner, Schroeder Inc. (First Reading) (approved)	
VC-15-93/Petitioner, Aaron Enterprises, Inc. (First Reading (approved)	
VC-12-93/Petitioner, Gayle C. Ellison (Third Reading) (approved)	
VC-13-93/Petitioner, Bruce Biggerstaff (Third Reading) (approved)	
Meeting Adjourned @ 8:15 p.m.	19

MINUTES
COUNTY COMMISSIONERS MEETING
SEPTEMBER 20, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, September 20, 1993 in the Commissioners Hearing Room with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Supt./County Bldgs., Attorney Alan Kissinger, Commissioner Tuley, himself, Commissioner Hunter, County Auditor Sam Humphrey and Joanne Matthews, the Official Recording Secretary. He subsequently asked the group to stand for the Pledge of Allegiance.

Mr. Borries then asked if there are any individuals/groups present today who wish to address the Commission, but do not find their particular item of interest on this evening's agenda. There was no response from the audience.

RE: REJECTION OF BID/PERFORM TITLE SEARCHES FOR THE 1993 TAX SALE
(TO BE RE-ADVERTISED)

Commissioner Borries said we have a report regarding the awarding of a contract to Perform Title Searches for the 1993 Tax Sale. He asked whether Auditor Humphrey or Attorney Kissinger will be making this report.

Auditor Sam Humphrey said they are going to reject the Bid from Evansville Titles Corporation until such time as they file on the proper bid form.

Attorney Kissinger said what Auditor Humphrey might do on this is to request that they give us a unit price.

Commissioner Borries asked if Auditor Humphrey is recommending the bid be rejected.

Attorney Kissinger said he thinks we should reject the bid in consideration of the fact it was not submitted in proper form. It is not responsive to the invitation. We can then re-issue the invitation to bid on the proper forms.

Auditor Humphrey asked if we will have to re-advertise.

Attorney Kissinger responded that it will be necessary to re-advertise.

Commissioner Borries entertained a motion to reject the bid from Evansville Titles Corporation and authorize re-advertising.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: FLOODPLAIN MANAGEMENT ORDINANCE/FINAL READING

Mrs. Barbara Cunningham of the Area Plan Commission was recognized and stated the Commissioners have in their packets a letter of explanation on the Floodplain Management Ordinance. "Quite simply, what this is, the County, the State of Indiana and the

Department of Natural Resources and the Federal Emergency Management Agency (FEMA) require that we update our Ordinance to reflect some changes that they have made. We do participate in the National Flood Insurance Program by having adopted and enforced Floodplain Management Regulations and these regulations are to guide development and control land use in flood hazard areas by decreasing existing and mitigating factors and flood damages. Because of our City's and County's participation in the National Flood Insurance Program, insurance coverage is available for most homes or businesses. As of December, 1992, in Evansville there were 279 flood insurance policies in effect providing \$20 million worth of protection. They pay us an annual visit -- the Department of Natural Resources -- and FEMA pays us an annual visit to see if we are in compliance and to see if our Ordinances are in compliance and to see if our permitting process is in compliance. After this visit they asked that we reflect some new FEMA changes and so that is what you see in front of you -- all the changes that FEMA has requested. On August 4, 1993, the Area Plan Commission unanimously approved these changes."

For the record, Commissioner Borries said we have conducted First and Second Readings on this matter and at this time we are ready to take official action amending the Floodplain Management Ordinance. He then entertained a motion.

Motion to so approve was made by Commissioner Hunter, with a second from Commissioner Tuley.

President Borries then asked if there is anyone in the audience who wishes to speak either for or against this Ordinance. There being no response he asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. Ordinance approved by unanimous affirmative roll call vote. So ordered.

Mrs. Cunningham said she is prepared to talk about the Thoroughfare, but will talk about this next week.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Authorization to Negotiate Settlement in the Guthrie May/Bauer Case: Attorney Kissinger said he guesses this comes under the heading of tooting his own horn, in consideration of the fact he is the County Attorney who is handling all the condemnation cases. We are down to the point now that we have two (2) Green River Rd. cases, one (1) USI case, and one (1) Lynch Rd. case still pending. That is four condemnation cases still pending that are not in the process of settlement out of probably more than a dozen that we had at the beginning of the year. He is going to recommend a request for authority to settle the last condemnation case on Lynch Rd., which is referred to by us as the Guthrie May/Bauer case. It is the property that was initially owned by Guthrie May that was later purchased by Mr. Al Bauer. And the Court Appointed Appraisers came back with an appraisal of \$88,000 in damages. We had previously offered \$39,100 in order to settle. We have now consulted with our Appraiser and we have an offer of settlement from the Defendant and his Attorney, Mr. Edward Johnson. He would request permission of the Commissioners at this time to attempt to negotiate a settlement to this case for the total amount of \$53,000.

President Borries entertained questions. There being none, he entertained a motion for approval to authorize Attorney Kissinger to negotiate in this manner.

Motion to this effect made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

President Borries asked if Attorney Kissinger feels there could be some negotiation slightly above -- or is this what maybe he would consider a top.....

Attorney Kissinger interrupted, "I feel at the present time that I would not be justified in offering to settle for more than that figure unless some additional element of damage can be shown -- or unless we go out and request another updated appraisal, which, in turn, will cost us more

money. So I think at the present time it is a very reasonable offer in consideration of the fact that this case is nearly a mirror image of the case that was tried to a jury and \$53,000 is exactly the amount that jury awarded on the other side of the highway. So I think it is a totally appropriate figure."

President Borries, "I would concur with your remarks. I guess where I have some real concerns on this -- you get appraisals from the property owner's side; then the County goes through appraisals and we're required to go through Review Appraisals. Then if that doesn't work when we negotiate, the Court appoints more appraisers. So, conceivably, we end up with at least three appraisals and probably five, if it were known."

Attorney Kissinger said, "Right."

President Borries continued, "It seems to me -- I know this will have to involve some state law but, frankly, the County can't hire -- we hired Mr. David Matthews, a Certified Appraiser, and I just want to again publicly say for the record that I am not sure it is in the best interest of the taxpayers in this community to see sometimes a Court Appointed Appraiser come in with figures that seem to be way out of line with what other properties' values have been appraised at before. So I think you are right on target and I just want to express my concern on that. I feel that really demands some state attention -- because it seems like we're spinning our wheels and wasting a lot of money on appraisals where, frankly, some of these are way out of line here."

Attorney Kissinger said, "And I believe that was brought home very clearly in the last trial we had, because the jury basically looked at that very situation and said to the Court Appointed Appraisers and to the Defendant's appraisers, 'We just can't accept your figures'. So they were that far out of line."

Commissioner Hunter asked, "Are the Court Appointed Appraisers certified appraisers?"

Attorney Kissinger responded, "Not in every case, no."

Mr. Hunter asked, "So there is no criteria that they have to be certified?"

Attorney Kissinger replied, "The only criteria for the appointment of appraisers by the Court is that they be freeholders in the County."

Mr. Hunter asked, "But they don't have to be professional appraisers -- and gone through all the things that, for example, David Matthews (as you mentioned) has?"

Attorney Kissinger replied, "No."

Mr. Borries said, "And what almost seems nonsensical about this is that you could have those kinds of people overruling someone who is a licensed professional in the field and that is incredible when you think about it."

Attorney Kissinger said, "I certainly am not an apologist for appraisers, but in reviewing these various cases that I admittedly inherited from the other Attorneys, one of the most consistent things I found about these cases were Mr. Matthews' appraisals. I mean, he can defend his appraisals at every angle. I just had every confidence in his appraisals. So I agree, the Court Appointed Appraisers have, in some cases, come back with appraisals that cannot be defended."

Commissioner Borries said, "Well, I intend to voice my concerns -- and perhaps the other Commissioners would want to voice their concerns -- to their State Representatives because, again, I don't know how this operates in other counties. But I do know that when you're in the business of purchasing some property for road projects and other public uses, that it just seems to me to have people who really don't have the qualifications, in effect, overruling people who, by law, have been certified to do this certainly doesn't make sense to me."

Attorney Kissinger said, "I think the procedure has become outdated."

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Update on Telephone Systems: By way of a brief update on the telephone system, Mr. Abell said we are on schedule. We've had some training and will have the bulk of the employee training in November for the new telephones --with one side note. He thinks there are a couple of departments that he wishes were in on this with us that are technically Joint Departments -- but are City operated. He guesses, most notably, the Emergency Management Agency. If there is any way we could get them to come along with us on this change, he thinks it would be worthwhile to do that. But it is City operated. He guesses it is something to think about. Everything else is fine and he has nothing else to report.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Borries asked that the record reflect that Mr. Morphey has submitted his Weekly Progress Report for period of September 20, 1993 thru September 15, 1993.....report received and filed.

Paving Program Update: Mr. Borries requested an update on the paving program. Mr. Morphey said they have just about completed County Line Rd. West -- and they got rained out today. It should be completed tomorrow and they will make another move. They also have Frontage Rd. completed on Hwy. 65 going west. It is a nice road to travel on.

Commissioner Hunter interjected that he had a call yesterday morning from Ray Schmitt on County Line Rd. West. There was a big social at St. Wendell Church yesterday and he thinks the guys at the County Highway were scheduled for Sainthood. That is how excited they are over County Line Rd. West. So it's kind of nice for people to be that happy over something.

Commissioner Tuley said he received the same call. Mr. Schmitt was most appreciative.

Mr. Morphey said he was very appreciative. He visited his brother-in-law's house on Sunday and said the same thing. It's nice to hear.

Mr. Borries entertained questions of Mr. Morphey. There were none.

Mr. Tuley said he just wants to thank the County Highway crew for the fine job they did on County Line Rd. West.

Mr. Borries said as quickly as we can, we should begin to look at posting of signs along that area. Maybe need to work that out with Posey County -- and he can work with John Stoll on this. He guesses the speed limit would be 45 mph along there? There's also striping. He has some concerns on that pavement -- with no lighting out there. Perhaps we can get the striping done pretty quickly, too.

Mr. Morphey said he would assume the only bad stretch is from Baseline Rd. to Schmitt Lane.

Request to Review Permit Process: Mr. Jim Morley was in the audience. He said he doesn't know whether the Commissioners have noticed this or not, but in the last year there has been a proliferation of roadside ditches that are being covered over by homeowners and they're installing flexible plastic pipe. In many cases they are doing so without inlets. And, as such, they are forcing the water to run out right along the edge of the pavement -- right along the asphalt -- which causes erosion and on many of these pipes he doesn't think they go through the permitting process. He thinks it is a problem that this continues to grow, because each person seems to be trying to put the water off onto his neighbor without providing an inlet box on what he installed and nothing is sized. He doesn't know how Bill feels about that, but he thinks it is a problem that is going to have to be looked at pretty soon, because he already is seeing what he thinks might be some damage along our roads where the water is running right along the edge

of the blacktop and washing out the shoulder -- because it cannot flow in the ditch where it once did.

Mr. Morpew said we do have that problem in areas. We stress for people to get permits for driveways or even if they're going to put pipe in a ditch. And we also.....

Mr. Borries asked if it's in County right-of-way along that ditch?

Mr. Morpew responded, "It's in County right-of-way."

Mr. Borries said that is illegal; that is County right-of-way and they can't be doing that.

Mr. Morpew said, "If they go through the permitting process we can control that. We can put the pipe in and the elements also. What he is talking about is that contractors are going out and putting this in for residences and they are not putting inlets in. In some places we've had some problems with that and we've had to send letters through the Engineer's office to the resident and ask him to remove the pipe or the County Highway Department would move it. It has to be installed properly and it has to meet County specs. There have only been a couple of times that we actually had to move the pipe -- but we have had to."

Mr. Borries said, "That is the whole purpose for those ditches. They act as a way -- particularly if the berm is pulled back -- where we keep water off the road. Because there is nothing worse than having standing water on the road, particularly in winter when it would freeze. Secondly, because it will begin to alligator the pavement where you have cracks and ruin your base."

Mr. Tuley asked if the permitting process is by ordinance?

Mr. Morpew said he was told there is no law to make someone replace their culvert. If they have a driveway culvert that is blocked up, causing water to back up and go across the road or something like that -- there is no legislation, no ordinances on the book to make someone replace a culvert. The only thing he can do -- and we have done it -- is he goes through John Stoll (the Engineer's office) and has a letter sent to the homeowner, telling them they have to replace the culvert within thirty (30) days or we will open the ditch -- because we have to have proper drainage. In most cases so far, everyone has complied. There are times when, as Mr. Morley stated, people put pipe in the ditch. Whenever we see this and have water backing up and we have to investigate to see what the problem is, if it requires putting an inlet in -- that is what we do. But anyone who calls the County Highway is told to go through the County Engineer's office to get the permit and the inspector will go out and size the pipe to make sure it is the proper size. There are times when I have to ask Valerie (the design engineer) to go out and size the pipe -- but we have to do that.

Mr. Hunter said he is confused. There must be an Ordinance somewhere -- if there is a permit process. What is the purpose of the permit?

Mr. Morpew said there is no cost --

Mr. Hunter interjected, "But there had to be some kind of an Ordinance passed in order to require a permit, didn't there?"

Can they require a permit without something having been done prior to that? It doesn't sound right, does it?"

Commissioner Borries said we need to research that.

Mr. Morley said he obtained three during the last month -- out on Old State between Caranza Drive and the bottom of the hill.

Mr. Tuley said there was a problem out there last year already.

Mr. Morley said that is correct. That was down by Eissler Rd., which was left a long time. Now there are three more of them during the last month.

Mr. Morpew said the one on Caranza was never put in there. We put that one in. There were some on down the road with pipe in the ditch that we did not put in. The homeowners did that. The pipe was laying in the open ditch.

Mr. Morley said he knows aesthetically it makes it look better -- but it's hard on those roads.

Commissioner Tuley said, "Well, it erodes the shoulder first and then gets underneath the pavement and then we've got a problem."

Mr. Morpew stated, "Well, it's a problem all the way around. In the winter, if the water backs up and goes across the road it will freeze. We did have that problem on Koressel Rd., and we've taken care of that. But there are several areas like that and the water will back up and go across the road and the next thing you know you have a patch of ice and it's hazardous."

President Borries asked, "If we have a permitting process, as Commissioner Hunter has pointed out, there has to be some kind of Ordinance basis for that. So could you all research this? If it's on County right-of-way, they have to get permission from the County. But there has to be some kind of Ordinance that at least outlines what this process is all about. If there is not and it has just kind of grown up from tradition or whatever then we need to take some steps to clarify here what people can do."

Mr. Morpew stated, "The only thing I've seen, three years ago Greg Curtis sent a letter to the County Highway Department (at that time he was the County Engineer) stating they were having problems with driveway culverts and people putting pipe in the ditch. They were putting in a little bit of everything -- water heaters, 55-gallon drums -- whatever would suffice to run water through -- and he asked us to go with either aluminum, concrete or double strength plastic -- which I felt was a very good idea. And we've been complying with that. As I say, the permit process is to access a County road. That is what it says on the permit. That's to keep people from filling in the ditch and cutting a driveway in and not having drainage. I do think we need to go a little further with that."

President Borries stated, "Well, Mr. Morley has brought it to our attention and I think it is something that we certainly need to research -- because I don't see where the County will be better served by having our roads deteriorate if people are literally draining out onto them. We just can't do that. Bill, can we research that?"

Mr. Morpew responded affirmatively.

RE: COUNTY ENGINEER - JOHN STOLL

Notice to Bidders/Garage Roof Repairs: Mr. Stoll said he needs to get this signed so Joanne can advertise it this week. We will take bids on October 11th and the specs call for them to have the roof completed by December 1, 1994. There was a question last time around, but he thinks everything has now been resolved. Hopefully, we'll get it done this time.

A motion was entertained.

Motion to approve the Notice and authorize advertisement of same was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

North Green Subdivision/Phase I/Street & Storm Sewer Acceptance: Mr. Stoll said this would be acceptance of 145 l.f. of Forest Green; 547 ft. of Greendale Drive and 961 ft. of Hunter's Green. He also has storm sewer amounts here. Jim Morley brought this to him just prior to today's meeting. Mr. Jagoe is prepared to pay the \$444.00 for the 886.7 l.f. of storm sewer and the \$559 for the maintenance of the parameter of the retention basin for a total of

\$1,003.00. The streets were all constructed to the design plans and he would recommend approval.

Motion to approve the request made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Mr. Stoll said there's been a question also from Mr. Morley about the ongoing acceptance of this 50 cents per lineal foot. This is something he is going to check into. The kind of fund it is and what all it involves. There may be some revisions that need to be made to the Ordinance, as well, on that section.

Commissioner Borries said he thinks there should be. The intent originally was, if he can recall all of that, was to set up a way when problems begin to occur along certain areas that were going to become public right-of-way and the County simply didn't have any funds to make some of these repairs - that these would be placed into accounts and used then wherever. But it also can be a bit of an accounting nightmare, particularly if you happen to set up a whole huge amount of all kinds of account numbers for roads all over the County which, frankly, do not address all roads in the County -- specifically if they are designed to be used in certain areas. And it may not be enough money in all cases to handle the situation. So, yes, he thinks it does need to be looked at.

Commissioner Hunter said, "Jim Morley, you and I have talked about this numerous times and I think we agreed that the 50 cents is not enough and it is an issue that needs to be dealt with."

Mr. Morley said, "The Ordinance -- I think it wouldn't hurt to clarify. The problem, of course, is that the Commissioners don't want to take on the maintenance -- cleaning the mud and mowing the grass and that kind of thing. However, you can't reasonably expect a homeowner if a concrete pipe collapses in his lot and breaks open -- you know, he is not prepared to go in and fix that concrete pipe -- so the fund was set up so you'd have something to draw from to go fix that concrete pipe. And because the Ordinance doesn't say anything one way or the other, it would help everybody if that were clarified."

The Commissioners also concurred.

Mr. Stoll said that he will look into that, as well.

Willow Creek Subdivision/Section "C"/Street Plans: Mr. Stoll submitted the street plans for perusal, noting it has two short cul-de-sacs and the extension of the main street, Willow Creek Drive. This is out in the Streuh-Hendricks area. It is his recommendation the plans be approved. Developer will use concrete and there are 4% grades.

Motion to accept the street plans was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

North Green River Rd. Project: Mr. Stoll said he likes the comments Mr. Stoll made on the North Green River Rd. project in the media and he knows he is monitoring the situation very closely.

Mr. Stoll said we've gotten some pretty good coverage by the media, just trying to make people aware of the potential delays that will be encountered in that area. Hopefully, that will help.

Mr. Borries said as long as he's been a member of this Board, he can recall you make some hard choices. If you cut off a road and simply get it all done, it really has a tremendous negative effect on businesses. If you leave it open to try to accommodate them, you just hope people will keep a positive attitude -- because as long as there's traffic and movement it's not going to go as fast. We're at a critical point to where if everybody will just hang in there and we can get through this -- hopefully in another month it will all be open and we won't hear the complaints. But this is a critical time here.

Mr. Stoll said he's already received requests for additional crossovers for northbound and southbound lanes. If we do that, it will just slow the project down -- because it won't give the contractor room to work.

Commissioner Hunter said he understands Mr. Koester is also looking for additional trucks.

Mr. Stoll stated Mr. Koester said this morning he thinks he has some lined up.

Mr. Hunter said that is another item we have no control over.

Mr. Borries said Mr. Stoll is monitoring the situation and has made some clear statements to try to help advise people. Again, progress is not easy. Nonetheless, he appreciates Mr. Stoll's work on that.

USI Project Update: Mr. Borries asked how we're coming along with this project. When Fred P'Poole was in a week ago they were moving a lot of dirt and moving right along.

Mr. Stoll acknowledged they are moving right along.

Orchard Rd.: Mr. Stoll said they tell him that Orchard Rd. will be open this week.

Mr. Borries said we ought to have a ribbon cutting for that project. Of course, people might be throwing darts out there, too.

RE: CONSENT AGENDA

The meeting continued with President Borries asking if the Commissioners have questions concerning the Consent Agenda.

Mr. Hunter raised question concerning Commission's request for Transfer of Funds.

Mr. Borries said we had some available money in the Insurance Account to transfer to EMA, Soldier's Burial, Legal Advertising and the Copy Machine. We still have some bills hanging out there. It's a very tight situation. He knows the County Council has asked everyone to examine their budgets.

Motion to approve the Consent Agenda, as presented, was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: OLD BUSINESS

Auditorium Task Force: President Borries noted we've had a lot of interest in serving on this Auditorium Task Force and it promises to have individuals with some really diverse backgrounds, yet an ongoing interest to serve on the committee. He would like to take some official action to approve that Committee at next week's meeting. If the Commissioners could finalize all of their recommendations this week, they will try to take official action at next week's meeting under Old Business.

Mr. Borries entertained further matters of Old Business to come before the Board. There were none.

RE: NEW BUSINESS

Letter to Firms/Riverboat Gaming Issue: Mr. Borries said he would like for the Commissioners to consider authorization for a letter to those firms who have expressed interest regarding this riverboat gaming issue. The issue, itself, is obviously going to -- could have a major impact should it pass on the City of Evansville. However, this office has been contacted by at least three of the firms that have expressed interest in this county. It is a county-wide election and

because there are lots of decisions and, certainly, we also have needs as evidenced with our Vanderburgh Auditorium and we have actively participated with the City of Evansville and a host of people on the Pigeon Creek Greenway Project -- that he would like to express interest in having them stop by and, with the other Commissioners' permission, again, submit some of those proposals for the Board's review.

Both Commissioners Hunter and Tuley expressed agreement.

Commissioner Borries said he will draft a letter and he would like for all of the Commissioners to sign the letter -- asking them to provide the Board with information as to their intent, as well as give us the opportunity to express to them that Vanderburgh County also has some items of need for economic development purposes.

Commissioner Hunter said, "Let's face it, we've got a building across the street that could very well be a key planner in this whole."

Mr. Borries said, "Surely, and it is part of the downtown area."

The meeting proceeded with Commissioner Borries entertaining further matters of New Business.

Acceptance of Check: Mr. Borries said that B.J. Farrell has asked to include in the record a quietus for a check from Koester Contracting for their rental of property on Green River Rd.

Motion to accept the quietus was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

There being no further business to come before the Board at this time, at 6:30 p.m. President Borries declared the meeting recessed and stated the Board will reconvene at 7:00 p.m. to hear Rezoning Petitions. (The Commissioners proceeded to execute documents from the Commission Meeting and Mr. Abell exited the meeting.)

At 7:00 p.m., the Board reconvened to hear Rezoning Petitions and President Borries called the meeting to order. He stated the Board has before them tonight two (2) Petitions on First Reading and two (2) Petitions on Third Reading.

REZONING PETITIONS

VC-14-93/Petitioner, Schroeder, Inc. (First Reading): Requested rezoning is from Agricultural to C-4. The proposed land use is landscaping and nursery business and lawn mowing service. Mr. Borries entertained comments. There being none, a motion was entertained.

Motion was made by Commissioner Hunter to approve VC-14-93 on First Reading and forward to Area Plan Commission, with a second from Commissioner Tuley. So ordered.

VC-15-93/Petitioner, Aaron Enterprises, Inc. (First Reading): The stated address is 7720 S.R. 57 in Vanderburgh County. The existing land use is Agricultural and requested rezoning is M-2. Proposed land use is parking for adjacent Subtech, Inc., with plans for expansion of Subtech, Inc. facilities. Mr. Borries entertained comments. There being none, a motion was entertained.

Motion to approve VC-15-94 on First Reading was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

President Borries noted the aforementioned petitions will be heard on Second Reading by the Area Plan Commission on Wednesday, October 6th.

VC-12-93/Petitioner, Gayle C. Ellison (Third Reading): Mr. Borries said the common known address is 20 E. Campground Rd. and 100102 Petersburg Rd. So there are actually addresses. Requested rezoning is from C-1 to Agricultural and to C-2.

Attorney Brian Carroll of Johnson, Carroll & Griffith was recognized. He stated, "I am here representing Gayle Ellison, the owner of the property at 20 E. Campground Rd. and 100102 Petersburg Rd. My client is a nurse and, unfortunately, she works at Whirlpool and there was another nurse who was off sick and she had to go to work tonight. In regard to the petition, the property is basically located at the intersection of Campground Rd. , Petersburg Rd. and Stringtown Rd. Since 1973, there has been located on the property a small shopping center, which consists of ten (10) retail spaces of various sizes of use. We're here tonight requesting that the property be rezoned from its present zoning classification of C-1 and Agricultural. There is 1.3 acres that is C-1 and .1 acre of Agricultural to a proposed zoning classification of C-2. The purpose is basically to bring this property up to the present zoning code, which requires that a shopping center be zoned C-2. And I would refer the Commissioners to the Staff Field Report, which states that this area is a commercial node that has residential on both sides - but basically that corner is all commercial of C-2, C-3 and C-4. I have some pictures I'd like to pass out which show the surrounding commercial property. There is across the street a Speedway on the southwest corner and a Pantry on the southeast corner. A little further up on Stringtown is Hotstettler's Tavern. There is commercial property pretty well surrounding it that has similar zoning classifications, if not higher zoning classifications. The Staff Field Report does mention that the County Engineer recommends that the 17.3 ft. driveway on Petersburg should be eliminated. That is basically one EXIT drive. I believe there are three (3) openings onto Petersburg. Two are just regular ingress/egress and the third is an EXIT and our clients don't have any problem with closing that. I believe that would be taken care of in the Staff Field, since it came up."

President Borries asked, "And you're willing to do that?"

Attorney Carroll replied, "Yes, that is no problem."

Mr. Tuley queried Attorney Carroll concerning the soil stability, etc., mentioned in the Staff Field Report -- asking if that is a County Engineer question.

Mrs. Cunningham said that is a question for the Building Commissioners.

Attorney Carroll said, "What they are doing basically is filling behind the commercial buildings so there would be an area to park for the employees of the various retail tenants there. Right now we think there is adequate parking, but it is nice to have parking spaces available right in front of the various retail spaces so the customers can come right in. The plan is to have the space behind filled and eventually use that for employee parking."

Mr. Borries said, "So, in effect, this whole petition does not involve new commercial land -- it is essentially a compliance thing?"

Mrs. Cunningham offered a response, but she was speaking from across the room and her comments were inaudible.

Attorney Carroll explained that this is basically to bring the whole property up to the same zoning. But having a C-2 does give the owner a little more flexibility as far as the uses it does fill in there.

Commissioner Hunter asked, "And what you are saying is that he has to have C-2 to be in compliance with what currently exists?"

Ms. Cunningham again responded from across the room and comments were inaudible.

Attorney Carroll commented, "You know, over a period of time we have tenants that turn over

and different tenants go in there. So it would bring us up to snuff as far as the zoning now so if there was another tenant that went in there -- for all the shopping center uses they would be in conformity."

President Borries thanked Attorney Carroll and asked if there are persons in the audience who wish to speak either for or against this petition. If so, please come to the microphone and state name and address for the record.

Mr. Fred Walz approached the podium and stated he lives on Feltman Drive. He wishes to speak against this petition. To the east side of the plot plan is Feltman Drive. The people on Feltman Drive would be affected by a parking lot back that way. People up where the shopping center is, probably not. "My property is the last part where you go down the hill there on the plot plan, where it narrows to 88 ft. I have the last 100 ft. to the east of that. I am here tonight to ask you not to rezone the area between my house on the west. It is the place that would be most affected if the zoning changes a beautiful wooded area into a parking lot. The lots on Feltman Drive, with the exception of mine, are only 150 ft. deep. In 1950, I purchased an additional 100 ft. by 100 ft. section for the protection of the woods at the rear of my lot. Also, my friend Earl Jeffers, who fronts on Petersburg Rd., bought the 100 ft. by 200 ft. section behind his house on Petersburg Rd. for this same purpose. His lot borders mine to the south. My ground is the final section, where the Ellison property is only 88 ft. wide. Just to the north it increases to 188 ft. No one except myself is here from Feltman Drive, but this is possibly because the owners of the two homes to the north which border Ellison's property were not, to my knowledge, notified of the request to rezone. The three houses south of mine do not have ground touching -- because of the 100 ft. strip belonging to Mr. Jeffers. I am skeptical of the request to rezone for a parking lot. The existing parking lot is adequate for the shopping center and was accomplished by dumping dirt, trash, tires, rock and many truckloads of wood pulp from ground up trees. This was done by the Asplundh Tree Service, which has been dumping for the last year out there. My lot is the last 100 ft. The 180 ft. section to the north, if rezoned, could allow the parking lot to come within 50 ft. to the rear of my home as well as to the two homes to my north. And if, in the future, the Ellisons were to purchase the 100 ft. by 200 ft. from Mr. Jeffers or his heirs, the lot could come to within 50 ft. of all the homes on Feltman Drive to the south of mine. I've been in this location since January of 1942 with the exception of three years I spent in the U. S. Navy during World War II. When I purchased my home in 1941 and an additional 100 ft. in 1950, it was -- and is -- zoned Agricultural and Residential. The ground is low -- mostly down 30 ft. or more from Feltman Drive and it's heavily wooded except for the shopping center and their existing parking lot. The 188 ft. section to my north could be developed for homes. There would be objection to this, as any sensible person would want to leave as much of the woods as possible. It has been my opinion that the Area Plan Commission and the County Commissioners are supposed to protect residential property from unnecessary rezoning to commercial. This area is a beautiful wooded area with old growth and is undeveloped except for the shopping center and their existing parking lot. When I look at the area from the patio at the rear of my home and see the dense woods to the north and a desolate area from my property south to the shopping center -- which is almost all covered by wood pulp and bark and chunks of trees and limbs -- no live trees for the 300 ft. or more up the hill to the shopping center -- I just had to come here and plead with you not to allow anything other than a residential development to the ground not already changed to a parking lot or a dumping ground for wood pulp. Thank you."

President Borries thanked Mr. Walz and entertained questions. There being none, he asked if Attorney Carroll has any response to Mr. Walz.

Attorney Carroll said, "Mr. Walz, the same arguments were raised at the Plan Commission and I basically have the same response -- and that is that we aren't filing this petition to, in essence, put in a parking lot. We've already started the fill work and you don't need a C-2 for a parking area anyway. So we wouldn't need to rezone for a parking area. The purpose of the rezoning is to, again, bring the shopping center up to the present requirement for a shopping center for a C-2 and the area in the back is already there. So I really think they are two separate matters that Mr. Walz basically doesn't like the appearance back there and he certainly has a right to

his opinion as to what the adjoining property looks like as to the way he would like it for his own property. But it's there and we don't need to rezone that area in the back and that is not the purpose -- to put in a parking area. The parking area could be put in there either way, whether it is a C-1 or a C-2. So, again, we would request that the petition be approved."

Commissioners Hunter and Borries said they are not real clear on this. Commissioner Borries asked, "Are you saying you don't have any use for it then at this time -- the parking?"

Mr. Tuley asked, "It doesn't need to be rezoned for parking, is that correct?"

Mrs. Cunningham said a parking lot can go in C-1. She offered further comments but, again, she was not speaking from the podium and her comments were sketchily audible. "What they are really doing is probably going in back of the building maybe 150 ft., but not to the rear of the property."

Attorney Carroll said that basically the site plan shows the proposed parking area. It shows the last retail building and then it cuts over and then behind there it does say wooded and hilly.

Mrs. Cunningham said they are not rezoning this section. The only thing they are rezoning tonight is that tiny corner. That is Agricultural. Then the wooded area goes all the way back. They are not rezoning the area that is marked wooded and hilly on the site plan. The fill they are putting in is in designated area on the plan - for proposed parking.

Commissioner Borries entertained further questions of Mr. Carroll.

Commissioner Tuley asked if it would relieve Mr. Walz's mind if the proposed parking area not be changed to a C-2.

Mrs. Cunningham again noted that the area being rezoned is to bring the shopping center into compliance.

Commissioners Hunter and Tuley asked if the proposed parking area could remain C-1.

Attorney Carroll said he doesn't think this makes any difference. He thinks Mr. Walz is more concerned about the wooded area behind there.

Commissioner Tuley said from the way it was described, he thinks the parking lot would look prettier than the way it must look right now -- if it's been filled with tires and junk.

Mr. Carroll asked if Mrs. Cunningham has a distance on the back lot.

Mrs. Cunningham said she has a distance of 435 ft. from Petersburg Rd. on the north side and 376 ft. on the other end and then there is 6 ft. on the other two sides.

Commissioner Borries said he guesses he is unclear as to what will change. If we can address Mr. Walz's concerns, it was his (Borries) understanding that this area, itself, is not really a new section to be rezoned. That it essentially puts it into compliance. If there is some proposed parking back there, could a buffer of trees or shrubs or something be placed around that? Is that a feasible thing?

Attorney Carroll said he thinks he does already have a kind of buffer -- a set of trees on the back of his lot. He doesn't think another set would -- particularly since that area is low -- help anything.

Commissioner Borries asked, "You're not really going to construct any kind of buildings in this area?"

Attorney Carroll responded, "They don't have any plans to. Again, just to complete the fill and

have it as a parking area."

Mr. Borries said, "In effect, this addresses some concerns about dumping and trash that has been placed in this area, is that correct?"

Attorney Carroll said, "At the APC meeting, the property manager's son was there and indicated that apparently they have people pulling back and throwing things -- because it is kind of an open hill. I mean, you get that a lot in pretty much any part of the County."

Commissioner Tuley commented, "I just want to clarify for the record that the area that is currently listed as wooded and hilly will remain, will not change. That is not part of the zoning."

Attorney Carroll replied, "That is what I am really trying to determine. In looking at the legal and drawing it is really difficult for me to determine that. That that, in essence, would remain Agricultural and not be rezoned."

Attorney Kissinger asked, "Mr. Carroll, is the wooded and hilly area even suitable for development?"

Attorney Carroll said, "It would probably be very difficult. Again, we could amend the petition so that the area that is wooded and hilly would, in essence, stay the same zoning classification and not be a part of this petition."

Commissioner Borries said, "As Commissioner Tuley pointed out, that is what is on the Staff Field Report. The Agriculturally zoned area shown on the applicant's Site Plan as wooded and hilly is not included as part of this C-2 rezoning."

Attorney Carroll said he thinks that pretty well clarifies it.

Commissioner Tuley said he just wanted Attorney Carroll going on record with this -- because that was Mr. Walz's concern.

President Borries entertained further questions of Mr. Carroll or further comments. There being none, a motion was entertained.

Motion to approve was made by Commissioner Hunter, with a second from Commissioner Tuley.

President Borries then asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. Ordinance approved by unanimous affirmative roll call vote.

VC-13-93/Petitioner, Bruce Biggerstaff (Third Reading): Mr. Borries said the location is 1330 Heinlein Rd. There is a request for three different rezonings in this particular area. A portion of Agricultural will go to R-1; a portion of Agricultural will go to M-1; and then a third portion to C-4.

Attorney Wayne Trockman was recognized and stated he represents the Petitioner, Bruce Biggerstaff. He also represents Bud Bussing and Bill Kattmann, the developers of this proposed rezoning. They are all here tonight, along with Jim Morley, who has done some work on this piece of property. "We bring you this rezoning this evening which, I hope, causes little or no controversy. We bring you a rezoning that left the APC with a 6 to 3 vote in favor. And we bring you a rezoning which comes with a Staff Field Report from the APC which, at least from my view, is very favorable for this rezoning request. Before I begin, as I did with the Area Plan Commission, I do have some photographs which show what the existing use of the property is. Burch Park runs right down to this requested site and, as you can see, Burch Park Rd. (next to S.R. 57) is used almost exclusively with commercial uses. This is located in Vanderburgh

County just north of the airport. This is Baumgart Rd., which also comes right next to the site and is also lined with commercial uses -- the Shoe Carnival Headquarters is located out here, Ryder Truck, a window manufacturer, etc. The area immediately east of this site is almost certainly commercial. As you can see up and down Heinlein Rd., all commercial use except just north of the site and the gentleman who owns this property was at the APC and he believes they satisfied all of his concerns with regard to a buffer in the area.

This property to the east is almost exclusively surrounded by commercial development. I brought this plat (I apologize because this has become a little frayed) which will give you a good idea. Baumgart Rd. is to the east. Designated area is proposed rezoning and then there are the commercial tracts. Immediately to the east is the Edinborough Subdivision and he thinks there are some people here tonight from Edinborough. He believes they responded to some of their concerns at the APC and he will respond to their concerns tonight, as well. Immediately to the north of Edinborough is residential property. I will talk first about the R-1 rezoning. The R-1 property will be located between the commercial and the existing Edinborough Subdivision. It is going to abut almost strictly commercial properties. The existing ditch (which you can see on this plat) runs to the west of Baumgart Rd. straight down. The drainage plan has been approved and I will show you how this ditch is going to change further to the east. There are going to be two retention ponds added which, we believe, will substantially improve the drainage in this area. Also, the changing of this ditch is important for several other reasons and that is - the people who live in Edinborough and the people who build homes in the Fox Hall Subdivision will be protected by a natural bumper. The new ditch, itself, will provide a natural buffer between what would be the commercial and the residential. Also, when the ditch is dug the developers intend to create a three or four foot berm which doesn't exist now, but will run along this entire length. The gentleman who owns the piece of property pointed out earlier was somewhat concerned about a buffer between his property and the existing commercial. Bruce Biggerstaff intends to develop this property for his own personal use and I think if you look at his development, it is quite attractive. He intends to do the same here. Also, there is a 30 ft. telephone easement, so there will be a 30 ft. green space between Mr. Biggerstaff's development and this gentleman's home. He was satisfied in APC and I don't see him here tonight. If necessary, the developers intend to put some natural vegetation along that berm to make sure there is a natural buffer between the commercial and residential. We also believe this is going to be of substantial benefit to the people who own property in the Edinborough Subdivision. They were at APC and expressed some of their concerns. I believe some of the same people are here tonight. I've been onto the Edinborough property. If you stand up here on any of these Edinborough lots, you can look straight across and see all of the photographs I've shown you. You can see all the numerous commercial uses up and down Burkhardt and especially up and down Baumgart and Heinlein roads. Now, if that property were planted in corn -- in the winter these people have a direct view of all of this commercial activity. We believe by putting this residential in we're going to create a 24 acre buffer for people who live in the Edinborough Subdivision; a 24 acre buffer between the existing commercial. Of substantial benefit, also, to the Edinborough property owners is that they will not have any more fear that commercial will intrude any further upon them. And it is the developer's intention to start turning dirt on this property immediately if this rezoning is approved. So the plans are to immediately go in and start with this residential subdivision. There is one additional benefit to Edinborough and the existing residential property owners and that is, this property is currently rezoned agricultural. Now the escrow property was developed as agricultural but was never rezoned. We are rezoning to R-1. This will prevent any further agricultural uses. There are residential owners who, at least in my opinion, would consider offensive agricultural uses and I don't know that I would say the current use is offensive, but it certainly would be if there were livestock on this property and there certainly could be livestock on this property if it weren't rezoned. The subdivision was approved on this property not subject to this rezoning because, as was done in Edinborough, there was no rezoning -- it was left agricultural. There is not going to be any further agricultural use on this property, as well as there will not be any further fear of intrusion by commercial uses. There are going to be restrictions put on the residential properties. They are going to be 1,100 sq. ft. minimum with attached two-car garages and the required estimated price range on the homes will be between \$75,000 and \$100,000. As I mentioned, we think the drainage in the entire area (including Edinborough) will be substantially improved by the

improvement of the ditch and the installation of these two retention ponds. There is a requirement for notice under the Indiana Tall Structures Act -- and we intend to comply with that -- and we also intend for our plat to designate this area as noise sensitive because it is close and that is required. All of this information has been presented to Bob Working at the Airport. He has given his own approval -- which doesn't really mean much for us -- because we also have to comply with the Indiana Tall Structures Act and also designate this property as noise sensitive, which we intend to do. The developers also intend to provide for a Homeowner's Association which will be for several reasons, including the maintenance of the ditches and drainage basins. We believe that this residential request is extremely compatible with the area. I will talk about the commercial specifically in a moment. But, as I said, it is almost surrounded to the north and to the east by residential and this residential will be very compatible with the area.

The commercial subdivision is approximately 10 acres. Two C-4 lots and one M-1. There will be five (5) drives along Heinlein and there will be three (3) drives accessing Baumgart and three (3) drives accessing Heinlein. I did notice that the County Engineer had some concern about the number of access points on Baumgart. This will be no more than five on Baumgart and no more than what exists on the properties immediately across Baumgart. We don't believe if we keep it to that total of eight accesses on Heinlein and Baumgart, which we will, that it will create any hazards. As I mentioned earlier, there is a natural buffer and that is going to be created by the berm and the ditch and the vegetation. As you all know, the Area Plan Commission has a Comprehensive Plan and in that Comprehensive Plan this property is specifically designated as a commercial area. So this request is compatible with the APC's Comprehensive Plan. It will prevent further intrusions by commercial projects in the other areas around the city that are not as compatible or compatible at all with commercial uses and it does fully utilize the infrastructure already in place there. As you know, this is very close to Highway 41 and I-64, the airport and rail -- and I think that is probably one of the other reasons it is designated in the Comprehensive Plan as commercial and property available for commercial development. All of the commercial development is planned to be attractive and well landscaped and buffered. We intend to comply with all of the County standards requiring green space and also durable dust free surfaces. With regard to the homeowners from Edinborough who I know are here -- and I think I know what their concerns are from listening to them at the APC, they have requested that we agree or commit that this property will not be used for anything but residential or R-1 purposes. First, let me assure members of the Commission and the homeowners in Edinborough that we intend to turn dirt on this property just as soon as possible and that is the for the specific use of Fox Hollow Subdivision. Secondly, we don't have to rezone at all, because our subdivision is planned and we could go in and just develop it, regardless of their concerns, as agricultural. So the developer is asking for rezoning to R-1 because we intend to put residential properties on there. And in addition to that, this is a sensitive area, as you will recall, because it was requested to put a transfer station on or near this property at one time. If the developers ever change their minds and do not turn dirt on that property and decide to put something like a transfer station or decide to allow the commercial to intrude further east towards their property, they would have to come back to the APC and start the process all over again and end up before this body requesting a rezoning to something other than R-1. That is not what we are doing and we believe the property owners of Edinborough and any other property owners are adequately protected by the process. That is, we would have to come back and notify you of what we did and come before you again for hearings. Thank you, again, for listening. Mr. Morley is here, as well as all of the developers, if you have questions of them."

Commissioner Borries entertained questions.

Commissioner Tuley asked, "Is Parcel #3 what Mr. Biggerstaff was going to develop himself - from AG to C-4? Is this a legal drain that goes to that ditch?"

Mr. Hunter said the Drainage Board has already approved that. We're not going to have to maintain it.

Attorney Trockman said, "I think the commercial property owners are going to maintain the drainage basin and the ditch."

Mr. Morley stated, "The rerouting of that drainage area on there is on the commercial property. It is on the subdivision plat."

Commissioner Hunter said he thought that is what was agreed to when it came before the Drainage Board.

Commissioner Tuley said he just wanted to make sure we weren't going to have a problem similar to the one we had on the east side where there was no way to get into it.

Commissioner Hunter said, "This is a non-legal drain, so we're okay."

Commissioner Borries asked if there are other persons who wish to speak for or against this petition.

Mr. Jim Maurer of 8635 Hedgeboro was recognized and stated, "They tried to cover, I guess, most of the points of remonstrance before we got up here. Our basic concern and our interpretation of the plans that we've seen is that Baumgart and Heinlein are set up as boundaries and that commercial was not to extend north or east of those boundaries -- and that was never intended to be commercial property. The tracts of commercial property we have here are speculative. I think Biggerstaff is going to go in one and we have no idea of what kind of businesses are going in there. Our other major point is whether Heinlein Drive can support that kind of traffic. That was brought up very heavily in the previous meeting. And that was a major concern. We'd like the whole thing to be residential without commercial -- that is basically what our contention is. The other thing that keeps popping up is the frequent use of 'the planner intends to do this, if necessary they will put trees up, their intention is to start doing this' -- it just doesn't give us a lot of reassurance, I guess. But our basic concern is that it is speculative commercial property. Had he come and said so and so is going to go in there, we'd have had a full ability to assess that -- just like the people had during the waste transfer station. And that is one reason I don't think you see a lot of people out here -- because the waste transfer station got a lot of publicity and a lot of headlines and that really activated the people in that area. McCutchan Estates has gone so far as to change their name -- they are no longer McCutchan Estates. So I mean that kind of gives you the idea of the sentiment in that area. They don't even want to be called McCutchan Estates anymore. That is basically it."

Commissioner Borries entertained questions of Mr. Maurer. There being none, he asked, "You are clear that R-1 means exactly that? I mean, you can't do anything else -- it has to go for residential units."

Mr. Maurer said he isn't concerned about the R-1 or R-2 or whatever, his concern is with the commercial.

Mr. Borries asked, "You understand though, as I understand it, that none of this commercial zoning directly abuts along your area. Is that correct?"

Mr. Maurer replied, "It will affect our traffic. I mean, we're going to have to go right by those businesses that are coming on Heinlein Rd."

Mr. Borries said, "But all the residential people are also going to travel that area. As I would see this, it looks like there are only roughly three (3) lots given to any type of commercial development along Heinlein Rd. and then is there a green area down there, Mr. Trockman, is that an area that is supposed to be indicated as a retention pond? So nothing will be built in that area. So if I am correct, we're roughly talking about three lots."

Mr. Tuley said, "It says Parcels 3, 2 and 1."

Mr. Borries said there are five (5) along Baumgart Rd., but on Heinlein there are only three (3) lots.

Attorney Trockman said, "If Mr. Maurer's concern is about traffic and that concern is directed to the commercial, it is not going to generate, first of all, a substantial amount of traffic in itself. Now the residential will, but I think your concerns are the commercial. The commercial will not generate a lot of traffic. Nothing like what Edinborough or the residential will create. The natural flow of traffic for both the commercial and the residential will be right out through Burch Park -- not out towards Heinlein, unless somebody is taking a truck for delivery up to McCutchanville."

Mr. Tuley asked if Burch Park accesses onto Highway 57. The response was yes.

Mr. James Morley said he has one comment he'd like to make about this development. "We work with many subdivisions and rezonings within the County and rarely do I get the opportunity to be involved with one that offers me the chance to design a buffer between two areas. As you well know, we can talk about "buffer" all we want to, but if you've got commercial and industrial on one side of the street and you're on the other side of the street trying to do residential, it's hard to create any kind of screening buffer. It just doesn't work. Baumgart Rd. is not a good buffer. You can't go building the kind of pine trees, berms and other things in somebody's front yard. What this plan does do is, with the relocation of the ditch, it offers that ability to create a screen to separate what is already existing as commercial and industrial on that side of Baumgart Rd. and on that side of Heinlein with the same developer having total control and the ability to write those covenants to protect his residential property right next to it. So, you know, buffers don't occur on the road. Buffers have got to occur one lot back. They've got to be made to be one (1) lot back if you really want to have effective buffers between commercial and industrial and residential."

President Borries thanked Mr. Morley for his comments.

Mr. Maurer said there is a creek there right now that serves as a buffer if they wanted to make all residential. "I mean, you don't have to have commercial. There are several subdivisions in this area that have used their berms without a commercial zone there as another buffer. Our concern here also is that Heinlein, to the east, does narrow down to about 16 ft. And, you know, logic doesn't always have a lot to play in. I guess my point is that this is speculative. If we knew what kind of businesses were going in there I could say it isn't going to have a lot of impact. But if they put Jiffy Lube or a Hardee's Restaurant or whatever in there, then at that point it is going to impact that whole area. So without knowing what kind of business is going in there I can't satisfactorily argue for or against it."

Mrs. Cunningham offered remarks, but was not speaking from the podium so the comments were inaudible.

Attorney Trockman said, "When I was up here three weeks ago, you looked right down on this commercial activity. You have a very nice subdivision, but the view from that Edinborough Subdivision could be improved, as well as that of the entire area."

Commissioner Tuley said, "Wayne, just to make sure -- I think I understand where you're coming from. The right hand side of this map is where Edinborough Subdivision is. Right? McCutchanville Estates or whatever it has been changed to is north and east of that -- or directly north of that?"

Attorney Trockman said that is correct.

Mr. Tuley continued, "So it's the new homes going in there that have to contend with looking across that creek...."

Attorney Trockman said, "That is our property and we're going to make sure that buffer is

adequate, because we are closer to it than Edinborough."

Mr. Borries asked, "So that buffer could involve the planting of pines, some type of screening to serve as a buffer in addition to the creek -- and, obviously, anyone who is going to be a home buyer in that area, if I am correct, is going to see the total development here, so you are not forcing anyone to buy that would be immediately adjacent to the green area there - the creek -- they will know in advance should this rezoning be approved. Is that correct?"

Attorney Trockman replied, "That is correct. And we don't believe that these lots are going to be any less desirable than the rest."

President Borries asked if there are further comments.

Commissioner Hunter asked, "Would the developer -- if he could -- be willing to put up trees along the berm? I guess at this point would the developer be willing to commit to putting trees along there? He's probably going to have to do it anyway -- but I would be a lot more comfortable if it was on the record that there is a commitment there."

Attorney Trockman said, "At this point our discussions have concerned the berm, the natural vegetation and the ditch -- and let's see what it looks like after that is completed -- once the commercial starts going in. We'll know right away if we need it and, if so, it will go in, because as I said just a moment ago, our property is going to be right on top of it. As far as Edinborough is concerned, they are going to have the best buffer of all -- one that pines won't help -- but 24 acres of development and homes will be a much better buffer than pines. We'd like to wait and see if those are necessary. These homes -- some of which are going to be two-story, are going to provide a much better buffer for Edinborough than the pines or any other type of tree that might be slow growing."

Commissioner Tuley asked, "Once you sell the land, you have no control other than the 1,100 sq. ft., right? Which 1,100 sq. ft. is not that big a house."

Attorney Trockman said that is another reason for the two-car garage.

Mr. Tuley asked if the 1,100 sq. ft. includes the garage -- he hopes not.

Attorney Trockman replied, "No."

President Borries entertained further comments or questions.

Commissioner Tuley asked if there are one story, two story homes or what in Edinborough?

Attorney Trockman said they have 1-1/2 story and two story houses and seven ranch homes. The ranch homes have 1,800 sq. ft.

Mr. Tuley said he believes the starting price on homes in Edinborough Sub is \$99,000.

Commissioner Hunter said he guesses he is not comfortable with the answer. He'd be more comfortable with the row of pine trees -- if he lived in Edinborough. Some pines can get quite tall, knocking out a lot of..... and it would also be a way of reinforcing the soil long that berm.

Attorney Trockman said, "Bud and Bill are actually going to be the two main players in the commercial development and they are indicating to me that when they go in and move this ditch, there may very well be enough dirt available to make even a 4 ft. to 6 ft berm. I think this is one reason they are hedging on this. If there is, they do not believe there is any need for pines. If not, if it ends up being a 3 ft. berm or less -- then pines are probably going to be necessary. They just don't know at this point and that is their hesitancy to commit."

Mr. Tuley asked if the height of the berm is dependent upon how much dirt they have to move

out?

The response was affirmative.

When comment was made about the slopes, Mr. Morley said 3 to 1 was on the drainage plan.

Attorney Trockman asked if there is enough dirt to make the berm higher than 3 ft., if.....

Mr. Hunter said Rule 5 means the dirt will have to be stabilized immediately. It should be stabilized before they even start.

In response to how many homes are going in, Ms. Cunningham said there will be 79.

In response to query from Mr. Maurer with regard to the commercial, Attorney Trockman stated the plans are to begin the residential immediately and move the ditch and make the improvements on the first property.

Commissioner Borries asked, "Your intent is to begin immediately with the R-1, the residential?"

Attorney Trockman said that is correct.

Mr. Maurer asked, "If it takes two or three years to complete the residential, there is going to be a period there where there are not going to be any houses in front of them?"

Attorney Trockman said, "Then my response to that is that your view will remain the same as it is now -- until those houses go in then there will be an improvement."

Commissioner Borries said the creek relocation will have to take place first and the building of the retention basins would go in. Then you'd have to install your streets.

Mr. Tuley noted the homes closest to Edinborough Sub should be built first, which will give them the buffer they are looking for. He's never been in the business, but he can't imagine that the homes back along the creek would be the first to sell. But if he were buying he'd buy closer to the front.

Attorney Trockman said he agrees wholeheartedly with Mr. Morley. This is a package that really works well in this area. The package is consistent with the Comprehensive Plan and puts the industrial where there is industrial, provides a beautiful barrier, and puts 24 acres of residential between the existing and new industrial.

Mr. Tuley said when he walks out his front door, there is a row of houses across the street, behind that is railroad tracks and behind that is commercial - with no buffer. The railroad tracks are the buffer.

Mrs. Cunningham offered comments from the sidelines -- but they were inaudible.

President Borries entertained further comments. There being none, a motion was entertained.

Motion to approve VC-13-93 was made by Commissioner Tuley, with second from Commissioner Hunter.

President Borries then asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. Motion approved by unanimous affirmative roll call vote. So ordered.

There being no further business to come before the Board at this time, President Borries declared the meeting adjourned at 8:15 p.m.

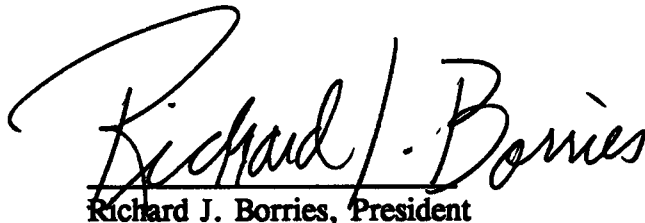
COMMISSIONERS MEETING
SEPTEMBER 20, 1993

20

PRESENT:

Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member
Sam Humphrey, County Auditor
Alan M. Kissinger, County Attorney
Bill Morphew/County Highway
John Stoll/County Engineer
Mark Abell, Supt./County Bldgs.
Mrs. Barbara Cunningham/APC
Eric Williams/Deputy Sheriff
Wayne Trockman/Attorney
Fred Waltz/Feltman Drive
Bruce Biggerstaff/W. Mt. Pleasant
Jim Morley/Morley & Associates
Brian Carroll, Attorney
W. C. Bussing/Developer
Bill Kattmann/Developer
O. W. Kattmann/Developer
Larry Weyerbacher/Fox Hollow Rezoning
Judy Weyerbacher/Fox Hollow Rezoning
Jim Maurer/Fox Hollow Rezoning
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews




Richard J. Borries, President

Patrick Tuley, Vice President

Don L. Hunter, Member

SECRETARY: Joanne A. Matthews

COMMISSIONERS MEETING
SEPTEMBER 20, 1993

 21
Richard J. Borries, President


Patrick Tuley, Vice President

Don L. Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

September 20, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Any group/individual wishing to address the commission
 - B. Award of contract:
Re: perform title searches for 1993 Tax Sale
 - C. Ordinance Amending Chapter 154 (Floodplain Management Ordinance)
re: Final Reading
5. **DEPARTMENT HEADS**

Alan Kissinger ----- County Attorney
Mark Abell ----- Superintendent of County Buildings
Bill Morpew ----- County Garage
John Stoll ----- County Engineer
*See attached engineer requests

6. CONSENT ITEMS

A. Travel/Education Requests:

Health (see attached) Area Plan (2)

B. Employment Changes:
see attached

C. Commissioner Minutes for 9/13/93
re: acceptance/approval

D. County Commissioner:
Re: Council Call for transfer of funds

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

REZONINGS 7:00 PM

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

Health 213.0

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1990	Eifert, Eric N.	4324 Joyce Lane Mt. Vernon IN 47620	Vector Control Technician	\$5.00/hr.	9/3/93
1990	Luff, Bryan L.	R. 2, Box 60 Stendal, IN 47585	Vector Control Technician	\$5.00/hr.	9/3/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Director

DATE 9/13/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

Knight Township Assessor

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249-1130-1990	Gilbert R. Cook	5910 Maggie Valley Dr	Deputy	7.00 per hr	9/13/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Shirley Rogers
Chief Deputy
Knight Township Assessor

DATE 9/13/93

COUNTY ENGINEER'S
CONSENT AGENDA
SEPTEMBER 20, 1993

1. CLAIMS:

REPAIR TO BUILDINGS & GROUNDS 203-3550	
T & T Acoustics & Drywall (A-1234)	\$ 10,400.00
CONTRACTUAL SERVICES 216-3930	
Concrete Pavers (VC 93-05-04) Inv #93-354	\$ 58,736.67
Concrete Pavers (VC 93-05-03) Inv. #93-355	\$ 8,251.71
GREEN RIVER ROAD NORTH 216-4910	
E. Leland & Mary Jane Schnepfer (Parcel #37)	\$ 7,500.00
USI & SR 62 430 BOND	
Blankenberger Brothers (VC R2-697) Inv. #3	\$105,223.04

SCHEDULED MEETINGS

Mon	Sept 20	County Commissioners: Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Tues	Sept 21	County Insurance Meeting	9:00 AM	RM 303
Thurs	Sept 23	County Employee Steering	9:00 AM	RM 303
Mon	Sept 27	County Commissioners: Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Wed	Sept 29	County Council Personnel and Finance	3:30 PM	RM 301

SCHEDULED REZONINGS

First Readings:

- (1) VC-14-93
Petitioner: Schroeder, Inc.
Address: 4220 St. Joe Avenue
Request: AG to C-4
- (2) VC-15-93
Petitioner: Aaron Enterprises, Inc.
Address: 7720 State Road 57
Request: AG to M-2

Third Readings:

- (1)
Petitioner: Gayle C. Ellison
Address: 20 E Campground Road
100-102 Petersburg Road
Request: C1 & AG to C-2
- (2)
Petitioner: Bruce Biggerstaff
Address: 1330 Heinlein Road
Request: AG to R-1
AG to M-1
AG to C-4

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, SEPTEMBER 10, 1993 THRU THURSDAY, SEPTEMBER 16, 1993

FRIDAY, SEPTEMBER 10, 1993

Grader, payloader and five crews pulled shoulders on Hornby Lane. Two crews graded, seeded and put down straw on St. George Road. Gradall and one crew ditched and placed pipe on Wedeking. Three patch crews worked at 6300 Upper Mt. Vernon. Grader, payloader and three crews repaired shoulders on Old Tiger mower and weed crew worked on Hillview and Slate. Cycle Mower worked on Peck, Korff and Schroeder.

MONDAY, SEPTEMBER 13, 1993

Paver, roller and 10 crews paved Frontage and County Line West. Two crews worked restoring St. George and Bergdolt shoulder. Gradall worked for the City. One crew striped parking lot in front of garage. Trash crew ran regular routes. Tiger mower and cycle mower worked on Hillview, Slate and Green River.

TUESDAY, SEPTEMBER 14, 1993

Paver, roller and eight crews paved Frontage Road. Gradall and one crew ditched on Wedeking. Gradall worked for the City. Two crews worked on Bergdolt restoring shoulder with grass. Trash crew ran regular routes. Tiger mower worked on Mesker Park Drive.

WEDNESDAY, SEPTEMBER 15, 1993

Gradall and one crew ditched and placed pipe on Wedeking. Gradall and one crew worked for the City. Patch crews worked on work orders. Paver, roller and ten crews paved County Line West. Weed crew worked on work orders.

THURSDAY, SEPTEMBER 16, 1993

Gradall and one crew worked on Wedeking. Gradall #2 worked for the City. Paver, Roller and ten crews paved County Line West. Trash crew ran regular routes. Tiger mower worked on Old Henderson Road. One crew planted trees at the garage.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, SEPTEMBER 10, 1993 THRU THURSDAY, SEPTEMBER 16, 1993

FRIDAY, SEPTEMBER 10, 1993

Crew #1 - finish drop boxes on Allens Lane, spray bridges and culverts on St. George, Hirsch, and Green River.
Crew #2 - build drop box on St. George Road.
Crew #3 - work ground, seed and straw St. George and Bergdolt.

MONDAY, SEPTEMBER 13, 1993

Crew #1 - saw Schlinsker, dig out Kleitz Road Bridge approach and concrete.
Crew #2 & #3 - finish drop boxes on St. George, seed and straw St. George and Bergdolt.

TUESDAY, SEPTEMBER 14, 1993

Crew #1 & Backhoe - clean or replace pipe on Bergdolt, rip rap Schlinsker and Honeysuckle, widen Honeysuckle and Shady Valley.
Crew #2 & #3 - add 18" pipe, rip rap and widen Shady Valley at intersection of Honeysuckle.

WEDNESDAY, SEPTEMBER 15, 1993

Crew #1 & Backhoe - finish drop box on St. George, straighten guardrail on Volkman.
Crew #2 - cut trees by Oakhill Road Bridge, cut Fuquay underpass, Baumgart and Heinlein bridges.

THURSDAY, SEPTEMBER 16, 1993

Crew #1 - saw road on 4940 W. Mill Road, cut Neu Road Bridge - Korressel Road.
Crew #2 and Backhoe - build corner wall on Wedeking.

Notice to Bidders

Sealed Proposals, or Bids, for the **VANDERBURGH COUNTY HIGHWAY GARAGE ROOF REPAIR (5101 St. Joseph Ave., Evansville, IN 47712) VC 93-09-02** in Vanderburgh County, Indiana will be received at the office of the County Commissioners, Room 305, until 5:00 p.m. on the **11th day of October** local time, as prescribed by the Acts of the Indiana Legislature in Chapter 172, year 1957, at which time all bids will be publicly opened and read aloud in the County Commissioners Hearing Room 307.

- Any bids received after the designated time, for any reason, will be returned unopened.
- Contract documents are on file in the Office of the Vanderburgh County Engineer.
- Bids shall be delivered in a sealed envelope bearing the name and address of the bidder indicating identification of the project and the branch of the work on which is being bid.
- Bids shall be submitted on the Itemized Proposal Form included in the contract documents and on Indiana Form 96, revised in 1987, provided separately, with a non-collusion affidavit, also provided in the contract documents; all properly executed, signed and sealed. The non-collusion affidavit must also be properly notarized. Bids must also contain a signed and notarized Proposal form, also provided in the contract documents.
- Each bid shall be accompanied by a bid bond, certified check, cashier's check, bank treasurer's check or bank money order in the amount of five percent (5%) of the total bid submitted.
- No bid shall be withdrawn after the opening of the bids without the expressed consent of the Vanderburgh County Commission for a period of thirty (30) days after the scheduled time of the bid opening.
- The Contractor receiving the award will be required to furnish a performance bond, Indiana Form 86A revised in 1947, in the amount of one-hundred percent (100%) of the award amount, which is to remain in effect for twelve (12) months from the date of acceptance of the completed work.
- Attention is called to the fact that prevailing wage minimum salaries and wages are set forth in the Contract Documents. The Contractor shall list any subcontractors and the percentage of the contract to be performed by each subcontractor in the bid submittal.
- Construction and installation shall be in full accordance with the contract drawings, specifications, and special provisions. Construction and installation shall be in full accordance with the contract drawings, specifications, and special provisions.

The Vanderburgh County Commissioners reserve the right to reject any and/or all Bids and waive any informality in the bidding.

DATED THIS 20TH DAY OF SEPTEMBER, 1993

**VANDERBURGH COUNTY BOARD OF COUNTY COMMISSIONERS
COUNTY OF VANDERBURGH, INDIANA**

ATTEST:

RECOMMENDED:

Vanderburgh County Auditor

Vanderburgh County Engineer

VANDEBURGH COUNTY PUBLIC WORKS DEPARTMENT

Old Courthouse, Suite 307
201 N. W. Fourth Street
Evansville, IN 47708

DATE: September 20, 1993

Tel. (812) 424-9603

Vanderburgh County Board of Commissioners
Rm. 305 Civic Center Complex
Evansville, IN 47708

RE: Acceptance of Street Improvements in
THE NORTH GREENS - PHASE 1

Dear Commissioners:

The undersigned have made an inspection of the subject Street Improvements on _____. These Street Improvements were constructed/finished on/by 9/93. All streets were constructed with _____ in accordance with the approved plans.

The following is a summary of the length of the completed 29 feet wide streets in the subject Subdivision:

<u>Forest Green</u>	<u>145</u>	<u>LFT</u>
<u>Greendale Drive</u>	<u>547</u>	<u>LFT</u>
<u>Hunters Green</u>	<u>961</u>	<u>LFT</u>
_____	_____	<u>LFT</u>
_____	_____	<u>LFT</u>
TOTAL:	1653	LFT

We are enclosing a sketch of the Subdivision showing the completed streets and a copy of the Site Inspection Report. It is recommended that these Street Improvements be:

ACCEPTED XXX REJECTED _____ FOR MAINTENANCE

If you have any questions please call the Engineer's Office.

Respectfully,

John Steel
Vanderburgh County Engineer

CC: Developer
Design Engineer
APC

Accepted for Maintenance by the
Board of County Commissioners

Richard J. Barnes
President

Patricia Gule
Vice President

Bob Hunt
Member

REQUEST FOR TRANSFER OF FUNDS

DEPARTMENT: County Commissioners DATE: 9/17/93

	<u>ACCOUNT</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>
FROM:	1300-1920	Insurance	20,730.00
TO:	1300-3210	EMA	7,730.00
	1300-3050	Soldiers Burial	5,000.00
	1300-3420	Legal Advertising	5,000.00
	1300-2610	Copy Machine Supplies	3,000.00

PK RB

EXPLANATION OF NEED FOR REQUEST

Transfer is being requested due to the fact that the
accounts listed are low in funding-account # 1300-3210
does not currently have sufficient funds to pay the
last invoice that was received.

BALANCE OF ACCOUNTS:

ACCT. #	BUDGET	DISBURSE.	BALANCE	BALANCE AFTER TRANSFER
---------	--------	-----------	---------	------------------------

VANDERBURGH COUNTY

REC'D

SEP 20 1993

Sam Humphrey
AUDITOR

DEPT. HEAD:

Richard J. Bonies

Bf

Bill Jagoe N. Greens Sub 9-20-93
CHIP WOOD

STORM SEWER TAKE OFFS outside P/W

114.8' C.I. #514 TO OUTFALL #528
129.8' STORM M4 #529 TO AREA DRAIN 526
237.1' " " #529 TO C.I. #519
110.8' C.I. #516 TO OUTFALL #527
154.4' C.I. #520 TO " #521
119.8' STORM M4 #524 TO OUTFALL #525

886.7' L.F. OF STORM SEWER @ \$504 = \$444

PERIMETER OF RETENTION LAKE 1117.7 L.F. #559
48255.96 SQ. FT

Total fce → \$1,003

approved

COPY

TRAVEL REQUEST FORM

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: September 14, 1993 DEPARTMENT: Health/Nursing

EMPLOYEE(S): Dennis Myers, Gayle McGillem

Gail Robb Barbara Sprinkle

Diana Simpson

DATE(S) OF TRAVEL: Wednesday, September 29, 1993

DESTINATION: Schmitzelbank Jasper, IN

PURPOSE: Southern IN Public Health Association

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: _____

MEANS
OF
TRAVEL

COUNTY VEHICLE NUMBER: _____

OTHER: _____

REIMBURSEMENT CLAIMED

☒ Mileage

☐ Parking

☒ Per diem

☐ Registration

☐ Airfare

☐ Other

APPROVED: _____

Department Head

APPROVED: _____

Office Holder

APPROVED BY:

VANDERBURGH COUNTY COMMISSIONERS this 20th day of Sept., 1993

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY
 DATE OF REQUEST: 9/16/93 DEPARTMENT: CD / Reg Immun.
 EMPLOYEE(S): Brian Roe Program

DATE(S) OF TRAVEL: 9/19 - ? May be there all wk.
 DESTINATION: West Lafayette, IN. depending on
 PURPOSE: To give immunizations FSDH need.
at Purdue for a measles outbreak.
 Proof (copy of brochure or letter) must be attached.
 LODGING REQUIRED: Signature Ann - yes
 MEANS OF TRAVEL
 COUNTY VEHICLE NUMBER: _____
 OTHER: _____

REIMBURSEMENT CLAIMED pd by state Grant.
☒ Mileage _____ Parking
☒ Per Diem _____ Registration
 _____ Air Fare Unknown Other (possible)

APPROVED: Sam Elder
 Department Head

APPROVED: _____
 Office Holder

APPROVED BY:
 VANDERBURGH COUNTY COMMISSIONERS this 20th day of Sept, 1993.

Richard J. Borries
 Richard J. Borries, President
Patrick Tuley
 Patrick Tuley, Vice President
Don Hunter
 Don Hunter, Member

TRAVEL REQUEST FORM

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY

DATE OF REQUEST: September 14, 1993 DEPARTMENT: Nursing/Health

EMPLOYEE(S): Diana Simpson

DATE(S) OF TRAVEL: September 17 & 18, 1993

DESTINATION: Indiana State Government Center, Indianapolis, IN

PURPOSE: Health Care for the Homeless & Poor

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: not at county expense

MEANS
OF
TRAVEL

COUNTY VEHICLE NUMBER: _____

OTHER: _____

REIMBURSEMENT CLAIMED

_____ Mileage

_____ Parking

_____ Per diem

_____ Registration

_____ Air fare

_____ Other

APPROVED: _____

Department Head

APPROVED: _____

Office Holder

APPROVED:

VANDERBILT COUNTY COMMISSIONERS this 20th day of Sept., 1993

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: September 14, 1993 DEPARTMENT: Health/Nursing

EMPLOYEE(S): Louise Kiesler Gail Robb

Gayle McGillem Valencia Hall

DATE(S) OF TRAVEL: September 20, 1993

DESTINATION: Vincennes University

PURPOSE: Substance Abuse Class (ISDH)

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: No

MEANS OF TRAVEL: _____
COUNTY VEHICLE NUMBER: _____
OTHER: _____

REIMBURSEMENT CLAIMED

<input checked="" type="checkbox"/> Mileage	<input type="checkbox"/> Parking
<input type="checkbox"/> Per diem	<input type="checkbox"/> Registration
<input type="checkbox"/> Air fare	<input type="checkbox"/> Other

APPROVED: [Signature]
Department Head

APPROVED: _____
Office Holder

APPROVED BY: _____
VANDERBURGH COUNTY COMMISSIONERS this 20th day of Sept., 1993

[Signature]
RICHARD J. BORRIES, PRESIDENT

[Signature]
PATRICK TULEY, VICE-PRESIDENT

[Signature]
DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM

FOR

COPY

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: September 14, 1993 DEPARTMENT: Health/Nursing

EMPLOYEE(S): Ethel Daniels

Connie Block

DATE(S) OF TRAVEL: Tuesday, October 19, 1993

DESTINATION: Public Health Regional Training Holiday Inn, Jasper

PURPOSE: Regional meeting

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: _____

MEANS
OF
TRAVEL

COUNTY VEHICLE NUMBER: _____

OTHER: _____

REIMBURSEMENT CLAIMED

X Mileage

____ Parking

____ Per diem

____ Registration

____ Air fare

____ Other

APPROVED: _____

Department Head

APPROVED: _____

Office Holder

APPROVED BY:

VANDENBURGH COUNTY COMMISSIONERS this

20th

day of

Sept.

.1

Richard J. Borries

RICHARD J. BORRIES, PRESIDENT

Patrick Tuley

PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter

DON L. HUNTER, MEMBER



A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME Blanchard Bros

481

On Account of Appropriation for VC R-20697

Invoice No.	Itemized Claim	Amount	
	PROGRESSIVE ESTIMATE #04		
VC R-20697#3	DATED SEPT 1 - SEPT 15, 1993		
	AS PER ATTACHED SHEETS	105,223	04

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

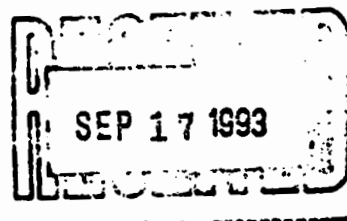
Patrick Blanchard

Name

As Secretary

Title

Date _____, 19____



A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME

Old National Bank

#

On Account of Appropriation for

210-4310

Invoice No.	Itemized Claim	Amount
	<u>lease on Hydraulic EXCAVATOR</u>	<u>1 00</u>

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

all memo William A. Mayhew
Name

Title

Date 9-20, 1993

THE PANTRY, INC.

P.O. BOX 1410

SANFORD, NORTH CAROLINA 27330

CONVENIENCE FOOD STORES

CHECK NO. 129070

66-156
531

FIRST UNION NATIONAL BANK OF N.C.
CHAPEL HILL, N.C.

DATE

AMOUNT

CHECK NO.

129070 8/30/93 *****2600*DOLLARS 00 CTS

\$2,600.00 ***

PAY TO THE ORDER OF:

VANDERBURGH COUNTY

Engine B. Humphrey

⑈ 129070 ⑈ ⑆053101561⑆ 2079985323307⑈

PRESCRIBED BY STATE BOARD OF ACCOUNTS

REVISED COUNTY FORMS NO. 20 - 1947

NO. 21 - 1947

September 23, 1993

QUIETUS

OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 10516

FUND GENERAL FUND

\$2,600.00

I HEREBY CERTIFY THAT: THE PANTRY, INC.

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN.
IN THE SUM OF \$2,600.00 DOLLARS

ON ACCOUNT OF SETTLEMENT/THE PANTRY, INC.

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA

**AREA PLAN COMMISSION
STAFF FIELD REPORT**

DATE August 16, 1993

PLAN COMMISSION NUMBER 93-50-PC REZONING ORDINANCE VC-13-93 COUNTY
LOCATION 1330 Heinlein Road SUBDIVISION No

OWNER Barbara Winkler/Patricia Taylor

PETITIONER Bruce Biggerstaff, W. C. Bussing, Jr. and O. W. Kattman, Jr.

REPRESENTATIVE Wayne S. Trockman

PRESENT ZONING Agricultural REQUESTED ZONING R-1, M-1, C-4

FLOOD ZONE part of lot

VARIANCE REQUIRED? No SUBDIVISION REQUIRED? * Yes

SANITARY SEWER AVAILABLE? STORM SEWER AVAILABLE?

CITY WATER AVAILABLE? Yes

PRESENT USE OF THE PROPERTY agricultural/residential

PROPOSED USE OF THE PROPERTY commercial park and residential subdivision

ARE PARKING REQUIREMENTS COMPLIED WITH? to be determined

NUMBER PARKING SPACES REQUIRED determined by use

NUMBER PROVIDED to be determined

ANY ADDITIONAL CIRCUMSTANCES PERTINENT TO THE REQUEST * Subdivision plats have been filed for Baumgart Road Commercial Subdivision (six C-4 lots and three M-1 lots) and Fox Hollow Subdivision (79 R-1 lots).

COMMENTS Applicants are seeking to rezone this 34.66 acre parcel at the northeast intersection of Heinlein and Baumgart Roads. This petition includes 3.76 acres of M-1 fronting on Baumgart Road, 3.22 acres of C-4 fronting of Baumgart Road adjacent north of this proposed M-1, 2.92 acres of C-4 fronting on Heinlein Road adjacent east of this proposed M-1, and 24.76 acres of R-1, single family residential. The proposed new residential subdivision plans access onto Heinlein and ties into Churchill Road in adjacent Edinborough Subdivision. Applicants state that water, sewer, and electric are available near the site and must be extended to serve this development. This site is located in an area of mixed zonings and uses, with three industrial parks and industrial development to the south and west (warehousing, trucking companies, disposal company, contractors, etc.) and agricultural/residential development to the north and east. With the exception of the northernmost C-4 parcel, the proposed commercial/industrial development on this site is buffered from surrounding adjacent residential development by the residential subdivision proposed as part of this petition. The County Engineer has recommended limiting the number of driveways accessing Baumgart and Heinlein for the proposed commercial/industrial development. Most if not all of the site appears to be located within Area B on the attached map which shows the existing and projected industrial land use in the Comprehensive Plan. It is recommended in the Comprehensive Plan that new industrial development should be located in areas of relatively compact industrial land use and that these areas should be planned to be attractive, well landscaped, and well-buffered from adjacent nonindustrial uses (page 9-12). The southwest side of the site is within the 100-year flood area. This issue must be addressed when locating buildings on the site. Finished floor elevations in this area must be at or above 389 feet MSL.

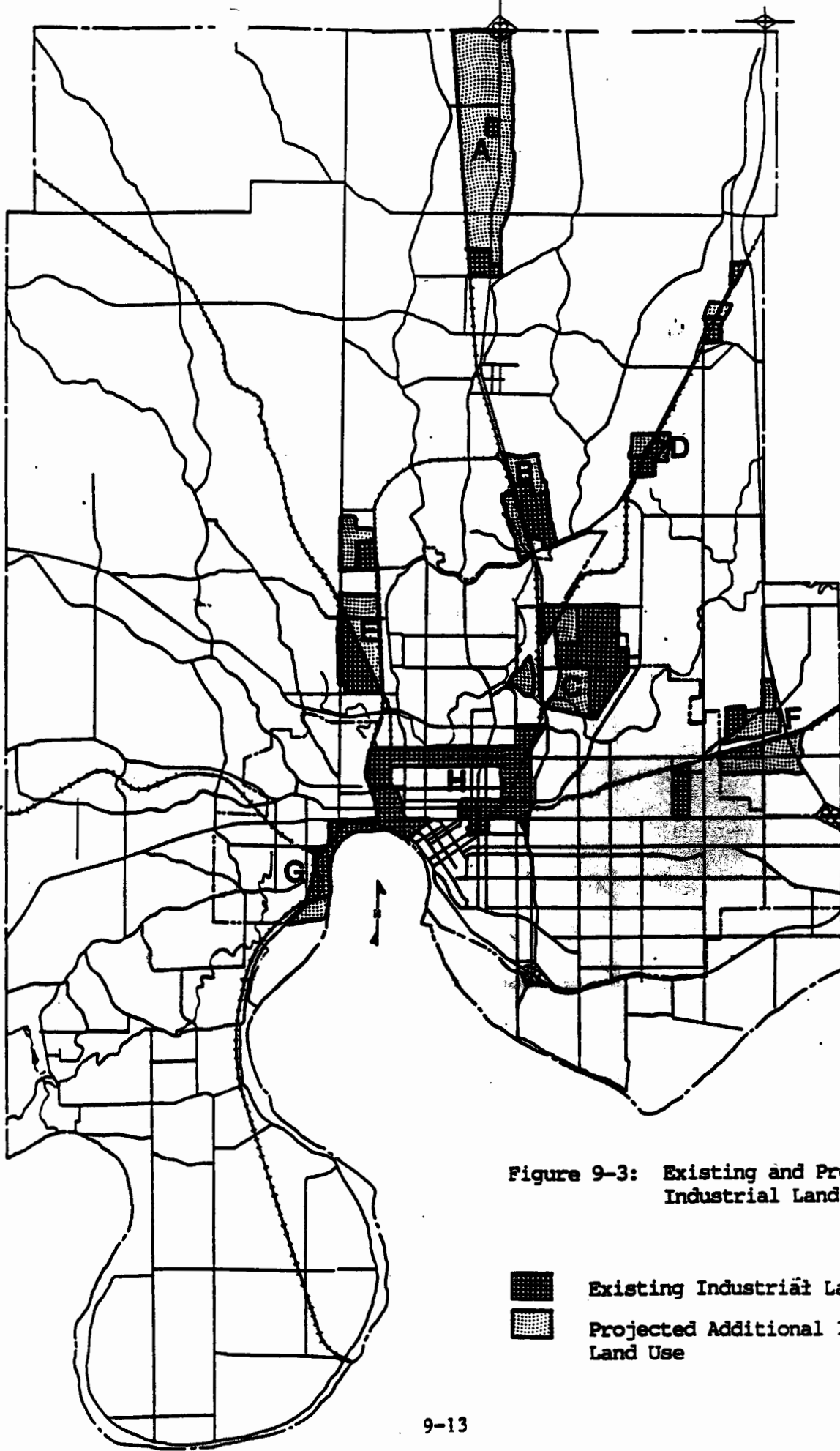




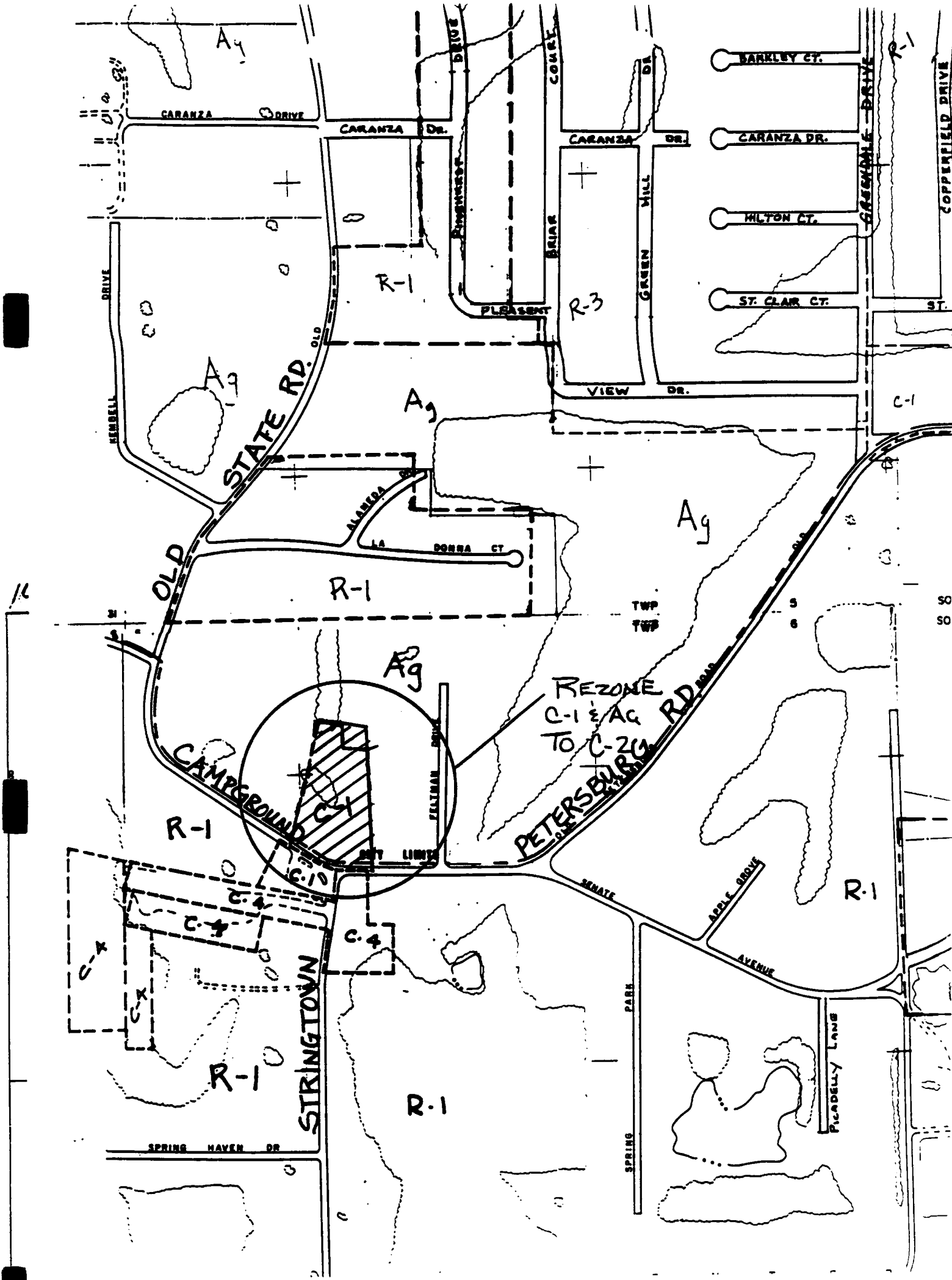
Figure 9-3: Existing and Projected Industrial Land Use

-  Existing Industrial Land Use
-  Projected Additional Industrial Land Use

AREA PLAN COMMISSION
STAFF FIELD REPORT

DATE August 16, 1993

PLAN COMMISSION NUMBER 93-48-PC REZONING ORDINANCE VC-12-93 COUNTY
LOCATION 20 E. Campground Road and 100-102 Petersburg Road
SUBDIVISION No
OWNER Gayle C. Ellison
PETITIONER Gayle C. Ellison REPRESENTATIVE Brian Carroll
PRESENT ZONING C-1 and Agricultural REQUESTED ZONING C-2
FLOOD ZONE rear of lot
VARIANCE REQUIRED? No SUBDIVISION REQUIRED? No
SANITARY SEWER AVAILABLE? Yes STORM SEWER AVAILABLE?
CITY WATER AVAILABLE? Yes
PRESENT USE OF THE PROPERTY shopping center
PROPOSED USE OF THE PROPERTY shopping center
ARE PARKING REQUIREMENTS COMPLIED WITH? yes
NUMBER PARKING SPACES REQUIRED 39 NUMBER PROVIDED 43
ANY ADDITIONAL CIRCUMSTANCES PERTINENT TO THE REQUEST
COMMENTS Applicant is seeking a step-up in zoning from C-1 to C-2 for the
North Stringtown Plaza shopping center complex. The legal description
submitted for rezoning describes a 1.4 acre site north of the intersection
of Stringtown, Campground, and Petersburg Roads. This site is part of the
designated commercial "node" in a completely residential area per the
Comprehensive Plan. Approximately 1.3 acres of this site is currently
zoning C-1 and the remaining 0.1 acre is zoned Agricultural. The
Agriculturally-zoned area shown on applicant's site plan as "wooded and
hilly" is not included as part of this C-2 rezoning petition. The
definition of "shopping center" adopted as part of the amendment to the
zoning ordinance in 1989 reads "building designed to accommodate three or
more businesses enterprises". A shopping center requires C-2 zoning. This
proposed C-2 will bring the existing use of this site into conformance with
current zoning district requirements and will allow 50 plus additional use
not permitted under the current C-1 classification. Currently there are
four buildings on this site and a parking lot which accommodates 43
vehicles. Site plan submitted by applicant indicates proposed parking on
the rear (north end) of the lot. County Engineer states the 17.3 foot
driveway on Petersburg Road should be eliminated. The expansion area
appears to have been recently filled and should be tested for soil
stability.





**MINUTES
COUNTY COMMISSIONERS MEETING
SEPTEMBER 27, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:40 p.m.	1
Introductions & Pledge of Allegiance	1
Petition to Vacate Unnamed County Road in the Detroy Road Area	1
Authorization to Advertised for New Phone System/ Purchasing Department/Daryn Bergdorf	1
(Advertise October 1st & 8th; Bid Opening October 18)	
Agreement Between Book Publishing Company & Vanderburgh County for Codification of County Code	2
United Way Campaign/Resolution/Steve Parker	3
Ordinance Amending Chapter 153 (Zoning Code) by Adding Thoroughfare Regulations & Repealing Chapter 152 (Second Reading)	4
Auditorium Task Force (Appointments).....	5
Request to Designate I-164 as Hazardous Materials Transportation Route for Through Truck Carriers	6
County Attorney/Alan Kissinger	7
Settlement/Condemnation Case; Vanderburgh County vs. Earl & Lucille Kramer	
Superintendent of County Buildings/Mark Abell	7
McCullough Library as Voting Site (A. Kissinger to research and report back to the Board) Acceptance of Quietuses for Checks from Kevin Bryant	
County Highway/Bill Morphey	8
Weekly Progress Report County Line Rd. West Schaeffer Rd. & Cypress-Dale Rd. County Line Rd. East Boonville-New Harmony Rd. Equipment Status St. Joe Avenue/Slate Rd. Complaint	
County Engineer/John Stoll	10
Supplemental Agreement/United Consulting Engineers re Reconstruction of North Green River Road Section "A"	
Veterans Service/Mark Acker	11
Request to Relocate in Old Courthouse & Permission to go on Council Call James Bethel Gresham Memorial & Reflection Area @ Locust Hill Cemetery	
Auditorium Task Force/Initial Meeting to be Held at Vanderburgh Auditorium on October 11th @ 6:00 p.m.	14
Consent Agenda (Approved)	14
Old Business ... (None)	14

New Business	14
Resolution/Hook's Drugs Request for 3-Way Liquor License	
ADA Compliance/Family & Medical Leave Act Policy to be incorporated into County Personnel Policy	
Executive Sessions Requested for October 4th & October 18th for purposes of discussing Pending Litigation & Personnel Matters	
Drainage Board to convene immediately subsequent to Commission Meeting	
Meeting Adjourned @ 7:00 p.m.	16

MINUTES
COUNTY COMMISSIONERS MEETING
SEPTEMBER 27, 1993

The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Monday, September 27, 1993 in the Commissioners Hearing Room with President Richard J. Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Abell, Attorney Kissinger, Commissioner Tuley, himself, Commissioner Hunter, Deputy County Auditor Cindy Mayo and Joanne Matthews, Secretary.

Mr. Borries subsequently asked if there are those present who wish to address the Commission but do not find their particular item of interest on the agenda. There was no response from the audience.

RE: PETITION TO VACATE UNNAMED COUNTY ROAD IN THE DETROY ROAD AREA

Commissioner Borries noted that on September 7, 1993, the Commissioners set the Hearing Date and notice was published in both daily newspapers on September 13, 1993. He stated that all signed Certificates for mailed notices to abutting property owners have been returned and that signed consent letters from the four utility companies have been included in the Hearing file. Commissioner Borries said this information comes from Mrs. Matthews, the official secretary, who is burdened with the all the legal qualifications -- and she does a super job in making sure everything is taken care of. He then asked if there is someone who wishes to officially present the petition at this time.

Mr. Forrest Brumbaugh of Kahn, Dees, Donovan & Kahn was recognized and stated he represents the Petitioner, Katheryn Seibert, who is here today along with her sons Jim and John Seibert, and her son-in-law, Kevin Riggs. This concerns the vacation of an old frontage road west of Detroy Rd., which kind of runs along Highway 66 for about 1/10 mile. This property, along with a number of other parcels of land that was owned by Katherine Seibert and her husband, was conveyed to the State of Indiana in 1967 as part of the Highway 66 project. In 1975, the State abandoned this road and a number of other roads along this to the County and since then this frontage road has not been used for any public purpose. Occasionally it has some mischievous teenagers or others drinking beer -- as the Seiberts have found trash along there. The Seiberts are asking for this road to be vacated and returned to the family. This road would allow Mrs. Seibert to have a 5-acre parcel of land which can then subdivide into two and a half acres for her sons and also a daughter. That is why they are asking for it. Since there is really no public purpose for which this road is being used, they ask that you return it to the family and put it back into the tax base of Vanderburgh County at this time. He would entertain questions either of himself or any member of the Seibert family at this time.

Attorney Kissinger apologized, noting he was doing something else -- not intentionally not paying attention. Did Mr. Brumbaugh state that the Seibert family were the previous owners?

Mr. Brumbaugh answered affirmatively.

Attorney Kissinger asked whether at the time this real estate was taken if a fee simple was taken -- or merely a right-of-way taken?

Mr. Brumbaugh stated a fee simple was taken.

Mr. Hunter asked if that makes a difference.

Attorney Kissinger said, "I'm speaking in code here. If only a right-of-way were taken when it ceased to be used for a public purpose it would automatically have reverted to the previous owners. In this particular case, since the State took a fee simple and then abandoned that to the County, there would have to be a vacation of the right-of-way in order for them to reclaim it. But that doesn't mean the Commissioners have to do that. However, that is the procedure that is required in order for them to reclaim that real estate."

Commissioner Borries entertained questions from the other Commissioners. There being none, he asked if there is anyone else present who wishes to speak either for or against the petition. There being no response, he entertained a motion.

Motion made by Commissioner Tuley to grant the request for vacation, with a second from Commissioner Hunter.

Mr. Borries then asked for a roll call vote. Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. So ordered.

RE: AUTHORIZATION TO ADVERTISE FOR NEW PHONE SYSTEM -
PURCHASING DEPARTMENT/DARYN BERGDORF

Mr. Daryn Bergdorf of the City-County Purchasing Department was recognized. He stated he met with Mark Abell last week in order to develop some specifications for a new phone system for County offices. He completed these and they were reviewed and approved by Mr. Abell. Mr. Bergdorf said he would like to advertise October 1 and October 8, with bid opening scheduled Monday, October 18th.

Mr. Borries said he knows this has been a very complicated situation. He then asked Mr. Abell if the specs are in order.

Mr. Abell said these specs appear to be quite in order. We've left ourselves enough leeway so that we're not tied to any specific quantities. We don't know what quantities we will need so we're really going for unit pricing, which appears to be the best way to do it.

Commissioner Borries entertained a motion.

Motion to approve the specs and authorize advertisement for bids was made by Commissioner Hunter with a second from Commissioner Tuley. So ordered.

Mr. Borries asked if he is correct in assuming we're talking about the hardware items here.

Mr. Abell confirmed that is correct; we're talking about the hardware items -- the sets and the accessories that go along with it.

RE: AGREEMENT BETWEEN BOOK PUBLISHING COMPANY AND VANDERBURGH
COUNTY FOR CODIFICATION OF COUNTY CODE

Commissioner Borries said that Mr. Roger Elliott and Deputy Auditor Cindy Mayo are both here to provide information regarding execution of agreement between the Book Publishing Company and Vanderburgh County for the codification of the County Code.

Mr. Elliott said that before Auditor Humphrey left this evening, he asked Mr. Elliott to submit the agreement for the Commissioners' signatures. This is a contract with Book Publishing Company in

Seattle, WA for the codification of the County Code of Ordinances, as well as supplemental services that may be required during the period of time the codification is being done, the providing of 50 printed copies of the code and the writing of the code on magnetic media for loading and software for the County to maintain from that point in time forward. The cost of this service will be approximately \$8,400. The money is currently available within the Commissioners' budget.

Commissioner Borries entertained questions of Mr. Elliott.

Attorney Kissinger asked Mr. Elliott if the changes, amendments, alterations, etc., as discussed, have been incorporated into the final draft.

Mr. Elliott confirmed that they have.

Mr. Borries entertained a motion.

Motion to approve and execute the agreement was made by Commissioner Tuley with a second from Commissioner Hunter. So ordered.

RE: UNITED WAY CAMPAIGN/PROCLAMATION

President Borries noted that Ms. Carol Braden-Clark, the United Way Campaign Coordinator, is not present today. However, he recognized Mr. Steve Parker, Chairman of the United Way Campaign. He said Carol asked him to come to the meeting today in her place. He has talked to Mr. Borries about the United Way Campaign this year-- particularly the campaign for the County offices. In fact, Mark Abell has volunteered himself to sort of be the coordinator for the County offices and they feel there is a lot of potential for the County offices to improve on the campaign from what they've had in the past in terms of total dollars. Of course, being the Chairperson of the Campaign he is enthusiastic to see that they do the best job they can to help accomplish this and he knows the Commissioners are enthusiastic about doing the best job they can to see that the United Way gets a nice contribution from all the offices. One of the things he would note is that in the past -- they were able to gain contributions from only about 15 of the 43 county offices. They did very well with the offices where there were contributions -- a high percentage of employees gave. But we didn't get enough of the offices to participate in the campaign in some form or the other. What they found -- and really what his sheets say -- is that if they have a commitment from the top (and the same applies whether a profit or not-for-profit entity) the success of the campaign is far better than if they do not have that. That is why they are here today -- hopefully, to get a commitment from the Commissioners in so far as the campaign and also to try to seek their support in putting together the commitment from each of the County offices; to try to arrange to have a meeting with their employees. They have a loan executive who is trained to come in and do the presentation in less than twenty minutes. As long as the time can be provided and there is a positive atmosphere of support they think they can do very well. By way of numbers, he would say the participation of support was about 23%. They'd like to see that more in the 50% to 60% range, which would be more typical of the companies they deal with and the City. Of about roughly 577 City employees, just over 100 employees gave about \$5,700. Just to compare (though this may not be a good comparison in the sense that they are structured differently, etc.) in the City with about double the number of employees giving \$27,000. So they feel there is a fair amount of potential there and the key is getting to the employees. Anything the Commissioners can do will be helpful and he appreciates their support.

Commissioner Borries said the Board has asked Mr. Abell to coordinate the County campaign. Having served on the Board of United Way for several years in the past, Mr. Borries said that he, personally, has certainly come to respect the work they do. And, of course, there are County agencies such as Legal Aid and others that directly receive money from the United Way. So, certainly, he thinks the County employees who deal with people from all walks in life and give those support services will certainly give some back to their community. In these tough times he knows that is asking a lot, but he always remembers Dr. Bob Morgan who used to be his boss in the School Corporation once said something he really believes. Dr. Morgan said if you didn't have a United Way somebody would have to invent one. He thinks that is exactly right, because the tax dollars that would have to be generated to provide the services that United Way does just would be an enormous amount. He hopes our people will participate and with Mark's leadership we will make every effort to increase that participation this year.

Mr. Parker said they're not really looking for people to go beyond their means, they are after increased participation and people doing what they are comfortable with.

Mr. Borries continued by reading the following Proclamation:

"WHEREAS, we, at the county, have earned an excellent reputation for caring about the community where we live and work. We are committed to being a good neighbor and to caring about people we pass each day in the halls or on the street -- many we may never meet.

WHEREAS, United Way has a remarkable approach to fulfilling human needs. It is able to win the voluntary support of people from all walks of life, to match contributed dollars to local needs, and to be there when any of us needs help.

WHEREAS, as a government entity, it is up to us to muster the voluntary energy and financial support United Way needs to carry on its work. United Way is the best way we know of to help where help is needed most. So when we contribute, we are getting the best buy for our dollars.

THEREFORE, we are asking you to join us and support our annual United Way Campaign. Let's show that the county knows United Way is more than the way to give, it's the way to care."

Richard J. Borries
Patrick Tuley
Don L. Hunter

Motion was made by Commissioner Hunter and seconded by Commissioner Tuley to approve and sign the Proclamation. So ordered.

Mr. Borries expressed appreciation to Mr. Parker for his presence and his efforts.

RE: ORDINANCE AMENDING CHAPTER 153 (ZONING CODE) BY ADDING
THOROUGHFARE REGULATIONS & REPEALING CHAPTER 152
(SECOND READING)

Commissioner Borries welcomed Mrs. Barbara Cunningham and Ms. Beverly Behme of the Area Plan Commission.

Mrs. Cunningham said that the existing Thoroughfare Ordinance for Vanderburgh County was adopted in 1959 and updated in 1984. It establishes setbacks to development along certain existing and proposed thoroughfares to preserve an adequate corridor for public safety reasons. This is the third phase of a four step process. We will be completely revising the Thoroughfare Ordinance -- at least looking at it as they've tried to do in the last couple of

years -- as soon as Evansville Urban Transportation adopts their long range transportation plan. But what this is meant to do is to allow the Board of Zoning Appeals to grant variances. There is no procedure now and if this is put in the Zoning Code then they would be allowed the opportunity to grant variances if they were determined to be correct. It has been adopted by the Plan Commission and they have final reading on it at City Council tonight.

President Borries entertained questions of Mrs. Cunningham. There being none, a motion was entertained.

Motion to approve the aforementioned Ordinance on Second Reading was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

President Borries stated the Ordinance will be heard on Final Reading next Monday, October 4, 1993.

RE: AUDITORIUM TASK FORCE

Commissioner Borries said a month or so ago when the Commissioners got involved in looking at a direction for the Vanderburgh Auditorium they asked for volunteers and the Commissioners to contact other interested persons who were major users and interested citizens-at-large to provide a broad based Task Force to set a course for the future of the Auditorium; to provide some recommendations for this Board and to act as an advocacy group for this public building owned by the taxpayers of the County. He thinks at this point if there is no discussion, he will entertain nominations to the Task Force.

Commissioner Tuley said after having a chance to review the names of people who expressed an interest or those nominated by members of this Board, he would submit the following names with the statement that for those who expressed an interest but were not chosen, this is no reflection on them whatsoever -- the Board just had to limit the number of people to get the group to a working number. Having said that, he moves to nominate the following individual to serve on the Auditorium Task Force:

Dick Harris
Rolland Eckels
Lou Iaccarino
Jon Hill
Ira Neal
Marvaline Prince
Jerry Scheidler
John Beard
Beverly Beard
Amy Walker
Lori Clouser
Jim Reis
Pete Helfrich
Randy Brown
Joe Vezzozo
Andy Lindauer
Ed Ziemer
Bob Reid
Joy LeDuc
Helene Hunter
Gene Latham
Mike Hinton
Ray Arensman
Debbie Castrale
Dr. Tom Topper

Mr. Tuley said this is a total of twenty-five (25) people.

Mr. Hunter seconded the motion. So ordered.

Commissioner Borries said he knows a group like this could be large and unwieldy, but throughout this whole process of discussing the Auditorium he felt it needed to be a bipartisan Board, one which had an open agenda, one which could really be creative and quite candid in what they were trying to do. He would at this point entertain a motion for a Chairperson and then leave it to the Board if we can set a meeting. He doesn't know how we will get that many people at the same place at the same time, but we'll do our best. He thinks the Commissioners should provide some initial leadership and share their thoughts with the group and then, hopefully, let this group go forth and provide the Commission with some recommendations in the future.

Commissioner Hunter moved to nominate Mr. Rolland Eckels to serve as Chairman. Motion seconded by Commissioner Tuley.

Mr. Borries entertained further nominations. There being none, he called for the vote. Mr. Eckels was declared Chairman by unanimous vote. So ordered.

Mr. Borries asked if the Board can agree on a date and time for the initial meeting date. From that point on, he would envision that the group would meet as needed. They may want to subdivide the group.

Commissioner Hunter suggested Monday, October 11th -- moving the regular Commission Meeting to the Auditorium at 5:30 p.m. and subsequently hold the Auditorium Task Force Meeting at 6:00 p.m. It was the consensus of the Board to follow Mr. Hunter's suggestion and Mr. Borries requested Ms. Matthews to so advertise the meeting. The regular agenda will be kept to a bare minimum and perhaps the department head reports can be very brief. The Task Force can then convene, at which time there will be introductions and perhaps each of the Commissioners can make comments and share their ideas and get the Task Force going.

Ms. Sandy Toten, Auditorium Manager, said the facility has a heavy October schedule -- they hardly have a dark night on either side of the facility. She will check the calendar and come back later in the meeting to confirm this date.

RE: HAZARDOUS MATERIALS TRANSPORTATION ROUTE

The meeting continued with President Borries noting we've had another incident along busy Highway 41 going through Evansville, where perhaps a couple of trucks were involved in a chemical spill. This is not the first time this has happened and he is sure it is not going to be the last. He checked with Ms. Zigenfus at EUTS and had also discussed this a bit with Fred P'Poole from INDOT when he was down for the Lynch Rd. very initial opening. He indicated it was this Board's decision to ask for signs that would designate I-164 for hazardous materials -- particularly for through trucks, those that would not have a City delivery. It is very clearly indicated as you approach Indianapolis going east on I-70 that I-465 is the hazardous waste route around the city. Frankly, he would hope this Board would consider doing the same thing with I-164, where we could install signs and have the hazardous materials through carriers follow that route. That would take this traffic away from possible community dangers. Therefore, he would hope this Board would write INDOT, requesting that this be designated a hazardous materials route. EUTS can also do that.

Mr. Hunter said he thinks we very definitely have a disaster waiting to happen. There are at least two schools on that route -- Bosse High School, Howard Roosa Elementary School

Commissioner Tuley noted that Glenwood School is not very far away.

Mr. Hunter continued by saying he thinks we need to get this hazardous materials traffic on I-164 as quickly as possible.

Commissioner Tuley said he thinks this only makes sense and he agrees completely.

Commissioner Borries entertained a motion.

Motion was made by Commissioner Tuley that Corridor I-164 be designated as the Hazardous Materials Carrier Route for those through traffic trucks -- that they not be allowed to travel through on U. S. Highway 41, with a second from Commissioner Hunter. So ordered.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Attorney Kissinger said that as the Commissioners may or may not recall, some weeks back the Board approved the settlement of several of the condemnation cases. One of those cases was the Board of Commissioners of Vanderburgh County vs. Earl and Lucille Kramer. This can be discussed on kind of a happy note because, in that case, the appraiser that the County hired to do the appraisal on the USI project appraised the damage to this real estate and the take there to be in the amount of \$5,350. The Court appointed appraisers then went out and appraised the value and damage to be at \$5,000 -- \$350 less. This was a first for him. As a consequence, the amount we deposited with the Clerk was \$5,000, the Court appointed appraiser's award. We have negotiated a settlement in this case of \$5,350. He is going to submit a claim and request approval of the claim in the amount of the additional \$350, which will make a \$5,350 settlement amount, which has been deposited with the Clerk. He recommends the claim be approved for payment.

Motion to approve was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

McCullough Library as Voting Site: Mr. Abell said he would like permission to ask the County Attorney if it is possible to have McCullough Library as one of the voting sites. We are looking for some voting sites for the upcoming election. They are a public library and he believes they may not have a choice.

Mr. Hunter said they used to be a voting site because he voted over there.

Mr. Tuley asked if they aren't a tax supported public facility?

Mr. Borries said they have their own tax rate and they are a public facility.

Mr. Abell said they are a little reluctant to let us vote over there and he doesn't know what our recourse is.

Commissioner Borries entertained a motion to authorize Attorney Kissinger to research this matter.

Mr. Borries said he is not a lawyer but, based on his experience, if the public schools -- which are paid for by taxes -- are mandated -- and it seems the libraries funded by the taxpayers would fall in the same category.

Attorney Kissinger said he is relatively certain Commissioner Borries is correct. However, he will research this and report back next week at the latest.

Mr. Abell said, "If so, we can send them a letter and we can draft that for the next meeting?"

Attorney Kissinger responded affirmatively.

Mr. Borries said there may be a statute -- he knows the statutes govern the schools.

Acceptance of Checks: Mr. Tuley said he has copies of some checks from Kevin Bryant, County Attorney, which were quietused in and he will give these to Ms. Matthews.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Borries noted Mr. Morpew has submitted his weekly progress report for period of September 17, 1993 thru September 23, 1993.....reports received and filed.

County Line Rd. West: Commissioner Borries noted he had a nice long conversation with Mr. Schmitt, who, he thinks, stopped short of asking Sainthood for some of us -- but he is might happy. He was particularly happy with the job the County Highway did on the railroad approach. So this is a job the crew at the County Highway can take pride in -- because those people out there are really pleased.

Commissioner Tuley said he received two calls -- one from Mr. Schmitt and one from another individual. Both parties were very, very pleased.

Mr. Borries said we certainly want to acknowledge Representative Dennis Avery, because he was lobbied about this. The glitch in the law was that nobody wanted to claim responsibility for the road -- because it was on the County line -- Vanderburgh on one side and Posey County on the other. Dennis got a State statute passed that said that via an intergovernmental agreement that two counties on a county line road could enter into an agreement. Had it not been for that change in legislation, that road would still be in the condition it was in. So government was working there to correct a glitch in the law.

Schaeffer Rd. & Cypress-Dale Rd.: In response to query from Commissioner Borries, Mr. Morpew said their next project will be Schaeffer Rd., another 2-1/2 mile stretch and he has a couple of areas on Cypress-Dale Rd. that he needs to finish.

County Line East: When they finish Schaeffer Rd. & Cypress-Dale Rd., Mr. Morpew said they will be moving to County Line Rd. East. They will subsequently continue paving the rock roads.

Boonville-New Harmony Rd.: In response to query from Commissioner Hunter as to whether this project is finished, Mr. Morpew said this is a contract project. He doesn't believe it has yet been paved. However, he hasn't driven it this past week.

Equipment Status: In response to query from Commissioner Borries as to whether the equipment is holding up, Mr. Morpew said they had another grader go down Friday and had to tow it in. This is the grader he was trying to replace earlier this year. Maybe the County Council will help us next year.

St. Joe Avenue/Slate Rd. Complaint: In response to query from Commissioner Tuley as to whether Mr. Morpew read the letter in the morning newspaper concerning St. Joe Avenue, Mr. Morpew said he did. The story is that -- well, it must be a month old. The grass was mowed three weeks ago on Slate Rd.

Mr. Borries asked Commissioner Tuley to explain the letter.

Mr. Tuley said the letter to the Editor makes reference to St. Joe Avenue and some of the things they would like to have done -- but things we could immediately take care (which, apparently has already been done) is the grass on the south side is growing several feet over the road, making the narrow County road even more dangerous. So this has already been taken care of.

Commissioner Borries said he thinks he knows who the gentleman is -- but he thinks there is a valid point with regard to St. Joe Avenue which he'd like some consideration for at some point. The people who own and/or operate the lube oil company talked to him about this. He, personally, has a thing about medians -- based on an experience we had a few years ago on Green River Rd. He is not sure they add to the economic development of an area if you look at what has transpired. What this gentleman is saying is that in order to get to his business if you're traveling north on St. Joe Avenue, you have to go all the way up to Allen's Lane, make a U-turn and come back -- and he feels if we had a fifth lane -- a continual turn lane -- that this would insure a little more business for him, as well as the K-Mart in that area. He is not opposed to looking at that as to a procedure. He doesn't think we can do that tomorrow, but he would like some consideration if John Stoll and Bill Morpew would check this out to see what we could do.

Mr. Morpew said he remembers when this was done a number of years ago. He doesn't know what type of foresight the engineers had. But when it was built there weren't any businesses out there other than K-Mart and a couple of small businesses on the east side as you travel north. Subsequently, Triple A Auto Parts and Glisson's Auto Parts and various other businesses and industrial areas have been built. It may be that the medians were to be removed at some point in the future and have a dual turn lane -- he doesn't know. He does know it is hazardous as it is now, especially when someone is trying to make a U-turn and someone else is going south or north and doesn't see the individual.

Commissioner Borries said the Board has certainly talked about the Allen Lane intersection previously.

Commissioner Tuley said it is late in the season and possibly we could make that a priority on next year's list, and investigate the matter in the interim.

Mr. Borries said he would like to look into it, but would like to remain open minded in terms of any safety considerations. But, frankly, things change. You don't see a lot of medians being engineered into some of these current road projects -- primarily, he thinks, because there has been a lot of re-thinking of how those work and whether or not in some cases they are necessary or whether they are making the situation more dangerous as people make U-turns around that area. He'd like to study that, because he thinks the gentleman has a situation here that the Board needs to look into.

Mr. Tuley said the gentleman also made mention of chuck holes as you turn right onto Mesker Park. Is that road controlled by the State?

Mr. Morpew said there were a couple of pot holes, but they were on State right-of-way on Mesker Park Drive. He believes those have been taken care of. He believes the ones this gentleman is talking about are in the City Limits -- up around the curve by the entrance to the Mausoleum. The County has a very short section of this road between Buchanan Rd. and the State right-of-way and from there out it is all County. The holes this man is talking about are in the City and there is some grass on the bank on Slate Rd., but it is off County right-of-way. All the County right-of-way out there was mowed approximately three weeks ago.

RE: COUNTY ENGINEER - JOHN STOLL

Supplemental Agreement/United Consulting Engineers/N. Green River Rd. Section "A": When the original construction engineering agreement was prepared, it was based upon an estimated number of hours that the inspectors and the project engineer would have to spend out there. Due to all the overtime and slower pace at which the contractor has been progressing, the project engineer and his inspectors have had to stay out there a lot longer than initially anticipated. This is why the Consultant is asking for this Supplemental Agreement for an additional \$30,000. He discussed this with the Consultant a couple of months ago. It has to be reviewed by INDOT. In reality, what they've told him that this really doesn't cover it insofar as the extended amount of time they put into the job. They said they may ask for another Supplemental Agreement to cover their additional hours -- but this is what their anticipated schedule was back in late July or early August insofar as additional hours. Of the \$30,000, 25% would be our responsibility and 75% would be picked up by Federal-Aid and it is still within the guidelines of the maximum percentage allowed by the Federal Aid requirements as to the amount of percentage of the total construction costs that the construction engineering (he believes 12-1/2% is the max) and he thinks this one results in a percentage of around 11% to 11-1/2%, so it is still within their requirements.

Commissioner Borries entertained questions of Mr. Stoll. There being none, he said he really appreciates all the hard work John Stoll has done on this North Green River Rd. project -- and he knows he's spent a lot of hours on it -- so much so that there is no supplemental agreement for him. He saw his wife at Reitz High School and she was getting a little concerned about his health because of the flack he was taking on this whole project. He told her not to blame him for that. In any event, John has worked very hard to insure that this project go on in timely fashion. For the record, the contractor on this -- there is a penalty on this, isn't there? We're trying hard to work with the businesses and assure they are going to have this access and we've asked for the patience of the motorists, etc. Again, it is such a complicated thing when we get into the weather and all the other aspects that go into a big project. When does the penalty kick in?

Mr. Stoll said he is not exactly sure how many work days they have left. They are close to the end. He knows they have petitioned the State for additional work days already. If they don't get the additional work days, their liquidated damages are \$1,500 per day, he believes. So they want to get the project done as much as we want them to get it finished.

In response to query from Commissioner Borries as to the projected target date, Mr. Stoll said they are shooting for late November. Mr. Stoll also noted he only received one complaint Friday afternoon concerning the switch, so perhaps the publicity through the media helped -- so it went surprisingly well.

Mr. Borries said it is an extremely difficult situation. Anytime you have moving traffic and people have to get to and from their jobs, places of business, their homes, apartments, etc., it's tough. Sometimes you can shut these roads down entirely but, again, when you do that you are literally crippling anybody having a chance to do business or anything else. He asked that Mr. Stoll continue to keep the Commissioners informed. Mr. Borries then entertained a motion concerning the agreement.

Motion to approve the Supplemental Agreement was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: VETERANS SERVICE/REQUEST TO RELOCATE IN OLD COURT HOUSE

Commissioner Borries continued the meeting by welcoming Mark Acker, Veterans Service Officer for Vanderburgh County.

Mr. Acker said there was a proposal in January to look at the feasibility of relocating the Veterans Service Office to the Old Court House and preferably on the level of the Third Floor. In initially meeting with Faye Gibson, Executive Director of the Old Courthouse Preservation Society, they looked at the only available space in the building. They were waiting to see if a tenant on the First Floor was willing to relinquish that space, which would have made it a little nicer. However, he had joined with some other people so that area was no longer feasible. On the Third Floor they were looking at Rooms 302 and 303, simply because Room 303 in itself is not large enough to house the equipment, the Service Officers and a Secretary. Room 302 became available via a tenant loss and when Faye called him back over they looked at the space and determined it would accommodate the needs of the Veterans Service Office and still leave them a little space, because of the Work Study Program they have enhanced into the office through the Veteran's Administration, which gives them Work Study three days per week at no cost to the County and also helps them with office staff, filing and other needs -- and that is another whole ball game in itself. After reviewing the project, the area being considered is exactly opposite the current offices of the County Engineer. It takes in two rooms in exactly the same space and he understands the cost is exactly the same for this area as it is for the County Engineer's offices. He and Ms. Gibson also looked at some of the problem areas the County Engineer had such as fans and various other things they had put into their area. From information gained from the County Engineer's Staff he learned they had only acquired four fans when, in fact, six were needed to adequately move the air and take care of the summer heat with window air conditioners. At this point, the reason he provided the Commissioners with a packet was not only the bids for that equipment, but some escalating of equipment needed. He notes the light package went from a little over \$700 to \$919, which includes two additional fans. He gave the yearly figure (\$780 per year) on the cleaning service, utilizing the same Jobs Program through Southwestern Mental Health -- a charge of \$15.00 per week, the same as they charge the County Engineer. The rent breaks down to \$625.00 per month of \$7,500 per year. The light and carpet are improvements and Faye has negotiated with him some plaster repair and painting of the ceiling in Room 303 as a joint package. He respectfully requests the Commissioners consider the proposal on the terms of the lease of space available at this time at the Old Court House. He also wants to point out there may be some concerns as to his availability or his staff's in that office. He will assure the Commissioners that they will be there every day from 8:00 a.m. to 4:30 p.m. as appropriate and they will not find any shortage of attendance in that area anymore than they have here at this facility.

Mr. Borries entertained questions.

Following brief discussion as to what is paid per square foot in the Civic Center and how many square feet contained in the current Veterans Service Office, Mr. Abell noted they currently have roughly 900 sq. ft.

Mr. Acker said the two room sizes do not facilitate any one particular room being taken. One room is 500 sq. ft. and Faye can tell you that we can't take one area and make it into what would be adequate. In other words, we'd be like one soup box with one office space.

Mr. Borries said at 1,500 sq. ft., they're getting about 600 sq. ft. additional. But that will also facilitate any additional space

need in the office.

Mr. Acker said that unfortunately, we can't subdivide what they have now and we're not allowed to put any walls up in the facility and the one room in itself does not provide sufficient square footage. These are adjoining rooms. They were waiting for one single room downstairs which would accommodate what they needed but it did not become vacant. There was no renovation needed and they could have walked into it and been ready to go. He brought samples of the needed carpeting and padding if the Commissioners would like to see same. The one he recommends comes from Unclaimed Freight at a cost of \$3,349 vs. the other one at \$3,368. Fireside Galleries did not send him an official bid; it was over the phone with his secretary.

Mr. Hunter asked if there is any kind of breakdown of prices on the bid from Unclaimed Freight. It lists the items and a total bid price -- but no itemized amounts.

Mr. Acker said he can obtain that. But it is 170 sq. yds. of carpeting with the pad -- but he can get a more specific breakdown.

Mr. Hunter said what Mr. Acker is looking for then is \$3,349 plus \$919.70 or \$4,893.

Mr. Acker said that is correct. And if we want to go with the cleaning service at \$15.00 per week being used by the County Engineer's Office that is an additional \$780.00 per year.

Mr. Abell noted the rental in this building is presently \$12,150 per year.

Mr. Tuley said the savings in rent the first year will more than offset the initial outlay.

Mr. Acker said that is not counting the air conditioning, which he has bids in there for -- three window units at \$2,487. Again, the units are there and he knows he will probably have to come back next year to replace the units that are there. He also explained to Faye Gibson, too, that when you're dealing with veterans and their clientele, they are not used to having the number of clients at the businesses that the Old Courthouse currently has. The business of the Veterans Service Office is people; and "people" means they come to their office. He checked with Faye and talked about the bathrooms on the third floor; there were some handrail accommodations for the bathrooms and Faye also agreed to add two additional handicapped spaces on the Vine Street side of the building, which is the side they will be on -- which will help the clientele flow into the lower level. She has also assured him she will get the handicap bathrooms accommodated on the First Floor, as well. He appreciates her effort in trying to accommodate the needs of his office and the special clientele they have. She has prepared two lease agreements which he left in a packet for President Borries to review, as well as the Attorney, to determine whether it is feasible to relocate.

Ms. Gibson offered comments concerning utilities, etc., but they were not audible since she was speaking from her chair and did not approach the microphone.

Commissioner Tuley asked if Mr. Acker still has an official capacity at the Veteran's Council.

Mr. Acker acknowledged that he does.

Mr. Tuley asked, "But you're not on the payroll anymore, correct?"

Mr. Acker responded, "Yes, I am -- evenings; that is between the Council and me on a private basis after 4:30 p.m. It has no

affiliation or time frame crossover to this office or my duties under the County level. I wish to assure you that this time -- it has not been the case since I was hired nor will it be the case in the future because of the office location. It has no bearing on that."

Mr. Tuley said he knows they need Mr. Acker over there and that's fine; after 4:30 p.m. they can have him.

Mr. Acker expressed his appreciation, saying this has been a long project -- he's been at it for eight or nine years.

Mr. Borries said we are on the right track for this building if it is going to be utilized again and regain its grandeur, it is going to have to be looked on as providing government services. That is why it was built and he thinks that by offices such as the County Engineer and the Veterans Service going there -- he thinks we ought to keep the offer open. Hopefully we will get the County Council to get central air conditioning in there yet. For the record, he already has some pretty eager comments from certain City officials who are interested. He told them this was County space and said we'd negotiate on the space. But we're on the right track and this marks another step in what we hope will be another exodus. The doors are still open and there is more room at the Old Court House. Commissioner Borries said Mr. Acker will need to go to County Council and they will be asking if he has any monies to repeal.

Mr. Acker said he has no funds; they're even bumming copy paper to finish the year.

Mr. Hunter said for Mr. Acker's own protection when going to Council, he needs to get a breakdown on the bid from Unclaimed Freight.

Mr. Acker said he will do this.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, Mr. Acker was authorized to go on Council Call for the necessary funds.

Mr. Borries said efforts will continue to be made to fill the space in the Old Courthouse on a request basis and continue the effort to get central air conditioning. He's always felt we didn't want to put people in a work environment that was going to be less than that which they've known. Another advantage is that the windows go up and down. He's had a lot of requests concerning the windows in the building. They don't move too much. Over there you get a little fresh air. So there are lots of advantages at the Old Courthouse.

Mr. Acker said after living in Room 105 for eight years, it is refreshing to know there is a window you can even look out of. One other note, his opinion of Veterans Service is to serve the community in all aspects -- not just the forms provided by the Veterans Administration, but the community relations of the office and working with the veterans community as a whole through the various service organizations and flag organizations in this community. It has been his great privilege to have worked with all of them on some level, be it a P.O.W. or M.I.A. program all the way up to the most recent one. Many of the people in the veteran community are skeptical of government at best and they're dealing with the V.A. -- so it's very negative when a project comes along. He was approached and asked as a member of the Disabled American Veterans (Chapter 7 at James Bethel Gresham) to undergo some ideas about the various problems they have at Locust Hill Cemetery. One is keeping a flag on a flag pole because of vandalism. Secondly, the pole is 85 ft. in height and it is very difficult to get the fire department out there to re-hang the flag or even to fly the flag at half mast. In a meeting of the Veterans Council and the

D.A.V., they asked what we could do with that rather dingy area -- which has no reflection on the City, it's just a cemetery and what do you do with a cemetery. This was brought to his attention and he was asked to try to find a revitalization of Locust Hill Cemetery up in the World War I section and the Civil War section. He is not much of an artist, but he scribbled out something and ran down to Bob Brunner's office and he said his staff would be glad to help. He met with his staff and they produced a drawing. They subsequently have developed bids, etc. They have come up with what will be known as the James Bethel Gresham Memorial and Reflection Area that will be an enhancement to Locust Hill Cemetery. It will sit on high ground on the north corner. The drawing underneath was done by a landscaping company to show a better enhancement of the garden scene. The project is going to come in at about \$17,600, which has been donated by Chapter 7 of the D.A.V. to enhance Locust Hill Cemetery and to replace the old 85 ft. steel non-operating flagpole into a 60 ft. satin finished enclosed flagpole on top of this ground. He brought it to the Commissioners only to give them input. Mr. Gresham's grave is adjacent to this area, which will be used each Memorial Day and Veteran's Day as we have services out there to enhance the memory of his giving his life for this country. He also wants to point out to the Commissioners that he is much more involved in the community on veterans relations and programs than just pushing paperwork on a day-to-day basis. He thinks it is something we have to do, because very few people know the Veterans Service Office is there; they don't understand the purpose of the office. He thinks this brings the office out as a positive point in the community and government moving forward as an entity to better enhance relationships.

Commissioner Borries said Mr. Acker has done a fine job on this and it truly does need to be completed, because it is a fact that James Bethel Gresham was the first American soldier killed in France as the A.E.F. (Allied Expeditionary Force) landed there and he thinks he was buried there for twenty-four or forty-eight hours before he was killed. The citizens of Evansville for many years -- school children and others -- used to bring flowers and honor to his grave and Veteran's Day on November 11th is always observed throughout the country and the main service here was always held at his grave site. He certainly commends Mr. Acker's efforts and with the generous donation of the Veterans, this will certainly enhance the area. He then thanked Ms. Gibson for her presence and her efforts with regard to the Old Courthouse.

RE: AUDITORIUM TASK FORCE/INITIAL MEETING

Mr. Borries said Ms. Toten has returned from the Auditorium to give her report.

Ms. Toten said the Commissioners picked the right Monday. Monday, October 11th, is the only Monday available. The Commissioners are now penciled in the book.

Mr. Borries said the Commissioners will send notices out to the individuals appointed to the Auditorium Task Force and invite them to attend. If Ms. Toten could arrange for seating -- either on the stage or wherever she deems appropriate. Efforts will be made to have a brief regular Commission Meeting so the Task Force can proceed to meet. Perhaps it would be in order for this first meeting of the Task Force that the group tour the facility to acquaint them with what is at the Auditorium.

Ms. Toten said they will be in touch with the Commission office to finalize arrangements.

RE: CONSENT AGENDA

Commissioner Borries entertained questions concerning the Consent Agenda. There being none, a motion was entertained.

Motion made by Commissioner Hunter and seconded by Commissioner Tuley to approve the Consent Agenda. So ordered.

RE: OLD BUSINESS

President Borries entertained matters of Old Business to come before the Board. There were none.

RE: NEW BUSINESS

President Borries entertained matters of New Business to come before the Board.

Resolution re Hook's Drugs: Commissioner Tuley said he has a Resolution to ask the Commissioners to join in support to ask the Alcoholic Beverage Commission to deny the request of Hook's Drugs for a 3-Way Liquor License for the location at Washington & Kentucky Avenues.

Commissioner Hunter said he would be pleased to sign the Resolution and moves that the Board accept the Resolution to deny the license. Seconded by Commissioner Tuley. So ordered.

Mr. Tuley said he believes a vote is going to be taken at tonight's A.B.C. meeting, so they will get the Resolution to the meeting.

ADA Compliance: Mr. Borries said he would want it entered into the record -- and he's talked with the personnel firm that had worked with us on our ADA compliance (one of the principals had open heart surgery and is not back). One of the things they suggested that needed to be done is a memorandum (should it be approved) that says the Family & Medical Leave Act Policy is adopted by Vanderburgh County, Indiana and this replaces any conflicting County Leave Policies. It places us in compliance with the Family & Medical Leave Act Policy. What it allows us to do is to be in compliance with the law. We need to take steps to enter that into the official record. The memorandum was not received in time to have it placed on the agenda, but he does want to take steps to act on this.

Attorney Kissinger said he is in the process of working on three or four different items now and he is going to recommend to the Commissioners that the County Personnel Policy be amended and these things should be made a permanent part of our Ordinance. This will be one of those items. But doing this now on a temporary basis is certainly appropriate under the circumstances, because the Act has gone into effect.

Mr. Borries entertained a motion to enter this into the official record and also make this a part of the official County Personnel Policy.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Mr. Borries entertained further matters of new business to come before the Board.

Executive Sessions: Secretary Joanne Matthews noted that nothing has been mentioned concerning Executive Sessions during October. Is it the Board's intention to schedule any sessions at this time.

President Borries entertained a motion.

Motion was made by Commissioner Tuley to schedule Executive Sessions on October 4, 1993 and October 18, 1993 for purposes of discussing Pending Litigation and Personnel Matters. So ordered.

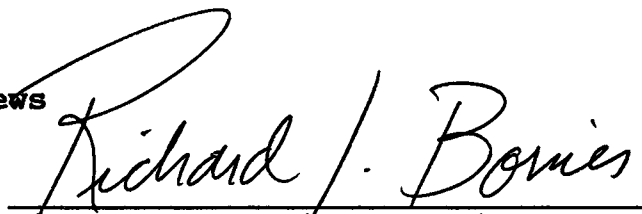
Drainage Board: Mr. Borries announced the Drainage Board will convene subsequent to this meeting -- following a brief recess.

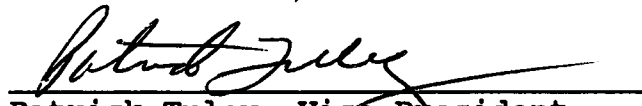
There being no further business to come before the Board at this time, President Borries declared the meeting adjourned at 7:00 p.m.

PRESENT:

Richard J. Borries
Patrick Tuley
Don Hunter
Cindy Mayo, Chief Deputy Auditor
Alan M. Kissinger, County Attorney
John Stoll, County Engineer
Bill Morphew, County Highway Supt.
Daryn Bergdorf/Purchasing Dept.
Roger Elliott/Data Processing
Mark Abell, Supt./County Buildings
Sandy Toten, Auditorium Manager
Mark Acker/Veterans Services Officer
Steve Parker/United Way & Old National Bank
Forrest Brumbaugh/Kahn, Dees, Donovan & Kahn
Kevin Riggs
Jim Seibert
John R. Seibert
Kathryn Seibert
Eric Williams/Deputy Sheriff
Beverly Behme/Area Plan Commission
Barbara Cunningham/Area Plan Commission
David Ellison/Big Creek Drainage Assn., Inc.
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES
DON L. HUNTER
PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

September 27, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER** — 5:40 p.m.
2. **INTRODUCTIONS** ✓
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Any group/individual wishing to address the commission — *None*
 - B. Petition to Vacate ✓ — *Forest Brumbaugh - Kuhn D & K*
re: Old Frontage Road West of Detroy Road and Northeast of Highway 66 *PT/DH*
App'd by Unanimous Roll Call Vote
 - C. Daryn Bergdorf/Purchasing — *DH/PT* *Adv. 01/1 + 10/0; Bid Opening 10/18/93*
re: Permission to advertise for new phone system
 - D. Sam Humphrey/County Auditor, Roger Elliott/Data Processing *PT/DH*
re: Signature of an agreement between Book Publishing Company
and Vanderburgh County for Codification of County Code
 - E. Carol Braden-Clarke *Heidi Clarke*/United Way Campaign Co-ordinator
re: brief presentation and signing of proclamation
 - F. Ordinance Amending Chapter 153 (Zoning Code) by Adding — *PT/DH*
Thoroughfare Regulations & Repealing Chapter 152
re: Second reading

G. Vanderburgh Auditorium Task Force (25) PT/D.H.
re: discussion

/ H. Hazardous Materials Signs for US Highway 41
re: Designating I-164 as the route

5. DEPARTMENT HEADS

/ Alan Kissinger ----- County Attorney
/ Mark Abell ----- Superintendent of County Buildings
/ Bill Morphew ----- County Garage
/ John Stoll ----- County Engineer
/ *See attached engineer requests
Mark Acker ----- Veteran's Service Officer

6. CONSENT ITEMS

A. Travel/Education Requests:

* Health (2) Knight Township (1)

B. Employment Changes:
see attached

C. County Treasurer's Report for August 1993
re: approval/acceptance

D. Claims for payment:

1) Given & Spindler.....\$ 5,944.82
re: expenses per contract

2) Kevin Bryant.....\$ 1,332.84
re: legal fees for recapitulation

3) Environmental Consulting and Engineering
Company.....\$ 31,488.54

E. Vanderburgh Auditorium

re: use approval of the new License Agreement for users of
facility/per Alan Kissinger

7. Scheduled Meetings - List attached

COUNTY ENGINEER'S
CONSENT AGENDA
SEPTEMBER 27, 1993

1. **CLAIMS:**

GREEN RIVER ROAD 216-4910	
US Regulatory Commission (#395619)	\$ 410.00
DARMSTADT ROAD BRIDGE #214 203-4342	
Sam Oxley & Co. VC 93-0601 (Inv. #6)	\$3,186.96

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10501130091	Kenneth Roy		Sergeant	15 32605 00	9-17-93 ✓
105011300055	Michael Austin		Corporal	14 30755 00	9-17-93 ✓
105011300061	Joseph Beckwith		Probationary Patrolman	12 25985 00	9-17-93 ✓
105012101050	Joseph Beckwith		Other Payment Officer		9-17-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300055	Kenneth Roy		Corporal	14 30274 00	9-17-93 ✓
105011300061	Michael Austin		Patrolman	13 28596 00	9-17-93 ✓
105011300221	Kovana Pagett	STILL ON 10/1/93 P.L.	Custodian	11 23000 00	9-24-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Ray Hammer DATE 9/24/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10501750	Joseph Beckwith		Other clothing allow.		9-17-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10501750	Terry Hayes		Other Clothing allow		9-24-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Ray Hammer DATE 9/24/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department ELECTION OFFICE

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
121-112	Mary Bassemier	6618 Lt. Schaefer Rd.	clerk	6.00	3-20-93
121-112	Mancy Kleinman	16639 Big Cynthiana Rd. Haubstadt IN 47639	clerk	6.00	3-20-93
121-121	Elmer Tornatta	2001 N. Green River Rd.	Aid	6.00	3-20-93
121-121	John J. Jones	820 S. Governor	Aid	6.00	3-20-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Alvin Matlock DATE 9-20-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1990	BRIAN DURHAM		INTERM	\$5.00 HR	8-23-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1990	BRIAN DURHAM		INTERM	\$4.75 HR	8-23-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE 9/23/93
JUDGE, CIRCUIT COURT

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.01362 1990	PHYLLIS L. CHRISTIAN		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-5-93 ✓
505.01362 1990	MATTHEW D. MATTINGLY		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-5-93 ✓
505.01362 1990	MARALYN L. WEST		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-5-93 ✓
505.01362 1990	TRAVIS W. AUSLAND		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-5-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	PHYLLIS L. CHRISTIAN		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-4-93
136.1-1990	MATTHEW D. MATTINGLY		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-4-93
136.1-1990	MARALYN L. WEST		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-4-93 ✓
136.1-1990	TRAVIS W. AUSLAND		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-4-93 ✓

RECORDED
COMMISSIONER'S RECORD

SIGNED BY Rms

JUDGE, CIRCUIT COURT

DATE 9/21/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.01362 1990	STEPHEN F. ROTH		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-5-93 ✓
505.01362 1990	JASON E. CANNON		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-5-93 ✓
505.01362 1990	CLINT M. DENTON		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-5-93 ✓
505.01362 1990	MARVIN D. BRYANT		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-5-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	STEPHEN F. ROTH		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-4-93
136.1-1990	JASON E. CANNON		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-4-93
136.1-1990	CLINT M. DENTON		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-4-93 ✓
136.1-1990	MARVIN D. BRYANT		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-4-93 ✓

RECORDED
COMMISSIONER'S RECORD

SIGNED BY Rms

JUDGE, CIRCUIT COURT

DATE 9/21/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1990	EDWARD GREENFIELD III		PART-TIME CORRECTION OFFICER	\$5.00	HR
505.0136Z 1990	JOHN E. PAYNE		PART-TIME CORRECTION OFFICER	\$5.00	HR
505.0136Z 1990	MINDY L. STURGEON		EXTRA HELP	\$7.00	HR

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1990	EDWARD L. WILLIAMS		PART-TIME CORRECTION OFFICER	\$7.00	HR
136.1-1990	MINDY L. STURGEON		EXTRA HELP	\$7.00	HR

RECORDED
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE 9/21/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1990	THOMAS E. AGNEW		PART-TIME CORRECTION OFFICER	\$7.00	HR
505.0136Z 1990	LYNN E. SCHMITT		EXTRA HELP	\$7.00	HR
505.0136Z 1990	CAREY S. HUDSON		PART-TIME CORRECTION OFFICER	\$5.00	HR
505.0136Z 1990	TIMOTHY S. PIERCE		PART-TIME CORRECTION OFFICER	\$5.00	HR

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	THOMAS E. AGNEW		PART-TIME CORRECTION OFFICER	\$7.00	-2
136.1-1990	LYNN E. SCHMITT		EXTRA HELP	\$7.00	-2
136.1-1990	CAREY S. HUDSON		PART-TIME CORRECTION OFFICER	\$5.00	-2
136.1-1990	TIMOTHY S. PIERCE		PART-TIME CORRECTION OFFICER	\$5.00	-2

RECORDED
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE 9/21/93

Department VANDEBURCH SUPERIOR COURT

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701800	Jamie L. Fulks		Small Claims Sec.	18,664.00	9 22 93
				3,337	

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701800	Jamie L. Fuls		Small Claims Sec.	17,800 00	9-22
13701180	Barbara C. Williams	37144 Rd 161/164 PR	Misdemeanor Referee	832.99 42,056 00	9/30

SIGNED BY 1 May 10 Dutcher DATE 9/24/93

Department Legal Aid Society of Evansville, Inc.

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	906 B.			
DANA MARIE MONTELANGO Madenald	lane	SECRETARY	5.00/hr	7/2/93
315-88-4942	EVANSVILLE IN 47712	(1990) EXTRA HELP		

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

SIGNED BY Karin Olson DATE 9/20/11

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Trustee

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	Irdie Scott Crawford	638 Jefferson Ave.	Clerk	35.00 per day 10-1-93	

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mary E. Hart DATE 9/24/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249011101990	DONALD L. TEMPE	307 S. ELM	FIELD DEPUTY PART TIME	HOUR 7 00	8-18-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Shirley E. Schuch DATE 9.23.93

VANDERBURG COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

INCENTIVE PAY

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JEFF CAMARCO		LIFEGUARD	.25	9/24/93
1180	SARA BERNHARDT		LIFEGUARD	.25	9/24/93
1180	JAMES B GERARD		LIFEGUARD	.25	9/24/93
1180	SHAWN HELMER		LIFEGUARD	.25	9/24/93
1180	ANGIE REDMAN		LIFEGUARD	.25	9/24/93
1180	DANIEL TOWNSEND		LIFEGUARD	.25	9/24/93
1180	JEFF LUDWIG		LIFEGUARD	.25	9/24/93
1180	JEREMY JOURDAN		LIFEGUARD	.25	9/24/93
1180	DOUG KIEFFER		LIFEGUARD	.25	9/24/93
1180	TRACY BAGBY		LIFEGUARD	.25	9/24/93
1180	GARE WEISS		LIFEGUARD	.25	9/24/93
1180	TODD DONOROO		LIFEGUARD	.25	9/24/93
1180	JAMIE STANLEY		LIFEGUARD	.25	9/24/93
1180	JAMES TOWNSEND		LIFEGUARD	.25	9/24/93
1180	MIKE DAVIS		LIFEGUARD	.25	9/24/93
1180	ROBERT TOWNSEND		LIFEGUARD	.25	9/24/93
1180	TODD FRED		LIFEGUARD	.25	9/24/93
1180	LEE SCHILLER		LIFEGUARD	.25	9/24/93
1180	JOE KOCH		LIFEGUARD	.25	9/24/93
1180	BROCKE MCFALL		LIFEGUARD	.25	9/24/93
1180	SHAWN REDMAN		LIFEGUARD	.25	9/24/93
1180	ADAM SHAW		LIFEGUARD	.25	9/24/93
1180	STACKY MOSER		LIFEGUARD	.25	9/24/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER
COMMISSIONER'S RECORD

SIGNED BY M. Tully DATE 9/24/93

Department

BURDETTE PARK

INDEPENDENT PAY

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JAY MATTHEWS		LIFEGUARD	.25	9/24/93
1180	ERIN DEICKER		LIFEGUARD	.25	9/24/93
1180	SARAH TOWNSEND		LIFEGUARD	.25	9/24/93
1180	ASHLEY SHIMATE		LIFEGUARD	.25	9/24/93
1180	MISTY LYNN		LIFEGUARD	.25	9/24/93
1180	ANGIE LUDWIG		DAYCAMP	.25	9/24/93
1180	HELENE HUNTER		DAYCAMP	.25	9/24/93
1180	BEN MORAN		DAYCAMP	.25	9/24/93 ✓
1180	DAN CHLANDEN		DAYCAMP	.25	9/24/93 ✓
1180	JASON ADAMS		DAYCAMP	.25	9/24/93 ✓
1180	JACK BREUNIG		DAYCAMP	.25	9/24/93
1180	BOW NELSON		DAYCAMP	.25	9/24/93 ✓
1180	RACHEL HASKINS		DAYCAMP	.25	9/24/93
1180	JENNIFER ACKER		DAYCAMP	.25	9/24/93 ✓
1180	CATEY KIRSCH		DAYCAMP	.25	9/24/93 ✓
1180	MELANIE LUDWIG		DAYCAMP	.25	9/24/93
1180	JENNIFER ROBERTS		DAYCAMP	.25	9/24/93
1180	JAMIE YOUNG		DAYCAMP	.25	9/24/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER
COMMISSIONER'S RECORD

SIGNED BY M. Tuley (sn) DATE 9-24-93

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

DRAINAGE BOARD IMMEDIATELY FOLLOWING

SCHEDULED MEETINGS

Mon	Sept 27	County Commissioners: Burdette Park Advisory Board	4:00 PM	RM 307
		Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Wed	Sept 29	County Council CANCELLED		
Mon	Oct 4	Tax Adjustment Board	9:00 AM	RM 301
		County Commissioners:		
		Department Head	4:00 PM	RM 303
		County Commissioners	5:30 PM	RM 307
Wed	Oct 6	Tax Adjustment Board	8:30 AM	RM 307
		County Council	3:30 PM	RM 301
Thurs	Oct 7	HAPPY BIRTHDAY COMMISSIONER TULEY		
Mon	Oct 11	County Commissioners		
		Solid Waste	4:30 PM	RM 307
		Commissioner Meeting	5:30 PM	RM 307
Mon	Oct 18	County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Tues	Oct 19	County Insurance Committee	9:00 AM	RM 303
Thurs	Oct 21	County Employee Steering	9:00 AM	RM 303
		Pigeon Creek	5:00 PM	RM 307
Mon	Oct 25	County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Wed	Oct 27	County Council		
		Personnel/Finance	3:30 PM	RM 301

93-26559

Ordinance No. - 93- _____

FILED DRAWER

8 CARD 2524

RECEIVED FOR RECORD

at 1:34 PM
Sept 30 1993
BETTY J. HERMANN, RECORDER
VANDERBURGH COUNTY

**AN ORDINANCE TO VACATE A CERTAIN PUBLIC EASEMENT WITHIN
VANDERBURGH COUNTY, INDIANA, WHICH IS AN UNNAMED COUNTY ROAD**

BE IT ORDAINED by the County Commissioners of Vanderburgh County, Indiana, as follows, to-wit:

Section 1. That pursuant to I.C. 36-7-3-12 through I.C. 36-7-3-16, a sworn Petition was presented to the County Commissioners of Vanderburgh County, Indiana requesting that the unnamed county road described in Section 3 below be vacated by the County Commissioners of Vanderburgh County, Indiana.

Section 2. That after due and proper notice a timely public hearing was convened by the County Commissioners of Vanderburgh County, Indiana, at which time all interested persons were permitted to address the County Commissioners of Vanderburgh County, Indiana regarding said vacation.

Section 3. That the County Commissioners of Vanderburgh County, Indiana, after due investigation and consideration, has determined that the nature and extent of the public use and public interest to be subserved is such as to warrant the vacation of the public easement indicated by the words "To Be Vacated" on the drawing attached hereto and made a part of this Ordinance and more particularly described as follows:

.105 mile of Frontage Road No. 12 adjacent to U.S. 460 from station 1063 + 84 to station 1069 + 40.21, abandoned by the State of Indiana and turned back to Vanderburgh County, Indiana by a resolution dated the 24th day of July, 1975, but not including any part of Detroy Road.

THEREFORE, the County Commissioners of Vanderburgh County, Indiana, do hereby find the above described unnamed county road is no longer required for public use and public interest will be served by such vacation, and the County Commissioners of Vanderburgh County, Indiana, do hereby vacate the public easement described above, subject to the terms and conditions as stated in this Ordinance.

Passed by the County Commissioners of Vanderburgh County, Indiana, on this 27th day of Sept., 1993 and on said day signed by the President of said County Commissioners of Vanderburgh County, Indiana and attested by the Vanderburgh County Auditor.

DULY ENTERED FOR TAXATION SUBJECT
TO FINAL ACCEPTANCE FOR TRANSFER.

SEP 30 1993 5420

Richard Borries, Commissioner

Patrick Tuley, Commissioner

Don Hunter, Commissioner

ATTEST:

Sam Humphrey,
Vanderburgh County Auditor

APPROVED AS TO FORM:

County Attorney

Prepared by: Kahn, Dees, Donovan & Kahn
305 Union Federal Bldg.
Evansville, IN 47735-3646

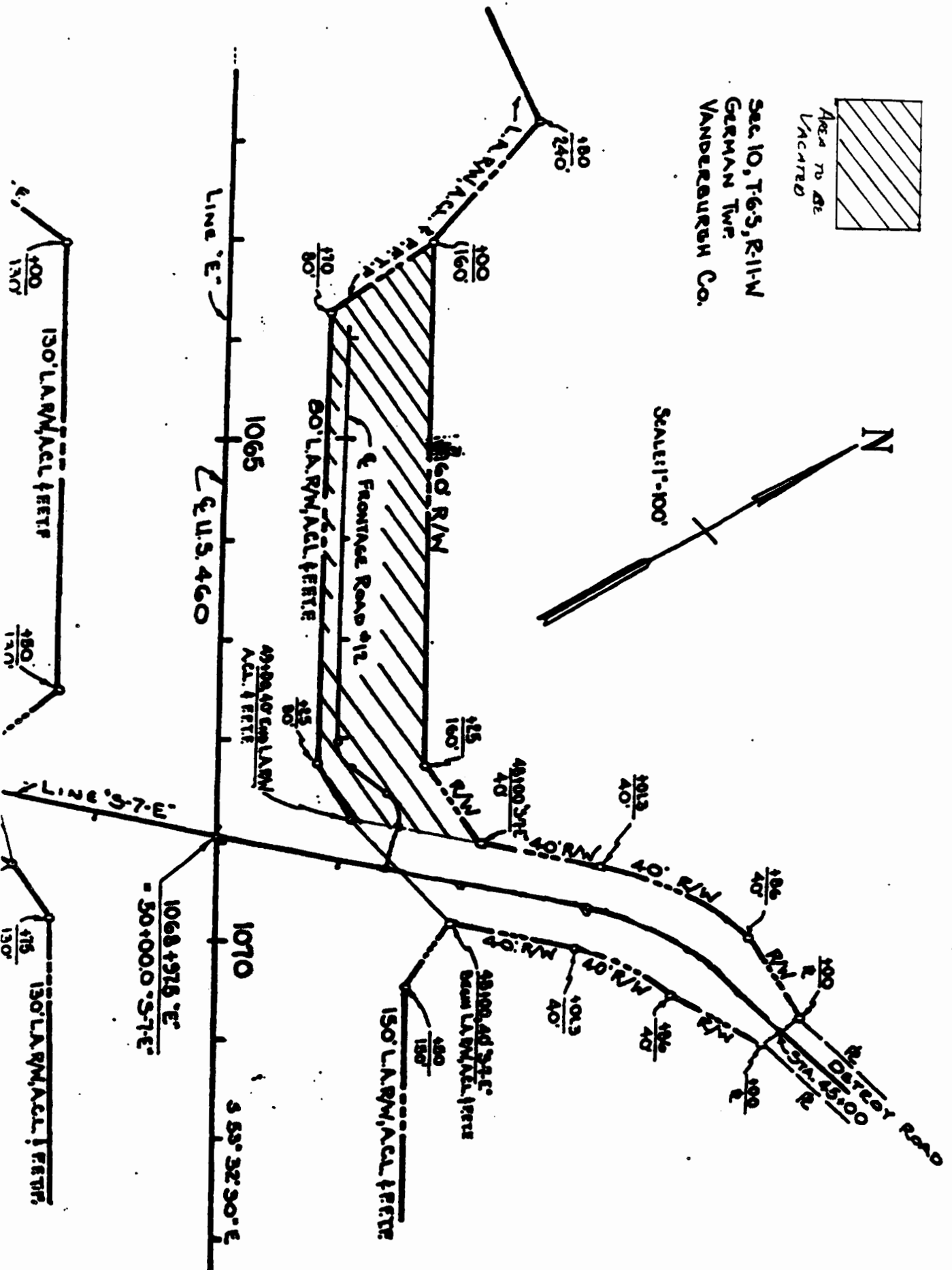
Petitioner: Katheryn Seibert
4301 Detroy Rd.
Evansville, IN 47720

Area to be
Vacated

Sec. 10, T-6-S, R-11-W
GERMAN TWP.
VANDERBURGH CO.

SCALE: 1"=100'

Z





**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

PROCLAMATION

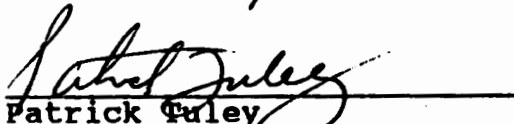
WHEREAS, we, at the county, have earned an excellent reputation for caring about the community where we live and work. We are committed to being a good neighbor and to caring about people we pass each day in the halls or on the street -- many we may never meet

WHEREAS, United Way has a remarkable approach to fulfilling human needs. It is able to win the voluntary support of people from all walks of life, to match contributed dollars to local needs, and to be there when any of us needs help.

WHEREAS, as a government entity, it is up to us to muster the volunteer energy and financial support United Way needs to carry on its work. United Way is the best way we know of to help where help is needed most. So when we contribute, we are getting the best buy for our dollars.

THEREFORE, we are asking you to join us and support our annual United Way campaign. Let's show that the county knows United Way is more than the way to give, it's the way to care.


Richard J. Borries


Patrick Tuley


Don L. Hunter

UNITED WAY CAMPAIGN SUGGESTIONS

GOAL:

To contact the heads of local businesses and offices to establish support for the United Way Campaign in their work place, and develop a supportive attitude towards United Way.

ASK FOR:

- A. **C.E.O. Support**
 - 1. The C.E.O. should be visible during campaign (attend meetings, events, etc.) and,
 - 2. Create an atmosphere within the organization that the United Way is; 1) a priority, 2) an important part of the community.
- B. **Corporate Contribution**
 - 1. Consider matching employee gifts
 - 2. Make a corporate contribution
- C. **Appoint a Key Person within each organization to be Coordinator**
 - 1. Make the United Way Campaign part of the employee's job description. Turn it into an opportunity for the CEO and the employee to test their skills in organization and management.
 - 2. Give the employee time away from the job to work on the campaign.
- D. **Run an Educational Campaign**
 - 1. Have group meetings
 - 2. Allow every employee to attend
 - 3. Consider agency tours on agency speakers
 - 4. Take advantage of the resources available through United Way
 - 5. Keep campaign short
- E. **Have a Thank You or Recognition event for employees**
- F. **Keep United Way in your work place year-round**
 - 1. Agency speakers
 - 2. Agency tours
 - 3. Posters
 - 4. Articles in publications

Note: Nine loaned executives will be available for this year's campaign to support work place campaigns and conduct employee meetings.

PROPOSAL FOR THE CODIFICATION OF THE CODE OF ORDINANCES FOR VANDERBURGH COUNTY, INDIANA. PUBLICATION OF FIFTY (50) COPIES OF THE CODE PLUS SUPPLEMENTATION SERVICE.

1 PARTIES.

The parties to this contract are Vanderburgh County, Indiana, (hereinafter County) and Book Publishing Company (hereinafter Company or BPC).

2 GENERAL TERMS.

It is the general intention of the parties that this contract provide for the codification and publication of the code of ordinances of the County. This contract covers the editorial work, indexing, and publication of fifty (50) copies of the code in BPC 8 1/2" X 11" two-column composer format.

3 CHARGE FOR EDITORIAL AND PRINTING SERVICES.

- 3.1 Base charge for 250-page two-column code: \$8450.00
- 3.2 Charge for more than 250 pages, per page: \$ 33.00
- 3.3 Partial pages will be charges as full pages.
- 3.6 No charge for blank pages.

4 BINDERS.

- 4.1 Standard BPC mechanical looseleaf binders:
 - 10 - 24 binders, per binder.....\$22.00
 - 25 - 99 binders, per binder.....\$19.00
 - over 99 binders, per binder.....\$17.00An appropriate title, approved by the County, shall be imprinted on each binder.
- 4.2 At an additional cost, the County can select an alternate binder.

5 MAP, DIAGRAM OR TABULAR PAGES.

5.1 There will be an extra charge for each map, chart, diagram or tabular page of:.....\$15.00

5.2 This charge applies to the basic code and to future supplements.

6 FREIGHT CHARGES.

F.O.B., Room 208, Civic Center Complex, Evansville, IN 47708

7 SALES TAX.

If a sales tax is applicable to this work, the amount of such tax will be added to the costs quoted in this contract.

8 PAYMENT SCHEDULE.

8.1 On signing of the contract, one thousand five hundred dollars (\$1500.00) is due for payment.

8.2 An additional one thousand five hundred dollars (\$1500.00) is due when the Ordinance Analysis and Report is submitted to the county attorney.

8.3 The balance of the total cost of the code is due on delivery of the code books to the County.

8.4 By written agreement signed by the Company and the County, the payment schedule may be extended over a longer period. Unpaid balances due more than 60 days after delivery of the code books are subject to a late charge. A late charge of 1% per month may be imposed on all past due amounts.

9 WORKING COPIES OF ORDINANCES.

The County will supply to the Company two legible working copies of each ordinance. If working copies are not available, the County will make the ordinances available for duplicating. The Company will make duplicates of the ordinances necessary to the code and will charge the County the Company's cost of having the ordinances duplicated.

10 TIME FOR COMPLETION.

- 10.1 Time is of the essence. It is the intention of the Company, with the cooperation of the County, to deliver the completed codes to the County within one year of the receipt of codification material from the County.**
- 10.2 Should delivery be delayed because of the County's delay in performing its duties according to this contract, the Company shall have the right to increase the final cost of the code to compensate for any increase in labor, materials or overhead costs subject to prior approval of County at which time County may agree to the additional charge or cancel the contract and pay for the portion of the work completed.**

11 ORDINANCE ANALYSIS AND REPORT.

The Company will, under the supervision of the county attorney, prepare an Ordinance Analysis and Report upon receipt from the County of the material to be included in the codification. In preparing this report, the Company will:

- 11.1 Compile and edit the charter by inserting into their proper places all amendments. The ordinances will be checked against the charter and any apparent conflicts of inconsistencies will be called to the attention of the county attorney.**
- 11.2 Examine all existing ordinances of a general and permanent nature of imposing a fine, penalty of forfeiture. The Company will separate and arrange such ordinances logically according to subject in numbered titles (first division) and chapters (second division). Each division will contain provisions similarly related and complete within themselves.**
- 11.3 Examine the County's provisions for apparent improprieties and conflicts. Where conflicts, inconsistencies or ambiguities are apparent to the Company, they will be brought to the attention of the County's representative for consideration. Such examination shall be performed with the approval of, and in cooperation with, the county attorney.**
- 11.4 Formulate, draft and recommend a title and chapter outline of a proposed code structure and furnish to the County's representative a copy of the outlined proposed code structure and classification of existing ordinances (Ordinance Analysis and Report). Such proposed structure and classification of ordinances will not be adopted until they have been approved by the County's representative.**

- 11.5 Upon receipt of the Ordinance Analysis and Report, the county attorney will review the Report and recommend appropriate action on all items contained within the Report. The county attorney shall make all legal decisions.

12 EDITORIAL CONFERENCE.

- 12.1 Immediately after receipt of the Ordinance Analysis and Report, an editorial conference will be scheduled with the county attorney or authorized county representative and Company representative. The conference will be held at a time mutually satisfactory to both the Company and the County after the county attorney has had an opportunity to review the Ordinance Analysis and Report. During this conference, the Company representative and the County will review the code structure analysis prepared by the Company in order to determine necessary changes in the County's laws.
- 12.2 Upon completion of the editorial conference, the Company will submit to the County a memorandum outlining the substantive, editorial and organizational changes agreed upon at the conference.
- 12.3 Upon completion of the editorial conference, the county attorney will draft and recommend for enactment all amendments, repeals and new ordinances.

13 CODE EDITING.

It will be the responsibility of the Company to prepare the code manuscript for typesetting and printing by:

- 13.1 Dividing each ordinance to be included in the code into short sections, so that each section will contain only one provision of law pertaining to only one subject, to the extent reasonably possible.
- 13.2 Technical codes which have been adopted by reference—e.g., building, plumbing, electrical, and similar technical codes—will be excluded from the county code unless the County's representative directs the Company to include such technical codes. Ordinances adopting such technical codes by reference shall be included and classified in appropriate sections of the County code.
- 13.3 A table showing the disposition of each county ordinance will be prepared and included in the code volume.
- 13.4 Catchlines for each individual section of the code will be inserted at the beginning of each section.

- 13.5 A table of contents for each chapter will be prepared consisting of numerical listings of the catchlines of the individual sections in each particular chapter. A table of contents for each title will be prepared consisting of numerical listings of the chapters in each particular title.
- 13.6 An historical citation showing its legislative history and derivation will be prepared for each section of the code.
- 13.7 Only the substantive provisions of each ordinance will be codified; provisions such as the title, ordaining clause and attestation clause of each ordinance being omitted to the extent permitted by law.
- 13.8 Where necessary, the language of existing ordinances will be edited, by revising into concise, modern and proper language to delete apparent conflicts, ambiguities and repetitious provisions. All substantive changes will be submitted to the county attorney for approval.

14 INDEXING.

A complete and comprehensive index, covering each section of the code will be prepared and included in the code volume. The index will include detailed cross-references to related parts of the code.

15 WARRANTY.

The Company warrants only that the code will contain all of the currently effective ordinances provided to the Company by the County as revised and amended according to instructions from the County Representative.

16 PRINTING.

- 16.1 Upon completion of the editorial and indexing work, the code will be reproduced in one of Book Publishing Company's attached page styles.
- 16.2 The code is to be printed on both sides of the sheet.
- 16.3 The code will be printed on 50 pound finest offset or a comparable paper.
- 16.4 The Company will deliver to the County fifty (50) copies of the code.
- 16.5 All labor and materials for the completed code will be furnished by the Company.

17 PERSONNEL.

Only experienced and qualified personnel will be employed in all editorial and codification work. The Customer Relations Representative will consult the County when necessary and will keep the County informed of the progress of all codification work.

18 SALES OF CODES.

The County has exclusive rights to sell copies of the completed codes and looseleaf supplement material.

19 SUPPLEMENT SERVICE.

- 19.1 Ordinances adopted by the County are to be forwarded as they are enacted. Book Publishing Company will edit such ordinances, appending appropriate headnotes, catchlines, cross references and explanatory notes, and reprint the page or pages of the code amended, removing the provisions superseded by the amendment and inserting the new provisions. The pages in the comprehensive index which are affected by the amendment will also be revised to take account of changes and new provisions, and will be reprinted.
- 19.2 Copies of the supplement pages for each code book, together with insertion guides containing full instructions for insertion of all supplemental material and revised index pages, will be supplied to the County.
- 19.3 Supplements will be in the style and format of the original codification.
- 19.4 Supplements will be published as often as requested. Supplement intervals may be changed at any time at the request of the County.
- 19.5 The cost for Supplementation services provided shall be at the standard rate being charged for those services by the Company at the time such services are rendered.
- 19.6 The supplement service may be terminated by written notice of cancellation received not less than 60 days prior to the editorial cutoff date for any one supplement.



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AUDITORIUM TASK FORCE

- 1) DICK HARRIS
- 2) ROLLAND ECKELS
- 3) LOU IACCARINO
- 4) JON HILL
- 5) IRA NEAL
- 6) MARVALINE PRINCE
- 7) JERRY SCHEIDLER
- 8) JOHN BEARD
- 9) BEVERLY BEARD
- 10) AMY WALKER
- 11) LORI CLOUSER
- 12) JIM REIS
- 13) PETE HELFRICH
- 14) RANDY BROWN
- 15) JOE VEZZOSO
- 16) ANDY LINDAUER
- 17) ED ZIEMER
- 18) BOB REID
- 19) JOY DELUC *educ*
- 20) HELENE HUNTER
- 21) GENE LATHAM
- 22) MIKE HINTON
- 23) RAY ARENSMAN
- 24) DEBBIE CASTRALE
- 25) DR. TOM TOPPER

-Chr.

26 NOTIFICATION AND COMMUNICATION.

Any notices or communications by BPC to County shall be directed to:

County Auditor Sam Humphrey
Room 208, Civic Center Complex
Evansville, IN 47708
Telephone: (812) 426-5467

Any notices or communications by County to BPC shall be directed to:

Book Publishing Company
201 Westlake Avenue North
Seattle, WA 98109
Telephone: () _____

COUNTY OF VANDERBURGH, INDIANA

By *Rick Bories*
Rick Bories, President
Vanderburgh County Board of Commissioners

By *Patrick Tuley*
Patrick Tuley, Vice President
Vanderburgh County Board of Commissioners

By *Don Hunter*
Don Hunter, Member
Vanderburgh County Board of Commissioners

Attested By *Sam Humphrey* cm
Sam Humphrey, Auditor
Vanderburgh County

Effective Date 9/27/93

BOOK PUBLISHING COMPANY

By _____
Vice President & General Manager

By _____
Secretary

Effective Date _____

20 CODE DATABASE.

A set of 3.5" diskettes will be provided, containing complete code text, compatible with and prepared for use with CodeMaster at no additional charge. This set of diskettes will be transferred to the County at the time of delivery of the fifty (50) copies of the code.

21 DATABASE UPDATING.

Updating the database will be billed at a rate of \$45.00 per hour, as necessary, in addition to regular supplement charges described in Section 19. of this proposal.

22 ASSIGNATION, INTEGRATION AND MODIFICATION.

When executed by both the Company and the County, this agreement constitutes the entire agreement between the parties. There are no other agreements or representations not set forth in this agreement. This agreement incorporates all prior negotiations, agreements and representations. This agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. This agreement may not be modified except in writing, signed by the Company and County.

23 LAWS OF INDIANA TO GOVERN.

This agreement shall be governed by and construed in accordance with the laws of the State of Indiana.

24 WAIVER.

The waiver by any party of a breach of any provision of this agreement or the failure by any party to claim a breach of any provision of this agreement shall not constitute a waiver of any subsequent breach, or change the effect of or make that provision thereafter unenforceable in any way.

25 OWNERSHIP OF COPYRIGHT.

County hereby retains all copyrights, other rights and title to the Code of Ordinances. There shall be no publication, distribution or sale of the Code of Ordinances without the approval of the County.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, SEPTEMBER 17, 1993 THRU THURSDAY, SEPTEMBER 23, 1993

FRIDAY, SEPTEMBER 17, 1993

Gradall and one crew worked for the City.
Gradall and one crew worked on Wedeking.
Paver, Roller and ten crews paved Frontage Road.
Patch crew patched and picked up trash.
One crew worked on Landscaping at the garage.
Tiger mower worked on Old Henderson Road.

MONDAY, SEPTEMBER 20, 1993

Gradall and one crew worked on Wedeking.
Gradall and one crew worked for the City.
Paver, Roller and ten crews paved County Line West.
Trash crew picked up tires on Happe.
Two crews worked at the garage.

TUESDAY, SEPTEMBER 21, 1993

Gradall and one crew worked on Wedeking.
Gradall and one crew worked at 1913 Speaker Road.
Paver, Roller and eight crews paved County Line West.
Patch crews worked on New Harmony Road.
Tiger mower worked on Upper Mt. Vernon.

WEDNESDAY, SEPTEMBER 22, 1993

Gradall and one crew worked on Wedeking.
Gradall and one crew worked at 1913 Speaker and Nolan Ave.
Paver, roller and seven crews paved County Line West.
Patch crews worked on New Harmony Road.
Tiger mower and one crew worked at Indian Woods.

THURSDAY, SEPTEMBER 23, 1993

Gradall and one crew worked on Wedeking.
Gradall and one crew worked on Roth Road and Cypress Dale.
Trash crew ran regular routes.
Three crews spread rock in the Bottoms.
Weed crew worked on Lindaur Lane, Myrtle Ave.
Two crews spread rock on Outer Darmstadt, Hilltop, Mann Road and Sensmier.
One crew rocked mailbox approaches on Orchard Road.
Tiger Mower worked on Peck Road.
Four crews worked at the garage, one on landscaping, one cleaned paver, one cleaned distributor and one worked on gas pipe.

VANDERBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, SEPTEMBER 17, 1993 THRU THURSDAY, SEPTEMBER 23, 1993

FRIDAY, SEPTEMBER 17, 1993

Crew #1 - seed and sod St. George drop box, level dirt on
Whispering Tree Lane, remove rock and seed Briar Ct. and Bob
Court.
Crew #2 - work on Wedeking Ave.
Backhoe - level dirt on Whispering Tree, dig out Church Road.

MONDAY, SEPTEMBER 20, 1993

Crew #1 & #2 - worked on Oakhill Road Bridge.

TUESDAY, SEPTEMBER 21, 1993

Crew #1 - install drop box at Darmstadt and Evergreen.
Crew #2 - install culvert on Nolan Ave at Speaker, straighten
yard.

WEDNESDAY, SEPTEMBER 22, 1993

Crew #1 - concrete drop box at Darmstadt and Evergreen, cut weeds
around guardrail and bridges.
Crew #2 - Nolan Ave, install culvert and drop box, clean up barn,
stack durocrete, clean crib.

THURSDAY, SEPTEMBER 23, 1993

Crew #1 - rip rap Wedeking Avenue and install pipe.
Crew #2 - haul rip rap to Wedeking.
Crew #3 - rip rap Wedeking Avenue and install pipe.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603

Vanderburgh County Engineering Department

Agenda for September 27, 1993

1. Green River Road Construction Engineering Supplemental Agreement for \$30,000

*Approved
PT/SD*

SUPPLEMENTAL AGREEMENT

Project No. MAM-M-E340(6)
Reconstruction of Green River Road
Section "A"
Vanderburgh County, Indiana

Original Agreement Dated January 22, 1991

This SUPPLEMENT, made and entered into the 27th day of September, 1993, by and between Vanderburgh County, Indiana, acting by and through the Board of County Commissioners, hereinafter referred to as the "OWNER" and United Consulting Engineers, Inc., hereinafter referred to as the "CONSULTANT".

WITNESSETH

WHEREAS, the OWNER and CONSULTANT entered into an Agreement dated January 22, 1991, for the CONSULTANT to complete the construction engineering services for the Road Reconstruction project and

WHEREAS, the OWNER desired the CONSULTANT to complete the construction engineering services to insure that the construction complies with the plans and specifications for INDOT Contract R-19511 and the requirements of the INDOT and the FHWA, and

WHEREAS, the CONSULTANT, as of this date, has compiled the required information documenting the construction of the project as authorized by the OWNER, the INDOT and the FHWA, and the compilation of this information including unanticipated extra items of work, and

WHEREAS, the CONSULTANT did not estimate sufficient manhours in the original Agreement to provide the necessary resident inspectors required by the INDOT and the FHWA and the project's longer completion schedule due to unexpected circumstances as detailed in the attached Exhibits I through III, and

WHEREAS the CONSULTANT desires to complete the remaining items of work required under the provisions of APPENDIX "A", SERVICES BY CONSULTANT, and

WHEREAS, in accordance with APPENDIX "D", COMPENSATION, Section B(3) the CONSULTANT'S total costs are within ten percent (10%) of the maximum amount payable, and the services outlined in the original Agreement have not been completed.

NOW THEREFORE, it is agreed by and between the parties that in order to provide for completion of the work it is necessary to amend the original Agreement to provide for completing the required services as follows:

Amend APPENDIX "D", COMPENSATION, Section A(4) to increase the total not to exceed compensation of \$358,533.15 by the amount of \$30,000.00 to a new not to exceed amount of \$388,533.15.

EXCEPT as herein modified, changed and supplemented, all terms of the original Agreement dated January 22, 1991, shall continue in full force and effect.

IN TESTIMONY WHEREOF, the parties hereto have executed the SUPPLEMENT.

Approved: United Consulting
Engineers, Inc.

Jacob E. Hall
Jacob E. Hall, President

Date: 9-22-93

Approved: Board of Vanderburgh County
Commissioners

Richard J. Borries
Richard J. Borries

Patrick Tuley
Patrick Tuley

Don L. Hunter
Don L. Hunter

Attest:

Ronald B. Miller
Ronald B. Miller, Treasurer

Attest:

Sam Humphrey
Sam Humphrey, County Auditor

A C K N O W L E D G M E N T

State of INDIANA County of MARION SS:

Before me, the undersigned Notary Public in and for said County
personally appeared Jacob E. Hall, President and Ronald B. Miller, Treasurer
(Name of signers, their official
of United Consulting Engineers, Inc.
capacity and Firm Name)

and each acknowledged the execution of the foregoing agreement on
this 22nd day of September, 19 93, and each acknowledged and stated
that he is the party authorized by the said firm to execute the foregoing
agreement.

Witness my hand and seal the said last named date.

My Commission Expires

May 15, 1996


Notary Public

Marion
County of Residence

Pamela J. Neidenberger
Print or type name

A C K N O W L E D G M E N T

State of Indiana, County of _____, SS:


Before me, the undersigned Notary Public in and for said County,
personally appeared Richard J. Borries, Patrick Tuley and Don Hunter
(Name of signers, their official capacity and Agency Name
and acknowledged the execution of the foregoing agreement on this 27th day
of September, 19 93.

Witness my hand and seal this said last named date.

My Commission Expires

JOANNE A. MATTHEWS
NOTARY PUBLIC STATE OF INDIANA
VANDERBURGH COUNTY
1990 SEP 15 - 1993 SEP 15

Vanderburgh
County of Residence


Notary Public Joanne A. Matthews
Print or type name

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)

COUNTY OF MARION)

The undersigned, being duly sworn on oath says, that he is the contracting party, or, that he is the representative, agent, member, or officer of the contracting party, that he has not, nor has any other member, representative, agent, or officer of the firm, company, corporation or partnership represented by him, directly or indirectly, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he has not received or paid, any sum of money or other consideration for the execution of the annexed agreement other than that which appears upon the face of the agreement.

Jacob E. Hall

Jacob E. Hall, President
(Print or type name)

Subscribed and sworn to before me this 22nd day of September, 19 93.

Pamela J. Neidenberger
Notary Public

Pamela J. Neidenberger

My Commission Expires

May 15, 1996

DEBARMENT CERTIFICATION

Jacob E. Hall, President

(PRINTED OR TYPED NAME OF OFFICIAL)

being duly sworn, certifies that except as noted below, the CONSULTANT or any person associated therewith in the capacity of owner, partner, director, officer, principal investor, project director, manager, auditor, or any position involving the administration of federal funds:

- 1) is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- 2) has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- 3) does not have a proposed debarment pending; and
- 4) has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

Exceptions are as follows:

Exceptions will not necessarily result in denial of award, but will be considered in determining the CONSULTANT'S responsibility. For any exception noted, indicate to whom it applies, initiating agency, and dates of action. Providing false information may result in criminal prosecution or administrative sanctions.

BY Jacob E. Hall
(SIGNATURE) (TITLE)

Jacob E. Hall, President

PRINTED OR TYPED

UNITED CONSULTING ENGINEERS, INC.

COMPANY

Before me, a Notary Public in and for said County and State, personally appeared Jacob E. Hall, who swore to and acknowledged the truth of the statements in the foregoing certification on this 22nd day of September, 1993.

BY Pamela J. Neidenberger
(SIGNATURE) (NOTARY PUBLIC)

My Commission Expires May 15, 1996

Marion

(COUNTY OF RESIDENCE)

Pamela J. Neidenberger

(PRINTED OR TYPED)

**SUPPLEMENTAL AGREEMENT
EXHIBIT I
Project No. MAM-M-E340(6)
Reconstruction of Green River Road
Section "A"**

The hours required to complete the construction engineering services for this project were underestimated in the original Agreement. This was mainly due to the contractor taking longer to complete the construction than anticipated, requiring our personnel to be on site longer than estimated in the Agreement. According to Exhibit "A" in the original Agreement, the Resident Project Manager was scheduled to be on the site for 3320 hours (about 19 months); however, it now appears that he will actually be on the site for a total of over 21 months. This is assuming the construction work is completed in September 1993 and the final construction records are submitted by our personnel in November 1993. Basically, the supplemental amount requested will give the project manager and his assistant enough funds to finish all the records following the completion of construction, and work overtime to keep up with the contractor's current schedule of working six days a week.

EXHIBIT II

LPA Vanderburgh County PROJ. DESC. Green River Road - Section "A"

PROJ. NO. MAM-M-E340(6)

[illegible]

PREPARED BY W.E. Hall DATE 6/29/93

RECEIVED BY J. F. Hall DATE 1/10/93

TOTAL FEE \$87,503.45

(to Exhibit III)

SUPPLEMENTAL AGREEMENT

EXHIBIT III

Project No. MAM-M-E340(6)
Reconstruction of Green River Road
Section "A"

Direct Costs (from June 11, 1993 to completion)

Mileage

Project Manager	120 days x 120 miles =	14,400 miles
Assistant Project Mgr.	120 days x 120 miles =	14,400 miles
Inspector	80 days x 120 miles =	<u>9,600 miles</u>
TOTAL =		38,400 miles
		@ \$0.25 per mile
		<u>\$9,600.00</u>

Overtime Premium

Project Manager (200 hours x 0.5) x \$16.45 =	\$1,645.00
Asst. Proj. Mgr. (100 hours x 0.5) x \$8.60 =	<u>\$ 430.00</u>
	<u>\$2,075.00</u>

SUBTOTAL DIRECT COSTS (\$9,600.00 + \$2,075.00)	= \$11,675.00
LABOR COSTS (FROM EXHIBIT II)	= <u>\$87,503.45</u>

TOTAL = \$99,178.45

Balance of Fixed Fee as of 6/11/93

(from Invoice #15) (\$41,034.93 - \$33,181.53) = +\$7,853.40

Balance remaining in original Agreement as of 6/11/93

(from Invoice #15) (\$281,622.07 - \$358,533.15) = -\$76,911.08

TOTAL \$30,120.77

For estimate use \$30,000.00 which would make the total for construction engineering services (\$358,533.15 + \$30,000.00) or \$388,533.15 which is 11.4% of the final estimated construction cost of \$3,400,000.

**VANDERBURGH COUNTY, INDIANA
EMPLOYMENT HANDBOOK AMENDMENT
SEPTEMBER 27, 1993**

**TO: VANDERBURGH COUNTY ELECTED OFFICIALS/DEPARTMENT HEADS
FROM: VANDERBURGH COUNTY COMMISSIONERS/COUNCIL
RE: FAMILY AND MEDICAL LEAVE ACT PERSONNEL POLICY**

The following Family And Medical Leave Act Policy is adopted by the County of Vanderburgh, Indiana. This policy replaces any conflicting County leave policies.

FAMILY AND MEDICAL LEAVE

The Family and Medical Leave Act of 1993 requires employers of 50 or more employees to provide eligible employees with up to 12 weeks of unpaid leave for their own serious illness, the birth or adoption of a child, or the care of a seriously ill child, spouse or parent. For an employee to be eligible for medical leave, he or she must have been employed by the County for at least one year and have worked 1,250 hours within the previous 12 month period. In addition, any employee who completes a period of leave must be returned either to the same position the employee was in prior to the leave, or to a position equivalent in pay, benefits, and other terms and conditions of employment.

When an employee plans to take Family or Medical Leave under the Act, the employee is required to give the County 30 days written notice or, if this is not possible, as much notice as is practical. An employee undergoing planned treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to County operations.

Leave does not necessarily have to be taken all at once. Leave may be taken on an intermittent basis (i.e., one week per month) or on a reduced schedule basis (four or five hours per day). Intermittent or reduced schedule leave taken for a serious health condition-either of the employee or of an immediate family member-may be taken "if medically necessary." Intermittent or reduced schedule leave taken for the birth or adoption of a child is only approved by your supervisor.

The County may require an employee to report periodically during the leave period on the employee's leave status and the employee's intention to return to work. The employee, at the end of the leave period, shall report to work. The employer may consider an employee failure to report to work at the end of the leave period as an employee resignation.

The County may require medical certification to support a claim for leave for an employee's serious illness or the serious illness of a child, spouse or parent. For an employee's own medical leave, the certification must include a statement that the employee is unable to perform the functions of his or her position.

For leave to care for a seriously ill child, spouse, or parent, the certification must include an estimate of the amount of the employee's time that will be needed to care for the child, spouse, or parent. The County reserves the right to require a second medical opinion for an independent medical provider. The County must pay for the second opinion and must designate a provider who is not an employee of the County of Vanderburgh. If the two opinions conflict, the employer must pay for a third opinion. The opinion of the third provider is final and binding on both the County and the employee.

Family And Medical Leave Act of 1993 shall be governed by the provisions of this policy. A copy of said Act will be on file for inspection in the Vanderburgh County Auditor's Office.

Mr. Corn stated there was some discussion that there might be additional funds coming from federal and if Evansville had some projects already on the drawing board then we might be able to expedite them. Ms. Davis stated that President Clinton's stimulus economic package was defeated. INDOT had 60 million dollars worth of projects ready to go and with the full funding of the Surface Transportation Act, but no additional funds came through. President Clinton clearly expressed an interest in full funding for ISTEA for 1994 and INDOT is certainly hoping for that and INDOT has plenty of projects ready, but we need to be realistic.

Mr. Melcher stated that he has received a lot of calls because US Highway 41 goes through the third ward. Residents and business are calling to comment that I-164 was to be the by-pass around Evansville. They think the truck traffic has picked up on US Highway 41 and they wonder why there aren't signs on US Highway 41 before I-64 and there are none from the south either and through trucks are not using the by-pass.

Ms. Davis stated that traffic on US Highway 41 is faster and your suggestions which include INDOT to erect signs for the bypass indicating that all through traffic should exit and take the I-164 by-pass through Evansville.

Rick Borries, County Commissioner stated that he concurred with Councilman Melcher. Mr. Borries stated that he had mentioned to the state engineer and a commissioner regarding this same matter. If you travel south on US Highway 41 and you get to I-64 you would have no clue that there is an interstate located near there. Signs reflect St. Louis and Louisville, however, a sign is needed to remind travelers to use I-164 to by-pass Evansville or I-164 to Henderson, Kentucky. I also believe this area needs to be used as a hazardous cargo carrier. Evansville has had some terrible accidents on US Highway 41 and some have involved chemical spills and I-164 should be designated has a hazardous cargo by-pass.

Ms. Zigenfus stated that since EUTS last policy meeting, EUTS staff met with the INDOT engineers and discussed a sign project for US Highway 41 and signs have been included in the project for the by-pass, what was not included were hazardous materials signs. ✓ - passed

Mr. Melcher said it seems that Evansville has been fighting for the road from Indianapolis to Evansville and now McCloskey is trying to get US Highway 41 built up with industrial trade. Now, we have eight routes trying to hook up to a new bridge over in Owensboro. People in Evansville are asking why are we trying to help the state of Kentucky and not ourselves.

Ms. Davis stated that these are interstate projects and as a state we need to look at the regions and Indianapolis to Evansville is the highest priority, it is a priority corridor, with federal legislation, and the government is committed to the project. When INDOT did the southwest Indiana highway study, INDOT evaluated all the corridors that might be available from SR 37 to SR 231 over to the corridor that has been selected. There were projects that were identified that would be very helpful to the region.

INDOT made a commitment to look at the Jasper by-pass, the improvement to SR 231 from the Owensboro bridge up to I-64, and the improvement of the corridor from Mitchell to French Lick. These are in the program that INDOT is developing. Mr. Melcher asked if it was

Warrant No. _____

Claim No. _____

Date _____

Sam Oxley & Company
P.O. Box 743
JASPER, IN 47546

Vendor No. _____

\$ 3,186.96

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Disaster Relief 214

Account No. 203-4342

Allowed _____ 19 _____

In the sum of \$
Richard J. Bonies
Patricia J. Juley
Bob Hunter

Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Sept 24, 1973

John Stoll
Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>#6</u>	<u>-</u>	<u>-</u>	<u>2034342</u>	<u>3186.96</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL \$3186.96

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>reimb. 0001</u>	<u> </u>	<u> </u>	<u>1440-3790</u>	<u>\$5944.82</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
			TOTAL	<u>\$5944.82</u>

Date _____

Vendor Name IN FAVOR OF KEVIN R. BRYANT

Vendor No. 3044

\$ 1,332.84

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Legal Fees

Account No. 130-3610

Allowed 2 1 19

In the sum of \$ 1000.00

Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
-------------	--------------------	--------------	-------------	-------------

TOTAL

Warrant No. _____

Claim No. _____

Date _____

IN FAVOR OF

Vendor Name HS REG. COMM.

Vendor No. 3972

\$ 410.00

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name GR. RIVER RD.

Account No. 216-4910

Allowed _____ 19____

In the sum of \$
Richard J. Barnes
Patricia Gulez
De Nunte

Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Sept 24, 1993

John Stalf
Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>395619</u>	<u>—</u>	<u>9/3/93</u>	<u>216-4910</u>	<u>410.00</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL \$410.00

**MINUTES
COUNTY COMMISSION MEETING
OCTOBER 4, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:45 p.m.	1
Introductions & Pledge of Allegiance	1
Recognition of University of Southern Indiana Students ...	1
Request to Advertise for Bids for Liquid Asphalt Contract for 1994	1
Ordinance Amending Chapter 153 (Zoning Code) by Adding Thoroughfare Regulations & Repealing Chapter 152 of the County Code of Ordinances/Final Reading	2
Request for Transfer of Public Right-of-Way in Chickasaw Park Subdivision	2
Systems & Computer Technology Corporation/Cost of Living Increase	3
Appointment to Private Industry Council/John McGregor.....	4
County Attorney/Alan M. Kissinger	4
Use of McCullough Library as Voting Place Stop Sign Ordinance	
Superintendent of County Buildings (No Report)	5
County Highway/Bill Morphey	5
Weekly Progress Report Big Schaeffer Rd./Paving County Line Rd. East/Paving Boonville-New Harmony Rd./Contract Paving Seib Rd./Paving	
County Engineer/John Stoll	6
Boonville-New Harmony Rd. (project should be finished by the end of this week) Key West Estates/Street Acceptances Edinborough Subdivision/Street Acceptances Lynch Rd. Extension/Proposed Changes to the Evansville Water & Sewer Dept. Water Lines Stop Sign Ordinance Request for Update of Corridor Study/Burkhardt Rd. Request to Establish East/West Route for Thru Truck Traffic Carrying Hazardous Materials	
Consent Agenda	9
Old Business	10
Change in Meeting Site/Board of Commissioners for October 18, 1993	
New Business	10
Notice of Public Hearing on Amending the Comprehensive Zoning Ordinance	
Meeting Adjourned @ 6:35 p.m.	10

MINUTES
COUNTY COMMISSIONERS MEETING
OCTOBER 4, 1993

The Vanderburgh County Board of Commissioners met in session at 5:45 p.m. on Monday, October 4, 1993 in the Commissioners Hearing Room with President Richard Borries presiding. Commissioner Pat Tuley was absent.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Attorney Kissinger, himself, Commissioner Hunter, Auditor Sam Humphrey and Joanne Matthews, Secretary) and asked the group to stand for the Pledge of Allegiance.

RE: RECOGNITION OF UNIVERSITY OF SOUTHERN INDIANA STUDENTS

The meeting proceeded with President Borries recognizing a group of USI students and their instructor -- primarily students majoring in Communications, Broadcasting, Public Relations and/or Journalism -- and requested they stand and introduce themselves (List of attendees attached hereto as part of the official record.) Mr. Borries explained there is a published agenda available concerning tonight's meeting and the Board of Commissioners is a three member board. As the County Executive and Legislative Body they hold weekly meetings to conduct business of the County, and that covers a pretty far ranging set of circumstances and events. As they find out, it is something different every week. He said he is very impressed with how the group handles themselves and how articulate they were as they introduced themselves. He again extended a warm welcome and said he hopes they will return.

Commissioner Hunter also welcomed the group and said that anytime they'd like to return on Monday night at 5:30 p.m. the Board will be delighted to have them. On the third Monday of the month, the Board also hears Rezoning Petitions -- which the group might find rather interesting. Every once in a while they get kind of hot and heavy. On the fourth Monday of the month following the regular session of the Board of Commissioners, the Board convenes as the Drainage Board and that sometimes also gets very interesting. Both of these sessions can be quite informative.

In continuing, President Borries explained the meeting agenda contains "Action" items on which the Board will take some sort of official action. He and Commissioner Hunter compose a quorum -- and two of the three Board members are able to do that. Also on the agenda are "Consent" items that will be acted on in a lump vote, unless there are questions and, of course, the Board will hear reports from department heads. Joanne Matthews has volumes of official verbatim minutes and they constitute an official record that goes all the way back to 1918 when the Board of Commissioners was founded (obviously, however, the older minutes were not always taken verbatim due to lack of recording equipment -- unless they were taken by shorthand). But there are volumes of information. And during her tenure, Joanne has set up an indexed front page for each set of minutes outlining every topic discussed at a Commission meeting for quick reference purposes.

RE: REQUEST TO ADVERTISE FOR BIDS FOR LIQUID ASPHALT
CONTRACT FOR 1994

Mr. Daryn Bergdorf from City-County Purchasing was recognized and said he memo before the Commissioners tonight states information

concerning the liquid asphalt contract for 1994 for the County Highway Department. With the Board's permission he would like to advertise for bids on Wednesday, October 6th, and Wednesday, October 15th, with bid opening scheduled on Monday, October 25th.

The specifications are the same as last year's contract and the quantities remain the same.

Commissioner Hunter moved for approval to advertise, with a second from Commissioner Borries. So ordered.

RE: ORDINANCE AMENDING CHAPTER 153 (ZONING CODE) BY
ADDING THOROUGHFARE REGULATIONS & REPEALING CHAPTER 152
OF THE COUNTY CODE OF ORDINANCES/FINAL READING

Mr. Borries explained that ordinances are what governs the County. Unless the ordinances are changed, they are legal law. They can only be changed by action of this Board and the Board will take some action with regard to the subject ordinance tonight. In order to inform the public, the ordinance was advertised on September 13th and a Second Reading was held last week. Tonight is the Third and Final Reading. If approved this evening, it will change the law. Commissioner Borries asked if there is anyone in the audience who wishes to speak either for or against the ordinance, noting that Mrs. Barbara Cunningham was here last week to explain the ordinance and it has been approved by the Area Plan Commission. There being no response, a motion was entertained.

Mr. Hunter moved to approve the ordinance on Third Reading, with a second from Commissioner Borries.

Mr. Borries asked for a roll call vote: Commissioner Hunter, yes; Commissioner Borries, yes. Ordinance approved by unanimous affirmative roll call vote. So ordered.

RE: REQUEST FOR TRANSFER OF PUBLIC RIGHT-OF-WAY IN
CHICKASAW PARK SUBDIVISION

Attorney Bob Burkart of the Ziemer, Stayman & Weitzel law firm was recognized and stated he is here with his clients, Charles and Cheri Carroll, who are requesting a transfer of public right-of-way in the Chickasaw Park Subdivision. They are the abutting property owners to a certain parcel of real estate located in the subdivision. The parcel was originally owned by the State of Indiana and was used for the construction of a utility road for access to I-164. It has since been conveyed to the County -- he presumes through a road transfer memorandum of agreement. The Carrolls are seeking conveyance by the County by a Quitclaim Deed. He thinks Attorney Gary Price has had conversations with Attorney Kissinger and County Engineer John Stoll regarding the matter -- and he believes Mr. Stoll has agreed that this particular piece of real estate is slightly more than 1/10 acres. It is not needed by the County. Attorney Burkart said he has prepared a Quitclaim Deed for execution, if the Board will entertain the idea of conveying the real estate in question.

In response to query from Commissioner Borries as to whether he has a drawing of the area in question, Attorney Burkart said he does not have a drawing, just a legal description.

Attorney Kissinger asked if he is correct in that this is real estate that was once the subject of an eminent domain proceeding by the State.

Attorney Burkart said he believes it was appropriated by the State for the purpose heretofore stated.

Attorney Kissinger asked if he knows -- and this is a question he asked Gary Price -- and he said he thought he knew the answer to

the question. Did the State take this real estate in fee simple or did they take a right-of-way?

Attorney Burkart said he was his understanding that it was a fee simple. He believes the State was contacted and indicated the fee simple was now owned by the County.

Commissioner Borries asked Attorney Kissinger to explain the difference.

Attorney Kissinger said if a fee simple was taken, then the State can, in fact, transfer to the County. Fee simple ownership means absolute ownership of the real estate itself, the mineral rights, etc. If only a right-of-way was taken, and that right-of-way is abandoned or ceases to be used for the stated purpose, then the property reverts back to the original owner from whom the right-of-way was originally taken. So if that particular point is clarified, he would advise the Commissioners that they can certainly proceed to consider this. Quite frankly, after having looked at everything, it is his opinion that the County is never going to have any use for this particular parcel of real estate and it would probably be put to better use by a private owner.

Commissioner Borries asked County Engineer John Stoll if he has any comment on this.

Mr. Stoll said the County does not have any use for the real estate.

There being no further discussion, Mr. Borries entertained a motion.

Motion was made by Commissioner Hunter that the transfer of public right-of-way in the Chickasaw Park Subdivision be conveyed to Charles W. and Cheri A. Carroll.

Attorney Kissinger interjected the request that Attorney Burkart leave the prepared Quitclaim Deed with him until such time as either Attorney Burkart or Attorney Price contact him and confirm that, in fact, the County does have a fee simple to convey. He will then bring the deed back to the Commissioners for execution.

Motion seconded by Commissioner Borries and so ordered.

RE: SYSTEMS & COMPUTER TECHNOLOGY CORPORATION/COST OF LIVING INCREASE

Mr. Roger Elliott was recognized and stated that Chief Art Gann was in the meeting earlier, but had to leave for another meeting which is starting about now. He requested that Mr. Elliott fill in for him. Mr. Elliott said what Chief Gann is bringing to the Board this evening is a letter which will be signed by the Chief, the Commissioners and the Board of Public Works, agreeing to a Cost of Living Increase in the contractual arrangement with Systems & Computer Technology Corporation. The increase will be \$1,057 per month that will be effective with the July 1 invoice of this year and the split is an \$831.96 increase for the County and a \$225.04 increase to the City. This is something that is stipulated within the contractual agreement which is presently in effect and there is funding within the appropriate budgets to handle this.

Attorney Kissinger noted he talked with Chief Gann and he has indicated it is a part of the contract. It was just an oversight that they didn't get it done up to this point. Mr. Kissinger said he explained to Chief Gann that although he wasn't subject to those things, he could understand how a man as busy as himself might overlook something like that.

In response to query from Commissioner concerning the formula utilized to generate the CPI, Mr. Elliott said the CPIW was utilized with an index change of four points over the previous year, which was an increase of 3.02%.

There being no further discussion a motion was entertained.

Commissioner Hunter moved to sign the letter, as submitted. Second and so ordered by Commissioner Borries.

RE: APPOINTMENT TO PRIVATE INDUSTRY COUNCIL

The meeting continued with President Borries stating we have a letter from the Private Industry Council (copy attached hereto) concerning an appointment to the Board. P.I.C. strongly supports the selection of Mr. John McGregor, President of the Quality Automotive Distributorship. He was the top nominee of the Evansville Metropolitan Chamber of Commerce. Mr. McGregor has indicated his willingness to dedicate the time and energy necessary to fill this important obligation. The Commissioners have reviewed the letter and there is an endorsement from Mr. Turk Walton, Jr., President of the Chamber of Commerce. He then entertained a motion.

Motion made by Mr. Hunter for the approval of the appointment of Mr. John McGregor to the Private Industry Council. Seconded and so ordered by Commissioner Borries.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Use of McCullough Library as Voting Place: Attorney Kissinger said the Commissioners previously received a letter from McCullough Library indicating they no longer wished to be used as a polling place for County Elections. He has researched the matter. I.C. 3-11-8-4 indicates specifically that school buildings, fire stations and all other public buildings shall be made available without charge to a County for holding an election. McCullough Library falls under the general category of all other public buildings and it is his opinion, and also there is an Indiana Attorney General's opinion -- indicating that these buildings and specifically McCullough Library) must be made available as a polling place if the County decides to use it. So, whatever the Commissioners wish to do in reference to that. He talked to Mark Abell and knows he has been following it, as well.

Commissioner Borries advised Mr. Abell that it is his understanding that we do need McCullough Library for a polling place. He then requested Attorney Kissinger to draft a memo to the McCullough Library, citing the Indiana Code, and the Commissioners will be glad to sign same. The code is very clear. This is as he thought it would be. Vanderburgh Public Library is a tax supported public entity, so there can be no way they can deny that.

Attorney Kissinger remarked that this is absolutely correct.

Mr. Borries again asked Attorney Kissinger to draft the letter, enforcing that with his powers as County Attorney, and requested that Mr. Abell notify McCullough Library that they have no choice in the matter.

Mr. Abell said he does have a question. Public schools were specifically mentioned in the code; can we ask some of them? He thinks B.J. said we contacted some of the public schools concerning their use, as well.

Commissioner Hunter noted that most of them are polling places anyway.

Commissioner Borries agreed, saying some of the schools have as

many as three precincts. Plaza Park School, for example, has three precincts.

Commissioner Hunter said he believes Glenwood School also has three precincts.

Mr. Borries said what usually happens is that we have forwarded a list of requested polling places in the various schools to the Superintendent of Public Schools. He, in turn, sends out a memo to all Principals; and it is a "shall", no "may" -- no question on that.

Stop Sign Ordinance: Attorney Kissinger said he believes that John Stoll is going to introduce a Stop Sign Ordinance during his report tonight. It has been amended. We have included the new stop signs that John's office has indicated are necessary -- based on traffic engineering studies. He is also telling Joanne in advance that there is a penalty provision, so she will need to advertise the ordinance twice.

RE: SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Abell was recognized, but stated he has nothing to report this week.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Commissioner Borries recognized County Highway Superintendent Bill Morphey and stated that he has submitted his weekly report for period of September 24 thru September 30, 1993report received and filed. He said the report indicates that work has been done in all sections of the County.

Big Schaeffer Rd.: In response to query from Mr. Borries as to where they are currently paving, Mr. Morphey said they are paving Big Schaeffer Rd. They have all the base material down and will be starting on the surface tomorrow. They expect to have this road done by Friday of this week.

County Line Rd. East: Mr. Morphey said as soon as they're finished with Big Schaeffer Rd. they will move to County Line Rd. East, one of the few remaining rock roads and they're going to pave that.

Mr. Borries noted that we've gotten both County Line East and County Line West this year.

Boonville-New Harmony Rd./Contract Paving: Commissioner Hunter said he is glad to report that the contract paving on Boonville-New Harmony Rd. between Old Petersburg Rd. and Highway 57 has been finished -- at least the rough coat. It is in much better condition than it was.

Mr. Borries said he was going to bring that up, too. He drove that area over the weekend. This looks like a base coat -- but he thought he saw some striping.

Mr. Morphey said they may have put some temporary striping on there just to define the lanes.

Mr. Borries said he wants this monitored to be sure we get the surface coat.

Seib Rd.: Mr. Morphey noted they have the base coat down on Seib Rd., as well. They probably plan to do all the surface coat at one time.

Mr. Borries asked that Mr. Morphey keep up the good work. Hopefully we'll have some beautiful weather this month and be able

to get a lot done without fighting all the rain.

RE: COUNTY ENGINEER - JOHN STOLL

Boonville-New Harmony Rd.: By way of following up on Boonville-New Harmony Rd., Mr. Stoll said the contractor told him they would be finished with the final surface and everything on that road this week.

Key West Estates/Street Acceptances: Mr. Stoll said he is recommending acceptance of streets in Key Estates, as follows:

Upper West Terrace Drive	820 LFT
Key West Drive	380 LFT
Summerland Court	536 LFT

Motion to so approve was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Edinborough Subdivision/Street Acceptances: Mr. Stoll said he is also recommending acceptance of streets in Edinborough Subdivision, as follows:

Harlaxton East	80 LFT
Harlaxton Road	276 LFT
Churchill Road	139 LFT
King George Road	322 LFT

Motion to so approve was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Mr. Hunter said by way of explaining to the audience, when we accept these roads, they are then on our rolls and we get money from the State to help us maintain the roads. Therefore, it is rather critical for us that we get roads officially accepted -- if they meet the minimum standards.

Lynch Rd. Extension/Proposed Changes to the Evansville Water & Sewer Department Water Lines: Mr. Stoll said he met with the Evansville Water & Sewer Department, the contractor for Lynch Rd. and the Project Engineer for Lynch Rd. The Water & Sewer Department is going to revise their plans for where they were going to put the water main underneath the road. INDOT has said this will not be eligible for Federal participation, so Water & Sewer is requesting to take the money that we were originally going to spend on this water main crossing and put it towards their revised plan. According to the long term plans of the Water & Sewer Department they would have abandoned the planned water line crossing anyway. Therefore, they wanted to go ahead with the 12 inch main alongside the road right-of-way and go out to a point where the casing was and then stop and continue with their future plans on down the road. What they need from us is a revocable permit from the County to allow them to be within the limited access right-of-way. He didn't see a problem with letting them be there. If anything would ever come up to where we'd have to move it, they would have to move it at their expense and they understand that. Originally the encased line was going to cost around \$28,000. What the Water & Sewer Department is asking is that this \$28,000 be used for the extension of this main. The extension of the main is going to cost between \$80,000 to \$100,000 and they have to be sure they have the money to cover the balance of that -- because it is not eligible for Federal reimbursement. They basically wanted to know if it is alright to give them a permit if they can go ahead with their plans. He didn't see any reason why not. This fits more into their long term plans rather than the short term.

The Commissioners stated they had no objections, as long as we make sure we're not going to have to tear up a road later that has already been constructed.

Mr. Stoll said this gets it out of the road and onto the right-of-way. There are still other items that have to be addressed, but they needed to know if this would be okay.

Motion was made by Commissioner Hunter to accept the proposed changes to the Evansville Water & Sewer Department water line plans for the Lynch Rd. Extension. Seconded by Commissioner Borries and so ordered.

Mr. Stoll said he will also be working with them in so far as negotiating what kind of price the thing will be settled on, because the contractor has already ordered the pipe -- or the casing -- he doesn't remember which. The Water & Sewer Department will either have to buy that and use it themselves -- so there are some other price considerations we'll have to take into account later. But this will at least get it started.

Stop Sign Ordinance: Mr. Stoll said as mentioned heretofore by Attorney Kissinger, he does have the Stop Sign Ordinance. These are just the newest subdivision streets that tie into existing county roads and new streets such as Virginia and Vogel, where we are going to need some traffic control. Could we have Joanne advertise this so we can go through the readings?

Mr. Borries said he thinks it is good that Mr. Stoll begin to look at those two roads. Mr. Stoll is just introducing this tonight on First Reading for the record, right? Then we'll advertise.

Mr. Stoll confirmed that this is correct.

Request for Update of Corridor Study/Burkhardt Rd.: Mr. Borries said he didn't really like the answer he got in the last EUTS meeting -- and there's been some media coverage on this. But in his opinion we're going to have to look not only at the Burkhardt Rd. situation out there, but begin to look at some kind of Corridor Study near that intersection. It seems to him that the logical planning agency should be the Transportation Study to get that done.

Mr. Stoll said there was a Corridor Study done on Burkhardt Rd. back when he was in EUTS. He wrote it -- so there is an existing study.

Mr. Borries said we've either got to update that one or have another one. He doesn't expect Mr. Stoll to have to reinvent the wheel -- but we've got to take some steps. We know there is going to be a lot more traffic. We know there are not going to be immediate answers to some of the problems. But any of the things we need to do -- if EUTS is not going to do it, then he thinks with John's planning background -- some people on his staff might want to begin to look at an update on what could be done. He'd like to have Mr. Stoll's input on that. He then asked Mr. Hunter if he feels we need to do that.

Mr. Hunter said he doesn't think we have any choice, with the development that is going on out there and the development that will go on out there. He thinks he recalls Mr. Stoll's report when he was sitting on the EUTS board.

Mr. Stoll said that report recommended an Interchange at Lloyd and four to five laning to Burkhardt Rd.

Mr. Hunter asked, "And that has not come to pass at all? Was it just put on the shelf or what?"

Mr. Stoll said that as far as he knows, it was proposed to be included in the EUTS long range plan and he guesses that has not been finalized as of yet. He wouldn't think it would be dropped from that plan by any means with all the growth that is going to

continue out in that area.

Mr. Borries said he thinks it has also been mentioned -- and although that is going to get into the city -- but at Centre Point (which is still part of the County area to the immediate north of the Lloyd) he thinks the State is also going to have to look at some long range plans, too -- because traffic is only going to intensify as more development occurs. One of the things that he thinks inhibited us probably a decade ago from doing any four lane there was that tremendous Eastside Urban Ditch. That's a monster and to pipe that thing -- it was just cost prohibitive to do that. But the suggestion has also been made that maybe we need to look at that and make that the median -- get some right-of-way over on the other side and begin to look at that. But we're going to have to work with the State. He will bring this up at EUTS, but he thinks we're going to have to take some pretty quick action on some of this. Unofficially you hear signs that there is going to be other development on the east side of Burkhardt Rd. If this begins to happen -- well, we just need to take steps to go east of Burkhardt.

Mr. Stoll said it probably wouldn't be too long before traffic signals will be justified on those intersections.

Mr. Borries said he thinks the Commissioners have given Mr. Stoll an informal go-ahead here and he will contact EUTS and ask them to assist here. But with John's planning background, he was hoping he could review this and have some pretty good input. He said Mr. Stoll does an excellent job and he wants to commend him for his hard work and his management of things. The Commissioners appreciate his help.

Hazardous Materials Issue: Commissioner Borries said there was some discussion last week -- and resulting phone calls since then -- on the HAZMAT (hazardous materials) issue. There is some concern about how we would go with the East/West route? Would we want to use the Lloyd Expressway, which takes it through the City? Obviously these through materials handlers -- if they were going to Mt. Vernon and into Posey County -- what route would they use? This is obviously going to take some study. But, frankly, if they are hazardous materials and they are through the County, we may want to look at the Marion County model and what Indianapolis has done on this. They pretty well have used the 465 By-Pass around the county. If we allow the Lloyd Expressway to be used through the City, we've got stoplights, schools and all kinds of heavy traffic and everything else, plus when the bridges goes -- and it's going at some point -- they are going to have to find an alternate route anyway. He thinks they probably would have to look at I-64 for an East/West route. If you were through truck traffic going to Mt. Vernon, take 164 to 64 and then go west there. That takes it around the community. He thinks this would be one avenue to be explored on that. They are going to say it is a longer distance. It may be a longer distance, but a safer distance. One grinding accident on the Lloyd Expressway with some hazardous materials would more than make up for the cost in terms of human misery and expense that some through traffic might go. He wants to emphasize, too, that this Board understands (he know that both Don and him would want to emphasize they are not talking about traffic that has to deliver some kind of chemicals in Evansville and Vanderburgh County. We understand they have to use direct routes here. But they're talking about through traffic; traffic that does not stop in this county.

Commissioner Hunter interjected, "Obviously, if they're oil trucks or tank trucks that are making deliveries to the local service stations then we're not trying to prohibit them. But for major, large tank trucks that are going through the community -- he thinks that is hazardous and unnecessary. There are too many schools -- Harper, Harrison, USI, -- just too many things along that route that are dangerous.

Mr. Stoll asked whether the Commissioners know whether anyone has checked with the State to see what criteria they use in establishing those? He hasn't seen anything and doesn't know whether they followed something along those lines when they established 465 in Marion County.

Mr. Borries said surely Marion County knows. It's a big, clear sign on I-70 and they appear to be a community that has taken steps on this -- plus with as many interstates that go into and out of Indianapolis, they have a safer route than we do with all of these stoplights. You get on I-70, 65 or 74, you can go right through Indianapolis. But they routed them around there in terms of those through hazardous materials. He doesn't know of any other choice, although he is willing to listen. But, frankly, we're going to have the same hazards on Lloyd Expressway as we do on U. S. 41.

Mr. Hunter interjected, "Except at a higher rate of speed."

Mr. Borries said that certainly he thinks this is something we have to look at. And, again, not on in City or in County deliveries, but certainly on through hazardous traffic.

Commissioner Hunter said he noted the other day that all tank trucks have to stop at the rail crossing just west of the Highway 41 interchange. People were not watching and he was just flabbergasted. There was a school bus, a tank truck and somehow the person behind the tank truck managed to rip around and miss everybody. So again, it is a very, very serious situation. If we need to contact Marion County to see how they did it, then let's contact Marion County. But he thinks the time has come for some action on this.

Mr. Stoll said he will begin by checking with INDOT to see if they have some criteria they use -- since it is on their roads.

Mr. Borries said that would be a good way. It will also probably involve other agencies -- Warrick County, Posey County, the City of Evansville, etc. But last week Mr. Hunter talked about an accident waiting to happen. We've seen spills on Highway 41. He'd hate to look at the traffic reports -- of course, thanks to the Sheriff's Department the USI students know that things are a little slower in that area. We got the message across there real clearly. Judging from some of the phone calls there are some unhappy campers. But the message was loud and clear - that through a construction site people had to slow down. So that word is getting out. But with as many stoplights as we have going right through the heart of the city, the Lloyd Expressway is certainly a very, very potentially dangerous route. And when the bridge goes in 1995 or 1996, they will have to find another route anyway. He doesn't want to put them on Franklin Street, Columbia-Delaware or anywhere else. So doesn't that seem to be logical?

Mr. Hunter said he doesn't see that we have any choice -- not with the volume of traffic that already exists on the Lloyd as well as the volume of traffic on Highway 41. But we have a possible alternative. Years ago we didn't have that. But it is there now and it needs to be utilized.

Mr. Borries again asked Mr. Stoll to communicate with INDOT, Marion County or whatever and find out what we need to do. The Board has a Resolution and the Board is certainly unanimous in going forward on this -- so it is just a matter of what agencies we need to network with on this.

RE: CONSENT AGENDA

Mr. Borries explained the Consent Agenda takes into consideration various requests for travel or education requests from the Health

Department, the Superintendent of County Buildings, and Veterans Services. There are also some employment changes. There is also a request from the Lincoln Senior Citizens who are planning a picnic and want to use the Bishea House free of charge. (Copy attached hereto.)

Upon motion made by Commissioner Hunter and seconded by Commissioner Borries the Consent Agenda was approved. So ordered.

RE: OLD BUSINESS

Change in Meeting Site/Board of Commissioners for October 18, 1993

Meeting: Mr. Borries said that last week when they named the individuals to serve on the Auditorium Task Force, he knew it was going to be a crapshoot when you try to get 25 people at the same place at the same time. As it turned out, Chairman Rolland Eckels could not be at the meeting next week. The initial Auditorium Task Force Meeting has been re-scheduled for Monday, October 18, 1993. The Auditorium has confirmed they could accommodate this group on that date. The Commissioners will hold their regular weekly meeting at 5:30 p.m. at the Vanderburgh Auditorium, which will lead into the introduction of the Auditorium Task Force and an organization meeting there. The Commissioners will subsequently return to this room (Room 307) where they will reconvene to hear Rezoning Petitions. The Commissioners would not want to deny anyone the right to speak or be heard over some confusion as to where they were supposed to show up. So the Rezoning Petitions will be heard at 7:00 p.m. in Room 307, in accordance with the established schedule for these hearings. There being no further comments or discussion, a motion was entertained.

Motion was made by Commissioner Hunter to hold the regular weekly meeting of the Vanderburgh County Board of Commissioners at the Vanderburgh Auditorium at 5:30 p.m. At 7:00 p.m., the Commissioners will reconvene in Room 307 at the Civic Center to hear the Rezoning Petitions. Seconded and so ordered by Commissioner Borries.

RE: NEW BUSINESS

Notice of Public Hearing on Amending the Comprehensive Zoning Ordinance: Mr. Borries said this was on his desk and it must have something to do with the Enterprise Zone. Does the County own the block of 700 - 730 Olive Street and 200-210 S. Morton? It says Area Plan heard this and City Council will hear this. It is not about purchasing additional land. He guesses we just got this for information purposes. He doesn't think we own the real estate. It came from Mary Arnold.

Commissioner Hunter said he doesn't think the Board of Commissioners has anything to do with this. It's probably a part of Walnut Center. In any event, it will be heard on November 3, 1993 at APC and then heard again by City Council.

There being no further matters of business to come before the Board at this time, President Borries again thanked the U.S.I. group for their presence tonight and declared the meeting adjourned at 6:35 p.m.

PRESENT:

Richard J. Borries
Don Hunter
Sam Humphrey/County Auditor
Alan M. Kissinger/County Attorney
John Stoll/County Engineer
Bill Morpew/County Highway Supt.
Mark Abell/Supt./County Buildings
Roger Elliott/Data Processing

COMMISSIONERS MEETING
OCTOBER 4, 1993

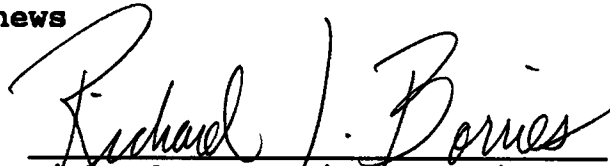
11

Art Gann, Police Chief
Eric Williams/Deputy Sheriff
Daryn Bergdorf/City-County Purchasing
USI Group (see attached sign-in sheet)
Others (Unidentified)
News Media

ABSENT:

Patrick Tuley

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

October 4, 1993

5:30 P.M.

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ACTION ITEMS**
 - A. Any group/individual wishing to address the commission
 - B. **Final Reading:** Ordinance Amending Chapter 153 (Zoning Code) by Adding Thoroughfare Regulations & Repealing Chapter 152 of County Code of Ordinances
 - C. Gary Price/Attorney with Ziemer Stayman Weitzel & Shoulders
re: Requesting transfer of Public Right of Way for his clients
in Chicasaw Park area
 - D. Letter from PIC Job Center
re: PIC appointment
- 5. DEPARTMENT HEADS**

Alan Kissinger ----- County Attorney
Mark Abell ----- Superintendent of County Buildings
Bill Morphew ----- County Garage
John Stoll ----- County Engineer
*See attached engineer requests

COUNTY ENGINEER'S

CONSENT AGENDA

OCTOBER 4, 1993

1

CLAIMS:

OHIO STREET BRIDGE #3C 203-4345

Bernardin Lochaueller (Inv. #91-068-1(15)) \$ 7,233.68

CONTRACTUAL SERVICES/SCHMITT LANE 216-3930

Law Construction (Inv. #233) \$1,339.34

EICKHOFF-KORESSEL EXT. 216-4741

Bernardin Lochaueller (Inv. #90-040-1(27)) \$12,757.80

LYNCH ROAD EXT. 216-4827

Bernardin Lochaueller (Inv. #90-038-1(20)) \$ 8,873.60

U.S.I. & SR 62 430 BOND

Bernardin Lochaueller (Inv. #89-24-1(36)) \$ 679.63

6. CONSENT ITEMS

A. Travel/Education Requests:

Health (1) Veterans (1) Superintendent of Co. Bldgs (1)

B. Employment Changes:
see attached

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

SCHEDULED MEETINGS

Mon	Oct	4	Tax Adjustment Board	9:00 AM	RM 301
			County Commissioners:		
			Department Head	4:00 PM	RM 303
			Executive Session	4:30 PM	RM 307
			County Commissioners	5:30 PM	RM 307
Wed	Oct	6	Tax Adjustment Board	8:30 AM	RM 307
			County Council	3:30 PM	RM 301
	Thurs	Oct	7	HAPPY BIRTHDAY COMMISSIONER TULEY	
Mon	Oct	11	County Commissioners		
			Solid Waste	4:30 PM	RM 307
			Commissioner Meeting	5:30 PM	RM 307
Mon	Oct	18	County Commissioners:		
			County Commissioners	5:30 PM/Auditorium	
			Auditorium Task Force	6:00 PM/Auditorium	
			Rezoning	7:00 PM	RM 307
Tues	Oct	19	County Insurance Committee	9:00 AM	RM 303
Thurs	Oct	21	County Employee Steering	9:00 AM	RM 303
			Pigeon Creek	5:00 PM	RM 307
Mon	Oct	25	County Commissioners	5:30 PM	RM 307
			Drainage Board Immediately Following		
Wed	Oct	27	County Council		
			Personnel/Finance	3:30 PM	RM 301

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department ELECTION OFFICE sk

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
121-112	Pam Daniels	1808 Ravenswood Dr.	Clerk	6 00	10-1-93
121-112	Jane Wilkie	6617 Kratzville Rd.	Clerk	6 00	10-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER COMMISSIONER'S RECORD SIGNED BY Albert Matlock DATE 10-1-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department BURDETTE PARK sk

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JAMIE YOUNG		GUARD	25	9-24-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER COMMISSIONER'S RECORD SIGNED BY Mark Tulley (SE) DATE 9-27-93

93-26929

RECEIVED FOR RECORD

9:23 AM
Oct 5 1993

BETTY J. HOFFMANN, RECORDER
VANDERBURGH COUNTY

ORDINANCE NO. _____

RECEIVED
FOR RECORD

OCT 5 9:23 AM

**AN ORDINANCE AMENDING CHAPTER 153, ZONING CODE
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES
BY ADDING THOROUGHFARE REGULATIONS; AND REPEALING
CHAPTER 152 OF THE VANDERBURGH COUNTY CODE OF ORDINANCES**

WHEREAS, Indiana Law authorizes local governments to exercise planning and zoning powers to improve the health, safety, convenience and welfare of their citizens; and

WHEREAS, in planning for the future development of the community, Indiana Law also suggests that highway systems be carefully planned, that growth occur only with adequate public way for thoroughfares and utilities, that growth occur with and promote the efficient use of public funds, and that the needs of industry and business be recognized in future growth; and

WHEREAS, to promote public safety, long-range transportation planning for Vanderburgh County involves a process requiring continued review of traffic conditions on the transportation network and periodic updates of transportation plans to ensure that changes in traffic conditions are addressed; and

WHEREAS, long range transportation planning is the basis for the adoption of a Thoroughfare Plan contained within the Evansville-Vanderburgh County Comprehensive Plan which consists of a plan for the development, redevelopment, improvement, extension, and revision of primary streets in the City of Evansville and Vanderburgh County for the purpose of providing safe transportation and an official map, attached hereto as "Exhibit A", incorporated herein by reference and made a part hereof; and

WHEREAS, the purpose of these Thoroughfare Regulations is to promote the safety of those persons on or adjacent to public thoroughfares by planning road improvements which will promote safety by lessening congestion in the roadway and by establishing development setbacks from those thoroughfares that are adequate to effectuate this purpose; and

WHEREAS, the Evansville-Vanderburgh County Area Plan Commission, on July 7, and September 1, 1993, recommended that Chapter 152, Thoroughfare Ordinance, of the Vanderburgh County Code of Ordinances be incorporated into the Zoning Code as an amendment to Chapter 153 of the 1989 Vanderburgh County Code of Ordinances.

NOW THEREFORE, be it ordained by the Vanderburgh County Board of Commissioners as follows:

Section 1. Repealer

Title 15, Chapter 152 of the Vanderburgh County Code of Ordinances is hereby repealed in its entirety. Any petition filed with the Board of Public Works before the effective date of this ordinance requesting a variance under Chapter 152 shall be heard and acted upon by the Board of Public Works as if Chapter 152 had not been repealed.

Section 2. Amendment of Chapter 153 by Adding New Sections 153.170 through 153.176, concerning Thoroughfares and Setbacks

Chapter 153 of the Vanderburgh County Code of Ordinances is amended by adding new Sections 153.170 through 153.176 inclusive, which new sections shall read in their entirety as follows:

153.170 Applicability

To promote public safety, Thoroughfare Regulations are hereby adopted and established. These Thoroughfare Regulations shall be applied in the development review process including all rezoning petitions, applications for zoning use permits, and proposed plats submitted to the Area Plan Commission. All development proposals shall allocate adequate access for streets in conformity with the Thoroughfare Plan and shall designate and label all such streets in accordance with the following definitions, specifications, and requirements regarding control of access, platted width, and setback requirements.

153.172 Definitions

A. Control of Access

The condition where the right of owners or occupants of abutting land, or other persons, to access, including its location in connection with public ways, streets, highways or roads, is fully or partially controlled by public authority, including but not limited to, the Area Plan Commission.

B. Full Control of Access

The condition where access, including its location, is fully controlled in connection with public ways, streets, highways or roads, to give preference to through traffic by providing access connections only with selected public ways, streets, highways or roads, and by prohibiting both crossings at grade and direct private driveway connections.

C. Partial Control of Access

The condition where access, including its location, is partially controlled in connection with public ways, streets, highways or roads to give preference to through traffic to a degree that in addition to access connections with selected public ways, streets, highways or roads, there may be permitted some crossing at grade and some direct driveway connections, with design and location approved by public authority, including the Area Plan Commission.

D. Controlled Access

Any street designated and labeled as "Controlled Access" shall be a divided arterial street planned, designed, and intended for through vehicular traffic in conformance with the Comprehensive Plan with full control of access thereto.

E. Major Arterial

Any street designed and labeled as a "Major Arterial" shall be an arterial street planned, designed, and intended for through vehicular traffic in conformance with the Comprehensive Plan with partial control of access thereto. Major arterials are intended to move through traffic to and from such major attractors as central business district, regional shopping centers, and major industrial areas, or as a route for traffic between communities or large developed areas.

F. Minor Arterial

Any street designated and labeled as a "Minor Arterial" shall be an arterial street planned, designed, and intended to serve as a distributor of through vehicular traffic, in conformance with the Comprehensive Plan, from interstates and major arterials to collector streets with partial control of access thereof. Minor arterials are similar to major arterials, except that these streets service minor traffic-generating areas such as neighborhood commercial areas, primary and secondary educational facilities, hospitals, churches and offices.

G. Collector

Any street designed and labeled as a "Collector" shall be planned, designed, and intended to serve as a collector and distributor of vehicular traffic, in conformance with the Comprehensive Plan, with partial control of access thereof. A Collector street collects traffic from local streets and channels it into the arterial system.

153.173 Classification of Thoroughfares

These thoroughfare and building setbacks apply regardless of zoning classification.

A. Controlled Access

From the center line of the thoroughfare the total setback shall be determined by the State of Indiana or the U.S. Federal Government, whichever is appropriate. The following streets are included in the "Controlled Access" classification:

Diamond Avenue	(Posey County line to Morgan Avenue)
Lloyd Expressway/SR 66	(U. S. 41 to Warrick County line)
I-64	(that portion in Vanderburgh County)
I-164	(that portion in Vanderburgh County)
Lloyd Expressway/SR 62	(Posey County line to U. S. 41)
Riverside Dr./Veterans Memorial Parkway	(Fulton Avenue to U. S. 41)
U. S. 41	(that portion in Vanderburgh County)

B. Major Arterial

The following streets are included in the major arterial classification:

1. From the center line of the thoroughfare the total setback shall be ninety (90) feet.

Green River Road	(I-164 to Pigeon Creek)
Morgan Avenue	(U. S. 41 to Warrick County line)

2. From the center line of the thoroughfare the total setback shall be seventy-five (75) feet:

First Avenue	(Pigeon Creek to Mill Road)
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C. Minor Arterial

From the center line of the thoroughfare the total setback shall be seventy (70) feet. The following streets are included in the minor arterial classification:

Burkhardt Road	(Lincoln to Morgan)
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Covert Avenue	(Green River Road to Warrick County line)
Darmstadt Road	(City limits to Evergreen Road)
Eichoff/Koressel	(SR 62 to I-64)
First Avenue	(Mill Road to city limits)
Fulton Avenue	(Lloyd to Diamond)
Green River Road	(Pigeon Creek to Millersburg Road)
Lynch Road	(U. S. 41 to I-164)
Mill Road	(St. Joseph to U. S. 41)
St. Joseph Avenue	(Maryland to Schenk Road)
State Road 57	(U. S. 41 to Gibson County line)
Upper Mt. Vernon Ave.	(Peerless Road to Tekoppel Ave.)

D. Collector

From the centerline of the thoroughfare the total setback shall be sixty (60) feet. The following streets are included in the collector classification:

Boonville New Harmony	(Posey County line to I-164)
Burkhardt Road	(Covert Avenue to Lincoln Avenue)
Burkhardt Road	(Morgan Avenue to Olmstead Road)
Campground Road	(Old State Road to Stringtown Road)
Darmstadt Road	(Evergreen Road to Boonville New Harmony Road)
First Avenue	(Lloyd/SR 62 to Pigeon Creek)
Fuquay Road	(Pollack Avenue to Newburgh Road)
Green River Road	(Millersburg Road to SR 57)
Oak Hill Road	(Pigeon Creek to SR 57)
Old State Road	(Campground Road to U. S. 41)
Pollack Avenue	(Green River Road to Warrick County line)
St. Joseph Avenue	(Schenk Road to Boonville-New Harmony Road)
Stringtown Road	(Pigeon Creek to Campground)
Telephone Road	(I-164 to Warrick County line)
Upper Mt. Vernon Rd.	(Posey County line to Peerless Road)
Virginia Street	(Green River Road to Burkhardt Road)
Vogel Road	(Green River Road to Burkhardt Road)
Western Connector	(Eichoff/Koressel Road to St. Joseph Avenue)

153.175 Compliance with Ordinance

A. No improvement location permit or building permit shall

be issued and no construction or improvement of real property shall take place without compliance with this ordinance.

- B. All plats of proposed subdivisions and replats of subdivisions in the City of Evansville and Vanderburgh County shall comply with the requirements of Sections 153.170 through 153.176.

153.176 Requirements for Variance

- A. A person desiring a variance from the requirements of Sections 153.170 through 153.176 must file a petition with the Board of Zoning Appeals according to Sections 153.163 and 153.164.

- B. Thoroughfare Setback Encroachment Permit

In addition to the items required in Section 153.164 for a variance petition, the petitioner shall file a Thoroughfare Setback Encroachment Permit, incorporated herein by reference and made a part hereof, with the variance petition on the form attached hereto. The Thoroughfare Setback Encroachment Permit shall be recorded in the office of the Vanderburgh County Recorder by the Area Plan Commission at the time of variance approval by the Board of Zoning Appeals. Cost of the recording will be borne by the petitioner; a certified check shall be filed for the cost of the recording at the time of filing of a variance petition.

Section 3. Effective Date

This ordinance shall be in full force and effect from and after its passage and signing by the Board of Commissioners.

PASSED by the Board of Commissioners of the County of Vanderburgh, Indiana, on the 4th day of October, 1993, and on said day signed by the Board of Commissioners and attested by the Auditor of Vanderburgh County.

THE BOARD OF COMMISSIONERS OF
THE COUNTY OF VANDERBURGH

Richard J. Borries
Richard Borries, President

Patrick Tuley, Vice-President

Don Hunter
Don Hunter, Member

ATTEST:

Sam Humphrey
Sam Humphrey, Auditor

THOROUGHFARE SET-BACK
ENCROACHMENT PERMIT

Permission is hereby given to expand an existing structure.

(Owner's Name)

(Tax Code #)

(Address of Property)

(Legal description of property. If long, attach.)

Describe existing structure proposed to be expanded:

(dimensions, height, materials, use)

Describe proposed expansion:

(dimensions, height, materials, use)

Attach site plan showing location of all existing structures and proposed expansion (with dimensions) and distances from centerline of streets and from property lines.

This Permit issued in consideration of the following representations, warranties, covenants and agreements of the Permittee:

1. The permittee is the owner of the aforesaid real estate. The aforesaid address shall be used for notification to permittee hereunder unless permittee advises the Area Plan Commission of Evansville and Vanderburgh County in writing of a new address for notices.
2. The encroachment as above described will be permitted to remain and continue until such time as the City of Evansville, the County of Vanderburgh or the Indiana Department of Transportation, or any of its successors or assigns, shall determine that such encroachment is in any way adversely affecting the public health, safety, convenience, or welfare including impairing or interfering with the street or with the free and safe flow of traffic thereon.

3. The permittee shall be, and remain liable for any and all damages or claims therefor, resulting from the continuing encroachment and the continued existence of said encroachment shall not in any way prejudice or preclude the City's or County's or State's right with respect to the future use of that portion of the thoroughfare set-back bearing the encroachment.
4. At such time when the City, County, or State shall determine that such encroachment is in some way adversely affecting the public health, safety, convenience, or welfare including impairing the street, or interfering with the free and safe flow of traffic thereon then the City, the County, or State will notify the permittee by certified mail, to be mailed to the permittee's last known address, of the termination of this permit.
5. Each of the covenants and agreements herein contained shall be and constitute a covenant and agreement running with title to the real estate which is the subject of this Permit. The covenants and agreements which are for the benefit of the City of Evansville, the County of Vanderburgh and the Indiana Department of Transportation (the "Units") shall inure to the benefit of the Units and their successors or assigns. It is understood, acknowledged and agreed by the undersigned Permittee that the terms and conditions herein shall be binding upon the Permittee and any successor owner of the real estate described herein.

This permit is dated this ____ day of _____, 19__.

AREA PLAN COMMISSION OF EVANSVILLE AND VANDERBURGH COUNTY

By: _____
Executive Director

The foregoing representations are true, and the terms of this permit are hereby accepted by:

(Property Owner or Duly-Authorized Representative to sign here)

(Address)

STATE OF INDIANA)
COUNTY OF VANDERBURGH) SS:

Sworn to before me, this ____ day of _____, 19__.

My Commission Expires: _____
Notary Public
County of Residence: _____
State of Indiana

This document prepared by: _____
Recorded: _____
(Date)

DATA PROCESSING REVIEW BOARD

City of Evansville/Vanderburgh County

Civic Center Complex, Room 205

1 NW Martin Luther King Jr. Blvd.

Evansville, Indiana 47708

AGENDA REQUEST

NAME OF REQUESTOR: Art Gann

REQUESTOR TITLE: Chairman

DEPARTMENT: Data Processing Review Board

REQUEST(S) BEING MADE:

- Signature of a letter (copy attached) to Systems and Computer Technology Corporation agreeing with a \$1,057 cost of living adjustment. This adjustment increases the the amounts to be invoiced by \$831.96 (for the County) and \$224.04 (for the City).

A copy of the letter is attached for your review, one (1) original will be available for signature at the meeting. The agreement has been reviewed and approved by the County Attorney. Funding for this project is available.

DATE TO BE PLACED ON AGENDA:

County Commissioners
Board of Public Works

Monday, October 4, 1993
Wednesday, October 6, 1993

ACTION ____

CONSENT ____

OTHER ____



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

October 4, 1993

Mr. Gerry Porter
President
Information Resource Management Division
Systems & Computer Technology Corporation
Great Valley Corporate Center
Four Country View Road
Malvern, PA 19355

Dear Sir:

We are in receipt of the letter dated May 17, 1993, concerning the cost of living adjustment for SCT. After checking the figures, we find them to be accurate and in accordance with Section 16 of the amended contract. We therefore agree that invoices should reflect an additional amount of \$831.96 for the county and \$225.04 for the city. We further realize that this increase is effective with the July 1, 1993 invoices.

Thank you for your consideration in this matter.

Sincerely,

Art Gann, Chairman Data Processing
Review Board

Jack McNeely, President
Board of Public Works

Attest

Rick Borries, President
Board of County Commissioners

Attest

September 16, 1993

Mr. Rick Borries
President, Vanderburgh County Commissioners
Civic Center Complex
Room 305
Evansville, IN 47708

Dear Mr. Borries:

The Private Industry Council of Southwest Indiana is in the process of filling a private sector opening on the Board of Directors due to the resignation of Mr. Jack Buttrum. The PIC strongly supports the selection of Mr. John McGregor, President - Quality Automotive Distributorship. Mr. McGregor, the top nominee of the Metropolitan Evansville Chamber of Commerce, has indicated that he is willing to dedicate the time and energy necessary to fulfill this important obligation.

If you have any questions or would like to discuss the selection in greater detail, please do not hesitate to call me at your earliest convenience. Thank you for your time and consideration of this matter.

Please return the PIC appointment form when completed.

Sincerely,



Jerry Yezbick,
Executive Director

*approved
10-4-93*

PIC Job Center

Private Industry Council

**INDIANA
WORKFORCE
DEVELOPMENT**



Vanderburgh Co. -- 160 S. Third Ave. -- Evansville, IN 47708 -- (812) 424-HIRE -- Fax 422-2438

Unemployment Insurance -- 160 S. Third Ave. -- Evansville, IN 47708 -- (812) 428-2970

RECEIVED SEP 15 1993

PIC APPOINTMENT PROCESS

BUSINESS NOMINATIONS - CHAMBER OF COMMERCE

NOMINEES: John McGregor Ken Shipley Jeff Korb
QUADCO. Midwest Telecom Pearl Laundry & Cleaners

SIGNATURE:

W. S. WALTON, JR. M E C C

COUNTY COMMISSIONERS' SELECTIONS

SELECTION/S: same as above

SIGNATURE:

APPOINTMENT - MAYOR OF EVANSVILLE

APPOINTEE/S:

SIGNATURE:

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, SEPTEMBER 24, 1993 THRU THURSDAY, SEPTEMBER 30, 1993

FRIDAY, SEPTEMBER 24, 1993

Gradall and one crew worked on Nolan, Speaker & Cypress Dale.
Paver, Roller and five crews finished Co. Line West and moved equipment.
Patch crews worked on Frontage Road.
Two crews spread rock in the Bottoms.
Garage - one crew worked on landscaping, one crew installed gas line.
Weed crew worked on Mill Road.

MONDAY, SEPTEMBER 27, 1993

Gradall and one crew replaced culvert at 4940 W. Mill Road.
Gradall and one crew worked on Wedeking.
Payloador and 3 crews graded and rocked roads in the Bottoms.
Tree crew worked on Denzer and Allens Lane.
Two patch crews worked on Bergdolt and work orders.
Garage - one crew worked on landscaping, one on gas line.
Tiger Mower worked on Slate, Allens Lane and Denzer.

TUESDAY, SEPTEMBER 28, 1993

Gradall and one crew worked at 13620 Darmstadt on culvert.
Paver, Roller and eight crews paved Big Schaeffer Road.
Two patch crews worked on Baumgart Road.
Tiger mower worked on Denzer Road.
Garage - one crew worked on landscaping, one on gas line.

WEDNESDAY, SEPTEMBER 29, 1993

Gradall and one crew worked on Cypress Dale.
Paver, roller and ten crews paved Big Schaeffer Road.
Patch crews worked on Cypress Dale.
Tiger mower worked on Heckel and Bergdolt.
Cycle mower worked on Red Bank, Graff and Nurrenbern.

THURSDAY, SEPTEMBER 30, 1993

Gradall and one crew replaced culvert on Schlensker.
Gradall and one crew worked on Wedeking.
Paver, Roller and eight crews paved Big Schaeffer.
Tiger mower and weed crew worked on Bromm and Orchard Road.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, SEPTEMBER 24, 1993 THRU THURSDAY, SEPTEMBER 30, 1993

FRIDAY, SEPTEMBER 24, 1993

Crew #1 - unload pipe in yard, work on drop box at Evergree and Darmstadt, add wall in yard, pick up trash from Emge Bridge and add barricades at Orchard Rd and Burdette Park.
Crew #2 - install pipe on Nolan Ave.
Crew #3 - work in barn.

MONDAY, SEPTEMBER 27, 1993

Crew #1 - replace culvert at 4940 W. Mill, work on drop box at Darmstadt and Evergreen.
Crew #2 - install pipe on Nolan Ave.

TUESDAY, SEPTEMBER 28, 1993

Crew #1 - replace culvert at 13620 Darmstadt Road.
Crew #2 - install pipe on Nolan Ave.

WEDNESDAY, SEPTEMBER 29, 1993

Crew #1 - saw Big Schaeffer driveways, saw Orchard Road.
Crew #2 - finish drop boxes on Nolan Ave.
Crew #3 - pick up pipe on Mill Road, haul pipe to Cypress Dale.

THURSDAY, SEPTEMBER 30, 1993

Crew #1 - install culvert on Schlensker Road.
Crew #2 - hammer out driveway on Big Schaeffer, work on drains on Nolan Ave.
Crew #3 - work on Wedeking Avenue.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603

Vanderburgh County Engineering Department

Agenda for October 4, 1993

1. **Key West Estates Street Acceptances**
Upper West Terrace Drive 820 LFT
Key West Drive 380 LFT
Summerland Court 536 LFT
Agg'd.
2. **Edinborough Subdivision Street Acceptances**
Harlaxton East 80 LFT
Harlaxton Road 276 LFT
Churchhill Road 139 LFT
King George Road 322 LFT
Agg'd.
3. **Proposed changes to the Evansville Water and Sewer Department water line plans for the Lynch Road extension** — *Agg'd.*

Member



Evansville, IN 47708

Tel. (812) 424-9603

KEY WEST ESTATES

Member



CITY OF EVANSVILLE
Department of Parks and Recreation

100 East Walnut Street
Lower Level
Evansville, Indiana 47713-1999
(812) 424-6921

FRANK F. McDONALD II
MAYOR

LINCOLN Senior Citizens Center
502 S. Governor Street
Evansville, IN 47713

June 29, 1993

Mr. Mark ^{Tooley}~~Tooley~~
Burdette Park Office
5301 Nurrenbern RD 47712


Dear Mr. Tooley:

Lincoln Seniors are planning a picnic again this year at Burdette.
The date is Sept. 24, 1993, 9AM- 4PM..

Please may we use Bieshea House or the House on the lake free of charge.
We sincerelly appreciate whatever you will do for us.

Thank-you.

Yours truly


Leona Christian
Director

CITY REZONING NOTIFICATION NOTICE

******* NOTICE OF PUBLIC HEARING *******

**FOR AMENDMENT OF THE COMPREHENSIVE ZONING ORDINANCE
OF THE CITY OF EVANSVILLE**

DATE: October 1, 1993

RE: Petition for Rezoning

Docket numbers: 93-68-PC & R 93-51

Dear: Vanderburgh County Commissioners:

This letter will serve notice to you of scheduled hearings of a petition for amendment of the Comprehensive Zoning Ordinance which has been filed with the Area Plan Commission of Evansville and Vanderburgh County.

This proposed amendment is to allow a change in zoning from: R-2

to: M-1

on the property located at: 700 through 730 Olive & 210 through 216 S. Morton

Legal description: Lots Seventeen (17) through Thirty Two (32) in Block
Three (3), Rietman & Schulte's Addition

AREA PLAN COMMISSION hearing to be held in Room 301 (City Council Chambers), City-County Administration Building, Civic Center Complex, Evansville, Indiana. Hearing to be held at 6:00 p.m. on Wednesday, November 3, 1993.

CITY COUNCIL hearing to be held in Room 301 (City Council Chambers), City-County Administration Building, Civic Center Complex, Evansville, Indiana. Hearing to be held at 7:30 p.m. on Monday, November 15, 1993.

Sincerely,

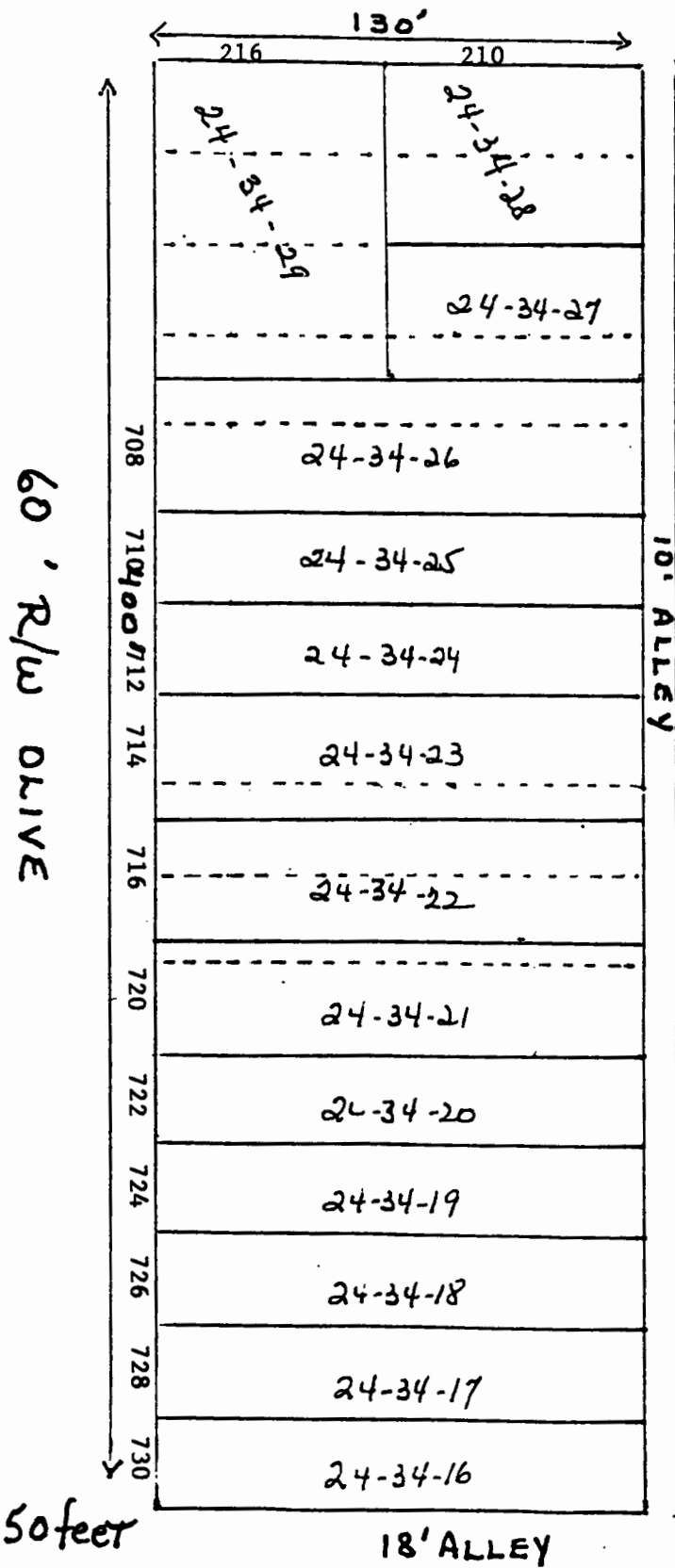
Mary C. Donald

If you have any questions, please contact me at: 426-5360

NOTE: THIS MEETING IS ABOUT REZONING CITY-OWNED LAND. IT IS NOT ABOUT PURCHASING ADDITIONAL LAND.

700 Block Olive
Site Plan

60' R/W MORTON



ALL EXISTING
BUILDINGS TO BE
DEMOLISHED BY
DATE OF REZONING

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY.

EMPLOYEE(S): Sharon King

Susan Teer

DESTINATION: Bedford, IN

PURPOSE: 1993 Vital Records Workshop

LODGING REQUIRED: NO

COUNTY VEHICLE NUMBER: 873

OTHER:

Mileage

Parking

Per diem

Registration

Air fare

Other

APPROVED:

Department Head

APPROVED:

Office Holder

APPROVED BY:

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 4 day of October, 1911

RICHARD J. BORRIES, PRESIDENT

PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 9-24-93 DEPARTMENT: Supt County Bldgs.

EMPLOYEE(S): MARK ARELL

DATE(S) OF TRAVEL: OCT 29th '93

DESTINATION: INDIANAPOLIS

PURPOSE: attend ADA mtg - sponsored by DAN COATS

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: no

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: 515
OTHER: _____

REIMBURSEMENT CLAIMED

Mileage _____ ☒ Parking _____
Per diem _____ Registration _____
Air fare _____ ☒ Other _____
gas reimbursement

APPROVED: [Signature]
Department Head

APPROVED: _____
Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 4th day of October, 1993

[Signature]
RICHARD J. BORRIES, PRESIDENT

PATRICK TULEY, VICE-PRESIDENT

[Signature]
DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 9/27/93 DEPARTMENT: Veterans Service

EMPLOYEE(S): Mark D. Acker

DATE(S) OF TRAVEL: October 5, 1993

DESTINATION: Knightstown Home

PURPOSE: IDVA One Day School

See Attached
Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: N/A

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: _____
OTHER: _____

REIMBURSEMENT CLAIMED

518 Mileage (Round Trip) Parking
24.00 Per diem Registration
_____ Air fare Other

APPROVED: [Signature]
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 4th day of October, 1993

[Signature]
RICHARD J. BORRIES, PRESIDENT

PATRICK TULEY, VICE-PRESIDENT

[Signature]
DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: Sept. 28, 1993 DEPARTMENT: Rodent/Veterin. Control
EMPLOYEE(S): George Thompson

DATE(S) OF TRAVEL: Oct. 14 & Oct. 15, 1993
DESTINATION: Mason Co. Mosquito Control Center
PURPOSE: FVCA Executive Board Meeting

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: None

MEANS
OF
TRAVEL

COUNTY VEHICLE NUMBER: 873
OTHER: _____

REIMBURSEMENT CLAIMED

_____ Mileage	_____ Parking
<input checked="" type="checkbox"/> Per diem	_____ Registration
_____ Air fare	_____ Other

APPROVED: [Signature]
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 4th day of October, 1993

[Signature]
RICHARD J. BORRIES, PRESIDENT

[Signature]
PATRICK TULEY, VICE-PRESIDENT

[Signature]
DON L. HUNTER, MEMBER

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME Bernardin, Lochmueller & Assoc., Inc. # 985

On Account of Appropriation for Ohio Street Bridge #3C over Pigeon Creek ²⁰³⁻⁴³⁵³

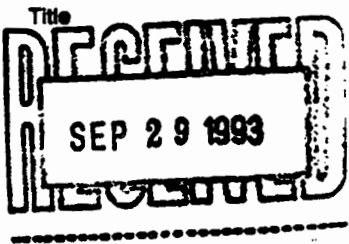
Invoice No.	Itemized Claim	Amount
91-068-1(15)	Fee due for Preliminary Engineering for	7,233.68
	Design of Ohio Street Bridge #3C over	
	Pigeon Creek & Ohio Street & Fulton Ave.	
	Intersection. INDOT Project NO. BRM-480()	
	August 1 - 31, 1993.	

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Thomas G. Bernardin
Name
Thomas G. Bernardin, Secretary

Date September 23, 1993



A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME Bernardin, Lochmueller & Assoc., Inc. # 985

On Account of Appropriation for Lynch Road Extention - Phase 2 216-4827

Invoice No.	Itemized Claim	Amount	
90-038-1(20)	Fee due for Preliminary Engineering for	8,879.	60
	Design of Lynch Road Extension from Burk-		
	hardt Road to SR 62 & Telephone Road in		
	Warrick County. INDOT Project No.: RS-6882 ().		
	Period August 1, 1993, to August 31, 1993.		

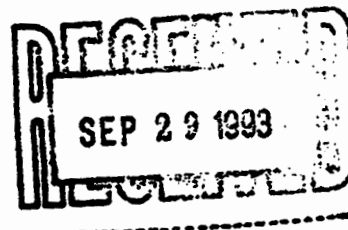
Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.


Name

Thomas G. Bernardin, Secretary
Title

Date September 23, 19 93



A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDEBURGH COUNTY, INDIANA

VENDOR NAME Bernardin, Lochmueller & Assoc., Inc. # 985

On Account of Appropriation for Design of Interchange & SR 62 & USI Entrance *430 Bond*

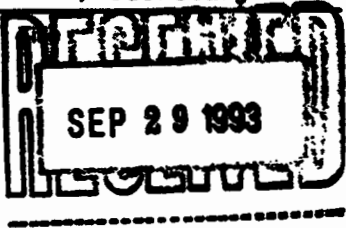
Invoice No.	Itemized Claim	Amount	
89-24-1(36)	Fee due for Preliminary Engineering for	679	63
	Design of Interchange & SR 62 & USI Entrance.		
	For period of July 1, 1993 to August 31,		
	1993.		

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Thomas G. Bernardin
Name
Thomas G. Bernardin, Secretary

Date September 23, 19 93



County Commission Mtg.

October 4, 1993

Sign In Sheet

Name

Affiliation

ERIC WILLIAMS

SHERIFF DEPARTMENT

Bob Burkart

Attorney for Charles & Cheri Carroll

Gary Kaiser

Student of U.S.S.

Pauline Geravel

USI

Melissa J. Laughlin

USI

Jeff Amb

USI

Jami Hushman

USI

Paul I. Minnie

USI student

Dora Olatz

USI Student

William Paddock

U.S.I.

Kal Kermur

U.S.I.

Dan England

Purchasing

Bill Morpheus

VAND. CO. HWY. DEPT.

Sam Bernard

Press

Mary K. Zittel

WIKY

Jim Beck

Carrier.

**MINUTES
COUNTY COMMISSIONERS MEETING
OCTOBER 11, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m.	1
Introductions & Pledge of Allegiance	1
Bid Openings/Roof Repairs at the County Highway Garage & Post Frame Building for Sheriff's Department	1
Request for Election Equipment for the Election Office ...	1
Indiana Department of Commerce/Industrial Development Grant	10
Approval of List of Voting Places for Special Election on November 2, 1993	10
County Attorney/Alan M. Kissinger	10
Reading of Bids/County Highway Garage Roof Repair Post Frame Building/Sheriff's Department	
Superintendent of County Buildings/Mark Abell	13
United Way Campaign Legal Aid/Prosecutor's Office	
County Highway/Bill Morpew	14
Weekly Progress Report Paving/Big Schaeffer Rd. & County Line Rd. Disposal of Barrels at County Highway Garage Equipment (Request to transfer funds to Motor Vehicle Account to Purchase 3/4 Ton Cab Truck Proper Procedure for Purchase of Vehicles (memo to be sent to All Officeholders & Department Heads following approval by the Commissioners)	
County Engineer/John Stoll	16
Notice to Bidders/Virginia Street Culvert & Street Extension Sham Lee Subdivision Road Plans Rich Lynn Subdivision Road Plans Request to Go on Council Call/Transfer of Funds Change Order/Darmstadt Rd. Bridge Project	
Consent Agenda	17
Scheduled Meetings	18
Old Business	18
New Business	18
Executive Session/October 25th A.I.C./State Meeting National Unfunded Mandate Day/October 27th & Resolution	
Meeting Adjourned @ 7:10 p.m.	19

MINUTES
COUNTY COMMISSION MEETING
OCTOBER 11, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, October 11, 1993 in the Commissioners Hearing room with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Abell, Attorney Kissinger, Commissioner Tuley, himself, Commissioner Hunter, County Auditor Sam Humphrey and Joanne Matthews, Official Recording Secretary) and asked the group to stand for the Pledge of Allegiance.

Mr. Borries said a printed agenda for tonight's meeting is available. If any individuals/groups are present who wish to address the Commission and do not find their particular item of interest on the agenda, they should speak at this time. There was no response from the audience.

RE: BID OPENINGS/ROOF REPAIRS AT THE COUNTY HIGHWAY GARAGE & POST FRAME BUILDING FOR SHERIFF'S DEPARTMENT

It was noted by Commissioner Borries that there are two bid openings scheduled this evening, as listed above.

Motion was made by Commissioner Hunter to authorize Attorney Kissinger to open the bids for roof repairs at the County Highway Garage, with a second from Commissioner Tuley. So ordered.

Motion was made by Commissioner Tuley and seconded by Commissioner Hunter to authorize Attorney Kissinger to open the bids on the post frame buildings for the Sheriff's department. So ordered.

President Borries said Attorney Kissinger will read the bids into the record later in the meeting.

RE: REQUEST FOR ELECTION EQUIPMENT FOR THE ELECTION OFFICE

The meeting continued with Commissioner Borries recognizing County Clerk Betty Knight Smith and Attorneys Wayne Trockman and Less Shively, who represent the Election Office and said they are here this evening with regard to voting equipment for the Election Office.

Attorney Trockman approached the podium and stated, "Good evening. My name is Wayne Trockman and I am Chairman of the Election Board and present with me tonight are Les Shively (also on the Election Board), Betty Knight Smith, Alberta Matlock and Jon Hill. We stand before you unanimous tonight with a request which we have placed in writing to the Commissioners and sent to you last week -- a request for the County to consider as a matter of high priority the replacement of the equipment that we are currently using to cast and count our votes. We certainly do not need an outsider to tell us about how old our equipment is and the condition of our equipment -- or the integrity of our equipment -- because we know from first hand experience that it has been very unreliable. We all know how old it is. We've had it since about 1976. It was used then and this is technology of the 1960's. It was very good equipment then and I think some of the people who have been around for quite some time have told me that when this equipment was purchased it was supposed to be the last equipment we'd ever need.

Well, it's old and it's worn out and it has been causing problems. As we all remember, in 1991 we didn't get the vote returns until very late the next day. It was very lucky for us and the County that that was not a Statewide or a nationwide election. We've had substantial problems with it in the past. In fact, when we put the referendum on this November 2nd we're going to be using borrowed equipment from Business Records and back last year when we had the county wide international elections we used borrowed equipment. I tell you that we don't need outsiders to tell us about our equipment, but we have had an outside report made by the Indiana Election Board. I'm sure you all have seen a copy of it. I'd like to highlight just a couple of sections of the report that were provided to us -- especially in their recommendations. I'll leave a copy of this with you in case members of the Commission have not seen it. (Ms. Smith indicated copies have already been provided to each of the Commissioners.) In their conclusion they say, in short, that the ballot system used in the county is dangerously flawed; they use the term a ticking time bomb that inevitably will lead to an election night disaster. This system should be replaced. That report was made on June 14, 1993 and delivered to the Election Board shortly thereafter.

There is one other section of the report (I was referring to Page 6 under Item #1) -- that I'd like to refer to and that is on Page 2, wherein it is stated here and throughout the report that the accuracy of the count is suspect. We have feared that for a long time. I've been on the Election Board for a little over two years. Les has been on it a lot longer than that. And Betty has been running the election for five or six years and we have always suspected -- and I have -- that the county has not been accurate and the State Election Board also seems to be confirming that for us now. So we stand before you unanimous. We understand that this is a very expensive undertaking; however, we have not had any expenditures on equipment since at least 1976. Business Records -- who sold us this equipment and maintains it for us -- has been very responsive; but they are indicating that they are having substantial difficulties in finding replacement parts. For instance, we no longer own printers that operate. They are bringing in two printers for us this November 2nd to certify the referendum. They have indicated it will be difficult -- if not impossible -- to do that again.

And lastly, Business Records did indicate that they were putting on a Statewide election in Tulsa, Oklahoma about a month ago and we authorized several members of the Election Office and one member of the Election Board (Betty Knight Smith) and our Attorney, Tom Montgomery) to go out and view the election. They have recommended a new system to us and we have given that proposal to you from Business Records. Now, we certainly understand that this is a matter that would have to be bid and we are not suggesting that the Commission consider this system over any other except that we all have looked at other systems and we've had at least two systems demonstrated for us in this room over the course of the last year and a half or so. I think that we, at least, have concluded that between those two systems that are available -- and they are certified in the State of Indiana -- that this system, at least in our opinion, is the best. We understand that the bidding process should take place and this should be a competitive process. But this is what we think is going to be the ball park as far as cost is concerned. If the Board would like to hear from Mr. Shively or Ms. Smith, I just reiterate that we're quite concerned. I'm sure we'll get through the November 2nd, but it will be with the help of Business Records. However, they are indicating to us that in 1994 that is not going to be the case and we are quite concerned."

Commissioner Borries thanked Attorney Trockman for his comments and proceeded to recognize Ms. Smith.

Ms. Smith approached the podium and stated, "I am Betty Knight Smith, County Clerk and Secretary of the Election Board. That proposal they gave you is for the year of 1993 and that is their cost right now -- so they told me to tell you that. If you want to put it up for bids that will be fine; they'd like to bid on it."

Attorney Shively approached the microphone and said, "Mr. President and Members of the Commission, my name is Less Shively, Republican member of the County Election Board. Wayne did an excellent job in summarizing what our position is. And let me just reiterate from the minority perspective that certainly we do not advocate that particular vendor. As Wayne indicated, we understand the bidding process has to take place. However, there are two things I think it is important to note. We are not pursuing this and bringing this to your attention because of speed or because staff wants to get out of there early on election night. As Wayne said -- and I think it is the most important thing he presented to you -- it is the integrity of the system and the accuracy. And if we want voter participation and want people to feel that their vote is being counted, that they are part of the process -- there has to be a system that is beyond reproach and one where no one has any questions concerning the reliability. We are dangerously approaching the time where that may not necessarily be guaranteed to the voter without a serious look at our system. I think it needs to be addressed for 1994, and we look to your judgment on this fiscal matter and this expenditure as on other expenditures to do the right thing and to use the bid process. But it has to be addressed and I think the time to start looking at it is certainly now. Once again, we understand you have to abide by certain laws and rules and regulations -- in which Mr. Kissinger will guide you. And, once again, I think it is a problem to be addressed."

Mr. Borries thanked Mr. Shively and said, "Wayne and Betty, I appreciate your concerns and I know that this has been an ongoing concern that you have. Let me have the Commissioners perhaps respond. Don and Pat may want to make some comments and then I have a few I want to make."

Commissioner Tuley said, "I sat in on that meeting with the Election Board and I heard the comment about the ticking time bomb waiting to go off. I also heard the comment from the Election Board that the process up to the actual tabulation was a very secure, very proper way of doing things. So the handling of the ballots and what have you to the point they go into the tabulator is fine. I guess what my question would be, have we explored all possibilities? Is there any way to salvage the boxes and that process and just replace the tabulators, the counters? The transmission in my truck went out and I didn't go out and get rid of my truck. I replaced the transmission and I'm still driving it today. And I guess that is where I'm coming from. Have we explored all the options? Can we replace the tabulators and the counters? If so, what would it cost us to do that and what is the total possible net savings as opposed to replacing the whole system?"

Attorney Shively commented, "Betty can tell you the cost, but let me just tell you from somebody who worked in the precinct level to election night and being on the Election Board. I think that even if everything we have works perfectly, we have a system that we need to examine in light of our experience -- and that is a fact. There are probably no less than twenty different people who manually touch the equipment. And when you have twenty or twenty-five people that physically handle these ballots, even if the system works perfectly in my personal opinion I am a little concerned about that."

Mr. Tuley said, "Okay, my point being we are quoting parts of what they said in that report. The part that we want to get across is that it is a time bomb ticking, ready to go off -- my point being

that up to that point they don't find fault with the system. Yes, there may be that many people handling it, but is it worth a million dollar outlay to this community to replace that entire system? That is my point. One other point before we get off on this -- and, Wayne, correct me if I wrote down your quote -- the guys who sold us this equipment -- in 1985, they told us this would be the last equipment that we'd ever need. Is that the same guy trying to sell us new equipment now?"

Mr. Trockman responded, "I don't know who said that, but that's the comment...."

Commissioner Tuley continued, "The reason I said that -- and I don't want to be argumentive, but the tabulators were replaced in 1985 and the signature on that contract was a guy named Jeff R. Ryan -- the same guy who signed this new proposal and contract."

Ms. Smith interjected, "They bought some new tabulators in 1985. The equipment was bought from Thornton (sic), I believe, in 1975 and was used at that time, Pat."

Mr. Tuley continued, "Thornber was represented by Jeff Ryan, is that correct?"

Ms. Smith responded, "No. Business Records bought that company, okay?"

Mr. Tuley continued, " All right, same players -- but bought up another company."

Ms. Smith interjected, "So, in 1985, I don't know because I wasn't the Clerk at that time. Now they're telling me that the company that made this is out of business now. We can't get parts for it."

Mr. Tuley asked, "We can't get parts for the existing tabulators?"

Ms. Smith replied, "No."

Mr. Tuley said, "I guess, back to my original question -- is there any way to replace just the tabulators in order to keep intact the rest of it? I guess I want to see the whole picture. Is it financially feasible for us to do that? Is that the smart thing to do? Or is a total system replacement where we should be headed? That is the bottom line question."

Ms. Smith replied, "To answer your question I would have to get back with Business Records or you could call Jeff Ryan. I have his telephone number at the office. Because he tells us they cannot get parts for them."

Mr. Tuley asked, "Is there somebody else who can come and evaluate the system and give us an unbiased opinion -- who is not trying to sell us equipment? Is there anybody like that that exists?"

Ms. Smith replied, "The State Election Board is the one who brought four men down here and that is the day you were there. And they evaluated the system because they do that Statewide. And several different counties have that system and they are all trying to get away from it."

Mr. Tuley asked, "The system that we currently have in place is the system they are trying to get away from? Is that what you are saying?"

Ms. Smith continued, "So to answer your question there -- can we get some more -- I really don't know. According to what he says they don't make them anymore."

Mr. Tuley interrupted, "And there is no equipment made that could replace it?"

Ms. Smith responded affirmatively, saying they borrowed the equipment that we are going to use November 2nd from out in California.

Mr. Tuley asked, "So the tabulators we are going to use then have been borrowed?"

Ms. Smith continued, "Yes, and they will have to be shipped back and we won't have that available for next year."

Mr. Tuley asked, "And none of those can be bought?"

Ms. Smith replied, "That is what he said. Any other questions?"

Mr. Tuley said that is all he has. He's sure there are other questions.

Commissioner Hunter stated, "If I were on the other side of this table I would probably feel exactly the way Les does, or Mr. Trockman or all of you feel. However, we are looking at a million dollars and even if the three of us wanted to be the three good guys and say that is wonderful, there are some bad guys called the County Council -- and the million dollars is simply not there. What we'd like here is a Lincoln Town Car, but our funding is probably a Ford Escort. One of the options I had jotted down -- and I won't elaborate on it anymore -- the first option was you're looking at the voting machine we use right now. I have used these in my classroom for the last fifteen or twenty years and that son of a gun is virtually indestructible. You may have to put a new stylus on it and replace the light bulb and there may be some other things that wear out. But it looks to me as though the voting machine itself is really pretty good -- and, as Patrick has mentioned, the tabulator seems to be the thing that messes you people up pretty badly. My question is, why can't we get new tabulators and if this company has created something that is of obsolescence so we can't replace them -- then I question doing business with this company again. I don't know them -- but I really would.

My second option would be a more expensive one. If we decide that, indeed, by virtue of this report that we need new machines -- by law we have to bid them out, don't we? So we have to draw up specs and bid them out."

In continuing, Mr. Hunter said that he remembers a couple of years ago we had Business Records Corporation and another corporation (MicroVote, he believes) came in here and we had a big demonstration one night. He would like to see those two companies and any other company provide us with voting machines for both of the elections next year -- the Primary Election in May and the General Election in November -- and let the voters use these machines. Let's get some feedback from the folks who pay for them and see which of them are the best. Then, at that point, maybe we want to look at leasing machines or whatever the cheapest way to go is. You know, we vote one time. We'd like to vote more than that -- but Indiana law says you can't vote often and early. It would be kind of interesting to get some feedback and then begin to negotiate. He does not want to buy new voting machines. If we have to replace these he thinks the way to go is a leasing program -- and a leasing program with some kind of built in maintenance program whereby as this equipment wears out it is replaced. He guesses that is his feeling on this.

President Borries commented, "We receive requests all the time from high school students and others, as Don pointed out. Something that has been around that, frankly, I have and I want to share my

concern with members of the Election Board on this -- I don't want to get us into a situation where we are sending the public mixed signals about their voting. Because I think in a very simple way, outside of the light bulb that can wear out -- even if you were in an electrical storm and the power goes out -- this has been a very simple process, one in which you simply with a stylus and a piece of paper can vote. Even if the tabulators (and I want to address those in a second) go down, literally it would take a while (I am sure the media and the candidates running for office would have a heck of a time and everybody would be biting their nails) -- but these could be counted by hand if you had to do that -- if you had the proper integrity to be able to do this. So, again, I hope we're not sending mixed signals to the public that this system, this card, this punch equipment in some respects has lost its integrity with the public -- because I don't want to send a mixed signal to the public. Because we had those old Votomatic machines which were so heavy you couldn't store them on two floors -- because you were always worried the second floor might cave in because of the huge amount of weight from the machines. These machines can easily be stored in the election office; they are portable and normally can be put together by one person. And that is not going to change - that is the point. So from Thornber Election Systems, then, if that is not going to change -- what did? On October 31, 1985, addressed to the Vanderburgh County Board of Commissioners:

"Dear Commissioners,

Thornber Election Systems is pleased to present Vanderburgh County this bid. We have worked very hard to build credibility and confidence in our punch card tabulation systems among our Indiana customers. Included in this proposal is our Indiana user list and we urge you to contact any you wish. Also included as part of this proposal is Thornber Election Support Package, the S-Pak Agreement. This agreement provides a broad range of services key to the successful supervision of any election. Our combined depth in management, sales consultants, customer service, engineering and equipment maintenance, programming, and educational support provides an opportunity to proceed with the full assurance successful implementation will be accomplished in a timely manner.

We have the resources and experience to do the best job for Vanderburgh County and are prepared to proceed when our proposal has been accepted and approved.

Thank you for your interest and time. Should you have any questions, please do not hesitate to call toll free at 1-800-621-1181.

Sincerely,

Jeff R. Ryan
Vice President & General Sales"

Mr. Borries continued, "So we purchased this equipment for \$71,000. Now, between the time that the voter votes and it is tabulated -- this is 10 years old. This equipment was actually purchased -- the agreement was finally signed on October 30, 1985. That would have been in the year following the Presidential Election (like this one) and this one is special because of the gaming referendum -- so that means it was not even used that year. So these tabulators have been used (Thornber, now owned by Business Records) for maybe eight (8) times -- maybe eight times. Twice in 1986, twice in 1987, twice in 1988; none in 1989; twice in 1990 -- so we're talking basically eight times. So I share the feeling of the other Commissioners to say, 'What is worn out here?' What is worn out?' If a voter can vote on this stuff -- I mean I don't know what is

worn out on this. If it's a tabulator, we purchased new tabulators in 1981 and I read verbatim Mr. Ryan's letter where we spent \$71,000 on a lease then, along with services, in 1985, to do this. So to say we haven't done anything since 1974 is not correct. And then I asked Mark Owen to do some research for me, since he had also accompanied Ms. Smith and the others down to see what we could do. From the Indiana State Election Board I have a list of all of the ballot card systems. This Votomatic System and L-Pak 1 are still on a State-accepted list. Now, if this is a ticking time bomb, we're also getting some mixed signals from the State Election Board -- because it is still on their approved list. I found out from Mr. Owen's research that 27 counties (including Marion County, the largest county in Indiana) an older system than we have here -- the older Votomatic System. We have three counties in Indiana that are using paper ballots, which is much older than this kind of system and the previous system. So I guess what I want to say is -- before we get into a \$989,000 contract with this group or any group, I would prefer to have these looked over. To have some research -- I think Allen County uses a different system; they are larger than we. Lake County uses a different system and they are larger than we -- and open it up. Maybe we can come up with the money some way. I don't know -- I don't care. If we're able to come up with the money. But I think County Council at last count (and Mr. Humphrey can correct me) had about \$2,300 in the General Fund.

Mr. Humphrey interjected, "\$2,285.00"

Mr. Borries continued, "So we have some real problems in terms of carryover next year. And before I lease something -- before I would agree to it -- I share your concerns about the voting integrity -- but I don't want to have any young voter or any voter say that this won't work, because I think that part will work. What doesn't work or didn't apparently work in 1985 -- but I wish he had told us that then -- that was ten years ago. So I would prefer if we're going to do this to have Wayne and Less have a full blown situation here where we can involve a lot of people, find out what we need to do, do so as quickly as possible and maybe come up with the money. Again, my concern has been that I don't want to send mixed signals -- because we keep getting into this thing is broken. What is broken about it? If this part is not broken. That thing will stand there and has for a long time -- since 1974. And that is just my point. I share your concerns. I don't have any magic out there. I don't think that the Commissioners do. But, again, when we've got \$2,300 in the General Fund right now, to come up with \$989,000 is really going to be a piece of work and I am reluctant to recommend that amount of cast outlay. Frankly, what I would envision in the future is something we're going to see like Pay Per View where we might be able to in another ten years -- if it's by the year 2003 -- be able to vote through your television set or something else. I think things are going to change that fast. I think with the Motor Voter bill and some of the rapid change in technology -- I can figure out how they're able to do this, but you can dial a movie right into your own home. I think you're going to be able to do the same thing and vote in some way with your own code and be able to access a lot of different kinds of electronic networks that may make a lot of this stuff outdated. But I do share your concerns. I am willing to work with you in any way I can -- but I really have a problem in terms of agreeing to something in terms of \$989,375 here that we couldn't begin to fund. So, Mr. Chairman, if you could lead us in a way. Surely there ought to be some model specs that the State Election Board has come up with so we can bring these people in and see what fits us -- and maybe Betty could talk with the Clerks in Allen County, Lake County and Marion County (all larger than we) and see what is working for them -- to see what is possible in Indiana. Those are my concerns."

Attorney Trockman said, "Rick, Pat and Don -- we all share your concerns with regard to the cost. This is a lot of money. And my comment to Pat about we were told many years ago that this would be the last system that anybody would ever need -- I repeat that it was probably said in jest then and I say it in jest now, because we'll be told that no matter what system we buy next. And, Rick, what you said is probably true; in a couple of years somebody is going to come along with something that is going to be light years ahead of whatever we have. And let me also say, Rick, that I agree with you -- that the integrity of the entire system is secure throughout and we do have a good system and we have a lot of good people on both sides of the aisle to work the system. And when you point to the Votomatic or the booth itself, there is nothing wrong with it. There is nothing wrong with the stylus. That can be easily replaced. The ballots themselves are very secure because, as you said, if you have to you can go back and simply count the ballots. It would be a monumental task, but the system is secure. But we've got a problem and that is with tabulators and the computer; it is not even a computer, just simply a tabulator and a printer. If you look at the equipment it is very simple. The problem is that it is 1960's technology and it was the state-of-the-art in 1960. And I'm not telling anybody here anything, but when I was in college at Indiana University I was in awe when I took a computer class and walked into the computer room (K-201) at Bloomington. I remember -- because I remember my grade, too. There was this room that was bigger than where we are and it had this monstrosity and it was just something else. We prepared our programs with punch cards and that was state of the art. So we all know what can happen. The problem is that in 1985 we bought 1960's technology and now instead of having 1985 technology eight years later, we've got 25 year old stuff. So the system breaks down when we get it into the room next door and we ask it to do its thing. Now, we shouldn't send a message to voters that they shouldn't go to the polls...."

Mr. Borries interrupted, "Right."

Mr. Trockman continued, "Because, if there is ever a problem we will shut it down and we will start counting -- and you can do that. And you can do that with some of the new systems. As you all remember, one of the problems with MicroVote was that it did not have a paper trail and that is why a lot of people (including myself) were very reluctant to even think about something like that. So there is an integrity and there always will be. But the problem is that if you ever had to sit down and count these darn things it would take weeks -- it literally would take an army and would take weeks if not months -- especially if we had a high voter turnout. So we all share your concerns. It is a lot of money and who knows what we are going to be doing next year. We might be calling in our votes from home -- and I think that would be great if further advances are made -- and they will be. But we do have a problem and that is on November 2nd and next year when we have a very large ballot...."

Mr. Borries said next year is the longest one.

Mr. Trockman continued, "In 1994, we've got all the local races on. First of all, to count those ballots by hand would be a monumental task and, secondly, it is going to put a strain on this system that we have like it hasn't seen for four years -- and in 1991, we just had a complete system shutdown. In 1992, we had a malfunction when we were only thirty or so precincts into the count and everything went haywire and shut down the whole system. We couldn't determine the problem and we had consultants on site. We ended up starting over again. Nobody even tried to explain it. So those are the kinds of problems I fear in 1994 -- but I don't want you to think we're coming before you with a misunderstanding or not understanding the fact that, first, this is a lot of money -- because I think that is what I ended my short presentation with.

Secondly, that we think that this is going to be the last system -- because it won't. Somebody is going to question what we do in 25 years or in eight years. They're going to say what a dumb decision -- just like we could say what the dumb decision was in 1985 to buy 1960's technology. But we still have a problem and I think we're going to be faced with it right head on in 1994. Thank you."

Commissioner Tuley said, "I don't want misunderstanding where I am coming from either. Sometimes I have a hard time putting it into proper words. What I am saying is, let's broaden the scope of our review and see if there are alternatives other than a total outlay of a million dollars and a total system replacement. That is basically where I am coming from. I understand. I've been through three elections -- not as in the election room. But I have been through three elections, too, and the last one lasted until 1:00 a.m., I believe, Rick. Does that sound right? You know better than I do -- you were there. So I know we've got a problem on that end. That's the only thing I am saying. I'm not trying to dispute that we have a problem down there, okay? The integrity is there. There are a lot of hands it passes through -- but there's no reason to sound off any alarms. And I understand the problem on the tabulators. I just want to see if there are ways to address this other than a one million dollar outlay."

Alberta Matlock approached the podium, identified herself and stated, "I am the Chief Deputy of Elections. I am the one who runs those tabulators at night when the break down. It doesn't just start right there at the tabulators. And you're absolutely correct -- these machines can be fixed. And even with the new system we would want to keep those, because we would like to use those as our booths for the people to vote in. But where we really have the problems, we're the only county in Indiana (so I am informed by the State Election Board) that does their own punching the masks and putting their ballot together in house. We're the only county in Indiana that does that. Also, when these L-Paks were made, I guess the reason we can't get any more parts for them is because they don't make this certain one that we have now. Like you said, we would have to explore the possibilities of buying new printers and new tabulators -- which we don't know what the cost would be. But you still have to think about those things would still need maintenance with the template and the other things that go with them. But, like you said, we are assured that we are getting a decent vote up to the tabulator. What happened the last time was it started eating the cards themselves and we had to stop several things. Then we had to have them duplicated because of the tabulators. If they don't have the parts to replace it, how are they going to replace the actual machines?"

Commissioner Hunter said he would just underscore what Mr. Tuley just said and he thinks we all realize there is a problem and at this point we better all collectively work together. We know we can't afford a million dollars - that's out of the question -- so let's take what we can afford and see what alternatives we can come up with.

Ms. Matlock offered further comments concerning the tabulators and printers, but they were inaudible for the most part because she was speaking from her seat rather than approaching the microphone.

Mr. Hunter said he agrees that if we had a large election it would be an absolute disaster. Can we assume that we will re-evaluate this whole thing and see if we can go some other direction that is less expensive. Is that agreeable to everybody?

Attorney Shively said they just want the problem addressed and certainly everybody on both sides of the aisle work very well together. They have worked well together. The old calculator is set up to read these cards and if it doesn't work we do have a nightmare. All they wanted to do was to bring to the attention of

the Commission the fact that we do have a problem and work toward a solution in 1994, however we can get there. It's got to be better than what we've got now. We can't make it any worse."

Commissioner Borries indicated he agrees completely and said he thinks to speak in behalf of these gentlemen who have been very articulate in expressing their concerns -- frankly, we may have been a little slower than other counties, but we've had a very excellent record here and fine people who have served in election capacities. Therefore, he commends them. He's proud of the kind of job we do in the County and would pledge that the Commissioners are concerned about this and will try to change it and try to open this thing up to where we can look at all things and see what we can do. As he said, these things are still on the approved electronic voting system list in the State of Indiana as of October 26th. He's willing to consider all things. But, as he said, a big cash outlay at this point is the big concern. The Commissioners are pledged to change and will try to do so as quickly as they can. It's just a big decision for everybody.

As the Election Board group exited the meeting, Ms. Smith commented, "Ask Alan what he went through the last year he was on the Election Board when we were there until 2:00 a.m. and then quit and came back and didn't get our tallies out until three o'clock the next afternoon."

RE: INDIANA DEPT. OF COMMERCE/INDUSTRIAL DEVELOPMENT GRANT

The meeting continued with President Borries noting the Board has a letter from the Indiana Department of Commerce (copy attached hereto) awarding Vanderburgh County and Industrial Development Grant in the amount of \$11,445.00. This is to assist in infrastructure improvements to support the expansion of Sunbeam Plastics. It includes a proposal of investment of \$18 million in capital improvements and the total cost of infrastructure improvements is \$22,890.00. He then recognized Mike Robling of the Department of Metropolitan Development. The DMD acts as our agent to secure these grants and it did take some action.

Mr. Robling said Sunbeam Plastics is proceeding with an \$18 million expansion to help create up to one hundred new jobs over the next years. As part of this expansion they need to replace some existing rail sidings and this is what the State is addressing in this grant award. The State does things kind of strange. They ask you what you need, tell you you're going to get the Grant, and then tell you to apply for it. At this time he needs action by the Board to authorize DMD to prepare a grant application on the County's behalf for Commissioner Borries' signature.

Motion to this effect made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: APPROVAL OF LIST OF VOTING PLACES FOR SPECIAL ELECTION
ON NOVEMBER 2, 1993

Commissioner Borries said Mr. Jon Hill is here with regard to approval of the list of Voting Places for the November 2nd Special Election. The list he has indicates the new polling places are highlighted. Mr. Borries said the County has made every effort to utilize those precincts in the past where residents have voted. However, in some cases we were either asked to move or whatever the case were unable to provide services in those particular precincts. Perhaps Mr. Hill has comments.

Mr. Hill said there were several reason we had to relocate some of the polling places for this election. A couple of the churches did not want us to vote on this particular referendum in their church,

Mr. Borries said he was trying to say that -- but didn't want to say that just like Mr. Hill did.

Mr. Hill said the Union Hall we used for 3-12 went out of business. The County Garage and State Highway Garage and the Waterworks Garage are all going to be open. Therefore, things are not conducive to using any of these three facilities to vote and these were moved. So some of the relocations are temporary and will revert to the former site next year. Camp Reveal out in Scott 5 has advised they no longer will rent the room for \$50.00 per day. They now want \$150.00 for the first five hours -- so they didn't think the County would want to pay this. Ward 4, Precinct 1 normally votes in the Auditorium Lobby and they have two shows there that night. Obviously, they booked those because they didn't know there was going to be an election -- and we had to move that over into the lobby of the Locust Street side of this building. We can rope it off and make it secure. The Building Authority has agreed to this and worked with us on it. We just discovered on Friday that where 3-25 votes (Hose House #8) votes is under construction, which will not be finished by November 2nd -- so it is unavailable. That is being moved up to one of the schools. Mr. Hill said the list does give us 184 voting sites, which the law requires us to have. Normally, in a special election the laws of the State of Indiana allows us to combine polling places, but this particular law addressed the fact they wanted us to have the same number of voting places as we had in 1992 -- so we didn't have any choice. Some day -- if we don't vote by television -- perhaps we can have one large polling place in each ward.

Mr. Borries commented, "Who knows; but I think we will see some rapid changes. I want to also commend many of the churches who have remained on the list. Frankly, merely because a church would host an election doesn't mean you or either for or against it -- you're simply providing the voters the opportunity to exercise their rights. So I certainly want to commend those churches for at least allowing the public the right to exercise their voting privilege.

Mr. Hill said that not only have they done that in the past, we've been able to move into some other churches from places no longer available and he is happy with that.

Mr. Borries said he knows there was concern as to whether we were going to be able to find enough voting places and it appears we have. He then entertained questions. There being none, he entertained a motion.

Motion to approve advertisement of the Polling Place List was made by Commissioner Tuley, with a second from Commissioner Hunter.

Ms. Matthews said she does have a question. At the top of the list it indicates "those places highlighted are new polling places". Is it the Commissioners' intention to highlight these sites in the legal advertisement, or can it just be straight copy as usual?

Mr. Hill said he would suggest there is going to be a lot of confusion and he doesn't think the highlighting is necessary. Since the last election the ward boundaries have moved and the precinct numbers have changed anyway. So the highlighting is not going to be necessary.

Mr. Tuley asked if cards are being sent where there have been precinct boundary changes?

Commissioner Borries said there haven't been any precinct boundary changes -- just City Ward boundary changes.

Mr. Borries said there are multiple precincts at some schools and asked if Joanne will include those? For instance, where it says

"Located in 2-2"?

Ms. Matthews said the list will appear exactly as it is being approved by the Commission today (with the exception of any typographical or spelling corrections) unless someone gives her changes prior to publication.

Mr. Borries said he thinks the "New Polling Places Are Highlighted" verbiage should be omitted. Is there a charge to do that?

Ms. Matthews said she thinks there would be.

Mr. Hunter asked if Mr. Hill's recommendation is that we simply include in the legal ad a list of the polling places period -- and not muddy the waters by saying these are new or highlight or anything?

Mr. Hill said it might be nice to have the new sites highlighted -- but he doesn't think it will help any.

Ms. Matthews said she noted one site in particular that is highlighted and she knows it is not new. There were three precincts at Life In Abundance Christian Center last year, for instance.

Mr. Hill said the precinct is exactly the same and intact.

Mr. Tuley asked what if an individual was in 2-4 last time and is now in 4-8? How are you supposed to know that?

Mr. Hill said they sent new cards to everybody where there was a change. If an individual was in 1-3 last year and voted at Life in Abundance Christian Center and you're in 2-3 this year, you still vote at Life in Abundance Christian Center. They notified everybody in 1-3 that it was changed to 2-3. But, again, people don't pay attention to that or don't know that -- so they will still have a lot of phone calls to ask where they vote this time. But they have them every year anyway from people who have no idea of what Ward or Precinct they vote in. There will just be a few more this year and his staff will be on duty.

Commissioner Borries advised what the Commissioners are approving then is just a list of Polling Places and strike the verbiage (New Polling Places Are Highlighted) -- because if that is in there it really will confuse them.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

County Highway Garage Roof Repair: Attorney Kissinger reported that two (2) bids were received, as follows:

- | | |
|--|----------|
| 1) Preferred Construction Company Services, Inc. | \$58,801 |
| 2) U. S. Industries Group. Inc. | \$59,680 |

Mr. Kissinger said both bids were broken down. If the Commissioners will recall, we wanted a unit price for replacing the decking.

Post Frame Building/Sheriff's Department: There was one (1) bidder, that being Deig Bros. Lumber & Construction Company, Inc. in the amount of \$25,856.00.

Mr. Kissinger said he has nothing further to report. However, in consideration of next week's meeting at the Auditorium, is the Board going to have their Executive Session. If not, the Board needs to schedule one.

Commissioner Borries said an Executive Session is scheduled at 4:30 p.m. Has it been advertised?

Ms. Matthews said it has been advertised for 4:30 p.m. at the Vanderburgh Auditorium. The Commission Meeting will take place in the Gold Room. The Commissioners can either meet in the Green Room or one of the rooms upstairs.

Commissioner Borries entertained a motion to refer the bids on roof repairs at the County Highway Garage to John Stoll for review and a recommendation. He then asked Deputy Sheriff Eric Williams if he wants to award the contract for the Post Frame Building today since there was only one bid -- or take it under advisement.

Deputy Williams said he would prefer to take the bid under advisement.

Motion made by Commissioner Tuley to refer the foregoing bids to the proper departments for their expertise and recommendations, with a second from Commissioner Hunter. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS

United Way Campaign: Mr. Abell submitted a letter he wants to send to all department heads and elected officials for approval by the Board prior to distribution of the letter -- and, in particular, because of the three (3) extra days of personal leave in 1994 to be received awarded to the winner of a random drawing of participants.

Commissioner Borries explained Mr. Abell felt that in lieu of cash prizes this might offer some incentives to help boost the campaign -- because certainly the United Way provides a wide variety of services to this county. Since we have no cash, time might be the most valuable thing we could give. He then asked if this would be agreeable with the other Commissioners and both expressed their agreement. Mr. Hunter asked if the Commissioners could get in on that three day leave.

Mr. Abell stressed that the extra three days will not go to the individual who contributes the most; rather, just via a random drawing and it is hoped this will increase the number of participants this year.

Mr. Borries said that as an elected official, he knows Mr. Humphrey will encourage his group to participate. He has a large staff. If we can just push this year to get a greater share of participation, then we should be successful.

Mr. Tuley said that as a County entity, we did not do too well last year.

Legal Aid/Prosecutor's Office: Mr. Abell said that if the Commissioners agree, he will get involved in discussions between the Legal Aid office and the Prosecutor's office. They are talking about switching some space around. Mr. Hunter said, "Better him than us."

Mr. Borries said the Commissioners have all been involved more than they want to be. They did talk with Sue Hartig. And, of course, all this is dependent upon whether Mark Acker in Veteran's Service can, in fact, move to the Old Courthouse. But he thinks Ms. Hartig is so anxious over that that she has even said she will offer Mr. Acker some assistance in packing. So he thinks Mr. Acker may be on his way.

Mr. Abell said that sounds like a workable plan if it all goes together and the Commissioners agreed to his becoming involved in the discussions.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Borries said Mr. Morpew has submitted his weekly progress report for period of October 1 thru October 7, 1993.....report received and filed.

Paving/Big Schaeffer Rd. & County Line Rd. East: Mr. Borries queried Mr. Morpew re the status of this project.

Mr. Morpew said they have completed Big Schaeffer and are starting on County Line Rd. East and should be finished with this tomorrow. The crew will continue paving the roads until the weather gets too cold.

Mr. Borries entertained questions of Mr. Morpew. There were none.

Barrels @ County Highway: Mr. Morpew said they now know what the contents are of the barrels that have been at the County Highway Department for years. He needs to have them disposed of. They are not hazardous waste; but there are some hazardous materials in the barrels - cleaning solvents in a couple of barrels; two have hydraulic oil with some metal shavings and we know that came from one of their Gradalls; there is a gasoline additive; creosote; five barrels of water with a trace of diesel fuel in it that came from where the diesel tank had been leaking and it was pumped out of the hole into these barrels; soap and decontamination water. These are barrels that you would normally find at a garage. The creosote was for the old wooden bridges. The hydraulic oil came from the heavy equipment. The gasoline additive and cleaning solvents are all things that you would normally find at any garage in the country. In order for these barrels to be stored, they would have to become licensed as a Treatment Storage Facility and they don't feel this would be feasible due to liability, licensing, etc. What they would like to do is -- because they can't get the proper MSDS (Material Safety Data Sheets) for the contents of these barrels, they'd like to search for a company to dispose of them. They have been looking at several companies and obtaining prices, etc., but have not yet come up with a decision as to where to go. They're looking at the least expensive way to dispose of the materials.

Mr. Borries entertained questions. There being none, he asked if the Board has by consent authorization for Mr. Morpew to look for the proper disposal firm. Is he correct in that Mr. Morpew has had a Consultant assisting him and his personnel in identifying the chemical make-up of all of the barrels so we could determine that in no case did they contain hazardous waste? We've been able to verify that?

Mr. Morpew responded affirmatively.

The Board unanimously agreed to authorize Mr. Morpew to proceed and the quicker the better. So ordered.

Attorney Kissinger asked Mr. Morpew that when he comes up with the service provider that is actually going to move those barrels to please report back to the Commission what the price for the service is so we can show for the record that it is under the amount that we otherwise would have to bid for a service.

Mr. Borries said that bid would certainly be if it were under \$10,000, for example. State minimums are \$25,000 -- but the County has always held at \$10,000.

Mr. Morpew said from all the reports he has had to date, he is sure it will be well under that price. They are checking on insurance requirements, etc. They have a list of places that will readily accept this and they're investigating other aspects, such as insurance, now.

Equipment: Mr. Morphey reported he has been trying to work with Mr. Curt Wortman, the liaison at the County Highway Department and Curt hasn't been much help. As a matter of fact, they had an appointment at 10:00 a.m. on Thursday and Curt never showed up. He is not surprised at that. He hasn't been much help. Mr. Morphey said what he needs to do -- the Bridge Crew needs a truck to work out of. They only have one truck and they have seven men. They have an old van they got from the Sheriff's Department that has 290,000 miles on it. It's seen its better days; the doors are falling off it. He would like to ask Mr. Stoll to transfer from one line item or another in Cumulative Bridge to Motor Vehicles so they can buy a truck.

Mr. Hunter asked if he's talking about a new truck or a used truck.

Mr. Morphey said he is talking about a new 3/4 ton super cab truck. He doesn't want to get something that is going to break down in a year's time.

Mr. Hunter asked if he will be taking bids on that.

Mr. Morphey responded affirmatively, saying he will go with the State bid -- researching the equipment the State has out.

Mr. Hunter asked if there is money in that account to transfer?

Mr. Morphey again responded affirmatively.

Mr. Hunter said if we need it -- we need it. He doesn't see that we have any choice, do we?

Mr. Borries said he doesn't think so.

Mr. Hunter said that is a matter of either walking, getting bicycle or getting a new truck.

Mr. Morphey agreed, saying they need the truck.

Mr. Borries entertained a motion to authorize Mr. Morphey to go on Council Call re the transfer of funds.

Motion to this effect made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Mr. Borries said he knows Mr. Morphey understands the process or he wouldn't have made his request the way he did. It has come to his attention -- probably in recent weeks -- that there may be purchases or an aspect of vehicles being purchased in this County that have not come before this Board. If the other Commissioners agree, he would ask the County Attorney to look at the legal way in which these vehicles would be purchased. It has always been his understanding that they must come before this Board as the County Executive to request permission. The Commissioners don't handle the dollars, but they can give permission to do that. And, again, unless statutes have changed on this, basically this Board -- either through stamp or their signature then has to sign that title. Is he correct in that?

Attorney Kissinger said that is correct. The proper procedure is exactly what Bill is doing now. He comes before the County Commissioners to request permission to go before the Council to request a transfer of funds. If approved by the Commission, he goes before the Council. If the Council grants the transfer of funds for the purpose of purchasing a motor vehicle, then Bill can go out and start his search for the motor vehicle. But in order to commit the County, he must actually come back to the Commissioners to obtain approval for the purchase of that vehicle at that price, with the understanding that only the County can be committed to a purchase agreement, etc., and that must be approved by the County

Commissioners. And then the vehicle must be titled in the name of Vanderburgh County.

Commissioner Borries said he would like for that to go out to all officeholders. He thinks we saw another example of that today. The County Clerk and the Election Board were in here. She understands that obviously when you have a \$939,000 potential outlay here that, like it or not, it has to come before this Board. And when our Auditor tells us that we have \$2,300 in the General Fund then, frankly, we just can't allow any deviation from this kind of thing. If he could ask Alan to give us a cite on that statute he'd like a memo to go out to County offices. We need to remind some people that if we are not following proper procedures here the stakes are getting real high. Frankly, we just don't have money and he thinks also in order to have a more orderly and appropriate way, we can't have them going before the County Council. Sometimes he doesn't think County Council has asked the questions as to what these transfers are all about. Bill has told what he making the transfer for and he thinks Council could go back on record and see what that request is and whether it has been approved.

Attorney Kissinger said he will prepare a memorandum and circulate it to the Commissioners for approval before it is actually circulated to the various officeholders and department heads.

Mr. Borries asked if this is agreeable to the other Commissioners.

Commissioner Hunter said he thinks it is a very good idea.

President Borries continued, saying we are in some serious financial times here. Again, he knows Mr. Morpew understands the procedure and he thought this was a good time to bring this up.

RE: COUNTY ENGINEER - JOHN STOLL

Notice to Bidders/Virginia Street Culvert & Street Extension: Mr. Stoll said this will tie together Metro Avenue and the new section of Virginia Street, which is built as part of the K-Mart project; about 200 ft. of pavement plus a box culvert over the ditch.

Motion to approve was made by Commissioner Tuley, with a second from Mr. Hunter. So ordered.

Sham Lee Subdivision Road Plans: Mr. Stoll submitted the road plans and said this is a privately maintained wide gravel road. The existing portion will remain at 15 ft. wide and the new portion will be 16 ft. wide. If ever they would want to pave this, we do have enough right-of-way. He therefore recommends approval.

Motion to approve the road plans was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Rich Lynn Subdivision Road Plans: Mr. Stoll submitted these road plans and recommended approval of same, noting it is a cul-de-sac off Schutte Rd. and is a privately maintained concrete street, 24 ft. wide with curb and gutter. It will be built to County standards.

Motion to approve the plans was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Request to Go on Council Call/Transfer of Funds: Mr. Stoll requested permission to transfer funds as follows:

\$30,000 from Allen's Lane Bridge to Mann Rd. Bridge
\$30,000 from Koressel Rd. Bridge to Bixler Rd. Bridge
\$25,000 from First Avenue Bridge to Motor Vehicles

Mr. Stoll said that all three of the bridges he's transferring funds from were maintenance projects that we won't get completed this year. He figured there would be no problem with letting Bill Morpew go ahead and transfer the money into the Motor Vehicle Account from the First Avenue Bridge. and on the other bridges, he'd like to get Mann Rd. and Bixler Rd. bridges under design this year. He is proposing timber bridges at those two locations. Since they're both roughly the same intersection, he'd like to do the two bridges at the same time. We should be able to save on the design cost and the construction cost if we lump them together as a single project and basically a similar size bridge should do the job for both of them. He was going to go ahead and have that as part of our annual bid. Go ahead and get them designed this year, bid through American Timber Bridge and get them built next year. When he discussed that with Bill Solomon, he said we wouldn't actually be invoiced at all this year for anything. We don't get any bills until the timber bridge package is delivered at the site.

Mr. Tuley said we need to get the contract to make sure we don't lose the money.

Mr. Borries said that as long as we can widen it out like a 3 to 1, as we widen these bridges out and can do that to insure a good flow which ultimately goes to the Wabash River, he thinks we will be doing a good thing as we replace these bridges.

Mr. Stoll said this was something pointed out in the bridge inspection report, that the waterways were inadequate at both of those bridges, plus the bridges were structurally deficient -- so we can take care of both of them.

Mr. Hunter asked if it is cheaper to install timber bridges than like the normal bridge we placed over on Nisbet.

Mr. Stoll said that, based on what American Timber Bridge has told him, it would be approximately \$125,000 to \$150,000 per bridge and the bridge inspection report was estimating \$200,000 to \$250,000. But we will put it out to bid. These seem to be good candidates for a timber bridge; low volume traffic and a rural area. As long as the bridges are wide enough to handle the farm implements we won't have any problems.

Motion to approve the request for transfer of funds was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Change Order/Darmstadt Rd. Bridge Project: Mr. Stoll advised that he will probably have a change order for the Darmstadt Rd. Bridge project at the next meeting. There was some additional cracking that was not addressed in the original contract that we need to get sealed up while we are out there. The change order will be for about \$7,000. All in all, it will still be only \$20,000 to \$3,000 over the original bid price, because some other items were eliminated -- so it's a lot cheaper (\$208,000) as opposed to the \$250,000 original estimate. So we're in good shape there.

Mr. Borries thanked Mr. Stoll for his report and entertained questions. There were none.

RE: CONSENT AGENDA

Commissioner Borries noted that approval of minutes of September 27th, the Engineer's Consent Agenda, Travel Requests from the Health Department, Area Plan Commission, and the County Assessor, employment changes and claims are all listed on the Consent Agenda and entertained questions. There being none, a motion was entertained.

Motion to approve the Consent Agenda was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: SCHEDULED MEETINGS

Mr. Borries noted the list of Scheduled Meetings is attached to the agenda. Next Monday the Board of Commissioners will be meeting at the Auditorium at 5:30 p.m. Ms. Matthews has reminded him the Board also scheduled an Executive Session at 4:30 p.m. at the Auditorium and same has been advertised. The Board will try to recess the meeting at 6:00 p.m. so the Commissioners can make comments and get the Auditorium Task Force off and running and the Commissioners will then return to this room (Room 307) at 7:00 p.m. to hear the Rezoning Petitions.

RE: OLD BUSINESS

President Borries entertained matters of Old Business to come before the Board. There were none.

RE: NEW BUSINESS

President Borries entertained matters of New Business to come before the Board.

Executive Session/October 25th: Mr. Tuley moved to schedule an Executive Session on October 25th at 4:30 p.m. for purposes of continuing discussion on Pending Litigation and Personnel Matters. Seconded by Commissioner Hunter. So ordered.

A.I.C./State Meeting: Mr. Borries said Messrs. Tuley and Hunter attended the Association of Indiana Counties State Meeting in Merrillville a week or so ago. Perhaps they would like to share information concerning that meeting. Our County did receive a State Award, the second time in three or four years that we've been recognized. This award was for the development and enactment of a County Morgue which serves a regional purpose. Although it is sometimes a tough thing for folks to consider, already that facility has been of vital importance to this County with some of the tragedies we've had -- such as the recent plane crash a year or so ago.

Mr. Tuley said they also attended several workshops.

Mr. Hunter said he thinks that the Commissioners and the County Engineer need to be more involved in road planning.

Mr. Tuley said it appeared the agenda of the people in charge of that and our agenda were different. This seemed to be the common denominator -- that the MPO's and the State are working very closely together, but the Commissioners are being bypassed.

Mr. Hunter said that every Commissioner there indicated there seemed to be two agenda -- the one the MPO's had and the realistic one that dealt with dollars and cents.

Mr. Borries said he certainly would concur with that. The Commissioners are elected to do a job and sometimes it is hard to do. But the Commissioners are elected and they need that input. He thinks we're fortunate to have an engineer like John Stoll who has had that experience with an MPO that can sometimes network through the bureaucracy to insure that we do get representation and he knows both of the other Commissioners share that.

Mr. Hunter said he thinks the Commissioners are also overly critical of themselves and what they do and how they do it in Vanderburgh County. When you talk to other Commissioners from other counties and other elected officials -- we're really in pretty good shape. He thinks the local Commissioners tend to do

things better than they give themselves credit for.

Mr. Borries said it will not be reported that way.

Ms. Matthews interjected that it will be reported -- in the minutes.

National Unfunded Mandate Day: President Borries said he is also circulating some information the Board can discuss next week -- but would mention that through the National Association of Counties there is going to be a push to ring a very responsive chord among all areas of local government -- including cities, schools, counties -- about a National Unfunded Mandate Day that is going to be coming up at the end of this month (October 27th). As the information crosses the desks of the other Commissioners we may want to plan some activities and some kind of statement that we do, indeed, labor under a lot of them in a gigantic shell game when the Federal government and the State keep opening up the shells here and there is nothing underneath, because we've got deficit, low taxes, etc.

Auditor Humphrey said they are asking for a Resolution by this body.


Mr. Borries replied, "We're going to get one, I hope." Continuing, Mr. Borries said he thinks one of the sad cases at point is even changes we've talked about continually here - the sad state of the general fund in this county. Some of those things that impact our budget have to do with patient/inmate care over which we literally have no control. And there are a lot of mandates that are involved and it becomes very tough from the local perspective sometimes. But we will address that."

Mr. Borries entertained further matters of business to come before the Board. There being none, he declared the meeting adjourned at 7:10 p.m.

PRESENT:

Richard J. Borries
Patrick Tuley
Don Hunter
Alan Kissinger
Sam Humphrey
John Stoll
Bill Morphew
Mark Abell
Daryn Burgdorf
Wayne Trockman, Attorney
Les Shively, Attorney
Betty Knight Smith, County Clerk
Jon Hill, Voter's Registration
Alberta Matlok, Election Office
Others (unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

October 11, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER** ✓

2. **INTRODUCTIONS** ✓

3. **PLEDGE OF ALLEGIANCE** ✓

4. **ACTION ITEMS**

A. Any group/individual wishing to address the commission - *None*

B. Open Bids: *PT/DW*

1) Highway Garage Roof Repair

2) Post Frame Building for Sheriff Department

✓ C. Wayne Trockman, Les Shively, Betty Knight Smith
re: Election equipment for the election office

✓ D. Indiana Department of Commerce Letter
re: Industrial Development Grant Fund grant

✓ E. Polling Places - *J. Hill*
re: acceptance/permission to advertise

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney ✓
Mark Abell ----- Superintendent of County Buildings ✓
Bill Morpew ----- County Garage ✓
John Stoll ----- County Engineer ✓
*See attached engineer requests

6. CONSENT ITEMS — App'l.

A. Travel/Education Requests:

Health (see attached) Area Plan (2) County Assessor (1)

B. Employment Changes:
see attached

C. Claims for payment:

1) Given & Spindler4110.15
*Management fee for September

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

COUNTY ENGINEER'S

CONSENT AGENDA

OCTOBER 11, 1993

1 CLAIMS:

ELECTRICAL SUPPLY 203-2500	
Rexing-Goedde Electric	\$ 3,020.00
OHIO STREET BRIDGE #3C 203-4345	
Indiana Dept. of Transportation (XW9400122)	\$60,000.00
United Consulting Engineers (Inv. #11)	\$15,107.44
LYNCH ROAD BRIDGES 203-4396	
Bernardin Lochaueller (Inv. #92032-2(1))	\$4,799.86
LYNCH ROAD EXTENSION 216-4827	
Bernardin Lochaueller (Inv. #920032-2(1))	\$6,239.38
GREEN RIVER ROAD NORTH 216-4910	
United Consulting Engineers (Inv. #18)	\$15,617.69
USI & SR 62 430 BOND	
Bernardin Lochaueller (Inv. #93-003-2(4))	\$44,093.17
Blankenberger Brothers (Est. #5)	\$72,484.75

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY AUDITOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10201350	Daviette M. Redmond	1675 S Hoosier Av	Tax Sale Clerk	19,571 00	Expected per 10-11-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10201350	Daviette M. Redmond	1675 S Hoosier Av	Tax Sale Clerk	19,571 00	9-23-93
	(Maternity Leave)				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Cindy Mayo DATE 10-6-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department SCOTT TOWNSHIP ASSESSOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
116-199	Joeline Reeves	14505 Browning Rd	Field Deputy	\$5.00/hr	10-6-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249-199	William R. Oistad	1045 E. Baseline Rd	Field Deputy	\$7.00/hr	10-6-93
249-199	Ann Farney	16500 Korff Rd	Field Deputy	\$7.00/hr	10-6-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Bob L. Haini DATE 10-6-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department COOPERATIVE EXTENSION SERVICE --- 1230

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
123011161220	James L. McCampbell	Route 2 Box 256 Princeton IN 47670	C.E.D.	11.16.93 / HL 23,306.00	10-1-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY HR.	EFFECTIVE
12301220	Kymerly McIntosh	9700 Denzer Rd Evansville IN 47720	Part-time	4.88	10-1-93 ✓
12301220	Angela S. Reininga	12440 Old State Rd Evansville IN 47711	" "	4.63	10-1-93 ✓
12301990	Mark A. Riggs	1161 Volkman Rd Evansville IN 47711	" "	4.63	10-1-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Jack McFell* DATE 10-4-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1990	CAREY S. HUDSON		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-19-93 ✓
505.0136Z 1250	WILLIAM O. MILLER		FULL-TIME CORRECTION OFFICER	8.4765 / HL \$17,699 AN	10-10-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1- 1990	ROGER A. HUFF		PART-TIME CORRECTION OFFICER	\$7.00 HR	9-10-93 ✓
505.0136Z 1990	CAREY S. HUDSON		PART-TIME CORRECTION OFFICER	\$5.00 HR	9-18-93 ✓
505.0136Z 1250	CLAUDE C. YOUNG	Still paid 40 hrs on 10/15/93	FULL-TIME CORRECTION OFFICER	\$18,962 AN	10-9-93
505.0136Z 1990	WILLIAM O. MILLER	currently in 10004 for Nov. 305 1992 Still at 10/15/93	PART-TIME CORRECTION OFFICER	\$7.00 HR	10-10-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *RMV*

DATE OCT 5, 93

JUDGE, CIRCUIT COURT

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	PERRY COSTLEY		GRND. CREW	5 00	10-6-93 ✓
1180	MICHAEL TAYLOR		SECURITY	12 00	10-6-93 ✓
1180	STUART VANMETER		SECURITY	12 00	10-6-93 ✓
1180	ROBERT KIEFFNER		GUARD	4 45	10-6-93 ✓
1180	JEFFREY LUDWIG		GUARD	5 00	10-6-93 ✓
1180	JAMES GERARD		GUARD	5 25	10-6-93 ✓
1180	ANGELA REEDMAN		GUARD	5 00	10-6-93 ✓
1180	SHAWN HELMER		GUARD	5 25	10-6-93 ✓
1180	JEREMY JOURDAN		GUARD	4 45	10-6-93 ✓
1180	JEREMY KIEFFNER		GUARD	4 60	10-6-93 ✓
1180	ANGELA LUDWIG		DAYCAMP	6 50	10-6-93 ✓
1180	ERIC WILLIAMS		SECURITY	12 00	10-6-93 ✓
1180	JAMES TOWNSEND		GUARD	5 00	10-6-93 ✓
1180	AMY CORRESSELL		CASHIER	4 50	10-6-93 ✓
1180	SHANNA MCCUNE		CASHIER	4 75	10-6-93 ✓
1180	LISA AUSTILL		GUARD	4 60	10-6-93 ✓
1180	SARA BERNHARDT		POOL ASST. MANAGER	6 25	10-6-93 ✓
1180	MELISSA MURPHY		GUARD	4 60	10-6-93 ✓
1180	DANIEL TOWNSEND		GUARD	4 60	10-6-93 ✓
1180	SCOTT MOLDEN		SECURITY	12 00	10-6-93 ✓
1180	HELENE HUNTER		DAYCAMP	5 50	10-6-93 ✓
1180	TAN BUI		GUARD	4 25	10-6-93 ✓
1180	ALAN SCHU		GUARD	4 80	10-6-93 ✓
1180	BEAN SHUMATE		GUARD	4 75	10-6-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

[Signature]

DATE

10-7-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	BEN MORAN		DAY CAMP	4 40	10-6-93 ✓
1180	QUAN BUI		GUARD	4 35	10-6-93 ✓
1180	JAMIE STANLEY		GUARD	4 50	10-6-93 ✓
1180	JEREMY STEWART		GUARD	4 50	10-6-93 ✓
1180	JEFFREY YAN		GUARD	4 75	10-6-93 ✓
1180	DANIEL GILARDEN		DAY CAMP	4 40	10-6-93 ✓
1180	TRACY BAGBY		GUARD	4 50	10-6-93 ✓
1180	JASON ADAMS		GUARD	5 00	10-6-93 ✓
1180	JACK BREUNIG		DAY CAMP	5 00	10-6-93 ✓
1180	JENNA MARTIN		CASHIER	4 50	10-6-93 ✓
1180	PATTI SCHAFER		GIFT SHOP	6 00	10-6-93 ✓
1180	JEFFREY CAMARCO		POOL MANAGER	7 00	10-6-93 ✓
1180	SARAH THORNTON		GUARD	4 25	10-6-93 ✓
1180	ERIN O'NEILL		CASHIER	4 25	10-6-93 ✓
1180	RONALD NELSON		DAY CAMP	4 85	10-6-93 ✓
1180	J. RACHEL HASKINS		DAY CAMP	4 65	10-6-93 ✓
1180	BETH DANIELS		GUARD	4 50	10-6-93 ✓
1180	KIMBERLY BARGO		GUARD	4 50	10-6-93 ✓
1180	JENNIFER ACKER		DAY CAMP	4 40	10-6-93 ✓
1180	CATHERINE KIRSCH		DAY CAMP	4 65	10-6-93 ✓
1180	STACKY STONE CIPPER		GUARD	4 25	10-6-93 ✓
1180	TODD FRED		GUARD	4 35	10-6-93 ✓
1180	HENRY STOCK		BUS DRIVER	6 25	10-6-93 ✓
1180	NANCY LASSITER		BUS DRIVER	6 25	10-6-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

[Signature]

DATE

10-7-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	TROY COCKRUM		GUARD	4 25	10-6-93
1180	JAY MATTHEWS		GUARD	4 35	10-6-93
1180	ANTHONY KNIGHT		POOL MNT	5 00	10-6-93
1180	TIMOTHY DUNN		GRND CREW	4 25	10-6-93
1180	ROBERT TOWNSEND		GUARD	4 50	10-6-93
1180	ALLYSON SINGER		GIFT SHOP	4 25	10-6-93
1180	JAMIE MCFADDEN		GUARD	4 25	10-6-93
1180	DOUGLAS DAZA		SECURITY	12 00	10-6-93
1180	MICHAEL DAVIS		GUARD	5 00	10-6-93
1180	LEE SCHILLER		GUARD	4 35	10-6-93
1180	TODD DONOHOO		GUARD	4 50	10-6-93
1180	BRYAN SHOULTZ		POOL MNT	5 00	10-6-93
1180	LISA MEEKLEY		CASHIER	4 25	10-6-93
1180	ERICA MARTIN		CASHIER	4 25	10-6-93
1180	DANIEL HUMPHREY		FLOATSTAND	4 25	10-6-93
1180	KRIN DIERKEN		GUARD	4 25	10-6-93
1180	KATE EPLEY		CASHIER	4 25	10-6-93
1180	ZACK HART		GUARD	4 35	10-6-93
1180	MELANIE LUDWIG		DAY CAMP	4 40	10-6-93
1180	BROOKE MCFALL		GUARD	4 50	10-6-93
1180	JENNIFER ROBERTS		GUARD	4 40	10-6-93
1180	CABE WEISS		GUARD	4 50	10-6-93
1180	JAMIE YOUNG		GUARD	4 40	10-6-93
1180	TONY FERENBACHER		GUARD	4 25	10-6-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE 10-7-93

SCHEDULED MEETINGS

Mon	Oct	11	County Commissioners Solid Waste Commissioner Meeting	4:30 PM RM 307 5:30 PM RM 307
Mon	Oct	18	County Commissioners: County Commissioners Auditorium Task Force Rezoning	4:30 PM Auditorium. 5:30 PM/Auditorium 6:00 PM/Auditorium 7:00 PM RM 307
Tues	Oct	19	County Insurance Committee	9:00 AM RM 303
Thurs	Oct	21	County Employee Steering Pigeon Creek	9:00 AM RM 303 5:00 PM RM 307
Mon	Oct	25	County Commissioners Drainage Board Immediately Following	5:30 PM RM 307
Wed	Oct	27	County Council Personnel/Finance	3:30 PM RM 301

VAN DERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff - Jail *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
105111300400	Peter Evers		Doctor	16252	7 7835 00	10-8-93
		Still PA on 10/15/93 PR.				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Ray L. Mann* DATE *OCT. 5, 93*
3430 R.E.B.

BID RECAP SHEET

PROJECT: COUNTY HIGHWAY GARAGE ROOF REPAIR

BID OPENING DATE: October 11, 1993

[illegible]

COMMENTS:

ACTION TAKEN: Report to County Engineer for
Review and a Recommendation



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603

Vanderburgh County Engineering Department

Agenda for October 11, 1993

1. Virginia Street Culvert and Paving Notice to Bidders *app'd.*
2. Sham Lee Subdivision Road Plans — *app'd.*
3. Rich Lynn Subdivision Road Plans — *app'd.*
4. Council Call Request for Transfer of Funds:
\$30,000 from Allens Ln. Bridge to Mann Rd. Bridge
\$30,000 from Koressel Rd. Bridge to Bixler Rd. Bridge
\$25,000 from First Ave. Bridge to Motor Vehicles

BID RECAP SHEET

PROJECT: COUNTY HIGHWAY GARAGE ROOF REPAIR

BID OPENING DATE: October 11, 1993

*** **

Bidder Name

Amount

<u>Prepared Construction Services, Inc.</u>	<u>\$58,801.00</u>
<u>U.S. Industries Group, Inc.</u>	<u>\$59,680.00</u>

U.S. Industries Group, Inc.

\$59,680.00

COMMENTS:

2

ACTION TAKEN:

BID RECAP SHEET

PROJECT: POST FRAME BUILDING FOR
COUNTY SHERIFF'S DEPARTMENT

BID OPENING DATE: October 11, 1993

* * * * *

[illegible]

COMMENTS:

ACTION TAKEN: _____

Notice to Bidders

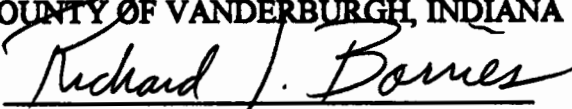
Sealed Proposals, or Bids, for contract number VC93-09-01 Virginia Street Culvert & Paving in Vanderburgh County, Indiana will be received at the office of the County Commissioners, Room 305, until 5:30 p.m. on the November 1, 1993 local time, as prescribed by the Acts of the Indiana Legislature in Chapter 172, year 1957, at which time all bids will be publicly opened and read aloud in the County Commissioners Hearing Room 307.

- Any bids received after the designated time, for any reason, will be returned unopened.
- Contract documents are on file in the Office of the Vanderburgh County Engineer.
- Bids shall be delivered in a sealed envelope bearing the name and address of the bidder indicating identification of the project and the branch of the work on which is being bid.
- Bids shall be submitted on the Itemized Proposal Form included in the contract documents and on Indiana Form 96, revised in 1987, provided separately, with a non-collusion affidavit, also provided in the contract documents; all properly executed, signed and sealed. The non-collusion affidavit must also be properly notarized.
- Each bid shall be accompanied by a bid bond, certified check, cashier's check, bank treasurer's check or bank money order in the amount of five percent (5%) of the total bid submitted.
- No bid shall be withdrawn after the opening of the bids without the expressed consent of the Vanderburgh County Commission for a period of thirty (30) days after the scheduled time of the bid opening.
- The Contractor receiving the award will be required to furnish a performance bond, Indiana Form 86A revised in 1947, in the amount of one-hundred percent (100%) of the award amount, which is to remain in effect for twelve (12) months from the date of acceptance of the completed work.
- Attention is called to the fact that prevailing wage minimum salaries and wages are set forth in the Contract Documents. The Contractor shall list any subcontractors and the percentage of the contract to be performed by each subcontractor in the bid submittal.
- Construction and installation shall be in full accordance with the contract drawings, specifications, and special provisions. Construction and installation shall be in full accordance with the contract drawings, specifications, and special provisions. Applicable sections of the 1993 Edition of the Indiana Department of Transportation Standard Specifications and any current Supplemental Specifications to the 1993 Standard Specifications.

The Vanderburgh County Commissioners reserve the right to reject any and/or all Bids and waive any informality in the bidding.

DATED THIS 11TH DAY OF OCTOBER 1993

VANDERBURGH COUNTY BOARD OF COUNTY COMMISSIONERS
COUNTY OF VANDERBURGH, INDIANA


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member

ATTEST:


Vanderburgh County Auditor

RECOMMENDED:


Vanderburgh County Engineer
John Stoll

APPROVED:


Alan M. Kissinger,
County Attorney

VANDERBURGH COUNTY ELECTION BOARD

214 CIVIC CENTER COMPLEX
1 NW MARTIN LUTHER KING, JR. BLVD.
EVANSVILLE, IN 47708-1832



October 4, 1993

Vanderburgh County Commissioners
Richard Borries, President
Patrick Tuley
Donald Hunter
Civic Center Complex
Evansville, Indiana 47708

FILED
VANDERBURGH CIRCUIT COURT

OCT 6 1993

Betty Knight Smith
CLERK

RE: Election Equipment

Gentlemen:

We, the Vanderburgh County Election Board members, are deeply concerned about the operating condition of the county's voting equipment. As you are aware, the frequency of mechanical breakdowns has increased every year.

Replacement equipment has been available to us in past elections; however, the replacement machines will no longer be available to the County free of charge. This matter has been discussed at great length, and we are unanimous in our decision that a new system must be in place by the May 1994 Primary to maintain the integrity of our election process.

We urge you to consider this matter and approve the purchase of new equipment as soon as possible and allow the members of the Election Board to appear at a regularly scheduled meeting of the County Commissioners to review the options available to the County. The citizens of Vanderburgh County deserve better than what we have given them in past elections.

Very truly yours,

VANDERBURGH COUNTY ELECTION BOARD

Wayne S. Trockman
Wayne S. Trockman, President

Leslie C. Shively
Leslie C. Shively

Betty Knight Smith
Betty Knight Smith

cc: State Election Board



Business Records Corporation

155 NORTH WACKER DRIVE

CHICAGO, ILLINOIS 60606-1719

(312)419-0270

September 24, 1993

Ms. Betty Knight Smith
Vanderburgh County Clerk
Courts Building
Evansville, IN 47732

Dear Betty:

Please find enclosed the pricing information you requested. I have also enclosed sample bid specifications used by some Michigan jurisdictions when purchasing election equipment.

Please note several advantages on the enclosed pricing and lease purchase agreement:

- * Zero percent (0%) financing and no payment of principal for the first twelve months after sale of the system.
- * Four percent (4%) financing for forty-eight months with equal monthly payments of principal and interest commencing one year after the sale, if the jurisdiction executes an IRS Form 8038-G covering the lease/purchase.
- * A net price of \$989,375 which includes the trade-in allowance is offered for 175 Optech III-P Eagles and the accumulation system.

To qualify for the above, the County must execute the enclosed contract and take delivery of the equipment prior to December 31, 1993.

Betty, please let me know if I can provide you with any additional information.

Sincerely,

Geoffrey R. Ryan
Vice President, Sales

GRR:ll
Enclosures

P. S. I have also enclosed a picture of the "Vote Here" signs and pricing.

**SPECIFICATIONS BID
PAPER BALLOT, ELECTRONIC VOTE TABULATION SYSTEM**

A. GENERAL REQUIREMENTS (Hardware, Software, Ballots, Ballot Box):

1. The voting system proposed must be certified for sale and use in the State of Indiana.
2. The source document shall be a paper ballot.
3. The ballot tabulation unit must be an optically scanned, precinct-based-unit that is voter initiated.
4. The precinct tabulator must be of a compact, portable design.
5. The precinct tabulator must plug into a standard 3-prong electrical outlet.
6. The voting system must include with its precinct tabulator, a ballot box which shall have three compartments: (1) a compartment for emergency voting, (2) a compartment for write-in and sorted blank ballots, and (3) a compartment for fully marked and counted ballots.
7. The precinct tabulator must be capable of printing a "Zero Report" prior to the commencement of voting.
8. The precinct tabulator must be capable of accepting and processing ballots in any of four orientations.
9. The precinct tabulator must contain a public counter that clearly displays and indicates the number of ballots cast.
10. The precinct tabulator must have a read path that can be cleared of a jammed or misfed ballot.
11. The precinct tabulator must clearly indicate to the voter/poll worker whether or not a jammed or misfed ballot has been processed.
12. The precinct tabulator must be capable of printing an alphanumeric precinct report containing at a minimum, (1) the number of ballots cast (cards counted), (2) the number of ballots with write-ins, (3) office title, (4) candidate names, and (5) vote totals for each candidate.

GENERAL REQUIREMENTS continued

13. Precinct tabulators must be interchangeable with each other and must employ a removable memory device that contains an internal backup battery to preserve and protect election data and vote totals in the event of a power failure.
14. The precinct tabulator must have an intrinsic internal capability of performing self-diagnostics that will identify and pinpoint any unit malfunctions.
15. The precinct tabulator must be capable of producing a comprehensive printed audit report of all election functions performed on the system during the period of use.
16. The precinct tabulator must accommodate multiple ballot styles (i.e. splits) per precinct.
17. The ballot card must be capable of listing offices and candidates in at least three (3) columns on the front and back of a single ballot card.
18. The precinct tabulator must be UL or CSA approved.
19. The precinct tabulator must accommodate, at a minimum, the present number of voting stations presently at use in the county.

B. TRAINING The successful bidder shall:

1. Load software to designated host computer, and oversee the installation of the system.
2. Train the County Clerk's designated employees in the tabulating system's programming, set up, coding, use, data retrieval, generation of reports and routine file and system maintenance.
3. Provide, initial on site training and support for election workers for the first election.

C. VENDOR PROFILE

1. Bidder shall submit an audited financial statement or annual report.
2. Bidder shall describe any support services available (i.e. 800 number telephone, etc.).
3. Bidder shall submit a customer list of jurisdictions using the type equipment bid.
4. Bidder shall provide any financing plan available.

D. BIDDER'S CERTIFICATION

THE BIDDER HEREBY CERTIFIES THAT:

- (1) the undersigned, _____
whose address is _____
hereinafter called the "Bidder or Contractor", has read and understands the bid specifications; and
- (2) the Bidder understands that it is the intention of the County to award the bid to the Bidder or Bidders regarded by the County as being the lowest qualified Bidder or Bidders, having regard for fitness and capacity to furnish the quality of materials and workmanship which will best meet the requirement of the County, provided however, that the right to reject any or all bids is expressly reserved by the County; and
- (3) the Bidder hereby offers and proposes to furnish all materials, equipment, labor and services necessary (excluding freight), in accordance with the above understandings, for the amount indicated herein; and
- (4) the equipment shall be delivered within _____ consecutive calendar days from and after the date of Notice of award of Bid or receipt of Purchase Order.

(5) The price quoted herein constitutes the total cost to the County for all units or work involved in the respective items, and that this cost includes all taxes, insurance, license fees, royalties, use of all tools and equipment, supervision, bond and overhead expense, all profits, and all other work, services and conditions necessarily involved in the work done and materials furnished, in accordance with the requirements of the bid documents considered severally and collectively.

(6) The unit prices contained in the Proposal are neither directly or indirectly the result of any agreement with anyone, and that he has not by himself or through others had any secret understanding with anyone with respect to any provisions contained in this Proposal.

(7) Bidder has deposited herewith a Bid Bond in the amount of _____, which sum is at least 5% percent of the total amount of the Proposal.

It is agreed that should the Bidder be awarded a contract based on this Proposal or part thereof and fails or refuses to commence compliance, the sum deposited herewith shall be retained by the County as liquidated damages and not as a penalty, as it is expressly agreed that said sum is a fair measure of the damages which will be sustained by the County in case of any such failure or refusal on the part of the Bidder. The said sum, however, will be returned to the Bidder if and when he shall faithfully keep and perform all of the conditions set forth in this bid package.

(8) It is understood that the Bidder must be familiar with and be in compliance with all requirements of Federal, State and Local laws as they relate to Equal Opportunity and Affirmative Action.

Date: _____ Signature of Bidder _____

Title

Address

Attest: _____ Title: _____

State of Indiana)ss

County of _____)

I, _____, being duly sworn, deposes
and says: That I am a member of _____,
the firm described in which executed the foregoing bid; that I duly subscribed
the name of the firm thereunto on behalf of the firm, and that the several
matters therein stated are in all respects true.

On this _____ day of _____ 19 ____, before me a notary
public, came the individual, to me personally known, who executed the
preceding instrument, and being by me duly sworn, that the above is true and
correct.

My Commission Expires: _____

LEASE PURCHASE AGREEMENT

This LEASE PURCHASE AGREEMENT ("Agreement") is by and between Business Records Corporation, a Delaware corporation ("Lessor") and Vanderburgh Co., a branch, agency, or political subdivision of the State of Indiana ("Lessee").

WITNESSETH:

Lessor hereby demises, leases and lets to Lessee and Lessee hereby rents, leases and hires from Lessor, the Equipment described in any Exhibit A now or hereafter attached hereto ("Equipment") in accordance with the following terms and conditions of this Lease Purchase Agreement ("Lease").

1. **Term.** The term of this lease, the ("Lease Term"), shall commence on the date of the Equipment is accepted by Lessee pursuant to Section 3 hereunder and shall terminate the last day of Lessee's current fiscal year. For the duration of the Lease Term, this Lease will be automatically renewed at the end of each fiscal year unless the Lessee gives written notice to Lessor not less than ninety (90) days prior to the end of the Lessee's fiscal year of Lessee's intention to terminate this Lease pursuant to Section 5 hereunder.

2. **Lease Payments:** Lessee agrees to pay to Lessor or its assignee the Lease Payments, including the interest portion, equal to the amounts specified in Exhibit B. The Lease Payments will be payable without notice or demand at the office of the Lessor (or such other place as Lessor or assignee may from time to time designate in writing), and will commence on the Commencement Date as set forth in Exhibit A and thereafter on the subsequent dates set forth in Exhibit B. Any payments received later than ten (10) days from the due date will bear interest at the highest lawful rate from the due date until paid. Notwithstanding the foregoing, to the extent that any payment or part thereof, or any demand therefor, shall be deemed the payment or demand of interest in excess of the maximum amount payable or chargeable under applicable law, such payment or demand shall be deemed a payment of future lease obligations hereunder and shall be deemed so applied by Lessor and any payment or demand in excess of the aggregate of future lease payments due hereunder shall be refunded, if paid, or demand therefor shall be withdrawn, not later than the termination of this Lease. Except as specifically provided in Section 5 hereof, the Lease Payment will be absolute and unconditional in all events and will not be subject to any setoff, defense, counterclaim, or recoupment for any reason whatsoever including, without limitation, any failure of the Equipment to be delivered or installed, any defects, malfunctions, breakdowns or infirmities in the Equipment or any accident condemnation or unforeseen circumstances. It is Lessee's intent to make Lease Payments for the full Lease Term if funds are legally available therefor and in that regard Lessee represents that the use of the Equipment is essential to its proper, efficient and economic operation. Lessee reasonably believes that funds can be obtained sufficient to make all Lease Payments during the Lease Term and hereby covenants that it will do all things lawfully within its power to obtain, maintain and properly request and pursue funds from which the Lease payments may be made, including making provisions for such payments to the extent necessary in each budget submitted for the purpose of obtaining funding, using its bona fide best efforts to have such portion of the budget approved and exhausting all available administrative reviews and appeals in the event such portion of the budget is not approved. Lessor and Lessee understand and intend that the obligation of Lessee to pay Lease Payments hereunder shall constitute a current expense of Lessee and shall not in any way be construed to be a debt of Lessee in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness by Lessee, nor shall anything contained herein constitute a pledge of the general tax revenues, funds or monies of Lessee.

3. **Delivery and Acceptance.** Lessee will cause the Equipment to be delivered to Lessee at the location specified in Exhibit A. Lessee will accept the Equipment as soon as it has been delivered and is operational. Lessee will evidence its acceptance of the Equipment by executing and delivering to Lessor a Delivery and Acceptance Certificate in the form provided by Lessor and attached hereto as Exhibit A. Lessee's delivery to Lessor of a Delivery and Acceptance Certificate shall signify Lessee's acceptance of the Equipment for all purposes and Lessee's certification to Lessor that the Equipment is fully operational, complete, without apparent defect and satisfactory for Lessee's intended uses.

4. **Disclaimer of Warranties.** Lessee acknowledges and agrees that the Equipment is of a size, design and capacity selected by Lessee, and that LESSOR HAS NOT MADE, AND DOES NOT HEREBY MAKE, ANY REPRESENTATION, WARRANTY, OR COVENANT, EXPRESSED OR IMPLIED, WITH RESPECT TO THE MERCHANTABILITY, CONDITION, QUALITY, DURABILITY, DESIGN, OPERATION, FITNESS FOR USE, OR SUITABILITY OF THE EQUIPMENT OR ANY PART OR COMPONENT THEREOF IN ANY RESPECT WHATSOEVER OR IN CONNECTION WITH OR FOR THE PURPOSES AND USES OF LESSEE, OR ANY OTHER REPRESENTATION, WARRANTY, OR COVENANT OF ANY KIND OR CHARACTER, EXPRESSED OR IMPLIED, WITH RESPECT THERETO, AND LESSOR SHALL NOT BE OBLIGATED OR LIABLE FOR ACTUAL, INCIDENTAL, CONSEQUENTIAL, OR OTHER DAMAGES OF OR TO LESSEE OR ANY OTHER PERSON OR ENTITY ARISING OUT OF OR IN CONNECTION WITH THE USE OR PERFORMANCE OF THE EQUIPMENT

OR THE MAINTENANCE THEREOF. Lessor hereby assigns to Lessee during the Lease Term, so long as no Event of Default has occurred hereunder and is continuing, and to the extent permitted under applicable law and the provisions of such warranties, all manufacturer's warranties, if any, expressed or implied with respect to the Equipment, and Lessor authorizes Lessee to obtain the customary services furnished in connection with such warranties at manufacturer's warranty shall be against the manufacturer of the Equipment, and not against Lessor, nor shall such matter have any effect whatsoever on the rights and obligations of Lessor with respect to this Lease, including the right to receive full and timely payments hereunder. Lessee expressly acknowledges that Lessor makes, and has made, no representations or warranties whatsoever as to the existence or the availability of such warranties of the manufacturer of the Equipment or as to the assignability thereof.

5. Non-Appropriation of Funds; Non-Substitution. Notwithstanding anything contained in this Lease to the contrary, in the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable by any means whatsoever in any fiscal period for the Lease Payment due under this Lease, Lessee will immediately notify the Lessor or its assignee of such occurrence and this Lease shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to Lessee of any kind whatsoever, except as to portions of Lease Payments herein agreed upon for which funds shall have been appropriated and budgeted or are otherwise available. In the event of such termination, Lessee agrees to peaceably surrender possession of the Equipment to Lessor or its assignee on the date of such termination, packed for shipment in accordance with manufacturer specifications and freight prepaid and insured to any location in the continental United States designated by Lessor. Lessor will have all legal and equitable rights and remedies to take possession of the Equipment. Notwithstanding the foregoing, Lessee agrees (i) that it will not cancel this Lease under the provisions of this Section if any funds are appropriated to it, or by it, for the acquisition, retention or operation of the Equipment or other equipment performing functions similar to the Equipment for the fiscal period in which such termination occurs or the next succeeding fiscal period thereafter, and (ii) that it will not during the Lease Term give priority as to payment in any budget or request to funding or in the application of funds, to any functionally similar equipment. This paragraph will not be construed so as to permit Lessee to terminate this Lease in order to acquire or lease any other equipment or to allocate or request funds directly or indirectly to perform essentially the same application for which the Equipment is intended.

6. Certification and Authorization. Lessee represents, covenants and warrants that it is a state, or a political subdivision thereof, or that Lessee's obligation under this Lease constitutes an obligation issued on behalf of a state or political subdivision thereof. Lessee further warrants that this Lease represents a valid deferred payment obligation for the amount herein set forth of a Lessee having the legal capacity to enter into the same and is not in contravention of any Town/City, District, County, or State statute, rule, regulation, or other governmental provision. Lessee agrees that (i) it will do or cause to be done all things necessary to preserve and keep the Lease in full force and effect; (ii) it has complied with all bidding requirements where necessary and by due notification presented this Lease for approval and adoption as a valid obligation on its part; and (iii) it has sufficient appropriations or other funds available to pay all amounts due hereunder for the current fiscal period.

7. Title to Equipment; Security Interest. During the Term of this Lease, and so long as no Event of Default (as defined in Section 17) has occurred, title to the Equipment and any and all additions, repairs, replacements or modifications thereof, will rest in the Lessee, subject to the rights of Lessor under this Agreement. In the Event of Default as set forth in Paragraph 17 or as set forth in Paragraph 5, Lessee will peaceably surrender possession of the Equipment to Lessor. At the expiration of the Lease Term, when all Lease Payments have been made, Lessor will deliver clear title to the Equipment to the Lessee.

Lessor shall have and retain a security interest under the Uniform Commercial Code in the Equipment, the proceeds thereof and any and all repairs, replacements, substitutions and modifications thereto, in order to secure Lessee's payment of all Lease Payments and the performance of all other obligations of Lessee under this Agreement. If requested by Lessor, Lessee agrees to execute such additional documents including financing statements, affidavits, notices and similar instruments, in form satisfactory to Lessor which Lessor deems necessary or appropriate to protect its interest in the Equipment and in this Lease.

8. Use; Repairs. Lessee will use the Equipment in a careful manner for the use contemplated by the manufacturer for the equipment and shall comply with all laws, ordinances, insurance policies and regulations relating to, and will pay all costs, claims, damages, fees and charges arising out of its possession, use or maintenance. Lessee, at its expense will keep the Equipment in good working order and repair and furnish all parts, mechanisms and devices required therefor, in accordance with the respective manufacturer's specifications and requirements with regard to the maintenance of warranty coverage.

9. Alterations. Lessee will not make any alterations, additions or improvements to the Equipment without Lessor's prior written consent unless such alterations, additions or improvements may be readily removed without damage to the Equipment.

10. Location; Inspection. The Equipment will not be removed from, or if the Equipment consists of rolling stock, its permanent base will not be changed from the Equipment location without Lessor's prior written consent which will not be unreasonably withheld. Lessor will be entitled to enter upon the Equipment Location or elsewhere during reasonable business hours to inspect the Equipment or observe its use and operation.

11. Tax-Exempt Status. The parties assume that Lessor can exclude the interest component of the lease payments from Federal gross income. Lessee covenants and agrees that it will (i) use a book entry system to register the owner of this Agreement so as to meet the applicable requirements of Section 149(a) (3) of the Code; (ii) timely file a Form 8038-G with the Internal Revenue Service in accordance with Section 149 (e) of the Code; (iii) not permit the Equipment to be directly or indirectly used for a private business use within the meaning of Section 141 of the Code; and (iv) comply with all provisions and regulations applicable to excluding interest from Federal gross income pursuant to Section 103 of the Code.

If Lessor either (i) receives notice, in any form, from the Internal Revenue Service; or (ii) reasonably determines, based on an opinion of independent tax counsel selected by Lessor and approved by Lessee, which approval Lessee shall not unreasonably withhold, that Lessor may not exclude any interest from Federal gross income because Lessee breached a covenant contained herein, then Lessee shall pay to Lessor within thirty (30) days after Lessor notifies Lessee of such determination an amount equal to the sum of the difference between lease payments previously made and lease payments for the periods paid recalculated at a lease rate of six percent (6%). Additionally, Lessee agrees that upon the occurrence of such an event, it shall pay an additional amount to Lessor on each succeeding lease payment due date based on the recalculation of the amount financed reflecting a six percent (6%) lease rate.

The obligations of Lessee hereunder which accrue during the term of this Agreement shall survive termination of this Agreement.

12. Liens and Taxes. Lessee shall keep the Equipment free and clear of all levies, liens and encumbrances except those created under this Lease. Lessee shall pay, when due, all charges and taxes (local, state and federal) which may now or hereafter be imposed upon the ownership, leasing, rental, sale, purchase, possession or use of the Equipment, excluding however, all taxes on or measured by Lessor's income. If Lessee fails to pay said charges and taxes when due, Lessor shall have the right, but shall not be obligated, to pay said charges and taxes. If Lessor pays any charges or taxes, Lessee shall reimburse Lessor therefor. No termination of this Lease shall affect Lessor's obligations under this paragraph.

13. Risk of Loss; Damage; Destruction. Lessee assumes all risk of loss of or damage to the Equipment from any cause whatsoever, and no such loss of or damage to the Equipment nor defect therein nor unfitness or obsolescence thereof shall relieve Lessee of the obligation to make Lease Payments or to perform any other obligation under this Lease. In the event of damage to any item of Equipment, Lessee will immediately place the same in good repair with the proceeds of any insurance recovery applied to the cost of such repair. If Lessor determines that any item of Equipment is lost, stolen, destroyed or damaged beyond repair, Lessee, at the option of Lessor, will either (a) replace the same with like equipment in good repair, or (b) on the next Lease Payment date, pay Lessor (i) all amounts then owed by Lessee to Lessor under this Lease, including the Lease Payment due on such date, and (ii) an amount equal to the applicable Purchase Option Amount set forth in Exhibit B. In the event that Lessee is obligated to make payment with respect to less than all of the Equipment, Lessor will provide Lessee with the pro rata amount of the Lease Payment and the Purchase Option Amount to be made by Lessee with respect to the Equipment which has suffered the event of loss.

14. Personal Property. The Equipment is and will remain personal property and will not be deemed to be affixed or attached to real estate or any building thereon. Lessor shall not permit the Equipment to become affixed or attached to any real estate or any improvement or building thereon.

15. Indemnification. Lessee shall indemnify Lessor against, and hold Lessor harmless from, any and all claims, actions, proceedings, expenses, damages or liabilities, including attorney's fees and court costs, arising in connection with the Equipment, including, but not limited to, its selection, purchase, delivery, possession, use, operation, rejection, or return and the recovery of claims under insurance policies thereon. The indemnification arising under this paragraph shall continue in full force and effect notwithstanding the full payment of all obligations under this Lease or the termination of the Lease Term for any reason. Lessee shall have the obligation to defend Lessor with regard to any claim, action or proceeding for which indemnification is available to Lessor hereunder. Lessor shall have the right, but not the obligation, to participate in any such defense at its own expense. In the event that there shall exist an actual or potential conflict of interest between Lessor and Lessee with regard to an indemnified claim hereunder, notwithstanding the provisions of the preceding sentence, Lessor's right to indemnification hereunder shall include Lessor's attorneys fees and costs with regard thereto.

16. Assignment. Without Lessor's prior written consent, Lessee will not (i) assign, transfer, pledge, hypothecate, grant any security interest in or otherwise dispose of this Lease or the Equipment or any interest in this Lease or the Equipment or (ii) sublet or lend the Equipment or permit it to be used by anyone other than Lessee or Lessee's employees for the governmental purposes of Lessee or (iii) permit any of the foregoing to occur.

17. Event of Default. The term "Event of Default", as used herein, means the occurrence of any one or more of the following events: (i) Lessee fails to make any Lease Payment (or any other payment) as it becomes due in accordance with the terms of the Lease, and any such failure continues for ten (10) days after the due date thereof; (ii) Lessee fails to perform or observe any other covenant, condition, or agreement to be performed or observed by it hereunder and such failure is not cured within twenty (20) days after written notice thereof by Lessor; (iii) the discovery by Lessor that any statement, representation, or warranty made by Lessee in this Lease or in writing ever delivered by Lessee pursuant hereto or in connection herewith is false, misleading, or erroneous in any material respect; (iv) proceedings under any bankruptcy, insolvency, reorganization or similar legislation shall be instituted against or by Lessee, or a receiver or similar officer shall be appointed for Lessee or any of its property, and such proceedings or appointments shall be not vacated, or fully stayed, within twenty (20) days after the institution or occurrence thereof; or (v) an attachment, levy or execution is threatened or levied upon or against the Equipment.

18. Remedies. Upon the occurrence of an Event of Default, and as long as such Event of Default is continuing, Lessor may, at its option, exercise any one or more of the following remedies: (i) by written notice to Lessee, declare an amount equal to all amount then due under the Lease, and all remaining Lease Payments due during the Fiscal Year in effect when the default occurs to be immediately due and payable, whereupon the same shall become immediately due and payable; (ii) by written notice to the Lessee, request Lessee to (and Lessee agrees that it will), at Lessee's expense, promptly return the Equipment to Lessor in the manner set forth in Section 5 hereof, or Lessor, at its option, may enter upon the premises where the Equipment is located and take immediate possession of and remove the same; (iii) sell or lease the Equipment or sublease it for the account of Lessee, holding Lessee liable for all Lease

Payments and other payments due to the effective date of such selling, leasing or subleasing and for the difference between the purchase price, rental and other amounts paid by the purchaser, Lessee or sublease pursuant to such sale, lease or sublease and the amounts payable by Lessee hereunder; and (iv) exercise any other right, remedy or privilege which may be available to it under applicable laws of the state of the Equipment Location or any other applicable law or proceed by appropriate court action to enforce the terms of the Lease or to recover damages from the breach of this Lease or to rescind this Lease as to any or all of the Equipment. In addition, Lessee will remain liable for all covenants and indemnities under this Lease and for all legal fees and other costs and expenses, including court costs, incurred by Lessor with respect to the enforcement of any of the remedies listed above or any other remedy available to Lessor.

19. Notices. All notices to be given under this Lease shall be made in writing and mailed by certified mail, return receipt requested, to the other party at its address set forth herein or at such address as the party may provide in writing from time to time. Any such notice shall be deemed to have been received five (5) days subsequent to mailing.

20. Section Headings. All section headings contained herein are for the convenience for reference only and are not intended to define or limit the scope of any provision of this Lease.

21. Governing Law. This Lease shall be construed in accordance with, and governed by the laws of, the state of the Equipment Location.

22. Delivery of Related Documents. Lessee will execute or provide, as requested by Lessor, such other documents and information as are reasonably necessary with respect to the transaction contemplated by this Lease.

23. Entire Agreement; Waiver. This Lease, together with the Delivery and Acceptance Certificate and other attachments hereto, and other documents or instruments executed by Lessee and Lessor in connection herewith, constitute the entire agreement between the parties with respect to the Lease of the Equipment, and this Lease shall not be modified, amended, altered, or changed except with the written consent of Lessee and Lessor. Any provision of this Lease found to be prohibited by applicable law shall be ineffective to the extent of such prohibition without invalidating the remainder of the Lease and there shall be substituted for such ineffective provision a provision as similar in purpose and extent as shall not be prohibited under applicable law. The waiver by Lessor of any breach by Lessee of any term, covenant or condition hereof shall not operate as a waiver of any subsequent breach thereof.

24. Use of Equipment. The Lessee will use the Equipment in the manner contemplated by this Lease and shall comply with all applicable laws, ordinances, claims, damages, fees and charges arising out of its possession, use or maintenance. No more than 10% of the use of any unit of the Equipment in any month will be by persons or entities other than the Lessee or its employees on matters relating to the Equipment, and no more than 5% of use of any unit of the Equipment in any month will be unrelated to use by or for the Lessee.

Lessee, by the signature below of its authorized representation, acknowledges that it has read this Agreement, understands it, and agrees to be bound by its terms and conditions.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first above set forth.

ATTEST:

BUSINESS RECORDS CORPORATION

By: _____

Address:
1111 W. Mockingbird
Suite 1400
Dallas, Texas 75247

ATTEST:

VANDERBURGH COUNTY, INDIANA

Lessee

By: _____

Address:

EXHIBIT A

DELIVERY AND ACCEPTANCE CERTIFICATE

Lease Date: December 31, 1993

Lease Number: _____

Equipment Location: Vanderburgh County, IN

Lessor hereby leases to Lessee under and pursuant to the Lease, and Lessee hereby accepts and leases from Lessor under and pursuant to the Lease, subject to and upon the terms and conditions set forth in the Lease and upon the terms set forth below, the following items of Equipment:

Quantity Description (Manufacturer, Model & Serial Number)

175 Optech III-P Eagle Precinct Tabulators

1 Accumulation System (See Exhibit A-1)

The undersigned Lessee hereby acknowledges receipt of the Equipment described above ("Equipment") as fully installed and in good working condition; and Lessee hereby accepts the Equipment after full inspection thereof as satisfactory for all purposes of the Lease Purchase Agreement executed by Lessee and Lessor. Lessee agrees to make payments beginning on the Commencement Date as set forth on Exhibit B, Payment Schedule.

Lessee: _____

Date Accepted: December 31, 1993 ("Commencement Date")

By: _____

EXHIBIT A-1

Accumulation System to Include:

PC-D 486L 4MB 25MHz (3 slots)
Invisible Network Card
Disk Controller
80MB Hard Drive
Keyboard
SVGA Display
SVGA Adapter
Disk Operating System
Modem (2400 Baud)
Carbon Copy Plus
Data Cartridge Programmer/Receiver (2)
10 Ft. Serial Cable
EPROM Erasing Unit (24 cartridge)
HP Laser Jet 4 Printer
EMS Software (Coding)
AERO Software (Ballot Counting)

EXHIBIT B

SCHEDULE OF PAYMENTS

Pertaining to that certain Delivery and Acceptance Certificate, Exhibit A, attached to and made a part of that certain Lease Purchase Agreement dated as of _____, 19__ by and between BUSINESS RECORDS CORPORATION, as Lessor, and Vanderburgh County, IN, as Lessee.

Commencement Date: Date on which Lessee executes this Schedule of Payments and the Delivery and Acceptance Certificate to which it is attached, which date shall be confirmed to Lessee by Lessor.

Commencement Date: _____

Total Number of Payments: 48

Payment Amount: \$22,339.15

Fiscal Year End: December 31

Lease payments are payable the first of the month in advance of the period to which they relate. Lease Payment Due Dates will be based on the Commencement date and confirmed to Lessee by Lessor.

<u>Payment Number</u>	<u>Payment Amount</u>	<u>Principal Component</u>	<u>Interest Component</u>	<u>Option Purchase Price</u>
---------------------------	---------------------------	--------------------------------	-------------------------------	----------------------------------

(see attached)

By: _____

Date: _____

EXHIBIT B
VANDERBURGH COUNTY
AMORTIZATION SCHEDULE

Number of Payments:	48
Total Principal:	\$989,375.00
Interest:	4.00%
Payment Amount:	\$22,339.15

Payment Number	Payment Amount	Principal Component	Interest Component	Option Purchase Price
0				\$989,375.00
1	\$22,339.15	\$19,041.24	\$3,297.92	\$970,333.78
2	\$22,339.15	\$19,104.71	\$3,234.45	\$951,229.08
3	\$22,339.15	\$19,168.39	\$3,170.78	\$932,060.67
4	\$22,339.15	\$19,232.28	\$3,106.87	\$912,828.39
5	\$22,339.15	\$19,296.39	\$3,042.78	\$893,532.00
6	\$22,339.15	\$19,360.71	\$2,978.44	\$874,171.28
7	\$22,339.15	\$19,425.25	\$2,913.90	\$854,746.04
8	\$22,339.15	\$19,490.00	\$2,849.15	\$835,256.04
9	\$22,339.15	\$19,554.97	\$2,784.19	\$815,701.07
10	\$22,339.15	\$19,620.15	\$2,719.00	\$796,080.92
11	\$22,339.15	\$19,685.55	\$2,653.60	\$776,395.37
12	\$22,339.15	\$19,751.17	\$2,587.98	\$756,644.21
13	\$22,339.15	\$19,817.00	\$2,522.15	\$736,827.20
14	\$22,339.15	\$19,883.08	\$2,456.09	\$716,944.14
15	\$22,339.15	\$19,949.34	\$2,389.81	\$696,994.80
16	\$22,339.15	\$20,015.84	\$2,323.32	\$676,978.98
17	\$22,339.15	\$20,082.56	\$2,256.60	\$656,896.41
18	\$22,339.15	\$20,149.50	\$2,189.65	\$636,746.91
19	\$22,339.15	\$20,216.66	\$2,122.49	\$616,530.25
20	\$22,339.15	\$20,284.05	\$2,055.10	\$596,246.20
21	\$22,339.15	\$20,351.66	\$1,987.49	\$575,894.53
22	\$22,339.15	\$20,419.50	\$1,919.65	\$555,475.03
23	\$22,339.15	\$20,487.57	\$1,851.58	\$534,987.46
24	\$22,339.15	\$20,555.86	\$1,783.29	\$514,431.60
25	\$22,339.15	\$20,624.38	\$1,714.77	\$493,807.22
26	\$22,339.15	\$20,693.13	\$1,646.02	\$473,114.09
27	\$22,339.15	\$20,762.11	\$1,577.05	\$452,351.99
28	\$22,339.15	\$20,831.31	\$1,507.84	\$431,520.67
29	\$22,339.15	\$20,900.75	\$1,438.40	\$410,619.92
30	\$22,339.15	\$20,970.42	\$1,368.73	\$389,649.51
31	\$22,339.15	\$21,040.32	\$1,298.83	\$368,609.18
32	\$22,339.15	\$21,110.45	\$1,228.70	\$347,498.73
33	\$22,339.15	\$21,180.82	\$1,158.33	\$326,317.91
34	\$22,339.15	\$21,251.43	\$1,087.73	\$305,066.46
35	\$22,339.15	\$21,322.28	\$1,016.89	\$283,744.22
36	\$22,339.15	\$21,393.34	\$945.81	\$262,350.88
37	\$22,339.15	\$21,464.65	\$874.50	\$240,886.23
38	\$22,339.15	\$21,536.20	\$802.95	\$219,350.03
39	\$22,339.15	\$21,607.99	\$731.17	\$197,742.05
40	\$22,339.15	\$21,680.01	\$659.14	\$176,062.03
41	\$22,339.15	\$21,752.28	\$586.87	\$154,309.78
42	\$22,339.15	\$21,824.79	\$514.37	\$132,484.97
43	\$22,339.15	\$21,897.54	\$441.62	\$110,587.43
44	\$22,339.15	\$21,970.53	\$368.62	\$88,616.91
45	\$22,339.15	\$22,043.78	\$295.39	\$66,573.14
46	\$22,339.15	\$22,117.24	\$221.91	\$44,455.90
47	\$22,339.15	\$22,190.97	\$148.19	\$22,264.94
48	\$22,339.15	\$22,264.94	\$74.22	(\$0.00)
Totals:		\$989,375.00	\$82,904.30	

ATTACHMENT A

Form **8038-G**
(Rev. October 1989)
Department of the Treasury
Internal Revenue Service

- Information Return for Tax-Exempt Governmental Obligations
▶ Under Section 149(e)
▶ See separate instructions
(Use Form 8038-GC if the issue price is under \$100,000)

OMB No. 1545-0720
Expires 3-31-92

Part I Reporting Authority
1 Issuer's name
3 Number and street
5 City or town, state, and ZIP code
7 Name of issue

Check box if Amended Return ▶ ☐
2 Issuer's employer identification number
4 Report number
G19 -
6 Date of issue
8 CUSIP Number

Part II Type of Issue (check box(es) that applies and enter the Issue Price)
9 Check box if obligations are tax or other revenue anticipation bonds ▶ ☐
10 Check box if obligations are in the form of a lease or installment sale ▶ ☐
11 ☐ Education
12 ☐ Health and hospital
13 ☐ Transportation
14 ☐ Public safety
15 ☐ Environment (including sewage bonds)
16 ☐ Housing
17 ☐ Utilities
18 ☐ Other. Describe (see instructions) ▶
Issue price
\$

Part III Description of Obligations						
	(a) Maturity date	(b) Interest rate	(c) Issue price	(d) Stated redemption price at maturity	(e) Weighted average maturity	(f) Yield
19 Final maturity		%				
20 Entire issue					years	%

Part IV Uses of Original Proceeds of Bond Issues (including underwriters' discount)
21 Proceeds used for accrued interest
22 Issue price of entire issue (enter line 20c)
23 Proceeds used for bond issuance costs (including underwriters' discount)
24 Proceeds used for credit enhancement
25 Proceeds allocated to reasonably required reserve or replacement fund
26 Proceeds used to refund prior issues
27 Total (add lines 23, 24, 25, and 26)
28 Nonrefunding proceeds of the issue (subtract line 27 from line 22 and enter amount here)

Part V Description of Refunded Bonds (complete this part only for refunding bonds)
29 Enter the remaining weighted average maturity of the bonds to be refunded ▶ years
30 Enter the last date on which the refunded bonds will be called ▶
31 Enter the date(s) the refunded bonds were issued ▶

Part VI Miscellaneous
32 Enter the amount of the state volume cap allocated to the issue ▶
33 Enter the amount of the bonds designated by the issuer under section 265(b)(3)(B)(i)(iii) (small issuer exception) ▶
34 Pooled financings:
a Enter the amount of the proceeds of this issue that are to be used to make loans to other governmental units ▶
b Check box if this issue is a loan made from the proceeds of another tax-exempt issue ▶ ☐ and enter the name of the issuer ▶ and the date of the issue ▶

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete.

Please Sign Here ▶ Signature of officer Date Type or print name and title



Instructions for Form 8038-G

(Rev. October 1989)

Information Return for Tax-Exempt Governmental Obligations ► Under Section 149(e)

A separate Form 8038-G must be filed for each obligation.

(Note: Use Form 8038-GC if the issue price is under \$100,000.)

(Section references are to the Internal Revenue Code unless otherwise noted.)

Paperwork Reduction Act Notice

We ask for this information to carry out the Internal Revenue laws of the United States. We need it to ensure that you are complying with these laws. You are required to give us this information.

The time needed to complete and file this form varies depending on individual circumstances. The estimated average time is:

Recordkeeping 13 hrs., 38 min.

Learning about the law or the form 1 hr., 29 min.

Preparing, copying, assembling, and sending the form to IRS 1 hr., 47 min.

If you have comments concerning the accuracy of this time estimate or suggestions for making this form more simple, we would be happy to hear from you. You can write to either the Internal Revenue Service, Washington, DC 20224, Attention: IRS Reports Clearance Officer, T:FP; or the Office of Management and Budget, Paperwork Reduction Project (1545-0720), Washington, DC 20503.

General Instructions

Purpose of Form

Form 8038-G is to be used by issuers of tax-exempt governmental obligations to provide IRS with the information required by section 149(e) and to monitor the requirements of sections 141 through 150. Parts II, III, IV, V, and VI, should be completed on the basis of available information and reasonable expectations as of the date the issue is issued. If an item does not apply to the issue you are reporting, enter "N/A" in the space provided for the item.

Who Must File

Issuers must file a Form 8038-G for each issue of tax-exempt governmental obligations issued after December 31, 1986, if the issue price (line 20, column (c)) of the issue is \$100,000 or more. If the issue price is less than \$100,000, issuers must file Form 8038-GC, Consolidated Information Return for Small Tax-Exempt Governmental Bond Issues, Leases and Installment Sales, which is a consolidated report filed annually for all such issues. Issuers use Form 8038-T, Arbitrage Rebate, to pay the arbitrage rebate to the United States.

When To File

File Form 8038-G on or before the 15th day of the second calendar month after the close of the calendar quarter in which the issue is issued. Form 8038-G must be completed based on the facts as of the issue date.

Late filing.—A Form 8038-G filed after the due date may be granted an extension of time to file under section 3 of Rev. Proc. 88-10, 1988-1 C.B. 635, if it is determined that the failure to file in a timely manner is not due to willful neglect. A late Form 8038-G should be sent to: Internal Revenue Service, Philadelphia Service Center, Statistics of Income Unit, P:DA:Unit F-SOI, Philadelphia, PA 19255, Stop #335. Type or print at the top of the form, "This Statement is Submitted in Accordance with Rev. Proc. 88-10." Attach to the Form 8038-G a letter briefly setting forth the reasons why Form 8038-G was not submitted to the IRS on time, and also indicating whether the bond issue in question is under examination by the IRS. Do not submit copies of the trust indenture or other bond documents.

Where To File

File Form 8038-G with the Internal Revenue Service Center, Philadelphia, PA 19255.

Definitions

- A tax-exempt obligation is an obligation on which the interest is excluded from income under the Internal Revenue Code. A tax-exempt obligation is not limited to the formal issuance of bonds. It also includes installment purchase agreements and financial leases.
- A tax-exempt governmental bond is a tax-exempt bond that is not a private activity bond.
- A private activity bond is generally an obligation issued as part of an issue of which: (1) More than 10% of the proceeds are to be used for any private business use; and (2) More than 10% of the payment of principal or interest of the issue is either secured by an interest in property to be used for a private business use (or payments in respect of such property), or is to be derived from payments in respect of property (or borrowed money) used for a private business use. An obligation is also considered a private activity bond if the amount of the proceeds to be used to make or finance loans (other than loans described in section 141(c)(2)) to certain persons

exceeds the lesser of 5% of the proceeds or \$5,000,000. Private activity bonds should be reported on Form 8038, Information Return for Tax-Exempt Private Activity Bond Issues.

Issue.—Generally, do not treat separate obligations as part of the same issue unless the obligations are issued by the same issuer, on the same date, and pursuant to a single transaction (or series of related transactions). With respect to draw-down loans, all amounts reasonably expected to be advanced within 3 years of the date of the first draw may be treated as part of the same issue if the draws are equally and ratably secured by the same loan agreement and are pursuant to a common financing arrangement. All obligations that are issued pursuant to a single finance lease or installment purchase agreement may be treated as part of the same issue if all of the property covered by that agreement is reasonably expected to be delivered within 3 years of the date of issue of the first obligation.

Specific Instructions

Part I.—Reporting Authority

Amended Return.—If you are filing an amended Form 8038-G, check the amended return box and complete Part I and only those parts of Form 8038-G you are amending by entering the correct information. Use the same report number (line 4) as was used for the original report. Do not amend the estimated amounts previously reported once the actual amounts are determined.

Line 1.—The issuer's name is the name of the entity issuing the obligations, not the name of the entity receiving the benefit of the financing. In the case of a lease or installment sale, the issuer is the lessee or the purchaser.

Line 2—Issuer's employer identification number (EIN).—If the issuer does not have an employer identification number, enter "None" and attach a completed Form SS-4, Application for Employer Identification Number, to Form 8038-G. If the issuer applied for such a number but has not yet received it, attach a statement giving the date of the application and the office where it was submitted.

Line 4—Report number.—Number reports consecutively based on the filing date (not the date of issue). For example, if the issuer filed two Forms 8038-G in the 1990 calendar year, the "report number" for the third Form 8038-G would be

"G1990-3." If an issuer (e.g., a state) issues obligations through many departments or agencies, the issuer may assign a letter of the alphabet to each department or agency and each may separately number its reports by indicating both the report number and letter (e.g., G1990-5-C, G1990-2-D).

Line 6—Date of issue.—Enter the date of issue. This is generally the date on which the issuer physically exchanges the bonds that are part of the issue for the underwriter's (or other purchaser's) funds. For a lease or installment sale, enter the date interest starts to accrue.

Line 7—Name of issue.—Enter the name of the issue, if one exists.

Line 8—CUSIP Number.—Enter the CUSIP (Committee of Uniform Securities Identification Procedure) number of the bond with the latest maturity. If the issue does not have a CUSIP, enter "N/A."

Part II.—Type of Issue

Identify the type of obligations issued by checking the appropriate box(es) and entering the corresponding issue price. The issue price does not include interest from the dated date to the date of issue (if payable at regular intervals of one year or less).

Line 18.—Check this line only if lines 11–17 do not apply and enter a description of the issue in the space provided.

Part III.—Description of Obligations

Line 19.—For bonds issued as part of the issue with the latest maturity date, enter maturity date, the interest rate (or coupon rate), the issue price, and the stated redemption price at maturity. If the bonds are reoffered to the public, the issue price should be based on the reasonably expected reoffering price. The issue price does not include interest from the dated date to the date of issue (if payable at regular intervals of one year or less). The stated redemption price at maturity is the amount payable (without regard to optional redemptions) at maturity (excluding interest payable at regular intervals of 1 year or less). For a lease or installment sale, enter "N/A" on line 19, columns (a) through (d).

Line 20—Columns (c), (d), and (e).—Enter the issue price, stated redemption price at maturity, and weighted average maturity in years (e.g., 8.7 years). The stated redemption price at maturity of the entire issue is the sum of the stated redemption prices at maturity of each bond issued as part of the issue. For a lease or installment sale, enter "N/A" on line 20, column (d).

The weighted average maturity is the sum of the products of the issue price of each maturity and the number of years to maturity (determined separately for each maturity and by taking into account mandatory redemptions), divided by the issue price of the entire issue (from line 20, column (c)). For a lease or installment sale, enter the total number of years the lease or installment sale will be outstanding.

Line 20—Columns (f) and (g).—Enter the yield as defined in section 148(h), only if it has been computed. The yield is the discount rate which, when used to compute the present value of all payments of principal and interest to be paid on the obligation, produces an amount equal to the purchase price, including accrued interest. If the issue is a variable rate issue, enter "VR" as the yield of the issue. If the issue is a lease or installment sale, enter the effective rate of interest being paid.

Enter the net interest cost (NIC) in column (g). The NIC for an issue may be determined by dividing the total interest payments for the issue (reduced by any premium or accrued interest and increased by any discount) by the product of the issue price from line 20, column (c) and the weighted average maturity from line 20, column (e). If it is a variable rate issue, enter "VR" as the NIC of the issue.

Part IV.—Uses of Original Proceeds of Bond Issues

For a lease or installment sale, enter "N/A" on Part IV.

Line 21—Proceeds used for accrued interest.—Enter the amount of original proceeds that will be used to pay interest from the dated date of the bonds to the date of issue.

Line 23—Proceeds used for bond issuance costs.—Enter the amount of the original proceeds that will be used to pay bond issuance costs, including fees for trustees and bond counsel.

Line 24—Proceeds used for credit enhancement.—Enter the amount of the original proceeds that will be used to pay fees for credit enhancement that are taken into account in determining the yield on the issue for purposes of section 148(h) (e.g., bond insurance premiums and certain fees for letters of credit).

Line 25—Proceeds allocated to reasonably required reserve or replacement fund.—Enter the amount of the original proceeds that will be allocated to such a fund.

Line 26—Proceeds used to refund prior issues.—Enter the amount of the original proceeds that will be used to pay principal, interest, or call premium on any other issue of bonds.

Line 28—Nonrefunding proceeds of issue.—Enter the amount received by the issuer net of any issuance costs and credit enhancement fees, and net of proceeds allocated to a reasonably required reserve or replacement fund and proceeds used for refunding prior issues (including advance refunding). (Subtract line 27 from line 22 and enter amount on line 28).

Part V.—Description of Refunded Bonds

Complete this part only if the bonds are to be used to refund a prior issue of tax-exempt bonds. For a lease or installment sale, enter "N/A" on Part V.

Line 29.—Enter the remaining weighted average maturity of the bonds being refunded. Determine the remaining weighted average maturity without regard to the refunding. The weighted average maturity is determined in the same manner as on line 20, column (e).

Line 30.—Enter the last date on which any of the bonds being refunded will be called.

Line 31.—Enter the date of issue of the bonds being refunded. If more than a single issue of bonds will be refunded, enter the date of issue of each issue.

Part VI.—Miscellaneous

Line 32.—Enter the amount of the issuer's state volume cap allocated to the issue under section 141(b)(5).

Line 33.—If any portion of the issue will qualify for the small issuer exception to section 265 contained in section 265(b)(3)(B)(i)(II), enter the amount of the obligations that will qualify for the exception.

Line 34a.—Enter the amount of this issue used to fund a loan to another governmental unit, the interest of which is tax-exempt.

Signature

Form 8038-G must be signed by an authorized representative of the issuer.



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

Approved

RICHARD J. BORRIES
DON L. HUNTER
PATRICK TULEY

TO: All Department heads and elected officials
FROM: Mark Abell, Superintendent of county buildings
DATE: October 11, 1993
SUBJECT: United Way Campaign

This year from October 21 until October 29 we will once again be participating in the annual United Way Campaign. Our goal is to beat last years employee contribution total.

We can do this by increasing the number of employees contributing to this campaign. An increase in the amount donated by the employees contributing is certainly acceptable also!

We will be scheduling times for the United Way representatives to give your department a brief presentation at which time donation cards will be passed out and collected.

The winner of a random drawing of participants will recieve 3 extra days personal leave this next year.

Please call 426 - 5241 between 12:30 p.m. and 2:15 p.m. on Monday, Wednesday, and Friday and have Ryan schedule your meeting time. Remember, the sooner you call, the better the time slot you get to pick.



Indiana Department of Commerce
Lieutenant Governor Frank O'Bannon, Director

September 23, 1993

Richard J. Borries
Vanderburgh County Commissioner
305 Civic Center
Evansville, Indiana 47708

RE: Project ID #1661

Dear Commissioner Borries:

The Indiana Department of Commerce (IDOC) is pleased to award Vanderburgh County an Industrial Development Grant Fund (IDGF) grant in the amount of \$11,445. The grant is to assist with infrastructure improvements needed to support the expansion of the Sunbeam Plastics Corporation in Evansville. The grant award is based on information contained in Sunbeam Plastics' application for assistance, including the proposed investment of \$18,000,000 in capital improvements and the creation of 100 new jobs within 2 years.

The total cost of the infrastructure improvements is estimated to be \$22,890. The IDOC will fund fifty percent of the project cost, or \$11,445, whichever is less. In order to initiate the grant funding process, please complete the enclosed IDGF application and return two copies to the IDOC.

Please contact us in writing by October 30, 1993 to confirm your acceptance of these grant funds.

If you have questions regarding this proposal, please contact Al Lerma at (317) 232-8782. We look forward to working with you on this project.

Sincerely,

Betty Cockrum
Betty Cockrum, Director
Administrative Services

cc: Janice Loyal
Ron Tierney
Helen Humes

One North Capitol, Suite 700
Indianapolis, Indiana 46204-2288
317.232.8800
317.232.4146 fax
317.233.5977 TDD

VANDEBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

FRIDAY, OCTOBER 1, 1993 THRU THURSDAY, OCTOBER 7, 1993

FRIDAY, OCTOBER 1, 1993

Crew #1 - install guard rails at 15025 Darmstadt and Red Bank at wooden bridge.
Crew #2 - haul guard rail to above jobs.
Crew #3 - haul rip rap to Wedeking.

MONDAY, OCTOBER 4, 1993

Crew #1 & #2 - backhoe worked on guardrail on Red Bank and Darmstadt.
Crew #3 - worked on Orchard and St. George Road.

TUESDAY, OCTOBER 5, 1993

Crew #1 & #2 - install guardrail on Mill Road, straighten guardrail and concrete post on Red Bank.
Crew #3 - paint Darmstadt and Red Bank Guardrail, cut and install grate on Northridge Road at drain.

WEDNESDAY, OCTOBER 6, 1993

Crew #1 - work on Oakhill, Mill, Heckel and Burch.
Crew #2 - pick up rock on Eastwood, Oakhill, Heckel, load scrap metal, straighten yard.
Crew #3 - haul scrap metal to junkyard.
Crew #4 - paint guardrail ends and cuts, put up barricades on East Virginia and 1600 DeShields.

THURSDAY, OCTOBER 7, 1993

Crew #1 - wash and clean all bridges.
Crew #2 - load up metal and clean up yard, put up guardrail for divider.
Crew #3 - haul metal for scrap to junkyard, clean up yard and add guardrail for rock divider.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, OCTOBER 1, 1993 THRU THURSDAY, OCTOBER 7, 1993

FRIDAY, OCTOBER, 1, 1993

Gradall and one crew cleaned out culvert at 3010 Orchard Road.
Gradall and one crew worked on Wedeking.
Paver, roller and eight crews paved Big Schaeffer.
Weed crew and Tiger Mower worked on work orders.

MONDAY, OCTOBER 4, 1993

Paver, roller and nine crews paved Big Schaeffer.
Tiger Mower and Tractor mowed on Hirsch, Burkhardt, Peerless,
Hogue, Korressel and St. Joe Ave.

TUESDAY, OCTOBER 5, 1993

Paver, roller and nine crews paved Big Schaeffer.
One crew worked on Furnace.
Weed crew worked on Upper Mt. Vernon and Red Bank.
Tiger mower worked on Korff, Peck and Volkman.

WEDNESDAY, OCTOBER 6, 1993

Paver, roller and ten crews paved Big Schaeffer.
Two tree crews worked on Happel.

THURSDAY, OCTOBER 7, 1993

One crew cleaned paver and one crew cleaned distributor.
Grader and six crews graded and rocked roads in the Bottoms.
Weed crew worked on Skyline, Felstead and Boehne Camp.
Patch crews worked on Big Schaeffer.
Cycle Mower worked on Old Petersburg and Ruston.
One crew worked at the garage.

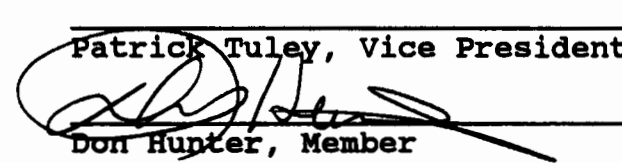
NOTICE OF CHANGE IN MEETING SITE
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA
MONDAY - NOVEMBER 18, 1993

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana will hold the regular business portion of their weekly meeting at the Vanderburgh County Auditorium on Monday, October 18, 1993 beginning at 5:30 p.m.

The Board will return to Room 307 in the Civic Center Complex where they will re-convene at 7:00 p.m. to hear the Rezoning Petitions.

~~BOARD OF COMMISSIONERS OF~~
~~VANDERBURGH COUNTY, INDIANA~~


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member

Sam Humphrey, Auditor
Vanderburgh County

Alan M. Kissinger
County Attorney

COPY

TRAVEL REQUEST FORM

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

RECEIVED

OCT - 7 1993

DATE OF REQUEST: 10/7/93 DEPARTMENT: VANDERBURGH COUNTY ASSESSOR

EMPLOYEE(S): JAMES L. ANGERMEIER

DATE(S) OF TRAVEL: OCTOBER 12, 1993

DESTINATION: INDIANAPOLIS, IN.

PURPOSE: TO ATTEND EXECUTIVE BOARD MEETING OF INDIANA COUNTY ASSESSORS

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: NO

MEANS
OF
TRAVEL

COUNTY VEHICLE NUMBER: _____

OTHER: PERSONAL CAR

REIMBURSEMENT CLAIMED

☒ Mileage

☒ Parking

☒ Per diem

Registration

Air fare

Other

APPROVED: _____

Department Head

APPROVED: _____

Office Holder

APPROVED BY:

VANDERBURGH COUNTY COMMISSIONERS this 11th day of October, 1993

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER



Connie S. Prible
Wells County Assessor
Courthouse, Bluffton, Indiana 46714

*Jim - your pictures sure were
a big thanks so much like
missed you too. Hope
you had a great
time Connie*

TO: Board of Directors

FROM: Connie

RE: Board Meeting - October 12, 1993

It is now October, and we had decided that we would get together the first part of this month to discuss our legislation and hiring a lobbyist. I have received several names for a possible lobbyist, and I think we need to go over these and decide what we want to do.

Also, I have some ideas on approaching our proposed legislation that I would like to discuss with you.

If you have anything that you think we should talk about, please bring those thoughts to us at that time.

Thanks to Jim Angermeier for the pictures that he took at the Board meeting and also at Clarksville. All of us really appreciate his efforts.

I have reserved the patio at the Indianapolis Marriott on 21st Street. We will meet for lunch there at 11:A.M. Please mention the County Assessors meeting when you arrive at the restaurant, and they will direct you to the right area.

I am looking forward to seeing you on October 12, 1993, at 11 A.M.

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: October 6, 1993 DEPARTMENT: Health/Nursing *ED*

EMPLOYEE(S): Constance Block, Sam Elder

DATE(S) OF TRAVEL: October 14, 1993

DESTINATION: IN State Department of Health, Indianapolis

PURPOSE: Lead Program Task Force meeting

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: no

MEANS OF TRAVEL: _____
COUNTY VEHICLE NUMBER: _____
OTHER: _____

REIMBURSEMENT CLAIMED	_____ Mileage	_____ Parking
	_____ Per diem	_____ Registration
	_____ Air fare	_____ Other

APPROVED: *Sam Elder*
Department Head

APPROVED: _____
Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 17th day of October, 1993

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

PATRICK TULEY, VICE-PRESIDENT
Don L. Hunter
DON L. HUNTER, MEMBER

**TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES**

EMPLOYEE(S): Chris Borowiecki

DESTINATION: Bedford, IN.

PURPOSE: HAZARDOUS ANALYSIS OF CRITICAL CONTROL POINT TRAINING

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: yes

MEANS OF TRAVEL: _____
COUNTY VEHICLE NUMBER: 873
OTHER: _____

REIMBURSEMENT CLAIMED

<u> </u> Mileage	<u> </u> Parking
<u> X </u> Per diem	<u> </u> Registration
<u> </u> Air fare	<u> </u> Other

APPROVED: *Sam E*
Department Head

APPROVED: Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 11th day of October, 1993

RICHARD J. BORRIES, PRESIDENT

PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

COPY

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 10-5-93 DEPARTMENT: Health

EMPLOYEE(S): Chris Borowiecki

DATE(S) OF TRAVEL: Oct. 29, 1993

DESTINATION: ISDH, Indianapolis, IN.

PURPOSE: IEHA Treasurer's Training Workshop

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: none

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: 873
OTHER: _____

REIMBURSEMENT CLAIMED

_____ Mileage	_____ Parking
<u>X</u> Per diem	_____ Registration
_____ Air fare	_____ Other

APPROVED: [Signature]
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 11th day of October, 1993

[Signature]
RICHARD J. BORRIES, PRESIDENT

PATRICK TULEY, VICE-PRESIDENT

[Signature]
DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY

DATE OF REQUEST: October 6, 1993 DEPARTMENT: Health/Nursing *CER*EMPLOYEE(S): Diana Simpson Denise Paul
Connie Block Nancy SeibDATE(S) OF TRAVEL: November 8, 1993DESTINATION: Bauou Conference Center, New Harmony, INPURPOSE: MCH Data Training Session

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: NoMEANS
OF
TRAVEL

COUNTY VEHICLE NUMBER: _____

OTHER: private cars

REIMBURSEMENT CLAIMED

y Mileage

____ Parking

____ Per diem

____ Registration

____ Air fare

____ Other

APPROVED: *Sam G. Galt*
Department HeadAPPROVED: _____
Office HolderAPPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 11th day of October, 1993*Richard J. Borries*
RICHARD J. BORRIES, PRESIDENT_____
PATRICK TULEY, VICE-PRESIDENT_____
DON L. HUNTER, MEMBER



BOARD of
COMMISSIONERS
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK R. TULEY

COPY

AGENDA REQUEST

NAME OF REQUESTOR: Barbara L. Cunningham

REQUESTOR TITLE: Executive Director

DEPARTMENT: Area Plan Commission

REQUEST(S) BEING MADE:

Travel request for two planners, Blaine Oliver and John Ansbro, to attend the
Indiana Population Working Groups 15th Annual Meeting to be held at Indiana
University in Indianapolis on October 18, 1993. We have money in our
budget to cover expenses. This will not require an overnight stay.

DATE TO BE PLACED ON AGENDA: October 11, 1993

ACTION _____ CONSENT _____ OTHER _____

properly itemized, must show: Kind of service where performed, dates service rendered, by whom, rate per day, number rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

Invoice #XW9400122
Provider #10202

Vanderburgh County, Indiana

To Dr.

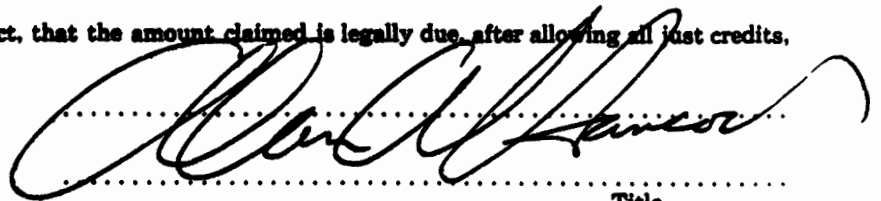
On Account of Appropriation For STP-E140(001), Contract B-20039

19....	Order Number	ITEMIZED CLAIM	DOLLARS Cts.
		Increase to Project STP-E140(001), Contract B-20039 due to Change Orders, computed as follows:	
		Amount Increased 300,000.00	
		Less: FHWA Participation @ 80% 240,000.00	
		County's Share 60,000.00	
		Location: Delaware-Columbia Street Connector over 9th Avenue & Pigeon Creek	
		Total Amount Due the Indiana Dept. of Transportation	6 0, 0 0 0.00

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

400-816-901; Phase 50; N

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.



Date August 23 19 93
Tepner

Title

--	--	--	--

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Name

Title

Date _____, 19____

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME INDIANA DEPT OF TRANS. # 1114

On Account of Appropriation for 203-4353 Col/Dez Be #1C

Invoice No.	Itemized Claim	Amount
XW 9400122	STP-E140 (001)	60000 ⁰⁰
	CONTRACT B-20039	

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Name

Title

Date _____, 19____

RECEIVED
OCT 01 1993

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDEBURGH COUNTY, INDIANA

VENDOR NAME Bernardin, Lochmueller & Associates, Inc. # 985

On Account of Appropriation for 430 B010 - USF & SR 62

Invoice No.	Itemized Claim	Amount	
93-003-2(4)	Fee due for USI Overpass at S.R. 62	44,093.	17
	INDOT Project No.: C-E 180().		
	Contract No.: R-20697 - Construction Engineering		

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits and that no part of the same has been paid.

J. R. R. R. R. R.
Name
Secretary
Title

Date September 28, 19 93

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME United Consulting Engineers, Inc.# 1262

1625 N Post Road Indpls., IN 46219-1995

On Account of Appropriation for

216-4910

Invoice No.	Itemized Claim	Amount	
	For Construction Engineering Services on		
	Project Greene River Road Reconstruction		
	Section "A" INDOT Contract R-19511, County		
	Project MAM-ME-340(6) in accordance with		
	our Agreement dated January 20, 1992 and		
	your Notice to Proceed letter dated Feb.		
	20, 1992		
	For the period from 8-21-93 thru 9-17-93		
	TOTAL AMOUNT DUE THIS INVOICE #18	358.503.15	65

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

United Consulting Engineers, Inc.

Jacob E. Hall
Name
Title

Jacob E. Hall, President

Date 09-27-, 19 93

S 333,909.88 Total Amount Invoiced To Date

S 358,503.15 Total Amount Not To Exceed
1625 N. Post Road, Indianapolis, IN 46219-1995 • Phone: (317) 895-2585 Fax: (317) 895-2596

Form Prescribed by the
State Board of Accounts

1245

Revised County
Form No. 17

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME United Consulting Engineers, Inc. # 12621625 N Post Road Indianapolis, IN 46219-1995On Account of Appropriation for 203-4353 Cor/Dr/Bt/K

Invoice No.	Itemized Claim	Amount
	For Construction Engineering Services on	
	project STP-NH7-E140(001). Bridge No 1-C	
	in accordance with Appendix "D" of our	
	Agreement dated February 18, 1992 and your	
	Notice to Proceed letter dated September	
	18, 1992.	
	STP-E140(001) _____ 71.76% = 10,841.10	
	NH7-E140(001) _____ 28.24% = 4,266.34	
	TOTAL AMOUNT DUE THIS INVOICE # 11	15,107.44

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

United Consulting Engineers, Inc

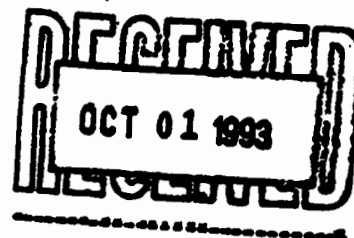
Name

Jacob E. Hall

Title

Date 9-27, 19 93

Jacob E. Hall, President



**MINUTES
COUNTY COMMISSIONERS MEETING
OCTOBER 18, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m.	1
Introductions & Pledge of Allegiance	1
Authorization to Open Bids/Perform Title Search Services in Connection with 1993 Tax Sales	1
Building Commission/Request re House Move	1
Purchasing Department/Request to Advertise for Bids (Guard Rails, Posts, End Sections & Various Pipe Materials)	1
County Attorney/Alan Kissinger	2
Reading of Bid/Title Search re 1993 Tax Sales BHK&M Lease Agreement/Space in Recorder's Office Vanderburgh County vs. Koch (Final Settlement of of \$5,700 authorized) Legal Opinion re Employees Hired by the Vanderburgh County Surveyor Disposal of Real Estate Previously Transferred by the State to the County	
Superintendent of County Buildings/Mark Abell	3
Veteran's Council/Bleachers Declared Surplus Deaf Interpreter/Resource Agency for the Deaf	
County Highway - Bill Morphey	3
Weekly Progress Report Huebner Lane & Barbara Lane	
County Engineer - John Stoll	3
Change Order/North Green River Rd. Project (\$4,395) Awarding of Contract/County Highway Garage Roof (Preferred Construction, Inc. - \$58,801) Complaint re N. St. Joe Rd./Between Laubscher Rd. & Mohr Rd.)	
Consent Agenda	5
Rezoning Petitions: VC-16-93/Simon C. Oeth/First Reading (App'd.) VC-14-93/Schroeder, Inc./Third Reading (App'd.) VC-15-93/Aaron Enterprises/Third Reading (App'd.)	
Emergency Management Agency/Earthquake Drill	9
Sheriff's Department/Implementation of Voluntary Payroll Deduction Life Insurance Program (Approved)	10
Old Business	11
New Business	11
Meeting Adjourned @ 7:35 p.m.	11

MINUTES
COUNTY COMMISSIONERS MEETING
OCTOBER 18, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, October 18, 1993 in the Gold Room at the Vanderburgh Auditorium.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Rick Borries called the meeting to order, stating this may be one of the Board's record setting shortest meetings possible. He then welcomed the attendees, introduced out of town guests (Commissioner Nuce of Madison County and Skip Waymire, Madison County Clerk) and stated members of the Auditorium Task Force will be arriving for their initial meeting at 6:00 p.m. This group is to provide the Commissioners with some direction and some input as to the future of this fine facility. At approximately 7:00 p.m., the Commissioners will recess, depart the Auditorium and reconvene their meeting to hear Rezoning Petitions. Mr. Borries then introduced members of the County Staff (Mark Abell, Superintendent of County Buildings & Administrative Assistant; Attorney Alan Kissinger; Commissioner Tuley; himself; Commissioner Don Hunter; County Auditor Sam Humphrey and Joanne Matthews, Official Recording Secretary for the Commission) and asked the group to stand for the Pledge of Allegiance.

RE: AUTHORIZATION TO OPEN BIDS/PERFORM TITLE SEARCH SERVICES
IN CONNECTION WITH 1993 TAX SALES

Mr. Borries entertained a motion to authorize the County Attorney to open the subject bids.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: BUILDING COMMISSION/REQUEST RE HOUSE MOVE

Commissioner Borries stated Mr. Roger Lehman is not present this evening, but he has submitted a request from Mr. Marty Girtten of Girtten House Moving & Dozer Service to move a single family dwelling from 129 S. Red Bank Rd. to 5501 Upper Mt. Vernon Rd. The move is planned for approximately October 25th. A motion was entertained.

Motion to approve the request was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: PURCHASING DEPARTMENT/REQUEST TO ADVERTISE FOR BIDS
GUARD RAILS, POSTS, END SECTIONS & VARIOUS PIPE MATERIALS

Mr. Borries recognized Mr. Daryn Burgdorf of the City-County Purchasing Department, who stated he sent a memo to the Commissioners concerning Bid VC 9402 for Guard Rails, Posts, End Sections & Various Pipe Materials. These specifications are basically the same as used in prior years and have been reviewed by the County Highway and County Engineer. He is requesting permission to advertise on October 21st and October 28th, with opening of bids set for Monday, November 8th.

A motion was entertained.

Motion to approve the request was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Reading of Bid/Title Search re 1993 Tax Sales: Attorney Kissinger reported there was only one (1) bid received and that was from Evansville Titles Corporation, who bid a per unit cost of \$250.00.

In response to query from Commissioner Borries, Mr. Kissinger said he thinks it would be totally appropriate to award this contract tonight in consideration of the fact there is only one bid. Also, as the Commissioners will recall, this had been previously bid and we requested a per unit bid and this is the per unit bid. There were no other bidders the previous time either.

Motion made by Commissioner Tuley to award the contract to Evansville Titles Corporation with a second from Commissioner Hunter. So ordered.

BHK&M Lease Agreement/Space in Recorder's Office: Mr. Kissinger said he has reviewed the subject agreement, as has Mark Abell. Mr. Kissinger said it is his recommendation that the Commissioners approve and sign the agreement (which they can do as soon as he brings it from his office to them).

Vanderburgh County vs. Koch: This is a condemnation case and he is requesting the Board's approval to make a final settlement offer in this case of \$5,700.

Motion to approve this request was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Legal Opinion re Employees Hired by the Vanderburgh County Surveyor: Attorney Kissinger said he has completed all the legal research on this, as requested by the Board. For the record, he would like to cite Indiana Code 36-2-16-5(a) which reads as follows:

The County Surveyor may appoint one (1) first or chief deputy, if authorized by the county fiscal body, and also may appoint the number of other full or part-time deputies and employees authorized by the county fiscal body.

So, assuming the County Surveyor has budgeted these employees, then it is the County Surveyor's authority to appoint these employees. Previously, in reference to the Deputy County Surveyor, the legislation required that the Deputy County Surveyor had to be a competent civil engineer. In 1993, that statute was amended to delete that requirement -- so that is no longer a requirement. The Commissioners -- in this particular case, he understands there is a County Surveyor's employee on the Consent Agenda tonight -- it is a required ministerial act as far as the Commissioners are concerned to approve this hiring. It is not, in fact, the Commissioners approving the hiring, it is merely the Commissioners performing the ministerial act that will allow this employee hired by the County Surveyor to be placed on the payroll, etc.

Now, if there were a situation in which there were specific qualifications or there were specific problems as far as this employee not being able to do the job or there were specific qualifications that this potential employee didn't have, then he think it would be totally appropriate for the Commissioners to take action in reference to those matters. If something should arise in the future as far as those matters are concerned, then he thinks it would also be totally appropriate for the Commissioners to take some action. But presently it appears that the employee is otherwise qualified and it is within the authority of the County Surveyor to make that appointment.

Commissioner Borries requested a copy of Attorney Kissinger's legal opinion to enter into the record, because that is part of the Consent Agenda.

Mr. Kissinger said he will give the document to Joanne.

Disposal of Real Estate Previously Transferred by the State to the County: If the Commissioners will recall, Attorney Gary Price and Bob Burkart from Ziemer, Stayman, Weitzel & Shoulders addressed the Commissioners in reference to this matter. We also have a statement answering his question as to whether or not this property had been taken by the State and transferred to the County in fee simple and it has been. All the documents appear to be in order. The disclosure of sales information and the deed has been prepared for the County Commissioners' signatures and he recommends they sign those documents, which will complete this transaction.

President Borries entertained a motion.

Motion made by Commissioner Tuley to so approve and seconded by Commissioner Hunter. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Veteran's Council: Mr. Abell said he believes the Commissioners received a letter from L. O. Montgomery of the Veteran's Council in regards to the bleachers at the Coliseum. They have stated in the letter that those are no longer of any use to them, nor are they of use to any other county entity as is -- but the wood is still valuable. Therefore, we'd like to keep them, declare them surplus property and deal with them in that fashion.

The Commissioners were in agreement that this would be a satisfactory way in which to handle this matter.

Deaf Interpreter/Resource Agency for the Deaf & Hard of Hearing: Mr. Abell said he was able to obtain better pricing through this agency. If the Commissioners sign the agreement he is submitting, this will give us the advantage of better pricing.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Borries requested the record reflect that Mr. Morphey has submitted his weekly report for the period of Friday, October 8 thru Thursday, October 14, 1993.....report received and filed. The report notes that work was done in all sections of the county with the paver, mowing, patching crews and our Gradall. Mr. Borries then entertained questions of Mr. Morphey or comments. There were none.

Huebner Lane:/Barbara Lane: In response to query from Mr. Borries, Mr. Morphey said they are preparing to pave Huebner Lane. They have finished County Line Road East and will move to Huebner and Barbara Lane. They are going to keep moving as long as the weather holds.

RE: COUNTY ENGINEER - JOHN STOLL

Change Order/North Green River Rd. Project: Mr. Stoll said he has a change order in the amount of \$4,395.00 on this project for additional straw bales needed to comply with the Rule 5 regulations.

Mr. Borries entertained a motion.

Motion to approve was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Awarding of Contract/County Highway Garage Roof: Mr. Stoll stated that both Attorney Kissinger and himself have reviewed the bids received on this project. Based on their review, he recommends the contract be awarded to Preferred Construction Services, the low bidder, in the amount of \$58,801.00.

Commissioner Hunter asked if the square footage on the portion of the roof to be repaired was the same on both bids.

Mr. Stoll acknowledged that it was. We don't think that much repair will be necessary, but we kept it 400 sq. yds. to be on the safe side.

President Borries said he thinks all of the Commissioners have been concerned about this particular bid. First of all, they wanted to make sure it was right. Secondly, it was very close. And he would want to ask the County Engineer and the County Highway Superintendent to look very, very carefully at this. We don't have any grounds at this point to deny this particular bid. But he does want to clearly state that personally he doesn't want to see any change orders that would, in fact, allow this particular bid to end up higher than the other one. If Mr. Stoll sees any problems developing, he thinks this Board would want to know that immediately.

Mr. Stoll said Mr. Morpew has stated he will have someone stay on the job almost at all times to supervise and he can also have someone there periodically. So we should be able to keep an eye on things.

Motion made by Commissioner Hunter and seconded by Commissioner Tuley that we accept the bid from Preferred Construction Services, Inc. So ordered.

Complaint re North St. Joe Rd./Between Laubscher & Mohr Rd.:

Mr. Tuley said he received a complaint concerning North St. Joe Road, where apparently the City has installed either sewer line or water line or something out there and the road is starting to crumble away or something. Is Mr. Stoll aware of this?

Mr. Stoll said he is aware of it, as is Mr. Morpew.

Mr. Tuley asked if between now and next week they can go out and evaluate what needs to be done to bring that road back up to where it was before they started their construction out there -- so maybe we can draft a letter to the City to be signed by the Commissioners and ask them to correct it?

Mr. Stoll said they can do that. Since the ditch has been torn up all year long the road is beginning to crumble away since the water line has been installed.

Mr. Morpew said the Water Department just installed a new water line out there and SIGECO in the past thirty days has also installed a new gas line -- this is going down to the new Volunteer Fire Department. He instructed one of his foremen to get with the Waterworks Department and correct the repair on that road. The shoulder was caving in. They had actually placed the water line too close to the edge of the road and it was eroding.

Mr. Tuley asked if they have responded yet.

Mr. Morpew said they have and they have already started on it. Because of the severity of it and the closeness of it to the edge of the road, it is going to have to be worked at for another thirty days before they get the final patch on it.

Mr. Tuley said his concern was that they were aware of it and have agreed to put it back.

RE: CONSENT AGENDA

President Borries said that earlier the Commissioners heard the Attorney's legal opinion concerning the hiring in the County Surveyor's office. He asked if the Commissioners have questions concerning any other item on the Consent Agenda. There were none and a motion was entertained.

Motion to approve the Consent Agenda, as printed, was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

At 6:00 p.m., President Borries said he would like to recess the meeting and reconvene the Commission Meeting at 7:00 p.m. in Room 307 in the Administration Building, noting this will allow the distinguished Auditorium Task Force to begin their initial meeting. He then invited Rolland Eckels, Chairman of the Auditorium Task Force to join the Commissioners at their table as the Auditorium Task Force convenes their meeting.

* * * * *

President Borries declared the meeting of the Board of Commissioners reconvened at 7:00 p.m., noting there are some items the Commissioners did not get to earlier -- the most obvious being the Rezoning Petitions which are heard by the Board on the third Monday of every month. He then welcomed the attendees, stating a portion of this week's Commission Meeting was held at the Vanderburgh Auditorium where they met with the Auditorium Task Force.

VC-16-93/Petitioner, Simon C. Oeth (First Reading): Mr. Borries said the common known address is 5210 Broadway and the request is to rezone from R-1 to M-1. All of the legal verification appears to be in the packet. The present existing land use is an auto repair shop and the proposed use is the same. He believes this is going to be a conformance type request. He then entertained a motion to approve the petition on First Reading and forward to the Area Plan Commission.

Motion to this effect was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

VC-14-93/Petitioner, Schroeder, Inc. (Third Reading): Commissioner Borries said the common known address is 4220 St. Joseph Avenue and the requested change is from Agricultural to C-4. He asked if there is someone to speak to this petition.

Attorney Forest Brumbaugh of Kahn, Dees, Donovan & Kahn approached the podium, introduced himself, and said they represent John & Tammy Schroeder and their business, Schroeder, Inc. As the Commissioners probably recall, John and Tammy were before the Board last spring when they sought to rezone the property where they reside on Mesker Park Drive to C-4 to allow their landscaping, lawn mowing and nursery business. While they received some favorable comments from the Commissioners at that time, the Board did ask to postpone the matter until he could talk with neighbors and work out a compromise, as well as try to correct some misinformation that they had received. During the postponement time period, the property they are seeking to rezone today on St. Joe Avenue became available and to further the request of the Commission and also due to the fact that this property is a better location with better access for the Schroeder's business, they allowed the Mesker Park Drive rezoning to lapse and decided to pursue the rezoning of this parcel of land to C-4. Schroeder, Inc. is purchasing 17 acres of land; only five (5) acres are being rezoned C-4. The remaining twelve (12) acres will remain agricultural and there is no need to rezone the remaining twelve acres. It is in a floodplain area and couldn't really be used for anything except perhaps some planting

or trees which will be done. The property to the south of the St. Joe Avenue property is St. Joseph Terrace Subdivision and this is currently zoned Residential. Immediately to the south of that property is zoned M-1 and across the street is zoned M-2. That is the area with the St. Joe Industrial Park, the Plumber's & Steamfitters's Union Local 136. Currently on the property there exists three buildings -- a house and two sheds. These are the only buildings that will be needed. The only changes will include some remodeling of the house to make that an office and a retail business. Like the property on Mesker Park Drive, the rezoning is necessary to C-4 to allow for the landscaping, lawn mowing and nursery business. The only difference here is that there will be retail and on Mesker Park Drive there was not going to be retail. In addition to the rezoning there will be a 20 ft. buffer zone between the area being rezoned and the neighborhood to the south that will remain agricultural. John talked with the neighbors and to some of the County staff as to what would be best to put in that buffer zone. It will be some pine trees instead of a berm wall -- one reason being the draining problems out there -- and that will be put in during the first year. In addition, on the side closest to the neighborhood will be the trees, the flowers and those items which are most pleasing to the eyes that go with the nursery. The equipment, the trucks and things of that nature will be in an enclosed area between the buildings -- which will all be fenced in. In addition, one thing that may be a little different than initially proposed will be the parking lot, which is going to be moved further away from the neighborhood -- still in compliance with all the zoning requirements and still the same with the same number of spaces. To eliminate the parking lot being used as a hang out or loitering area after hours and in the best interest of the neighbors and John's business, the parking lot will be fenced off to prevent entry after hours. At the Area Plan Commission meeting the petition received a 11 to 0 favorable vote. Mr. Brumbaugh said they believe this is good zoning, good use of the land, is probably best for John's business and also furthers the compromise that the Commissioners asked them to see. Mr. Schroeder is here and either he or Mr. Schroeder will be glad to answer any questions the Commissioners might have.

There being no questions or comments from the Board, Commissioner Borries asked if there is anyone in the audience who wishes to remonstrate.

Ms. Annice Horning approached the podium, identified herself and stated she resides at 2601 Glenview Drive. She said they asked for a Use & Development Commitment on this five acres of land and she didn't hear anything said about that -- so when he decides to sell it, it would go back to agricultural, so they would have a voice as to what goes in there. She thought that was to be included.

Commissioner Borries said if he is correct, the portion she is talking about is going to remain agricultural.

Ms. Horning said part of it is to be rezoned C-4 and that is the part they want a Use & Development Commitment on -- so if he decides to sell that it will go back to agricultural and the neighborhood would have a voice on what would go in there.

Mr. Borries said he is not sure that can happen, but he will defer to staff. Once you rezone something, it can't go back to agricultural. AG means just that -- you can't get into a situation to where if they put buildings on there and they develop it as a business - there can be certain criteria -- but if he is correct on this train of thought -- because there will be structures and improvement to the land, it can't go back to agricultural.

Ms. Horning said at the APC meeting they told her she could ask for a Use & Development Commitment so they would have some kind of a say in the rezoning in case he decides to sell the property. Other

than that, she doesn't know too much about this.

Commissioner Borries said Ms. Horning is doing a fine job and he knows that sometimes it is nerve racking when you have to come before Boards like this, etc.

President Borries suggested that either Ms. Cunningham or Ms. Behme provide some insight.

Ms. Cunningham said a Use & Development Commitment means that the zoning category would be acceptable for that area or perhaps there are certain minor things that need to be addressed. It would not be the land use itself. And there is no such thing as reversion -- where it automatically goes back to an agricultural use. Now, there have been instances in the past (and they do not encourage this) where a petition has stated that if it is not used within such and such a time, they will have to initiate a rezoning. What the Commissioners are really looking at tonight is whether this is good land use that Mr. Schroeder proposes and if, as he says, a nursery is acceptable in this area.

Ms. Horning said there are about 400 different things that could go in there. If he decides to get rid of his nursery they could put in service stations, apartments or anything. What the neighbors want is some kind of a right to protest. They don't want factories or such right in their back yards. They're not opposed to the nursery; but he might stay there three or four years and then decide he wants to sell out. They want to know how they can protect themselves -- or do they have any way to protect themselves.

Mr. Borries said they really do -- by doing what she is doing right now -- by coming before this Board and giving her concerns. And if -- and he emphasizes the if -- if Mr. Schroeder or his company or heirs or whoever would decide to sell the property, it would have to be.....

Ms. Horning interrupted by saying the lady down at the Area Plan office told her she should ask for this and that is where she got the idea.

Attorney Kissinger said he thinks where the misunderstanding may have come in -- under certain circumstances, the County Commissioners may require a Use Commitment saying that if an individual does not use a piece of property for the purpose they're requesting the rezoning within specific period of time, then they would be required to initiate a rezoning to take it back to where it was before. But that is before it takes on the character of the rezoning -- the commercial property, for instances, in this case. Mr. Schroeder has indicated that he is committed to putting in a nursery and a retail operation. As far as her concern about manufacturing is concerned, there would have to be advertisement and hearings and she would have an opportunity for remonstrance if they intended to put in a type of manufacturing facility in there. They would then be required to come back in and request rezoning.

Ms. Horning said she is kind of disappointed because the lady at the APC said there were about 400 different things that could go in there and that is the reason they wanted to be able to fight something if they didn't want it in there.

Mr. Kissinger countered that the thing she needs to understand is that those 400 things do not include manufacturing.

Ms. Horning said there were a lot of things the lady mentioned that they wouldn't want back there.

Attorney Kissinger said he can really appreciate that. From a personal standpoint, he can say that Mr. Schroeder is a man of his

word and he thinks he will be an asset to Ms. Horning's neighborhood.

Ms. Horning said she thinks that, too -- but you never know what is going to happen five or ten years down the road.

Commissioner Borries said it is very difficult for the Commissioners to predict the future. When it is all said and done, they have to get down to the fact as to whether this is good zoning or bad zoning. And, frankly, a zoning of this type that indicates they're going to be working with natural kinds of uses and development here -- in his opinion -- is the best kind that she could ever hope for. What the Commissioners cannot do is predict the future and they can get a verbal commitment from Mr. Schroeder that he intends to do for as long as he is going to be there. He sympathizes with her concern, but he is not sure the Commissioners are able to predict the future and tell him what to do with this property beyond that. Ms. Horning mentioned factories and things of that nature -- now she is getting into a different level of rezoning (M-1) and that would have to come back before this Board and there would have to be a rezoning. Someone could down zone it. At some point it could go down to a C-2, which would be a different level. But in so far as shrubbery and what is involved in the statute, it is an appropriate zoning and he thinks it...

Ms. Horning offered additional comments, but these were completely inaudible because she was speaking from the audience, rather than from the microphone at the podium.

Mr. Borries asked Mr. Schroeder if it is his intent to do as he says.

Mr. Schroeder stated that it is -- exactly. And, again, for the public record -- he does understand the concern. For the next thirty, forty or fifty years he realizes that the neighbors want to see trees; they want to see shrubs; and they want to see flowers over there. And it is intention and it is his word that that is what they will be doing. Their business has been in business for ten years. Their business is growing and they are very happy. They've been west siders for thirty-three (33) years and that is exactly what they want to see that place be. As you know, a nursery isn't something that you just throw together in one day and then you rip it out. It is trees and things that are planted. All nurseries that he knows of are there for twenty, thirty or forty years and that is what he wants to be able to convey to the people of that neighborhood -- that they want to be their neighbor and will be their neighbor for a very, very long time. The twelve acres mentioned earlier -- the areas that are concerned with the drainage -- that will remain agricultural and planting the trees is really the best way to assure that this will remain agricultural. Once they do get established there it will be a landscape nursery and a landscape nursery only.

Mr. Borries said Ms. Horning is hearing this right from the person who is requesting the use. He has lived here all his life and he thinks that is the best the Commission can do.

Ms. Cunningham offered comments but, again, she was speaking from where she was seated and not at the microphone and her remarks were inaudible.

There being no further discussion or comments, a motion was entertained.

Mr. Hunter moved to approve the petition. Seconded by Commissioner Tuley, who said that having sat through that two hour discussion several months ago -- a rather emotional discussion -- he truly believes Mr. Schroeder is a man of integrity and good character and will do a good thing for the neighborhood out there from the

standpoint, where he presently lives -- he has put a lot of money and time into that house and had hoped to convert that into his business. Because of his neighbors and his willingness to try to cooperate with his neighbors and keep them as friends, be a good business man and a good neighbor -- he chose to go to another location. He believes these neighbors will find themselves with a very good neighbor. None of us can predict the future, but it sounds as though this has been a life long dream and he doesn't anticipate Mr. Schroeder is going to sell out any time in the near future.

Commissioner Borries asked for a roll call vote. Mr. Hunter - yes. Mr. Hunter also commented, "I picked up a Westside Improvement Association Newsletter this afternoon and read through it and they were vocal in their opposition to Mr. Schroeder. And if I read it correctly, Mr. Schroeder volunteered to judge some Westside Improvement Association contest. So, Mr. Schroeder, you must be the shrewdest businessman I've ever run into."

Commissioner Tuley, yes. Commissioner Borries, yes. President Borries declared the petition approved by unanimous affirmative roll call vote and said he is sure Mr. Schroeder is going to stay a long time and asked Ms. Horning to tell all her friends to buy his product so he can stay in business. All he wants is their neighborliness and their business.

VC-15-93/Petitioner, Aaron Enterprises (Third Reading): The meeting continued with Mr. Borries stating common known address is 7720 S. R. 57 and the requested zoning is from Agricultural to M-2.

Attorney Marc Fine approached the podium, introduced himself and said he represents Aaron Enterprises. This property is located off Birch Park Drive, which is an industrial park directly across from the airport. This particular parcel of ground is only accessible through the parking lot of the facility operated by Sub-Tech. They acquired this property in 1991 and they are occupying it through the entity of Aaron Enterprises. Sub-Tech operates an environmental services company. They do underground storage tank removal and other environmental remediation. In 1991, when they moved into the property they had twenty (20) employees and currently have forty-three (43) employees and expect within the next year to have approximately sixty (60) employees. They need additional parking space for their employees and that is specifically why they need this land. The property is located adjacent to their existing building and the closest other usage here is -- 75 ft. away there is a residence (Mr. Croft) and he has, in fact, supported the petition -- although he is not present tonight. Tom Gabe is the president of Sub-Tech and he is here tonight and would be happy to answer any questions the Commissioners might have. Ideally, some day there might be further expansion, but for the foreseeable future it is going to be parking.

Commissioner Borries asked if there are any persons who wish to remonstrate at this time. There being none, a motion was entertained.

Motion was made by Commissioner Tuley to approve petition VC-15-93, with a second from Commissioner Hunter.

President Borries asked for a roll call vote. Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries. Petition approved by unanimous affirmative roll call vote.

RE: EMERGENCY MANAGEMENT AGENCY/EARTHQUAKE DRILL

Mr. Sherman Greer, Director of the Emergency Management Agency, was recognized and reminded the Commissioners that the earthquake drill will begin at 7:30 a.m. this coming Saturday (October 23rd). If

they will come out to the 4-H Center he will give them a free helicopter ride. (Commissioner Hunter said he plans to be there; he's never been in a helicopter.) The helicopters will be landing in Stocker field, and will be bringing in a response team from the State Emergency Management Agency. In an actual incident what they would want to do is take elected officials and do an air reconnaissance of the damage that has been done within the area -- whatever type of disaster -- so they can see for themselves what magnitude it may be. A lot of work has been put into this drill by the State Emergency Management Agency and from the Local Emergency Management Agency. They have been allotted approximately \$150,000 by the Federal Government to stage this drill. Not only are we having a drill in the Evansville area -- a 7.5 earthquake in this area -- but there are also going to be simulated tornados ripping through the central part of the state. So the State Emergency Management Agency will be going in two different directions to test their system as much as we will be testing our system here. They've been working day and night trying to get things together. They have the 4-H grounds, where they will be simulating collapsed buildings. The biggest problem he has right now is that he is setting up a field hospital -- in case our hospitals go out we have to have some idea as to how we can set up a field hospital. They are going to run about 150 patients through the field hospital; 150 patients total, because we're also going to be drilling in the City at the State Hospital grounds and taking 25 patients to each of the three local hospitals. His immediate problem is that he is running short on victims. He has about 75 signed up and needs 150 more. In 1990, they were running about the same and the day of the drill they were coming out of the woodwork and we wound up with about 300. He'll be doing a media blitz on this the rest of the week. He and his staff have been working on the plan for Evansville and Vanderburgh County for about two months and the Commissioners can see this has taken a lot of work. They're coordinating this with the National Guard and the State Emergency Management Agency and the Federal Emergency Management Agency. He has provided the Commissioners with a CEO blue booklet, so if he calls them at 3:00 a.m. and says we have a disaster in a designated location, there are certain questions they really want to ask him. This booklet has a card in it which they can remove and start asking pertinent questions at that time. If at all possible, they should make a copy and put it in their billfold. He carries one in his billfold, because if he gets called at 3:00 a.m. he wants to be able to ask intelligent questions. Should we have some disaster, he thinks this would be helpful to the Commissioners in their endeavor.

President Borries thanked Mr. Greer.

Mr. Greer said they will also be running an Emergency Operation Center in the basement where they will be running drills and invited the Commissioners to come down there. He has 150 scenarios that will be running this city ragged. All of the department heads will be down there and will be doing problem solving at that time. The operations in the basement, the operations at the 4-H Center and the operations at the State Hospital will all be going on simultaneously. In addition to the 150 scenarios he has, the State Emergency Management Agency will be throwing in about fifty more. Everything should be concluded around 2:00 p.m.

Commissioner Borries will be out of town, but Commissioners Hunter and Tuley indicated they will try to be on hand. Mr. Borries said this is something we don't like to consider, but without these kinds of plans we could be in great difficulty some day. He again thanked Mr. Greer for his efforts.

RE: SHERIFF'S DEPARTMENT/VOLUNTARY PAYROLL DEDUCTION LIFE INSURANCE PROGRAM

The meeting continued with President Borries stating the Sheriff's Department has asked to have a voluntary payroll deduction life

insurance program implemented in their department. He then entertained a motion to approve the request.

Motion to approve made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

County Auditor Sam Humphrey asked if that can be extended to other departments.

President Borries said he doesn't see why it couldn't and Commissioners Hunter and Tuley said they are sure the agent would be glad to make this available to other departments.

Auditor Humphrey said it is his understanding that the life insurance policy can be taken with you when you leave.

Commissioner Hunter said that is correct and that is the beauty of this.

RE: OLD BUSINESS

Commissioner Borries entertained matters of Old Business to come before the Board. There were none.

re: NEW BUSINESS

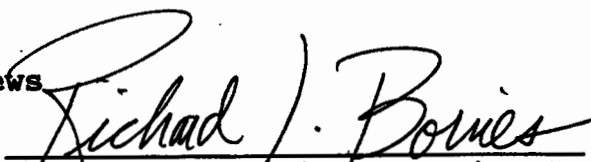
Matters of New Business to come before the Board were entertained. There were none.

President Borries said it has been a good evening -- the Board has had a good meeting. He then declared the meeting adjourned at 7:35 p.m.

PRESENT:

Richard J. Borries
Patrick Tuley
Don Hunter
Sam Humphrey
Alan M. Kissinger
John Stoll
Bill Morphew
Mark Abell
Daryn Burgdorf
Sherman Greer
Barbara Cunningham
Bev Behme
Simon Oeth
Forest Brumbaugh, Attorney
Marc Fine, Attorney
John & Tammy Schroeder
Tom Gabe/Aaron Enterprises
Annice Horning
Jackie Hurt
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

October 18, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Any group/individual wishing to address the commission
 - B. Open Bids:
 - 1) Title Search Services in Connection with 1993 Tax Sales
 - C. Roger Lehman, C.B.O./Building Commission
re: Request approval of House Moving Permit Application
 - D. Daryn S. Burgdorf/Purchasing
re: Specification Approval for VC 9402

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney
Mark Abell ----- Superintendent of County Buildings
Bill Morphew ----- County Garage
John Stoll ----- County Engineer
*See attached engineer requests

6. CONSENT ITEMS

- A. Travel/Education Requests:
Knight Township Assessor (1) Health (4)
- B. Employment Changes:
see attached
- C. Council Call
- 1) Health Department/Transfer of Funds
2) County Commissioners/Appropriations
- D. Claims for payment:
- 1) Given & Spindler.....6,252.89
* Reimbursement for expenses
- 2) Given & Spindler.....2,518.75
* 10% management commission

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

REZONINGS AT 7:00 PM

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY SURVEYOR OFFICE

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
106/112	JEFFERS, WILLIAM	6608 KEMBLE DRIVE	CHIEF DEPUTY	28,887.00	10/12/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
106/112	HARTMAN, DAN	722 COLLEGE HWY	EXECUTIVE I	37,311.00	10/11/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Robert W. Brun

DATE 10-13-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300221	Kovana Pagett		Custodian	23000.00	9-24-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Ray Damm

DATE 10-8-93

SCHEDULED MEETINGS

Mon	Oct	18	County Commissioners: Executive Session	4:30 PM/Auditorium	
			County Commissioners	5:30 PM/Auditorium	
			Auditorium Task Force	6:00 PM/Auditorium	
			Rezoning	7:00 PM	RM 307
Tues	Oct	19	County Insurance Committee	9:00 AM	RM 303
Thurs	Oct	21	County Employee Steering	9:00 AM	RM 303
			Pigeon Creek	5:00 PM	RM 307
Mon	Oct	25	County Commissioners	5:30 PM	RM 307
			Drainage Board Immediately Following		
Wed	Oct	27	County Council		
			Personnel/Finance	3:30 PM	RM 301

MEMORANDUM

TO: Board of Commissioners of Vanderburgh County
FROM: Alan M. Kissinger, Vanderburgh County Attorney
SUBJECT: County Surveyor's Employees
DATE: October 15, 1993

In response to your request that I research the role of the County Commissioners in the appointment of certain county employees, please consider the language of I.C. 36-2-16-5(a):

The County Surveyor may appoint one (1) first or chief deputy, if authorized by the county fiscal body, and also may appoint the number of other full or part-time deputies and employees authorized by the county fiscal body.

Prior to the 1993 amendment of the statute, it was required that a Deputy County Surveyor had to be a competent civil engineer. As I have previously advised, that requirement was removed by the 1993 amendment.

To exclude any doubt, it is my opinion that the County Commissioners may not refuse to approve the County Surveyor's appointment of an employee, unless some other unusual circumstance, such as the inability to perform the duties of the job, should intervene.

The fact that the Commissioners are required to approve the employment of a Surveyor's employee does not mean that the County Commissioners are the hiring authority. The required approval constitutes only a ministerial act on the part of the Commissioners which allows the employee's name to be placed on payroll, etc.

It is my opinion that it would be a direct violation of the statute cited above for the Commissioners to refuse to approve the appointment of a County Surveyor's employee, assuming that the employee is qualified for the job.

If you wish to discuss this matter in further detail, I will make myself available at your convenience.

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**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**AGENDA
AUDITORIUM TASK FORCE
OCTOBER 18, 1993
6:00 PM**

1. INTRODUCTIONS
2. REMARKS BY THE COMMISSIONERS
3. INTRODUCTION OF THE CHAIRMAN
4. POSSIBLE DIVISION OF THE TASK FORCE INTO COMMITTEES
5. TOURS OF THE FACILITY



**BOARD of
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of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

RMA

AUDITORIUM TASK FORCE

- 1) **DICK HARRIS, Geologist**
305 N First Avenue Evansville, Indiana 47708
- 2) **ROLLAND ECKELS—** *RETIRED - EXEC. - Bristol-Myers Squibb*
1405 East Meade Drive Evansville, Indiana 47714
- 3) **LOU IACCARINO, Insurance Agent**
c/o Torian Hoffman & Dillow Insurance
800 Sunset Avenue Evansville, Indiana 47713
- 4) **JON HILL**
c/o Voters Registration
Room 101
Civic Center Complex Evansville, Indiana 47713
- 5) **IRA NEAL—** *RETIRED - EVSC - DIRECTOR, FEDERAL PROJECTS*
329 Holly Hill Drive Evansville, Indiana 47710
- 6) **MARVALINE PRINCE, Community Activist/Paralegal**
c/o Legal Services Organisation
101 Court Street Evansville, Indiana 47708
- 7) **JERRY SCHEIDLER, Nutrition Program Director/Event Chairman**
c/o SWIRCA
7 SE ML King Blvd Evansville, Indiana 47708
- 8) **JOHN BEARD—RET**
11707 Browning Road Evansville, Indiana 47711
- 9) **BEVERLY BEARD—** *MEMBER, EV. Philharmonic Bd. of DIRECTORS*
11707 Browning Road Evansville, Indiana 47711

- 10) AMY WALKER, Director
Public Education Foundation
PO Box 1163 Evansville, Indiana 47706
- 11) LORI CLOUSER, Director
Arts Council of Southwestern Indiana
312 Court Building Evansville, Indiana 47708
- 12) JIM REIS
c/o Reis Catering
4301 Westwood Drive Evansville, Indiana 47720
- 13) PETE HELFRICH, Director
Evansville Convention & Business Bureau
623 Walnut Street Evansville, Indiana 47708
- 14) RANDY BROWN - *Business Agent* - *Chm. - BLDGS-GROUNDS* -
c/o Plumbers & Steamfitters
2300 St. Joe Avenue Industrial Park
 Evansville, Indiana 47720
- 15) JOE VEZZOSO, General Manager
River House Restaurant
20 Walnut Evansville, Indiana 47708
- 16) ANDY LINDAUER - *Chairman* -
c/o Central High School/English Department
5400 First Avenue Evansville, Indiana 47710
- 17) ED ZIEMER, Sales Manager
Browning Ferris Industries
2017 N Fares Evansville, Indiana 47710
- 18) BOB REID, Vice-President Academic Affairs
USI
8600 University Blvd. Evansville, Indiana 47712
- 19) JOY DELUC, Principal
Stockwell Elementary School
2501 N Stockwell Road Evansville, Indiana 47715
- 20) HELENE HUNTER, Principal
c/o Christ the King School
3101 Bayard Park Dr Evansville, Indiana 47714

- 21) GENE LATHAM, Manager
c/o Atlas Office Supplies
255 S Garvin Evansville, Indiana 47713
- 22) MIKE HINTON, Executive Vice Pres./Chief Administrative Officer
c/o Old National Bank
420 Main Evansville, Indiana 47708
- 23) RAY ARENSMAN - *RETIRED - PROF. EMERITUS - ECONOMICS*
2334 E Gum Evansville, Indiana 47714
- 24) DEBBIE CASTRALE, Mgr of Communications and Community Relations
c/o Whirlpool
5401 US 41 North Evansville, Indiana 47727-0001
- 25) DR. TOM TOPPER - *PRESIDENT-ELECT EV. PHILHARMONIC ORCH.*
c/o Evansville Surgical Associates
611 Harriet Evansville, Indiana 47710

PROJECT: PERFORM TITLE SEARCHES
IN CONNJUNCTION WITH 1993 TAX SALES


✿ ✿ ✿ ✿ ✿ ✿

[illegible]

ACTION TAKEN: _____

CITY—COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

To: Board of County Commissioners
From: Daryn S. Burgdorf, Purchasing 
Date: Friday, October 15, 1993
Re: Specification Approval for VC 9402

Attached, please find a copy of the proposed specifications concerning the bid for GUARD RAILS, POSTS, END SECTIONS, & VARIOUS PIPE MATERIALS for your review. These specifications are the same as the ones used for last years bid.

At the Board meeting on Monday, October 18, 1993, I will be requesting to advertise for this bid on Thursday, October 21 and Thursday, October 28, 1993 with the bid opening date to be set for Monday, November 8, 1993.

If you have any questions, I may be reached at 426-5495.

cc: Mr. Rick Borries, President
Mr. Pat Tuley, Vice President
Mr. Don Hunter, Member ✓
File (2)

CITY OF EVANSVILLE/VANDERBURGH COUNTY
DEPARTMENT OF PUBLIC PURCHASE

SPECIFICATIONS

Bid No.: VC 9402

Opening Date: Monday, November 8, 1993 - 5:30 p.m.

Dates Advertised: October 21 & 28, 1993

Bid Item(s): Guard Rails, Posts, End Sections, & Various Pipe
Material

Term of Bid: January 1 through December 31, 1994

GENERAL CONDITIONS

1. Brand names of parts, assemblies, accessories, fittings and/or other items set forth in these specifications are not intended to be discriminatory, but are for the sole purpose of describing the quality, size, design and capacity of the items desired.
2. Warranty information must be included.
3. Estimated delivery time must be stated.
4. Any exceptions to the specifications hereinafter provided must be noted on a separate sheet entitled "Exceptions to Specifications." Failure to include an exception sheet means that the bidder shall comply 100% with the specifications set forth.
5. Manufacturer specifications and other relevant information must be included in the bid package submitted.
6. Where delivery is requested, separate delivery costs must be stated (e.g. per ton, per item, etc.)
7. Installation costs, where applicable, must be listed separately with any terms and conditions which are applicable.
8. The Board of County Commissioners reserves the right to reject any and all bids.
9. The Board of County Commissioners reserves the right to award bid items by line item to different vendors.

MINIMUM SPECIFICATIONS:

All material must conform to the Indiana Department of Transportation Standard Specifications.

For purposes of submitting a bid bond, the bidder should anticipate expenditures for the items listed below to be \$40,000. This amount is an estimate only and bidders shall agree that the County Commissioners reserve the right to order any quantities desired.

Bidders are requested to submit unit prices on the following items:

<u>ITEM</u>	<u>DESCRIPTION</u>
-------------	--------------------

1.	ALUMINUM CULVERT PIPE: Supplier shall list price per linear foot, diameter and gauges of pipe proposed to be supplied.
----	---

2.	PRE-COATED GALVANIZED STEEL CULVERT PIPE: Supplier shall list price per linear foot, diameters and gauges of pipe proposed to be supplied as specified below.
----	--

All pipe furnished under this specification shall meet following requirements:

Thickness of plastic coating shall be ten (10) mils minimum on the interior of the pipe and three (3) mils minimum on the exterior to meet the requirements of AASHTO M246 Type B and Federal Specification W-P-450B. The base sheet shall be annular corrugations with riveted seams meeting the requirements of AASHTO M218 and ASTM A444.

3.	SMOOTH WALL POLYETHYLENE CULVERT PIPE: Supplier shall list price per linear foot and diameters of pipe proposed to be supplied as specified below.
----	---

Polyethylene pipe furnished under this specification must meet the following requirements:

ASTM F405, ASTM F667, AASHTO M252, AASHTO M294. The pipe furnished under this specification shall have a smooth walled interior and will be furnished in lengths up to and including twenty feet (20').

4.	REINFORCED CONCRETE CULVERT PIPE: Supplier shall list price per linear foot and diameters of pipe as specified below.
----	--

Reinforced concrete pipe furnished under this specification must meet the following requirements:

ASTM C76 Reinforced Concrete Culvert, Storm Drain, and Sewer Pipe: Covers reinforced concrete pipe intended to be used for the conveyance of storm water and for the construction of culverts.

Class II, III, IV and V - 12 through 144 inches in diameter.

5. ALUMINIZED TYPE II COATED STEEL CULVERT PIPE

Supplier shall supply price per linear foot and diameters of the pipe proposed to be supplied as specified below.

Pipe supplied under this specification must meet the following requirements:

Indiana Department of Transportation specifications for Aluminized Type II coated steel culvert pipe. Certification shall be provided for each shipment.

6. BITUMINOUS COATED GALVANIZED STEEL CULVERT PIPE

Supplier shall supply price per linear foot and diameters of the pipe proposed to be supplied as specified below.

Pipe supplied under this specification must meet the following requirements:

Indiana Department of Transportation specifications for Bituminous coated galvanized steel pipe. Certification shall be provided for each shipment.

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PRICE</u>
7.	10 Gauge Guard Rail 12'-6" Galvanized with Hardware Shop Curved Galvanized with Hardware	_____ per foot
8.	12 Gauge Guard Rail 12'-6" Galvanized with Hardware Shop Curved Galvanized with Hardware	_____ per foot
9.	End Sections Standard End Wings/Terminal End Section Transition End Section with 1" x 6" diameter rod Terminal End Section Flare	_____ each _____ each _____ each
10.	Posts - Galvanized with Hardware 4" x 6" x 5'-9" 6" x 6" x 6'-3"	_____ each _____ each
11.	Offset Brackets 4" x 6" 6" x 6"	_____ each _____ each
12.	"C" Splice Plates	_____ each

VENDOR

DATE

ADDRESS

TELEPHONE

TO: Mark Abel, ADA Coordinator

FROM: Jan Everson, Interpreter Coordinator

RE: Purchase of Service Agreement

DATE: October 8, 1993

Deaf Social Service Agency for the Tri-State, Inc., d/b/a Resource Agency-Deaf and Hard of Hearing (R.A.D.H.H.) agrees to provide qualified Sign Language Interpreters/Transliterators to:

Vanderburgh County Commissioners Office

Room 305 Civic Center Complex

Evansville, IN 47708

and any other sites or locations where services may be provided by said organization.

Services may be obtained during business hours, 8:00 - 5:00 Monday through Friday by contacting R.A.D.H.H. at 425-2726 voice, and 425-2841 TTY/TDD. For emergency situations after hours, contact the individuals listed below, starting from the top, for interpreting services.

Jan Everson - 477-0335
Terri-Lynn Becker - 474-9519
Chris Wigginton - 421-9337

For TTY/TDD Relay Services for Deaf/Hard of Hearing or hearing persons call:

1-800-743-3333 24 hour service

Auxiliary aid services will be provided on an "as needed" basis with appropriate, agreed upon charges for lease or purchase of equipment and/or services. Charges for interpreting services for Calendar Year 1993 are:

Vanderburgh County - \$25.00/hour with a one hour minimum
Gibson, Posey, Warrick Counties - \$30.00/hour, 2 hour minimum
Pike, Spencer Counties - \$35.00/hour, 2 hour minimum
All other counties - \$40.00/hour, 2 hour minimum

Daily rates can be negotiated for situations lasting over six hours. For situations lasting over two hours it is strongly encouraged to consider having two interpreters as most interpreters are capable of no more than two hours of continuous work without experiencing symptoms of RMI (Repetitive Motion Injury).

Cancellation of interpreting services must be done at least (48) hours prior to the contracted service time and date. Last minute cancellations (less than (48) hours of scheduled time and date) will result in a billing to your facility of a one hour

minimum for situations contracted between (1) and (3.75) hours, and a (2) hour minimum billing for situations scheduled for (4) hours or more.

This agreement is ~~binding~~ for two years, at which time it may be renewed. This agreement may be terminated at any time by written or publicly published notice of not less than (30) days.

It is the responsibility of the contracting party to disseminate the information and procedures for obtaining services contained herein to the appropriate departments within their organization/Facility.

In-services and presentations may be provided to your Facility to enhance understanding and awareness of the requirements for accessibility of services for Deaf and Hard of Hearing individuals and their families.

Additional terms of contract:

N/A

If this contract is acceptable, sign both copies, retain one for your office files and return one to R.A.D.H.H.

This agreement effective only if signed by both parties.

Richard L. Bonies
Administrator
Vanderburgh County
Facility

10-18-93
Date

Jan Everson
Director-Interpreting Program
Resource Agency-Deaf & Hard of
Hearing

10/8/93
Date

CITY OF EVANSVILLE
INTER-DEPARTMENTAL MEMORANDUM

DATE: October 11, 1993

TO: Board of County Commissioners

FROM: Building Commissioner, Roger L. Lehman, C.B.O.

SUBJECT: HOUSE MOVING PERMIT APPLICATION

FROM: 129 S. RED BANK RD. **TAX CODE:** 07-097-068

TO: 5501 UPPER MT VERNON RD. **TAX CODE:** 07-285-004

We have received the attached request from Marty Girtten of Girtten House Moving and Dozer Service to move a single family dwelling to the above referenced location. They plan to move this dwelling on approximately October 25, 1993. Request approval of application.

RLL:kek

Encl.

Girten House Moving & Dozer Service

Route 1 Box 194 • Waverly, KY 42462
(502) 389-2640

MOVING PERMIT APPLICATION: Request permission to move a single family dwelling.

129 S. Red Bank Rd
FROM: Lloyd Expressway & Redbank Rd.

TAX CODE: 7-97-68

TO: 5501 Upper Mt. Vernon

TAX CODE: 7-285-4

ROUTE: From the N.W. corner of the Lloyd Expressway & Redbank Rd., go North on Redbank Rd. to Upper Mt. Vernon Rd., go West to new location.

APPROXIMATE DATE OF MOVE: 10/25/93

We will notify the police and the fire dept. on the day before the move.

Thank you,

Marty Girten
Marty Girten

Approved
10/18/93
C. Morris

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 10/15/93 **DEPARTMENT:** Knight Township Assessor

EMPLOYEE(S): Al Folz

DATE(S) OF TRAVEL: October 21 and 22, 1993

DESTINATION: Indianapolis, Indiana

PURPOSE: STB Utility Meeting

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: Yes

MEANS OF TRAVEL **COUNTY VEHICLE NUMBER:** _____
OTHER: _____

REIMBURSEMENT CLAIMED	<input checked="" type="checkbox"/> <u> </u> Mileage	<input checked="" type="checkbox"/> <u> </u> Parking
	<input checked="" type="checkbox"/> <u> </u> Per diem	<u> </u> Registration
	<u> </u> Air fare	<u> </u> Other

APPROVED: Shirley Rooden
Department Head Chief Deputy

APPROVED: Al Folz
Office Holder

APPROVED BY:
VANDEBURGH COUNTY COMMISSIONERS this _____ day of _____, 1993

RICHARD J. BORRIES, PRESIDENT

PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 10-8-93 DEPARTMENT: HEALTH

EMPLOYEE(S): CHRIS BOROWIECKI, DWAYNE CALDWELL, GEORGE THOMPSON

DATE(S) OF TRAVEL: THURSDAY, OCTOBER 21, 1993

DESTINATION: MADISON, IN

PURPOSE: SOUTHERN CHAPTER, IEHA

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: NONE

MEANS OF TRAVEL COUNTY VEHICLE NUMBER: 873
OTHER: _____

REIMBURSEMENT CLAIMED

_____ Mileage	_____ Parking
_____ Per diem	_____ Registration
_____ Air fare	_____ Other

APPROVED: 
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this _____ day of _____, 1991

Carolyn McClintock, President

Don Hunter, Vice President

Richard J. Borries, Member

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: October 13, 1993 DEPARTMENT: Health - Nursing *CEB*

EMPLOYEE(S): Denise Paul

DATE(S) OF TRAVEL: Friday, October 22, 1993

DESTINATION: Indiana Interchurch Center, Indianapolis

PURPOSE: Reimbursement for Prenatal Care Coordination Services
~~Medicaid~~

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: No

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: 873
OTHER: _____

REIMBURSEMENT CLAIMED

_____ Mileage	_____ Parking
_____ Per diem	_____ Registration
_____ Air fare	_____ Other

APPROVED: *Sam Elder*
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this _____ day of _____, 199

RICHARD J. BORRIES, PRESIDENT

PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 10-8-93 DEPARTMENT: HEALTH

EMPLOYEE(S): CHRIS BOROWIECKI, DWAYNE CALDWELL, GEORGE THOMPSON

DATE(S) OF TRAVEL: THURSDAY, OCTOBER 21, 1993

DESTINATION: MADISON, IN

PURPOSE: SOUTHERN CHAPTER, IEHA

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: NONE

MEANS OF TRAVEL COUNTY VEHICLE NUMBER: 873
OTHER: _____

REIMBURSEMENT CLAIMED

_____ Mileage	_____ Parking
_____ Per diem	_____ Registration
_____ Air fare	_____ Other

APPROVED: *Don Hunter*
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this _____ day of _____, 1991

Carolyn McClintock, President

Don Hunter, Vice President

Richard J. Borries, Member



SOUTHERN CHAPTER COMMUNICATOR

INDIANA ENVIRONMENTAL HEALTH ASSOCIATION
ATTENTION: SOUTHERN CHAPTER COMMUNICATOR

OCTOBER MEETING ANNOUNCEMENT

WHEN: THURSDAY, OCTOBER 21, 1993
WHERE: MADISON, IN/JEFFERSON COUNTY

**CINNAMON TEA ROOM
302 WEST STREET
MADISON, IN
812-273-2367**

SPEAKER: DR. MIKE SINSKO, STATE ENTOMOLOGIST
ISDH

TOPIC: TICKS IN INDIANA

AGENDA

9:00-10:00 <u>SLOW TIME</u>	ARRIVAL/REGISTER COFFEE & YES, DONUTS!
10:00-12:00	SPEAKER
12:00-1:00	LUNCH (ORDER FROM MENU)
1:00-2:00	BUSINESS MEETING

AFTER MEETING PLAN TO TOUR HISTORIC DOWNTOWN MADISON WHICH IS LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES AND HAS BEEN SELECTED AS A "MAIN STREET U.S.A. MODEL CITY" BY THE NATIONAL TRUST FOR HISTORIC PLACES.

REQUEST FOR TRANSFER OF FUNDS

*App'd.
10/18/93
Comptroller*

DEPARTMENT: Health

DATE: 10/14/93

ACCOUNT	LINE ITEM	AMOUNT
FROM: 213.0-000.0-1220	Public Health Nurse	2,084.00
213.0-000.0-1400	Secretary - Nursing	451.00
213.0-000.0-1440	Deputy Registrar	41.00
213.0-000.0-1460	Clinic Clerk	304.00
213.0-000.0-1900	F.I.C.A.	1,324.00
213.0-000.0-1910	PERF	4,560.00
213.0-000.0-1920	Insurance	15,201.00
213.0-000.0-1990	Extra Help	1,695.00
TO: 213.0-000.0-2210	Gas & Oil	500.00
213.0-000.0-3130	Travel	1,100.00
213.0-000.0-3930	Other Contractural	2,300.00
213.0-000.0-4210	Office Furniture	910.00
213.0-000.0-4220	Office Machines	6,490.00
213.0-000.0-4230	Motor Vehicles	14,360.00

EXPLANATION OF NEED FOR REQUEST

213.0-000.0-2210 and 3130. Underbudgeted; 213.0-000.0-3930. Ventilation System - TB;
213.0-000.0-4210. 2 letter file cabinets w/locks. 1 legal file cabinet, w/lock and printer
stand; 213.0-000.0-4220. Networking Vital Records. 2 casino calculators; 213.0-000.0-4230.
Vector Control Truck

BALANCE OF ACCOUNT

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER TRANSF

DEPARTMENT HEAD: Sam E. Elder, by [signature]

App'd
10/18/93
Consent
Spencer

REQUEST FOR APPROPRIATION

DEPARTMENT: County Commissioners **DATE:** 10/18/93

ACCOUNT	LINE ITEM	AMOUNT
1300-1930	Unemployment	5,000.00

EXPLANATION OF NEED FOR REQUEST

Account is low and we are expecting claims at the end
of the year.

BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPE
1300-1930	25,000.00	20,702.00	4,297.35	9,297.35

Richard J. Bonies
DEPARTMENT HEAD: _____

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, OCTOBER 8, 1993 THRU THURSDAY, OCTOBER 14, 1993

FRIDAY, OCTOBER, 8, 1993

Grader and six crews graded and rocked roads in bottoms.
Two patch crews worked in the bottoms.
One crew cleaned paver.
Weed crew worked on Felstead, Hogue, Five Dollar and Creamery.
Mower worked on Old Petersburg Road.

MONDAY, OCTOBER 11, 1993

Paver, roller and nine crews paved County Line East.
Tiger Mower and weed crew worked on Middle Mt. Vernon, Peerless,
and Eichoff.
Two patch crews worked on Big Schaeffer.
Gradall and one crew worked at 3430 Boonville New Harmony.

TUESDAY, OCTOBER 12, 1993

Paver, roller and nine crews paved County Line East.
Gradall and one crew worked on New Maple and Huebbner.
Patch crews worked on Big Schaeffer.
Tiger mower and weed crew worked on Hogue and Creamery.

WEDNESDAY, OCTOBER 13, 1993

Paver, roller and eleven crews paved County Line East.
Gradall and one crew worked on Huebbner.
Patch crews worked on Big Schaeffer.
Tiger mower and weed crew worked in Hogue and West Terrace Dr.

THURSDAY, OCTOBER 14, 1993

Paver, roller and eleven crews paved County Line East.
Gradall and one crew ditched and widened Huebbner.
Patch crew worked on work orders.
Weed crew worked at garage.

VANDEBURCH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, OCTOBER 8, 1993 THRU THURSDAY, OCTOBER 14, 1993

FRIDAY, OCTOBER 8, 1993

Crew #1 - install culvert at Glenwood Estates, saw Meadowdale Ct., 8101 Petersburg Road and 6500 Meadowbrook.
Crew #2 & #3 - clean and wash bridges.

MONDAY, OCTOBER 11, 1993

Crew #1 - install pipe at 3430 Boonville New Harmony Road.
Crew #2 - blow out pipe, install wall in yard.
Crew #3 - cut weeds on Waterworks, Weinbach, Fuguay and Green River.

TUESDAY, OCTOBER 12, 1993

Crew #1 - install pipe on New Maple Lane, install concrete pipe on Huebbner Lane.
Crew #2 & #3 - pick up guardrail on Boonville New Harmony.

WEDNESDAY, OCTOBER 13, 1993

Crew #1 - install culvert on Huebbner and Green River, saw on Weathersfield and Newport.
Crew #2 & #3 - finish drop boxes on Nolan, haul off concrete, install riprap, reflectors and deflectors on Boonville New Harmony East.

THURSDAY, OCTOBER 14, 1993

Crew #1 - wack Nolan Ave on new shoulder, install reflector on Boonville New Harmony, weed eat Kansas from Green River to Browning.
Crew #2 & #3 - rip rap Huebbner pipe, install deflectors on Boonville New Harmony, weed eat St. Joe and Darmstadt.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street • Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 • Tel. (812) 424-9603

Vanderburgh County Engineering Department

Agenda for October 18, 1993

1. North Green River Road change order for \$4,395 for erosion control straw bales.
2. Awarding of county garage roof repair to Preferred Construction.

INDIANA DEPARTMENT OF TRANSPORTATION

CHANGE ORDER

Project No. MAM-E340 (6) Contract No. R-19511

Change Order No

Whereas, the Standard Specifications for this contract provides for such work to be performed, the following change is recommended. (Give location, description and reason)

DUE TO NEW EROSION CONTROL PLANS REQUIRED TO MEET RULE 5 GUIDELINES
ADDITIONAL PAYMENT IS DUE TO NEW ITEM STRAW BALES.

ITEM NO.	DESCRIPTION OF ITEM	UNIT PRICE	INCREASE		DECREASE		% CHANGE	
			QUANTITY	AMOUNT	QUANTITY	AMOUNT	THIS C.O.	TO DATE
	STRAW BALES	\$ 14.65	300 EACH	\$ 4395.00			100%	100%
PLACE "EW" FOR EXTRA WORK ITEMS PLACE "FA" FOR FORCE ACCOUNT ITEMS			TOTALS		4395.00			
			NET INCREASED DECREASED		ESTIMATED COST \$ 4395.00			

It is the intent of the parties that this change order is full and complete compensation for the work described above. Notification and consent to this change in plans is hereby acknowledged. /

Contractor Koester Contracting By James R. Heron Date 6/22/93

Submitted For Consideration	
PE/S	D.E.
AE	CONST. ENGR.
DCE	CHIEF DIV.

Richard J. Bonies
Natural History
~~Exhibit~~

Approved for Indiana Department of Transportation

(SIGNATURE) _____ (TITLE) _____ (DATE)

Form Prescribed by the
State Board of Accounts

1245

Revised County
Form No. 17

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME Given & Spindler Management, Inc.

1867

On Account of Appropriation for 1440-3790 Auditorium (Professional Services)

Invoice No.	Itemized Claim	Amount	
	Reimbursement for expenses per contract		
	dated April 6, 1992 between Given &		
	Spindler Management Co. and the County		
	Commissioners.	\$6252	89

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Sander J. Teton
Name
General Manager
Title

Date October 14, 19 93

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME Given & Spindler Management, Inc.

1867

On Account of Appropriation for 1440-3790

Invoice No.	Itemized Claim	Amount	
	Third quarter 10% management commission		
	per contract dated 4-6-92.		
	Total income for this quarter - \$25187.46		
	10% of total income for this quarter	\$2518	75
		\$2518	75

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Sandra Toton
Name

General Manager
Title

Date October 14, 1993

Rental Income

July 1, 1993 to September 30, 1993

Date	Tenant	Auditorium	Gold Room	Meeting Rooms	Other
July 2 1993	S.W.I.R.C.A.		450.00		
July 9 1993	Selective Staffing		750.00		
July 13 1993	Gold Room Catering/Chamber		256.98		
July 19 1993	Kristy Lands		100.00		
July 19 1993	Mike Dewolf (Lands)		100.00		
July 21 1993	National Electronic Sales		450.00		
July 21 1993	Auditor of State of Indiana		225.00		
July 30 1993	National Electronic Sales		1350.00		
	total(s) for July 1993		3681.98		
Aug 2 1993	Eric Schmidt	513.00			
Aug 12 1993	H+H Music		800.00		
Aug 12 1993	Welborn Foundation	500.00			
Aug 12 1993	Sigeco		200.00		
Aug 13 1993	Public Education Foundation	3200.00	700.00		
Aug 19 1993	Coin Club		362.50		
Aug 19 1993	Gold Room Catering/Ottobama		127.80		
Aug 25 1993	Bee-Kay		500.00		
Aug 25 1993	S.W.I.R.C.A.		450.00		
Aug 27 1993	Living Arts for Students	550.00			
Aug 30 1993	T & D Promotions		1000.00		
Aug 31 1993	Tim Meyers		200.00		
Aug 31 1993	Julie Dewolf		200.00		
Aug 31 1993	Gold Room Catering/Will		2254.25		
Aug 31 1993	Gold Room Catering/Craft Show		181.94		
	total(s) for August	4763.00	7076.19		
Sept. 10 1993	Diamond Gem's		375.00		
Sept. 14 1993	H+H Music		1945.12		
Sept. 14 1993	WFIE TV 14	2060.00			
Sept. 20 1993	Young Life		210.00		
Sept. 20 1993	Evansville Philharmonic	200.00			
Sept. 22 1993	S.W.I.R.C.A.		450.00		
Sept. 22 1993	University of Evansville		999.00		
Sept. 22 1993	Kelli Payton		150.00		
Sept. 27 1993	Coin Club		362.50		
Sept. 27 1993	Youth Inc.	495.00			
Sept. 27 1993	Christian Life Center		200.00		
Sept. 27 1993	Evansville/Vand. School Corp.		379.67		
Sept. 30 1993	Evansville Philharmonic	1540.00			
Sept. 30 1993	T & D Promotions		300.00		
	total(s) for September	4295.00	5371.29		

total(s) for July, August, September 1993

9058.00

16129.46

POLLING PLACES
NOVEMBER 2, 1993
SPECIAL ELECTION

NOTICE IS HEREBY given by the Board of Commissioners of Vanderburgh County, Indiana, pursuant to Indiana Code 3-11-6-3.2 that the places of voting in the precincts of Vanderburgh County, Indiana, for the November 2, 1993 Special Election are as follows to-wit:

WARD ONE

1-1 EASTERN HEIGHTS BAPTIST CHURCH
6300 WASHINGTON AVE
1-2 PEACE LUTHERAN CHURCH
200 S. BOEKE ROAD
1-3 EASTERN HEIGHTS BAPTIST CHURCH
6300 WASHINGTON AVE
1-4 EASTERN HEIGHTS BAPTIST CHURCH
6330 WASHINGTON AVE
1-5 PEACE LUTHERAN CHURCH (LOCATED IN 1-2)
200 S. BOEKE ROAD
1-6 PLAZA PARK SCHOOL
7201 LINCOLN AVENUE
1-7 PLAZA PARK SCHOOL
7201 LINCOLN AVENUE
1-8 HARRISON HIGH SCHOOL (LOCATED IN 1-11)
211 FIELDING ROAD
1-9 PLAZA PARK SCHOOL (LOCATED IN 1-10)
7301 LINCOLN AVENUE
1-10 PLAZA PARK SCHOOL
7301 LINCOLN AVENUE
1-11 ALDERGATE UNITED METHODIST CHURCH
8130 LINCOLN AVENUE
1-12 HARPER SCHOOL (LOCATED IN 1-2)
21 S. ALVORD BLVD
1-13 MCGARY SCHOOL (LOCATED IN 1-17)
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1-14 HOSE HOUSE NO 18
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1-15 DEXTER SCHOOL
917 S. DEXTER AVENUE
1-16 DEXTER SCHOOL (LOCATED IN 1-15)
917 S. DEXTER AVENUE
1-17 MCGARY SCHOOL
1838 S. JOYCE AVENUE
1-18 HORIZON HOMES RECREATION CENTER
1480 LUTHER SQUARE
1-19 MCCULLOUGH LIBRARY
5118 WASHINGTON
1-20 FIRST CHURCH OF THE NAZARENE
8100 NEWBURGH ROAD
1-21 HOSE HOUSE NO 8
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2-4 WASHINGTON MIDDLE SCHOOL (LOCATED IN 2-6)
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2-17 LIFE IN ABUNDANCE CHRISTIAN CENTER (LOCATED IN 2-15)
2323 SOUTH WALNUT LANE
2-18 HOSE HOUSE NO 18
1711 SOUTH WENBACH AVENUE
2-19 SALVATION ARMY
2212 LODGE AVENUE
2-20 PARLAWN SCHOOL AUDITORIUM
2021 SOUTH ALVORD BLVD
2-21 PARLAWN SCHOOL AUDITORIUM (LOCATED IN 2-20)
2021 SOUTH ALVORD BLVD
2-22 VETERANS OF FOREIGN WARS (LOCATED IN 2-18)
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3-2 ST. JOSEPH CATHOLIC CHURCH
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3-4 NORTH HIGH SCHOOL WEDDING AVENUE ENTRANCE
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3-6 NORTH HIGH SCHOOL ANNEX
1800 STRENGTH ROAD
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3-8 HOWARD ROCKA SCHOOL
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3-9 PETERSON GOLF COURSE CLUB HOUSE (LOCATED IN 3-28)
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4-18 ST. JAMES UNITED METHODIST CHURCH
1041 WASHINGTON AVENUE
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4-21 FIRST PRESBYTERIAN CHURCH
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860 S. EIGHTH STREET
4-23 NATIONAL GUARD ARMORY

201 S. ROTHERWOOD AVE
4-24 BOSSE HIGH SCHOOL
1300 WASHINGTON AVENUE
4-25 EASTSIDE BAPTIST CHURCH
1014 S. HANLAN AVENUE
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5-7 BETHLE UNITED CHURCH OF CHRIST
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5-8 BETHLE UNITED CHURCH OF CHRIST
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6311 KRAVITZ ROAD
5-20 HARDWOOD MIDDLE SCHOOL
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**MINUTES
COUNTY COMMISSIONERS MEETING
OCTOBER 25, 1993**

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MINUTES
COUNTY COMMISSIONERS MEETING
OCTOBER 25, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, October 25, 1993 in the Commissioners Hearing Room with President Richard Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Rick Borries called the meeting to order, welcomed those present, introduced members of the County Staff (Mark Abell, Attorney Alan Kissinger, Commissioner Tuley, himself, Commissioner Hunter, Auditor Sam Humphrey and Joanne Matthews, Recording Secretary) and asked the group to stand for the Pledge of Allegiance.

Mr. Borries subsequently asked if there are any individuals/groups present who wish to address the Commission but do not find their particular item of interest on tonight's agenda.

RE: COMPLAINT RE ACORN COURT/ENCROACHMENTS ON EASEMENTS
- GLENN WOOD

Mr. Glenn Wood was recognized, approached the podium and stated he resides at 2949 Acorn Court in Vanderburgh County. He comes before the Board this evening, having tried several avenues to correct a combination of problems. He saw a sign out front that says you're not supposed to beg, so he won't. But he is asking for the Board's help and guidance. As the Commissioners can see from David Savage's results here, there are several encroachments on easements, etc. He won't read them, but the primary one he is coming to the Commissioners and/or the Drainage Board on concerns the item of the driveway of their property and their sidewalk at the home they had constructed approximately two and a half years ago. As can be seen from the drawing -- and he has taken the liberty to yellow in the 21 inch drainage pipe -- they have a problem at their home, which they plan to live in. It is not built to re-sell. It is built to live in. But realizing sales do come up, the problem exists that their driveway is 5.7 ft. or approximately 6 ft. onto the drainage easement (and their sidewalk and their basketball goal). As a homeowner, he can move the basketball goal. The kids won't like it, but he can move that. He can have the tree moved and he can move the 4 inch roof drain. But it is almost impossible to move a driveway. If the driveway would have to be moved 5.7 ft. to the west, it is very impossible to come out of the driveway from the garage. They don't know what to do. That is why he is here tonight. He started to come last week, but the Board had a long agenda. As property owners, they had the home built by Mr. Jim Fuquay -- a name he thinks the Commissioners have heard previously. It was accepted by the County -- or he assumes the drainage, the lot, etc., was accepted by the County due to codes. He guesses he raises the question of what can the Board as County Commissioners, do to help them? What would they recommend? Or what would they recommend as the Drainage Board? Another question is, why was this accepted in this flaw area? With the driveway and things like that built onto an easement? The yellow marking is a 21 inch drain which drains approximately one-half to two-thirds of that subdivision. It all enters underground or above ground in the drive or the street to that little curb inlet and they've already twice had water into their driveway and their house. But that is another issue. Is there any type of corrective measure that the three Commissioners could recommend, or offer guidance and/or help -- due to the fact that it is in an easement and the driveway is improperly placed according to County and/or State codes?

Commissioner Borries said, "Well, I will start by thanking you for coming, Mr. Wood. I guess what has happened here is something that we are trying to address in the future. You see, there is a gap in here. When we approve a drainage plan in a separate meeting or when a subdivision is looked at and approved, it is a concept and at that point it does not contain any structures on it. It then becomes the responsibility of the builder to build as he has set it out on that subdivision plot or on the drainage easement. He didn't build it right. And so, in effect, what has happened here is that something that we approved didn't end up 'as built'. We don't usually see the final plot where the structures are or anything like this unfortunately. Once they get the subdivision approved, they then divide them up and at that point the subdivision may be recorded down in the Recorder's Office, but that is really the last time we see it. So I don't know. You can almost say there is a gap in here that is something that we may need to consider in the future. You hope these things never happen, because you hope that the builder will measure correctly and do what he is supposed to do or she is supposed to do in terms of putting it on the lot as it was drawn and as it was designed. That just didn't happen here. So I'm not trying to get out of the responsibility, I am just saying that what happens in a situation like this is not your fault -- and I guess we can't accept responsibility in the sense that we just never see them again. Once we approve the drainage plan or once we approve the -- I guess what I am saying is that we don't see the property improvements."

Mr. Wood asked, "Is it proper or improper for me to request a drainage variance so that we won't have to dismantle the front of our house -- from the County Commissioners and the Drainage Board?"

Mr. Borries responded, "I think you're going to have to do that. Now, on some of the other structures I'm wondering, do they have to go to the Board of Zoning Appeals on something like this, Alan?"

Attorney Kissinger commented, "Yes. John (Stoll), do you have something to offer?"

Mr. Stoll stated, "I've spoken to Mr. Wood about this and from what I can gather from the Area Plan Commission, there was no specific procedure to get an encroachment permit or a variance into a drainage easement."

Mr. Borries said, "He built it wrong. He didn't measure it right. If you knew what you were doing, you'd get a variance. If you didn't know what you were doing...."

Mr. Stoll interrupted, "There are several problems. The pipe wasn't centered within the easement anyway. So since the whole pipe is technically on Mr. Wood's neighbor's property, there is no way they're going to be able to get any equipment in there and do any maintenance to that pipe ever -- without going onto private property. They'd be outside the easement just by the location of that pipe. So the 6 ft. of easement on Mr. Wood's side has certainly no purpose for the most part, other than probably for a minimal amount of surface drainage. We talked about several things -- whether or not the easement could be vacated through a replatted subdivision, whether or not Mr. Fuquay could put into an escrow account to cover any future replacements of the driveway if somebody had to go in and do any repairs to the pipe, we discussed a bunch of options and really didn't know what the best solution was. As best as I could find out from Area Plan, there was no provision for an encroachment or a variance."

Attorney Kissinger stated, "I think that your remedy is with the builder. Without saying more, I think the remedy is with the builder. However, I think the County Commissioners are advised that this is not something that was done by you intentionally or even negligently. And I feel relatively certain that if there is

any way we can legally cooperate with you in your efforts, I would recommend that the Commissioners do that."

Commissioner Borries asked, "Would he have to go before the Board of Zoning Appeals to get a variance?"

Attorney Kissinger responded, "According to what John says, there is no such variance available."

Mr. Hunter asked, "Could he go before that Board with a recommendation from this Body that it be granted?"

Attorney Kissinger replied, "They don't have anything to grant. The variance that he would be seeking is not available to anyone. There is no such variance."

Commissioner Tuley asked, "How could your driveway be reconstructed?"

Mr. Wood replied, "Not just the driveway, but the walk to the front, etc. You're really talking about removing all of the concrete and re-doing it. You would have to move the driveway -- looking at it from the position you are -- to the left 6 ft., to be out of the unused easement."

Attorney Kissinger said, "One thing I would advise you, any changes that you make, or ultimately if no changes are made -- but I assume some are going to be made -- keep a record of this and those changes, so you can advise any prospective buyer in the future or you may have headaches that will last you out into infinity."

Mr. Wood said, "That is the ultimate problem I am trying to avoid."

President Borries said, "I guess -- and I thought about that after Alan began to talk about the variance -- normally when you go to the Board of Zoning Appeals, again you are planning to seek a variance. Unfortunately, you just inherited all of these problems and they were already built -- and that is not the procedure that the BZA would be able to look at. They look at proposals to make a variance."

Commissioner Hunter said, "I might add that I have been in contact with Mr. Savage as well as Mr. Wood on this thing -- and if I understood Mr. Savage correctly, there was a foot mistake on the other side of your property that had to be corrected at the house adjacent to you."

Mr. Wood confirmed that is correct.

Mr. Hunter continued, "So this is the second mistake on that particular one that we know of."

Mr. Wood said, "Well, there are other problems as we go around the cul-de-sac, but I am speaking about ours tonight."

Mr. Hunter asked, "Other problems with regard to the easement, etc.?"

Mr. Wood responded, "I've got copies of them here, but won't get into them unless you all want to. Well, I shouldn't because it's not my property. But there are three other pieces of property that have mail boxes built on adjoining property -- that were constructed by Mr. Fuquay's people. The lot next to us (Lot #38) was also surveyed by Dave Savage and his people. The lot next to #38, which I guess would be Lot #37, has shrubbery and landscaping onto the property line -- not the easement line but the property line -- of Lot #38. But my immediate problem is this driveway in a 6 ft. easement."

Commissioner Hunter asked Attorney Kissinger if the developer isn't liable for this?"

Attorney Kissinger replied, "The developer or the builder."

Mr. Hunter said he thinks it is one and the same in this case.

Attorney Kissinger said, "Then I would definitely say yes -- if they're one and the same party."

Mr. Hunter asked, "Is there no statute of limitations?"

Attorney Kissinger said, "There may be a statute of limitations, but the statute of limitations doesn't begin to run until the problem is found."

In response to query from Commissioner Hunter, Mr. Wood said the problem was discovered on 9/17/93.

President Borries said, "I think we can't take action in this portion of our meeting tonight, since some of this would involve a drainage matter. But I will be happy to say we will take this under advisement and, in no case, I can assure you will we make you tear up your driveway or at this point be liable for or responsible for anything here that was not of your making. I mean you didn't do this deliberately. You know, it could have been error on their part -- but as a private matter, since easements - particularly in the County -- we always assume they are put there for public use when, in fact, they are privately maintained -- since the County does not maintain easements. We constantly are having a hassle in terms of drainage easements because we do ask for voluntary compliance and sometimes they are not in compliance. Again, in this case, this is something that simply was not your fault. I think, as Alan has pointed out, you may want to consider your own private legal action if you decide to do that -- because obviously there have been some errors made here -- because the thing simply wasn't built as it was originally shown on the plat. We'd had no way of knowing this until a final drawing was submitted with the house and all the other structures on it."

Mr. Wood stated, "I won't bore you people -- the original plat plan was right, as designed -- and I assume his people drew the plat plan or someone at Right Lumber Company drew it -- and it was okay per plat plan site drawing. But thank you very much for your time."

Mr. Borries continued, "Well, we'll certainly work with you. We will take this under advisement and work with John to see what kind of remedies, if any, we can do. But we will assure you that we are not going to -- well, I can only speak as one individual -- but there would be no intent of our penalizing you for something here that you called to our attention something that is an error."

Mr. Wood said, "My ultimate problem is if I wanted to sell the property to anyone."

Commissioner Hunter said, "Mortgage insurance would be hard to obtain because of this. Do you have it now, Glenn?"

Mr. Wood replied they do have title insurance -- but they received the title insurance prior to construction.

Mr. Hunter asked "If I were buying this house from you I couldn't get title insurance, could I?"

Mr. Wood replied, "It would be very difficult because of that easement. I have title insurance and in there it does state they are certifying true title exclusive of any easements, etc. So that would have to come up -- and I don't think I could sell because

they couldn't get title insurance. And that is where the ultimate problem comes up."

Mr. Stoll commented, "From what I can gather in talking to Glenn, this easement is not one where the 50 cents per lineal foot was paid by the developer. So it is not the County's easement. But, again, there was no Homeowner's Association set up to maintain this -- so I don't really see anything coming up where either the County or Homeowner's Association would be getting in and tearing up the driveway soon, but....."

Mr. Tuley interrupted, "But I would say that to protect your investment you need to do something -- go right back to that developer and that builder."

Mr. Wood again thanked the Commissioners and they thanked him for calling this matter to their attention.

RE: AUTHORIZATION TO OPEN BIDS RE TELECOMMUNICATIONS
EQUIPMENT FOR THE COUNTY & LIQUID ASPHALT

Mr. Daryn Burgdorf of the Purchasing Department was recognized and stated that bid VC9324 is for the Telecommunications Equipment for the County offices. He believes we received three bids.

Motion was made by Commissioner Hunter to authorize the County Attorney to open the said bids, with a second from Commissioner Hunter. So ordered.

Mr. Burgdorf said he is also requesting the Board authorize the County Attorney to open the only bid received with regard to Liquid Asphalt for 1994.

Motion to this effect was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Mr. Burgdorf said he would like to take all of the foregoing bids under advisement and get back to the Board next week with a recommendation. Permission was so granted.

RE: ORDINANCE AMENDING CHAPTER 72, SCHEDULE II OF THE COUNTY
CODE OF ORDINANCE - SECOND READING

President Borries said he has an Ordinance that Joanne Matthews, the Legal Secretary who goes through all these ordinances, advises the First Reading was held on October 11th and this is the Second Reading. Final Reading will be on November 1st. The said Ordinance basically changes traffic control signs in the County at selected intersections, which have been reviewed and recommendations given. Any time you change these, it amends the Code of Ordinances. He then asked John Stoll if there are other changes.

Mr. Stoll said there are others which were missed, and we'll get them the next time around. The ones he really wanted to get at were Royal and Virginia, so when Virginia Street gets extended it is on the list. He subsequently has found four others which need to be added. He now has another revision of the Stop Sign Ordinance ready to go. He would appreciate the Board approving the subject Ordinance on Second Reading, which will take care of that list of stop signs. The other ordinance he has includes roads in addition to those.

Mr. Borries entertained a motion.

Motion to approve the Ordinance on Second Reading was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: VANDEBURGH AUDITORIUM - SANDRA TOTEN

President Borries said Sandra Toten was to be here this evening with regard to a department head report and also a request to go on Council Call. With the Board's permission, he would defer these matters to November 1st.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Acceptance of Checks: Mr. Abell said he needs to submit quietuses for checks accepted during the course of the week. He also has a check from Attorney Kevin Bryant to be quietused in. He thought Jayne Berry Bland was going to be here to talk about this.

Commissioner Borries said she will be here next week.

United Way Campaign: Mr. Borries said he knows Mr. Abell is moving ahead with the United Way Campaign, because he received his pledge card today. Again, the Commissioners are encouraging County offices to participate this year so we can increase our participation in this community exercise.

Mr. Abell said the drive will be over at the end of this week.

RE: COUNTY HIGHWAY GARAGE - BILL MORPHEW

Weekly Progress Report: Mr. Borries noted Mr. Morphey has submitted the weekly progress report for period October 15th thru October 21, 1993.....report received. Mr. Borries said the report shows work being done in all parts of the County. The crews probably ran into some heavy rains last week.

Paving Program: In response to query from Commissioner Borries, Mr. Morphey said they moved the equipment today. They have three roads to be done on the West Side -- Woods Avenue, and two rock alleys in that area. If at all possible, he wants to pave those this year. It is quite a chore to get a grader in there and maintain a rock alley. Once we pave it, he believes we won't have that problem. They hope to accomplish this within the next week. He has five roads yet to be paved -- including the three on the west side -- and he has Barbara Lane and Maple Lane yet to be paved.

Request To Go On Council Call: Mr. Morphey said he is requesting permission to go on Council Call to transfer money from the Bituminous Account into an Equipment Account, so he can look at purchasing trucks.

Motion to authorize Mr. Morphey to go on Council Call was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Erosion Control Project/Armstrong Township: Commissioner Hunter said he attended a ribbon cutting ceremony last Thursday on an erosion control project in Armstrong Township. Mr. Morphey is still scheduled for Sainthood among those people out there. He doesn't think he's ever seen anything where people are as appreciative as they are at having gotten that County Line Road paved.

RE: COUNTY ENGINEER - JOHN STOLL

Ordinance Amending Chapter 72, Schedule II: Mr. Stoll said all he has today is the Stop Sign Ordinance revisions, where we'd adding Castlebrook Rd., Schlensker Rd., Royal Avenue & Virginia Street, Lincoln Pointe Boulevard, Shoshoni Drive, etc.

Mr. Borries said we'll have to advertise these, correct?

Mr. Stoll confirmed that it is correct. With all the new subdivisions coming in, he's trying to avoid making revisions once a month to the ordinance. This one was mainly to address the Royal Avenue & Virginia Street intersection, knowing there will be a lot of traffic on Virginia Street once it is completed. He thought he'd better get that revision in there now.

Motion to authorize advertising of the subject Ordinance was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Boonville-New Harmony Rd. & Old Petersburg Rd.: Mr. Hunter asked whether Mr. Stoll has had a chance to go out to Boonville-New Harmony and Old Petersburg Rd. where accidents have been taking out utility poles for two weeks? He mentioned this to Bill Morpew.

Mr. Stoll said they looked into that and are requesting some changes in the warning signs. They will also look into the possibility of installing some guard rail if it is necessary. They are going to put a supplemental speed limit warning sign underneath the curve warning signs -- probably at 25 mph, as opposed to the 35 mph or 45 mph which is currently out there. After those accidents happened he was out there. There were wet leaves all on the pavement, which he knows compounded the problems.

Mr. Hunter said they've had accidents going in each direction during the last two weeks and they just slide across -- going considerably more than 35 mph or 45 mph.

Mr. Stoll says they've already looked into it and he believes the request for the change in signs has already been sent over to Traffic Engineering.

Mr. Hunter said he appreciates Mr. Stoll checking on this, as Mr. Hoffman was very unhappy. He said if this were Whirlpool, this would have been straightened out weeks ago or something to that effect. So anything we can do, he would appreciate it.

Mr. Abell commented he also contacted Evansville Urban Transportation and they indicated they'd look into the number of accidents, as well.

Mr. Hunter said he talked to the Sheriff's Department the other night. We really need to get a handle on that. According to Mr. Hoffman the accidents occur with great regularity. However, the Sheriff's Department didn't seem to think that was the case. Nonetheless, there were two accidents in a relatively short time that took out two utility poles. SIGECO is considering stationing a truck and crew there.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Reading of Bids/Telecommunications System: Attorney Kissinger reported the following bids were received:

1) Ohio Valley Communications	\$102,369.25
2) Southwestern Communications, Inc.	\$ 78,580.25
3) VanAusdall & Farrar, Inc.	\$ 67,465.00

Attorney Kissinger said the above were total bids and he should note at this point there were also several unit prices bid. He believes that is why Daryn Burgdorf requested that these be taken under advisement. There will have to be a comparison made between the total prices and the unit prices.

Motion to refer the bids to Mr. Burgdorf for his expertise and a recommendation was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Reading of Bid/Liquid Asphalt: Attorney Kissinger said the sole bid was received from J. H. Rudolph & Co., Inc. in the amount of \$26,750.00.

Motion to refer the bid to Mr. Burgdorf for his review and a recommendation was made by Commissioner Hunter and seconded by Commissioner Tuley. So ordered.

Stop Sign Ordinance: Attorney Kissinger said the Stop Sign Ordinance does have a penalty provision and it does have to be advertised twice.

Ordinance to Amend Title III of the Code of Ordinances: Attorney Kissinger said as a point of explanation, Section 31.39 presently establishes control of County Parks within Vanderburgh County, sets out the duties of the Parks Manager and establishes terms and conditions of the County Parks & Recreation Advisory Committee. This first ordinance is designed merely to repeal that portion of the Code of Ordinances (Section 31.39) that deals with the County Parks & Recreation Committee. It continues -- or it will continue after the amendment -- to set out the duties of the County Parks Manager and to establish control of County Parks within Vanderburgh County.

Ordinance Amending Chapter 31 and Establishing Section 31.41: As an adjunct to that Ordinance, he recommends the Commissioners approve for advertising the next Ordinance to Amend Title III, which would be an amendment to Chapter 31, County Officials, and would establish Section 31.41, which would be entitled Parks & Recreation Advisory Committee, to re-establish the Parks & Recreation Advisory Committee and to set up specific conditions for its continuance and to do away with the need for re-establishing the Parks & Recreation Advisory Committee on an annual basis.

Motion authorizing the Secretary to set Hearing Dates and advertise these ordinances was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

FCC Form 328: Mr. Kissinger said this is a form that is required to be filed by anyone who is already a franchising authority for a cable system within the community or anticipates becoming a franchising authority for a cable television system within the community. This is the required form to allow us to adopt necessary rules and certification under the U. S. Code for the purpose of controlling or regulating cable television systems within Vanderburgh County. This form does not give us the authority to do so. We are merely required to file this form so that any regulations that we may choose to adopt and administer will be allowed under the appropriate section of the U. S. Code and he has prepared this for the signature of the President of the Vanderburgh County Board of Commissioners. As he says, this doesn't commit us, but he does recommend that the Commissioners approve this for signing so it can be sent in to the Federal Communications Commission. The reason for that is so we won't lose our opportunity and that must be filed on or before October 30th.

Motion to approve the Franchising Certification Request form was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Request for Authority to Settle the Case of Board of Commissioners of Vanderburgh County vs. Koch: Attorney Kissinger said this was a condemnation case for the amount of \$5,700. That case has been settled and the Commissioners can anticipate a claim in the amount of \$2,500, which is the balance of the settlement judgment and it probably will be coming through next week's meeting.

Indiana Law re Purchase of Materials, Equipment: President Borries said that after discussion with the Commissioners, last week he

asked that Attorney Kissinger review and advise the Board as to what the current Indiana Law said regarding the purchase of materials and equipment by Vanderburgh County officials and employees. This, of course, would also include officeholders and department heads. He has researched this and found the following, specifically I.C., 36-2-6-16(c) provides, in part, as follows:

"Only the executive may purchase supplies and materials that are to be paid out of the County Treasury. These supplies and materials may be purchased only on the written requisition of the officer, employee or department for whose work they are considered necessary."

Then, of course, the term "executive" as he cites, refers to this Board -- the Board of County Commissioners. He goes on then to define "materials" as everything, including paper clips, motor vehicles, etc.

What we do here, obviously through centralized purchasing, is authorize that as officeholders and other departments work through their budgets that these things can be purchased and so we give an authorization to do so through the centralized purchasing office. Now it further writes that in most cases the County Commissioners are also required to comply with the various Indiana statutes regarding competitive bidding, which we do, when purchasing materials. All of this, again, as he has pointed out, puts us kind of at an arm's length away through the centralized purchasing for most of these items.

Now, Indiana Case Law then has held that County officeholders and employees are not legal agents of the County Commissioners for the purpose of making purchases of materials and services and that the County cannot be compelled to pay for the materials and services if they have not been properly requisitioned and approved. Case Law also indicates that officeholders or employees may be held personally liable for payment for unapproved purchases.

I.C. 36-2-4 provides that claims for payment of funds out of the County Treasury can be allowed only at regular or special meetings of the County Commissioners.

The County insurance agent has advised the County Commissioners that, in case of motor vehicles, our liability insurance policy covers only those vehicles that are properly titled and registered to Vanderburgh County.

Commissioner Borries said what the Commissioners are going to request is that each officeholder and department head prepare a motor vehicle assignment report and forward it to the County Commissioners office as soon as possible. Maybe there needs to be some discussion among the Commissioners as to how soon we want this. Each report would contain the following information on each vehicle assigned to their office or department.

- 1) The Year and the Model (for example, 1993 Ford)
- 2) Type of Vehicle (Pick Up Truck, for example)
- 3) Vehicle Identification Number
- 4) Vehicle Registration Number
- 5) The entity to which the vehicle is titled; and,
- 6) Whether the vehicle is assigned to an officeholder or an employee as a "take home" vehicle.

Once we get that information the Commissioners can begin to review these and he encourages the Board to do so. Mr. Borries then asked the other Commissioners for a deadline.

Mr. Tuley asked how soon the memo can be put into everyone's hands.

Mr. Borries said as soon as the Board agrees to move forward -- he would think it could be done within this week. It was the consensus of the Commissioners that if Mr. Abell will see that the memos are hand delivered tomorrow, that next Monday night would be an appropriate deadline.

Attorney Kissinger recommended adding a paragraph before the memo goes out and he will get said paragraph to the Commission office early in the morning.

President Borries continued, "Law Enforcement is, of course, a separate nature in and of itself. I think we're really concerned -- and I'm sure the Sheriff can prepare this, but I'm not sure he falls under the same statutes as a Law Enforcement Officer as what you have in other County offices. Again, we need to get this information and keep in on file for future reference to make sure that -- particularly in these tight budgetary times -- that purchases are being made properly and going through the proper channels. County government is certainly a unique animal in structure with so many officeholders -- but this Board, like it or not personality wise -- there is only one County Executive and that happens to be we three at this time. And this is what we are requesting. I think it is reasonable and certainly gets back to the point and answers questions about things that may be purchased by the County. With the other Commissioners' permission, the Board will issue the memo this week."

RE: CONSENT AGENDA

President Borries noted he would add one item to the Consent Agenda, that being affixing signatures to the minutes of October 11th.

Sale of Surplus Vehicles: Commissioner Borries said that sometimes when we sell surplus vehicles there seems to be some confusion -- Auditor Humphrey had discussed with the Commissioners -- or at least discussed with him -- when a vehicle is declared surplus by the County, with as much stuff as is owned by the County, oftentimes do you still have titles down in the Auditor's office that don't belong to a vehicle or, for whatever reason, they are still down in the Auditor's office?

Auditor Humphrey said they have titles down there that no licenses correspond to and they don't know where...

Mr. Borries interrupted, addressing Mr. Abell, and asked, "When you have a surplus sale, how can we get the titles to you? Should you initiate that so you can go down and get those titles? In other words, it is just oversight -- but probably some of these people, as mentioned, use these vehicles for parts cars...."

Mr. Abell interjected, "That is probably what is happening. The ones that we sold this past year -- and this was the only time I'd been involved in the auction -- the ones we sold outright (of course, the buyer has to have that title) and I got copies of that and I brought them to a meeting. So if we actually sell the vehicle I know that is taking place."

Mr. Hunter said, "Unless they part them out, in which case they really wouldn't care, would they? I mean, if they are going to haul that home and part it out, are they even going to bother to get the title?"

Mr. Abell responded, "That is probably what is happening. Either that or we simply parted them out ourselves."

Mr. Morpew noted, "Even if you junk one out you have to have a Disposal Order from the Sheriff's Department and a title. I have two of them at the garage now which are basically a frame. The

Sheriff's Department had already stripped them. I still can't take them to the junk yard. I have to have a Disposal Order from the Sheriff and a Title to dispose of them.

Mr. Hunter asked, "But for an individual who comes out and bids and purchases and drags home and starts taking it apart, is there any way of checking? I don't think they are going to fool with a disposal order, are they?"

Mr. Morpew said they still have to have the title.

Mr. Hunter asked, "But would they even bother to pick it up? That's what we're trying to drive at here."

Mr. Morpew said we still have some junk vehicles at the garage that we're trying to get rid of that came from the Sheriff's Department. We have to have a Disposal Order from the Sheriff's Department. At that time we will take these cars to the junkyard. They are scrap iron. But the title still goes with that vehicle. If we auction a vehicle off, we have to have that title."

Mr. Hunter said, "We do. Does the new owner -- if he is going to junk it out -- is he even interested in picking it up?"

Mr. Morpew said, "Yes, he should have the legal title."

Mr. Hunter said, "But we've got titles laying around with no vehicles."

Mr. Morpew said he doesn't know what has happened in the past. There are vehicles -- he saw a frame to a truck at the garage when he first went to work there four years ago and he is sure that at one time they had a title to that truck. But it was cut up into scrap iron. Now, that left a title laying around with no vehicle. And I'm sure that is not the only one that ever happened to. If you would go out behind the barn at the garage and look at the Chevrolet that the Sheriff's Department brought in there two weeks -- you'd see what I mean. There are no fenders, no doors, no glass, no motor, no bumpers, no trunk, no hood -- it's a roof of a car, a vacant body sitting on a frame.

Auditor Humphrey asked if this was taken from a chop shop.

Mr. Morpew responded negatively, saying it was brought directly from the Sheriff's Department. They have done that several times. This is not the first car they've received in that condition. These cars can't be sold to the public because there is no use for them. The County Highway can't even salvage a part off of them. So we're building up titles again without the vehicle.

Mr. Borries said he doesn't want to belabor this or cause any confusion, but it seems if we have a sale or we're getting ready to dispose of something -- if the guys could just initiate it on their own to go to the Auditor's office and try to get the title....

Mr. Morpew interjected, "We do -- we do. I have an inventory list that included all the items you just mentioned as far as the vehicle I.D. number, serial number, etc. We also have title number. We did a mad search for all of these titles and numbers during the past year because of the new license plates. When we had to have new plates, we had on truck that was legal -- and it was a truck I'd just licensed a few days before that. So it was a mad rush to get everything legalized and get the new plates ordered and on before the deadline. I guess we finally did that. It's just that it took a little while. But I have a complete inventory list of all of this. Now the vehicles we're getting ready to sell (I think there are five of them we're going to sell at this next auction) -- we will search and find the titles for them. One truck that we're going to get rid of has already been through three

different department; we're the last one. And it might take a while to find the title to that truck."

Mr. Borries asked, "Shouldn't all titles be kept in the Auditor's office. I know there is confusion -- but we probably ought to try to get those titles out of there and get something....."

Mr. Abell said when they receive responses from the memo that is going out, perhaps they can then check the titles in the Auditor's office and know what they can throw away because we don't have the vehicles anymore."

Mr. Morpew said there are probably a couple of vehicles at Burdette Park that don't leave the park; and the Sheriff probably has some like that. But he has titles for all the vehicles at the County Highway.

There being no questions concerning the Consent Agenda, a motion was entertained for approval.

Motion to approve the Consent Agenda was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: SCHEDULED MEETINGS

President Borries noted a list of scheduled meetings is attached to the agenda.

RE: OLD BUSINESS

Central Dispatch Ordinance: President Borries said Ms. Matthews has handed him a memo from the City Controller re the Joint Central Dispatch Department Ordinance and he will refer same to Attorney Kissinger.

RE;: NEW BUSINESS

Executive Session: Commissioner Tuley moved to schedule Executive Sessions on November 1st and November 15th at 4:30 p.m. in Room 307 to continue discussion with reference to Pending Litigation and Personnel Matters. Seconded by Commissioner Hunter. So ordered.

There being no further business to come before the Board at this time, President Borries stated the Drainage Board will convene following a brief recess. He then declared the Commission Meeting adjourned at 6:55 p.m.

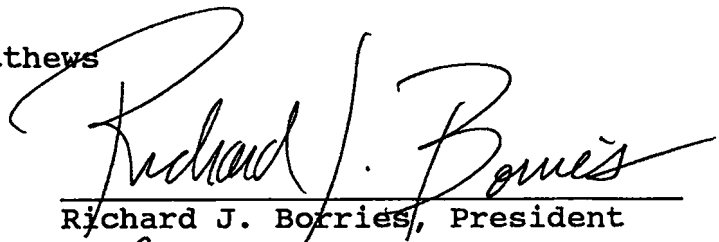
PRESENT:

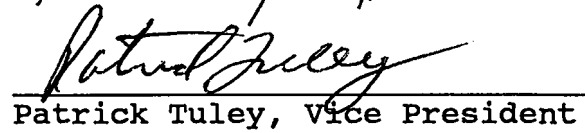
Richard J. Borries
Patrick Tuley
Don Hunter
Alan M. Kissinger
Sam Humphrey, County Auditor
Glenn Wood/Acorn Court
John Stoll/County Engineer
Bill Morpew/County Highway
Jack Waldroup/United Consulting Engineers
Daryn Burgdorf/Purchasing Department
Mark Abell/Supt. County Buildings
Others (Unidentified)
News Media

COMMISSION MEETING
October 25, 1993

13

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

October 25, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - ✓ A. Any group/individual wishing to address the commission — *G. Wood, re
acorn CT. re*
 - ✓ B. Bid Openings: — *DH/PT*
 - 1) Bid # VC9314/Telecommunications Equipment for County Offices
 - 2) Liquid Asphalt — *DH/PT*
 - ✓ C. Ordinance to Amend Chapter 72, Schedule II, of the Code of County Ordinances/Second Reading — *PT/DH*
 - D. Sandra Toton/General Manager, Vanderburgh Auditorium
re: Dept. Head Report/Council Call — *Deferre to 11/1*

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney ✓
Mark Abell ----- Superintendent of County Buildings ✓
Bill Morphew ----- County Garage ✓
John Stoll ----- County Engineer ✓
*See attached engineer requests

6. CONSENT ITEMS

- A. Travel/Education Requests:
Health (3) Auditor (3)
- B. Employment Changes:
see attached
- C. Council Call:
1) Weights & Measures/Transfer of Funds
2) County Commissioners/Appropriation
re: 1300-1930/Unemployment/\$5,000.00
- D. Vanderburgh County Treasurer's Report for month of September
*for acceptance
- E. Health Department Correspondence
re: declaring Vehicle # 488 , Chevy 1/2 ton pick^{up} as surplus
- F. Claim for payment:
1) Kevin Bryant.....1434.72
* attorney fees

7. Scheduled Meetings - List attached ✓

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

DRAINAGE BOARD IMMEDIATELY FOLLOWING

COUNTY ENGINEER'S

CONSENT AGENDA

OCTOBER 25, 1993

1. GREEN RIVER ROAD NORTH
Acceptance of Right of Way Grant - Parcel #37 Schnepfer
2. CLAIMS:
 - U.S.I. & S.R. 62 430 BOND
 - Blankenberger Brothers Inv. #VC R-20697 \$117,430.87
 - Bernardin Lochaueller Inv. #89-24-1(37) \$ 693.50
 - CONTRACTUAL SERVICES 216-3930
 - K & K Excavating (Schmitt Lane) Inv. #989 \$ 1,070.00
 - OHIO STREET BRIDGE #1C 203-4345
 - Bernardin Lochaueller Inv. #91-068-1(16) \$ 471.77
 - VOGEL ROAD BRIDGE #2115 203-4396
 - Concrete Pavers Inv. #1 \$ 32,745.90

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department County Clerk sd

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10101250	Cathy J. Selzer	5505 Washington	Dep. Clerk	14,889.00	10-18-93
10101460	Paulette N. Aders	1271 W. Mill Rd.	Dep. Clerk	14,950.00	10-18-93
10101480	Lois Norman	5724 Bridgeview Dr.	Dep. Clerk	19,571.00	10-18-93
10101500	Doris Parrott	2608 W. Franklin St.	Dep. Clerk	18,835.00	10-18-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10101250	Doris Parrott	2608 W. Franklin St. 3-9-93	Dep. Clerk	17,153.00	10-15-93
10101460	Paulette N. Aders	6 Mo. Step	Dep. Clerk	14,263.00	10-15-93
10101460	Lois Norman	5724 Bridgeview Dr.	Dep. Clerk	17,963.00	10-15-93
10101480	Sharon Stevens	5024 Hogan Rd.	Dep. Clerk	20,523.00	10-15-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 10-18-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department 108 Prosecutor sd

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
103	Terrell R Maurer	6709 Lincoln Ave.	Dep. Pros.	15,254.11/11/92 33,104.00	10-12-93
	(Six Month Step increase)				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
103	Terrell R. Maurer	6709 Lincoln Ave.	Dep. Pros.	14,414.11/11/92 30,109.00	10-12-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Stanley M. Levco DATE 10-20-93
Stanley M. Levco, Prosecutor

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department SCOTT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
116-199	Norma M. Miller	14320 Cemetery Rd.	Deputy Assessor	\$5/HR	10-4-93 ✓
249-116-199	Joelene Reeves	14505 Browning Rd.	Field Deputy	\$7/HR	10-4-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE 10-20-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
260-1350	MATTHEW J. TAYLOR		PROBATION COUNSELOR	5.4314 / HR \$7,166 AN	10-18-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
260-1350	SHEILA EICHMILLER		PROBATION COUNSELOR	\$7,166 AN	10-15-93 ✓
136-1990	MATTHEW J. TAYLOR	Still in 10 on 10/29/93 P.L.	INTERN	\$4.75 HR	10-17-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*
JUDGE, CIRCUIT COURT

DATE 10/19/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.01362 1990	TIMOTHY PIERCE		PART-TIME CORRECTION OFFICER	\$7.00 HR	10-3-93 ✓
505.01362 1990	JEFFREY A. KENDALL		PART-TIME CORRECTION OFFICER	\$5.00 HR	10-4-93 ✓
505.01362 1990	CHARLEY R. PACE		PART-TIME CORRECTION OFFICER	\$5.00 HR	10-11-93 ✓
505.01362 1990	SCOTT E. GILLES		PART-TIME CORRECTION OFFICER	\$5.00 HR	10-5-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.01362 1990	TIMOTHY PIERCE		PART-TIME CORRECTION OFFICER	\$5.00 HR	10-2-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE 10/19/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
260-1520	PAUL WOLLENMANN		PROBATION OFFICER	\$2,000 AN	10-12-93 ✓
505.01362 1150	PAUL WOLLENMANN		PROBATION OFFICER	\$19,000 AN	10-17-93 ✓
136.1-1220	MARALYN WEST	(HASN'T COME UN TO FILL OUT CERTIFIC FORM 10-20-93) (Below JCL 060.)	FULL-TIME CORRECTION OFFICER	\$12,255 AN	10-18-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
260-1520	ROBERT JACKSON		PROBATION OFFICER	\$2,000 AN	10-15-93 ✓
505.01362 1150	ROBERT JACKSON		PROBATION OFFICER	\$19,000 AN	10-15-93 ✓
136.1-1220	PAUL WOLLENMANN		FULL-TIME CORRECTION OFFICER	\$18,584 AN	10-17-93 ✓
505.01362 1990	MARALYN WEST	STILL PAID ON 10/29/93	PART-TIME CORRECTION OFFICER	\$7.00 HR	10-17-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE 10/19/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300065	Daren Harmon		Patrolman	12 9239 26985 00	10-26-93 ✓
105011300221	David Garner		Custodian	11 0153 23000 00	10-11-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300065	Daren Harmon		Probationary Patrolman	12 4449 25985 00	10-25-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Ry Hamner

DATE October 22, 1993

1993

October 31 - December 11

1993

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
October 31 304 / 61 Daylight Savings—set back 1 hour Halloween	November 1 305 / 60 4:00pm Co. Comm. Dept. Head 5:30pm County Commissioners	November 2 306 / 59 Riverboat Gambling Referendum	November 3 307 / 58 3:30pm County Council	November 4 308 / 57	November 5 309 / 56 Pay Day	November 6 310 / 55
November 7 311 / 54	November 8 312 / 53 4:30pm Solid Waste 5:30pm County Commissioners	November 9 313 / 52	November 10 314 / 51	November 11 315 / 50 Veterans Day	November 12 316 / 49 Veteran's Day (observed)	November 13 317 / 48
November 14 318 / 47	November 15 319 / 46 5:30pm County Commissioners 7:00pm Co. Comm. Rezoning	November 16 320 / 45 9:00am County Insurance Committee	November 17 321 / 44	November 18 322 / 43 9:00am Co. Steering Comm. 5:00pm Pigeon Creek	November 19 323 / 42 Pay Day	November 20 324 / 41
November 21 325 / 40	November 22 326 / 39 5:30pm County Commissioners Co. Comm. Drainage Brd.	November 23 327 / 38	November 24 328 / 37 3:30pm Personnel & Finance	November 25 329 / 36	November 26 330 / 35	November 27 331 / 34
November 28 332 / 33	November 29 333 / 32 5:30pm County Commissioners	November 30 334 / 31	December 1 335 / 30 3:30pm County Council	Thanksgiving		December 4 338 / 27
December 5 339 / 26	December 6 340 / 25 4:00pm Co. Comm. Dept. Head 5:30pm County Commissioners	December 7 341 / 24	December 8 342 / 23	December 9 343 / 22	December 10 344 / 21	December 11 345 / 20

MEMORANDUM

TO: Vanderburgh County Office Holders
and Department Heads
FROM: Alan M. Kissinger, Vanderburgh County Attorney
SUBJECT: Purchasing County Materials
DATE: October 18, 1993

The Vanderburgh County Commissioners have requested that I advise you of current Indiana law regarding the purchase of materials and equipment by Vanderburgh County officers and employees:

I.C. 36-2-6-16(c) provides, in part, as follows:

Only the executive may purchase supplies and materials that are to be paid for out of the county treasury. These supplies and materials may be purchased only on the written requisition of the officer, employee, or department for whose work they are considered necessary---. (emphasis added)

The term "executive", as used in the above-cited statute, refers to the County Commissioners.

I.C. 36-1-9-2 defines "materials" as supplies, goods, machinery and equipment. This definition includes everything from paper clips to motor vehicles.

In most cases, the County Commissioners are also required to comply with the various Indiana statutes regarding competitive bidding, when purchasing materials.

Indiana case law interpreting the above-cited statutes, and others, has held that county office holders and employees are not the legal agents of the County Commissioners for the purpose of making purchases of materials and services, and that the county cannot be compelled to pay for the materials or services, if they have not been properly requisitioned and approved. Case law also indicates that office holders or employees may be held personally liable for payment for unapproved purchases.

I.C. 36-2-6-4 provides that claims for payment of funds out of the county treasury can be allowed only at regular or special meetings of the County Commissioners.

The County insurance agent has advised the County Commissioners that, in the case of motor vehicles, our liability insurance policy covers only those vehicles that are properly titled and registered to Vanderburgh County.

It is requested that each office holder and department head prepare a motor vehicle assignment report and forward it to the County Commissioners' office, as soon as possible. Each report should contain the following information on each vehicle assigned to your office or department:

1. Year and model (for example, 1993 Ford);
2. Type (for example, pick-up truck);
3. Vehicle identification number;
4. Vehicle registration number;
5. Entity to which vehicle is titled; and,
6. Whether the vehicle is assigned to an office holder or employee as a "take home" vehicle.

All motor vehicle assignment reports must be completed and delivered to the County Commissioners' office no later than November 1, 1993, at 9:00 A.M.

If I can be of assistance to you in completing these reports, I will make myself available at your convenience.

D. L. SAVAGE ENGINEERING, INC.

P.O. Box 15247

5443 Kiowa Circle

Evansville, Indiana 47716-0247

DAVID L. SAVAGE, P.E., L.S.

(812) 473-0130

TO : Malcolm Gwinn

FROM: David L. Savage

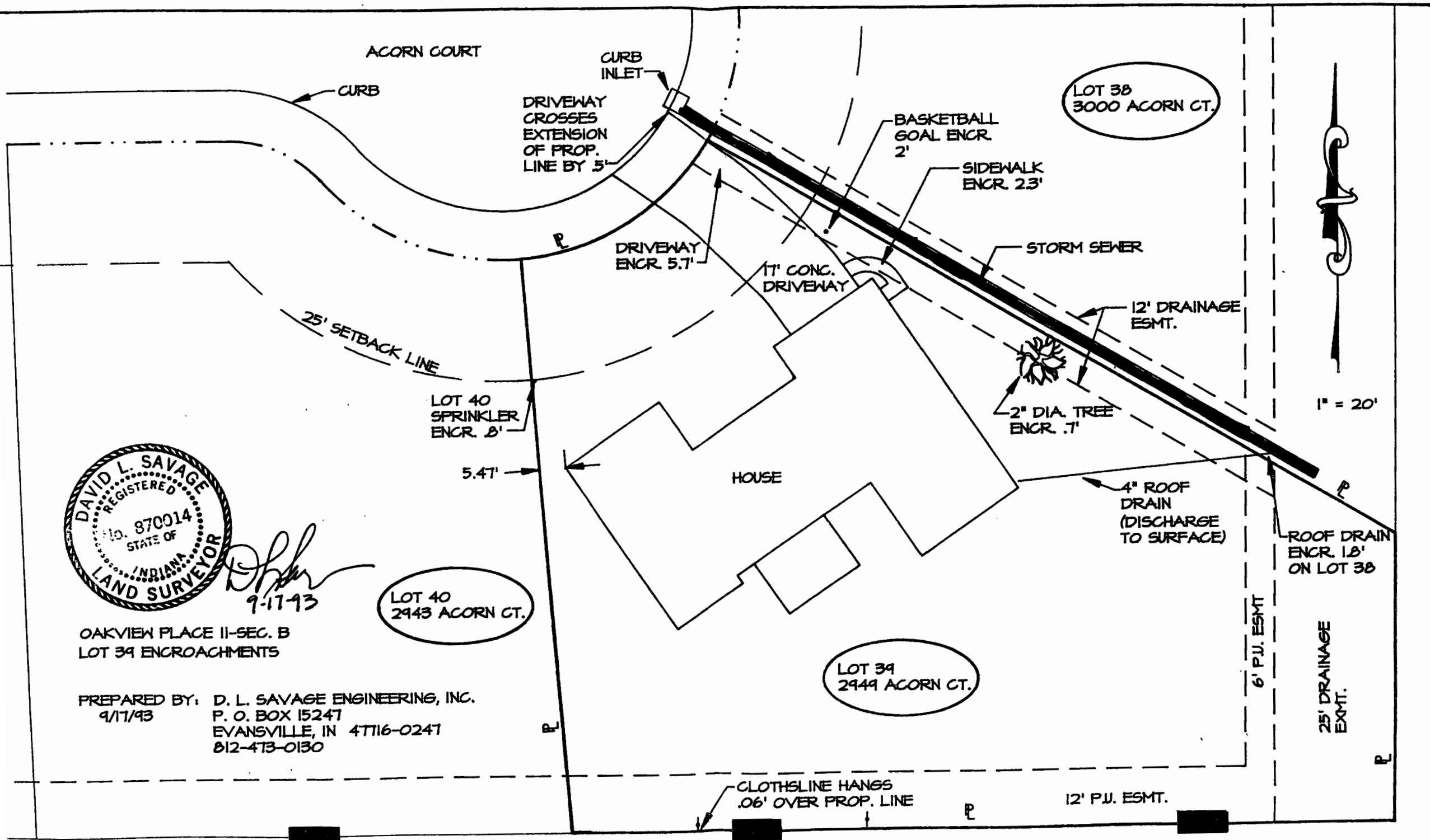
DATE: September 17, 1993

RE : 2949 Acorn Ct.
Lot 39, Oak View Place II-Sec. B
Drainage Easement & Other Encroachments



The following is a list of encroachments found on referenced property.

- Concrete sidewalk at garage encroaches 2.3' on drainage easement
- Basketball goal encroaches 2.0' on drainage easement
- Concrete driveway encroaches 5.7' on drainage easement
- 2" diameter Japanese Maple encroaches 0.7' on drainage easement
- 4" roof drain is installed in drainage easement and extends 1.8' onto Lot 38
- Concrete driveway crosses the extension of northeast property line by .5'. This crossing is in Front of Lot 38 within the street right-of-way.
- Clothesline post at the south property line hangs over the property line 0.06'
- A lawn sprinkler head from Lot 40 encroaches 0.8' onto Lot 39
- The iron pin found at the northwest corner of Lot 39 is 1.1' east of the actual property corner. Based upon this incorrect location, the house corner was 4.79' from the property line, which violated the 5' side setback required by the zoning code. Based upon the correct location, the house is 5.49' from the property line. A new corner pin was set as part of a boundary survey.



OAKVIEW PLACE II-SEC. B
LOT 39 ENCROACHMENTS

PREPARED BY: D. L. SAVAGE ENGINEERING, INC.
9/17/93 P. O. BOX 15247
EVANSVILLE, IN 47716-0247
812-473-0130

For FCC Use Only

CERTIFICATION OF FRANCHISING AUTHORITY TO REGULATE BASIC CABLE SERVICE RATES
AND INITIAL FINDING OF LACK OF EFFECTIVE COMPETITION

1 Name of Franchising Authority Board of Commissioners of Vanderburgh County		
Mailing Address 305 Administration Bldg.		
City Evansville	State In	ZIP Code 47708
Telephone No. (include area code): (812) 426-5241		
Person to contact with respect to this form: Mark Abell		

2. a. Name (s) and address(es) of cable system(s) and associated FCC community unit identifiers within your jurisdiction. (Attach additional sheets if necessary.)

Cable System's Name TCI of Evansville		
Mailing Address 1900 N. Fares Ave.		
City Evansville	State In	ZIP Code 47711
Cable System's FCC Community Unit Identifier: IN 0162		

Cable System's Name		
Mailing Address		
City	State	ZIP Code
Cable System's FCC Community Unit Identifier:		

2. b. Name (s) of system(s) and associated community unit identifier(s) you claim are subject to regulation and with respect to which you are filing this certification. (Attach additional sheets if necessary.)

Name of System TCI of Evansville	Community Unit Identifier IN0162
-------------------------------------	-------------------------------------

Name of System	Community Unit Identifier
----------------	---------------------------

2. c. Have you served a copy of this form on all parties listed in 2.b.?
- ☒
- Yes
- ☐
- No

3. Will your franchising authority adopt (within 120 days of certification) and administer regulations with respect to basic cable service that are consistent with the regulations adopted by the FCC pursuant to 47 U.S.C. Section 543(b)? ☒ Yes ☐ No
4. With respect to the franchising authority's regulations referred to in Question 3, ☒ Yes ☐ No
- a. Does your franchising authority have the legal authority to adopt them? ☒ Yes ☐ No
- b. Does your franchising authority have the personnel to administer them? ☒ Yes ☐ No
5. Do the procedural laws and regulations applicable to rate regulation proceedings by your franchising authority provide a reasonable opportunity for consideration of the views of interested parties? ☒ Yes ☐ No
6. The Commission presumes that the cable system(s) listed in 2.b. is (are) not subject to effective competition. Based on the definition below, do you have reason to believe that this presumption is correct? ☒ Yes ☐ No

(Effective competition means that (a) fewer than 30 percent of the households in the franchise area subscribe to the cable service of a cable system; (b) the franchise area is (i) served by at least two unaffiliated multichannel video programming distributors each of which offers comparable video programming to at least 50 percent of the households in the franchise area; and (ii) the number of households subscribing to programming services offered by multichannel video programming distributors other than the largest multichannel video programming distributor exceeds 15 percent of the households in the franchise area; or (c) a multichannel video programming distributor operated by the franchising authority for that franchise area offers video programming to at least 50 percent of the households in that franchise area.)

Signature <i>Richard J. Borries</i> Richard J. Borries
Title President, Vanderburgh County Board of Commissioners
Date October , 1993

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE
PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE
TITLE 18, SECTION 1001).

Return the original and one copy of this certification form (as indicated in Instructions), along with any attachments, to:
Federal Communications Commission
Attn: Cable Franchising Authority Certification
P.O. Box 18539
Washington, D. C. 20036

CITY—COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

October 1, 1993

Mid-West Telecom
1281 Maxwell Avenue
Evansville, Indiana 47711

To Whom It May Concern:

This letter is to serve as legal notice that the advertisement dates and the bid opening date have been changed for the following bid:

BID NUMBER VC9314

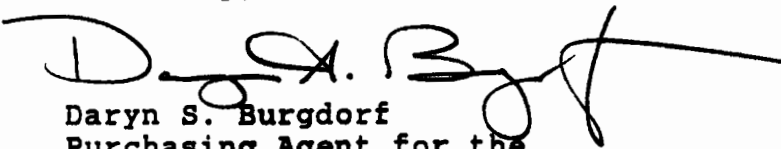
TELECOMMUNICATIONS EQUIPMENT FOR COUNTY OFFICES

The new Advertising Dates are: Wednesday, October 5, 1993
Wednesday, October 12, 1993

The new Bid Opening Date is: Monday, October 25, 1993
5:30 p.m. in Civic Center Room 307

If you have any questions regarding this situation, please contact me at 426-5495.

Sincerely,



Daryn S. Burgdorf
Purchasing Agent for the
City of Evansville and
Vanderburgh County

cc: Mark Abell, Supt. of County Buildings
B.J. Farrell, County Commissioners Office ✓

CITY — COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

**INVITATION FOR BID
NUMBER VC 9314**

Vanderburgh County and/or the City of Evansville, through the Board of County Commissioners invites your bid for the following item(s):

TELECOMMUNICATIONS SYSTEM FOR COUNTY OFFICES

All bids submitted to the Purchasing Department by 5:30 p.m. on October 25, 1993, will be opened in a public meeting to be held in Room 307 Civic Center Complex.

This package includes the following:

1. Instructions to Bidders
2. Bid Proposal Form
3. Equal Employment Opportunity Requirements
4. Form 95 as prescribed by Indiana State Board of Accounts
5. Specifications
6. Notice to Bidders

Questions concerning this invitation for bid may be addressed to the Purchasing Department.

CITY OF EVANSVILLE/VANDERBURGH COUNTY
DEPARTMENT OF PUBLIC PURCHASE

SPECIFICATIONS

Bid No.: VC 9314

Opening Date: Monday, October 25, 1993 - 5:30 p.m.

Dates Advertised: Friday, October 5 & 12, 1993

Bid Item(s): Telecommunications Equipment

GENERAL CONDITIONS

1. Brand names of parts, assemblies, accessories, fittings and/or other items set forth in these specifications are not intended to be discriminatory, but are for the sole purpose of describing the quality, size, design and capacity of the items desired.
2. Estimated completion time must be stated.
3. Any exceptions to the specifications hereinafter provided must be noted on a separate sheet entitled "Exceptions to Specifications." Failure to include an exception sheet means that the bidder shall comply 100% with the specifications set forth.
4. Manufacturer specifications and other relevant information must be included in the bid package submitted.
5. Maintenance costs, where applicable, must be listed separately with any terms and conditions which are applicable.
8. Bidders must provide information concerning warranty.
9. Any bid may be rejected if the bid price exceeds the amount the department has budgeted for this purchase.
10. The Board of County Commissioners reserves the right to reject any and all bids.

CITY—COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN THAT THE DEPARTMENT OF PUBLIC PURCHASE ACTING FOR AND ON BEHALF OF THE BOARD OF COUNTY COMMISSIONERS WILL UNTIL MONDAY, OCTOBER 25, 1993, AT 5:30 P.M. RECEIVE AND PUBLICLY OPEN AND READ SEALED BIDS FOR THE FURNISHING AND DELIVERY OF THE FOLLOWING:

TELECOMMUNICATIONS SYSTEM FOR COUNTY OFFICES

REQUIREMENTS

1. Each bid must be in full compliance with the specifications and executed by the bidder on Standard Bid Form #95, wherein the Non-Collusion Affidavit must be completed in accordance with the Indiana State Board of Accounts.
2. All bids must be accompanied by a Bid Bond or Certified Check payable to the Board of County Commissioners of Vanderburgh County in an amount not less than five-percent (5%) of the total bid amount as evidence of good faith of the bidder and such deposit shall be subject to forfeiture in the event the bidder fails to execute his contract in accordance with his bid.
3. Consideration of applicable taxes shall be observed as covered in the specifications and Bid Forms. In no instance, however, will Federal Taxes or Indiana Sales Taxes be applicable.
4. The Board of County Commissioners of Vanderburgh County reserves the right to award separate contracts for each item and/or the right to reject any and all bids if considered in the best interest of the Vanderburgh County.

DATED THIS 1ST DAY OF OCTOBER, 1993

THE BOARD OF COUNTY COMMISSIONERS
VANDERBURGH COUNTY, INDIANA

Richard Borries, President
Patrick Tuley, Vice-President
Don Hunter, Member

Attest: Sam Humphrey, Auditor

PUBLISH IN THE EVANSVILLE COURIER AND PRESS: October 5, 1993
October 12, 1993

HEALTH DEPARTMENT

INTERDEPARTMENTAL CORRESPONDENCE

Mark Abel
TO: County Commissioners Office DATE: October 21, 1993
George O. Thompson, Supervisor
FROM: Rodent & Vector Control RE: Chevrolet 1/2 Ton Pickup

The Health Department will be declaring Vehicle #488, Chevy 1/2 Ton Pickup (V.I.N. CKL147f396804 as surplus). I will be making arrangements to have it included in the County Surplus Auction this coming spring.

Thank you for your consideration in this matter.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT
FRIDAY, OCTOBER 15, 1993 THRU THURSDAY, OCTOBER 21, 1993

FRIDAY, OCTOBER, 15, 1993

Paver, roller and ten crews paved County Line East.
Gradall and two crews ditched and widened Huebbner Lne.
Two patch crrewws worked on work orders.
Weed crew worked at garage.

MONDAY, OCTOBER 18, 1993

Gradall and two crews worked on Wedeking Ave.
Gradall and one crew placed culvert at 1203 Red Bank Road.
Belt loader, grader and 5 crews pulled shoulders on Pleasant and
Graff Road.
Two patch crews worked on Darmstadt Road.
Mower worked on Seven Hills and McCutchan.

TUESDAY, OCTOBER 19, 1993

Grader and two crews graded and rocked Barberry Lane, Outer
Darmstadt and Maasberg.
Gradall and two crews worked on Cypress Dale.
Gradall and two crews worked on Wedeking.
Two trash crews ran regular routes, and picked up on S. Weinbach,
River Road and Waterworks Road.
One crew spread rock on Grace Lane, Swope, and bus turnarounds on
Old Boonville Hwy.
One crew cleaned paver, and one crew ran telephone line.
Weed crew worked on Swope Lane.

WEDNESDAY, OCTOBER 20, 1993

Nine crews ran through their snow routes.
One crew cut bleeders.

THURSDAY, OCTOBER 21, 1993

Gradall and two crews replaced culvert at Burdette Park,
Grader, beltloader and seven crews pulled shoulders on St. Joe
Road and #6 School Road.
Two patch crews worked on work orders.
Tiger Mower and one crew worked on Baseline.
Cycle mower worked on Emge, Vienna, Buente and #3 School Road.
One crew worked on Gradall.

VANDERBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

FRIDAY, OCTOBER 15, 1993 THRU THURSDAY, OCTOBER 21, 1993

FRIDAY, OCTOBER 15, 1993

Crew #1 - dig out and rock Newberry and Wethersfield.
Crew #2 - extend 36" culvert on Huebbner Road. rock.
Crew #3 - cut St. Joe and Darmstadt Road.

MONDAY, OCTOBER 18, 1993

Crew #1 - add to drop boxes at 1203 N. Red Bank Road.
Crew #2 - clean culvert on Schutte, paint and weedeat guardrails and bridges.

TUESDAY, OCTOBER 19, 1993

Crew #1 - work at 7319 and 7303 Hogue Road, clean drains at subdivisions west.
Crew #2 - haul dirt on Orchard and clean drains in Evergreen Acres.
Crew #3 - 2107 Harmony Way, clean drains in west subdivisions.

WEDNESDAY, OCTOBER 20, 1993

Crew #1 - work on Hogue Road, clean pipe on Cypress and River Rd, clean drains western part.
Crew #2 - clean drains in Evergreen Acres and Old Petersburg Place,
Crew #3 - ckeab drains in Tall Timbers, Plantation & Bentwood.

THURSDAY, OCTOBER 21, 1993

Crew #1 - replace culvert at Burdette.
Crew #2 - finish drop box on Harmony Way, paint guardrail on Schutte Road.
Crew #3 - clean rip rap from east side of inletm clean ditch and drain on Berry Ct and Berry Drive.

La Commission

REQUEST FOR TRANSFER OF FUNDS

DEPARTMENT: WEIGHTS AND MEASURES DATE: Oct. 19, 1993

	<u>ACCOUNT</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>
FROM:	3010	Bonds	\$100.00
	3120	Postage	100.00
	3160	Radio	151.00
	3250	Law Books	100.00
	3540	Maintenance Contract	173.00
		TOTAL	624.00
TO:			
	2300	Uniforms	\$200.00
	3310	Training	124.00
	4210	Office Furniture	300.00
		TOTAL	624.00

EXPLANATION OF NEED FOR REQUEST

TO PURCHASE NEEDED ITEMS FOR NEW INSPECTOR AND FOR TRAINING
MATERIALS FOR PRESENT EMPLOYEES

BALANCE OF ACCOUNTS:

ACCT. # BUDGET DISBURSE. BALANCE BALANCE AFTER TRANSFER

DEPT. HEAD: *Richard J. Barnes*
John F. [unclear]

REQUEST FOR APPROPRIATION

DEPARTMENT:

County Commissioners

DATE:

10/18/93

ACCOUNT	LINE ITEM	AMOUNT
1300-1930	Unemployment	5,000.00

EXPLANATION OF NEED FOR REQUEST

Account is low and we are expecting claims at the end
of the year.

BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPROPRIATION
1300-1930	25,000.00	20,702.00	4,297.35	9,297.35

VCC-2

DEPARTMENT HEAD

Richard J. Bonica
[Signature]
[Signature]

TOTAL 32745.90

Date _____

IN FAVOR OF

Vendor Name BERNARDIN LOCKMEYER

Vendor No. 985

\$ 471.77

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name DMO S.B. #1C

Account No. 203-13

Allowed 19

In the sum of \$ Richard J. Brines
Robert J. Brines
Robert J. Brines

Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>91-068-1(6)</u>		<u>10/11/93</u>	<u>203-4345</u>	<u>471.77</u>
TOTAL				<u>471.77</u>

Date _____

IN FAVOR OF

Vendor Name K & K Excavating

Vendor No. 1916

\$ 1070.00

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Contractual Svc

Account No. 216-3930

Allowed 19

In the sum of \$ Richard J. Jones

Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
000 989	—	10/1/93	216-3930	1070. ⁰⁰
TOTAL				1070. ⁰⁰

Warrant No. _____

Claim No. _____

Date _____

IN FAVOR OF

Vendor Name BERNARD L. LAMARCA

Vendor No. 985

\$ 693.50

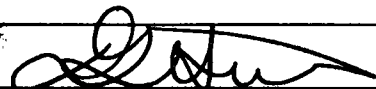
ON ACCOUNT OF APPROPRIATION

Dept. Fund Name USI & SR 62

Account No. 430 Bond

Allowed _____ 19

In the sum of \$ Richard J. Bonies



Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>89-24-1(37)</u>	_____	<u>10/8/93</u>	<u>430 Bond</u>	<u>693.50</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 693.50

Warrant No. _____

Claim No. _____

Date _____

IN FAVOR OF

Vendor Name BLANKENBERGER Bros.

Vendor No. 481

\$ 117,430.87

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name 451 & SR62

Account No. 430 BOND

Allowed Richard J. Bowie 19

In the sum of \$ Richard J. Bowie

Richard J. Bowie

Richard J. Bowie

Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>Est. #6</u>		<u>10/15/93</u>	<u>430 BOND</u>	<u>117,430.87</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 117,430.87

Warrant No. _____

Claim No. _____

Date _____

Kevin R. Bryant

Vendor No. 3044

\$ 1,434.72

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Legal Fees

Account No. 130-3610

Allowed _____

In the sum of \$ Richard J. Bonin
Robert J. Jones
Robert J. Jones

Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

10/22 , 93 Richard J. Bonin
Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

_____, _____ Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>OCT.</u>			<u>130-3610</u>	<u>1434.72</u>

TOTAL 1434.72

SUMMARIZATION OF COLLECTIONS
RECEIVED AUGUST 26, 1993 to SEPTEMBER 30, 1993

AMBULANCE

<u>DATE</u>	<u>NAME</u>	<u>PAYMENT</u>	<u>AMOUNT TO BRYANT</u>
08-27-93	E. Jones	\$219.77	\$ 72.38
08-27-93	Joe Market	5.00	-0-
08-20-93	Brenda Barnett	25.00	12.50
06-17-93	Kyndra Wilkinson	55.00	8.75
09-17-93	Brenda Barnett	20.00	10.00
09-30-93	Brenda Barnett	20.00	10.00
09-07-93	Merl Johnson	30.00	15.00
09-03-93	Robert Reynolds	479.41	202.20
09-03-93	Pearl Brewer	5.00	2.50
08-27-93	Londa Meyers	10.00	5.00
09-11-93	Harold Peach	40.00	20.00
09-07-93	Hattie Fetcher	25.00	12.50
09-01-93	Clinton Easley	150.00	37.50
09-17-93	Jeffery Brown	507.02	216.01
09-30-93	Mark Abney	234.01	79.50
09-30-93	E. Jones	261.77	93.38

TOTAL PAYMENTS RECEIVED (AMBULANCE)	\$2,086.98	\$ 797.22
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VANDERBURGH TREASURER

\$ -0-	\$ -0-
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TOTAL PAYMENTS RECEIVED (TREASURER)	\$ -0-	\$ -0-
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RECAPITULATION

COLLECTIONS RECEIVED (AMBULANCE & TREASURER)	\$2,086.98	\$ 797.22
CASES ACCEPTED (AMBULANCE)	8@ \$75.00 each	\$ 600.00
	1@ \$37.50 each	\$ 37.50

TOTAL DUE BRYANT..... \$1,434.72

SUMMARIZATION OF COLLECTIONS
RECEIVED JANUARY 16th to FEBRUARY 12th, 1993

AMBULANCE

<u>DATE</u>	<u>NAME</u>	<u>PAYMENT</u>	<u>AMOUNT TO BRYANT</u>
1/21/93	DAVID KEY	\$ 10.00	\$ -0-
1/21/93	FRIEDA HARPER	\$ 20.00	\$ 10.00
1/16/93	ARTHUR CLARK	\$ 25.00	\$ -0-
1/22/93	ARTHUR CLARK	\$ 25.00	\$ 12.50
1/22/93	BRENDA BARNETT	\$ 20.00	\$ 10.00
1/19/93	MERL JOHNSON	\$ 30.00	\$ 15.00
1/19/93	HAROLD PEACH	\$ 40.00	\$ 2.50
2/03/93	PEARL BREWER	\$ 5.00	\$ 2.50
2/04/93	MERL JOHNSON	\$ 30.00	\$ 15.00
2/01/93	ARTHUR CLARK	\$ 25.00	\$ 12.50
2/03/93	JOHN BAY	\$ 10.00	\$ 5.00
2/06/93	DAVID KEY	\$ 10.00	\$ -0-
2/08/93	CHRIS HUNT	\$ 5.00	\$ 2.50

TOTAL PAYMENTS RECEIVED (AMBULANCE)	\$ 255.00	\$ 87.50
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VANDEBURGH TREASURER

TOTAL PAYMENTS RECEIVED (TREASURER)	\$ -0-	\$ -0-
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RECAPITULATION

COLLECTIONS RECEIVED (AMBULANCE & TREASURER)	\$ 255.00	\$ 87.50
CASES ACCEPTED (AMBULANCE)	16 @ \$75.00 each	\$ 1,200.00
	3 @ \$37.50 each	\$ 112.50

TOTAL DUE BRYANT.....\$ 1,400.00

SUMMARIZATION OF COLLECTIONS
RECEIVED FEBRUARY 13th TO MARCH 19th, 1993

AMBULANCE

<u>DATE</u>	<u>NAME</u>	<u>PAYMENT</u>	<u>AMOUNT TO BRYANT</u>
2-12-93	Brenda Barnett	\$ 40.00	\$ 40.00
2-19-93	Brenda Barnett	20.00	10.00
2-19-93	Sharon Englehart	25.00	0.00
2-23-93	Jeffery Keeper	190.00	80.00
2-06-93	Arthur Clark	21.09	10.55
3-03-93	Pearl Brewer	5.00	2.50
3-04-93	Merl W. Johnson	30.00	15.00
3-08-93	Brenda Barnett	20.00	10.00
3-09-93	John Bay	10.00	5.00
3-09-93	Harold Peach	40.00	20.00
3-10-93	Mae Arnold	100.00	50.00
3-12-93	Brenda Barnett	20.00	10.00
3-17-93	William Zentmyer	138.26	61.63
3-15-93	Ferrari	10.00	0.00
3-17-93	Londa Myers	10.00	0.00
3-19-9	Brenda Barnett	20.00	20.00
3-19-93	Clinton Easley	55.00	8.75

TOTAL PAYMENTS RECEIVED (AMBULANCE)	\$754.35	\$275.93
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VANDERBURGH TREASURER

2-28-93 Cedarwood Farms	\$100.00	\$ 50.00
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TOTAL PAYMENTS RECEIVED (TREASURER)	\$100.00	\$ 50.00
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RECAPITULATION

COLLECTIONS RECEIVED (AMBULANCE & TREASURER)	\$854.35	\$325.93
CASES ACCEPTED (AMBULANCE)	11@ \$75.00 each	\$825.00
	5@ \$37.50 each	\$262.50

TOTAL DUE BRYANT.....	\$1,413.43
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2

SUMMARIZATION OF COLLECTIONS
RECEIVED MARCH 20, 1993 to MAY 28, 1993

AMBULANCE

<u>DATE</u>	<u>NAME</u>	<u>PAYMENT</u>	<u>AMOUNT TO BRYANT</u>
	Harold Peach	\$ 40.00	\$20.00
	Patty Gebhardt	223.01	74.00
	Robert Chester	478.97	201.98
	Tom Ferrari	10.00	-0-
	Brenda Barnett	25.00	12.50
	Hattie Fetcher	25.00	12.50
	Marlene Hall	209.28	67.14
	Janeen Appell	27.30	-0-
	Janeen Appell	154.70	53.50
	Tom Ferrari	10.00	-0-
	Tom Ferrari	10.00	5.00
	Tom Ferrari	10.00	5.00
	F. L. Harper	20.00	10.00
	Brenda Barnett	20.00	10.00
	John Bay	10.00	5.00
	Kevin W. Bartz	187.82	56.41
	Londa Meyers	10.00	-0-
	Harold Peach	40.00	20.00

TOTAL PAYMENTS RECEIVED	\$1,986.08	\$ 683.03
(AMBULANCE)		

VANDEBURGH TREASURER

Cedarwood Farms	100.00	50.00
Cedarwood Farms	100.00	50.00

TOTAL PAYMENTS RECEIVED	\$200.00	\$ 100.00
(TREASURER)		

RECAPITULATION

COLLECTIONS RECEIVED	\$2,186.08	\$ 783.03
(AMBULANCE & TREASURER)		
CASES ACCEPTED (AMBULANCE) 9 cases @ \$75.00 each		\$ 675.00
2 cases @ 37.00 each		\$ 75.00

TOTAL DUE BRYANT.....\$1,533.03

SUMMARIZATION OF COLLECTIONS
RECEIVED MARCH 20, 1993 to MAY 28, 1993

AMBULANCE

<u>DATE</u>	<u>NAME</u>	<u>PAYMENT</u>	<u>AMOUNT TO BRYANT</u>
	Londa Meyers	\$ 10.00	\$ -0-
	Londa Meyers	10.00	-0-
	Londa Meyers	10.00	-0-
	Harold Peach	40.00	20.00
	Pearl Brewer	5.00	2.50
	Glen Galloway	25.00	-0-
	Steve Evinger	200.00	62.50
	Tom Ferrari	10.00	-0-
	Tom Ferrari	10.00	-0-
	Tom Ferrari	10.00	-0-
	Ada Davis	10.00	-0-
	Brenda Barnett	20.00	10.00
	Merl W. Johnson	30.00	15.00
	John Bay	10.00	5.00
	Tom Ferrari	10.00	-0-
	Pearl Brewer	5.00	2.50
	Londa Meyers	10.00	-0-
	Brenda Barnett	25.00	12.50
	Sharon Englehardt	25.00	-0-

TOTAL PAYMENTS RECEIVED	\$	\$
(AMBULANCE)		

VANDEBURGH TREASURER

TOTAL PAYMENTS RECEIVED	\$	\$
(TREASURER)		

RECAPITULATION

COLLECTIONS RECEIVED	\$	\$
(AMBULANCE & TREASURER)		
CASES ACCEPTED (AMBULANCE)		\$
		\$

TOTAL DUE BRYANT.....\$

SUMMARIZATION OF COLLECTIONS
RECEIVED JUNE 8th, 1993 TO JULY 9th, 1993

AMBULANCE

<u>DATE</u>	<u>NAME</u>	<u>PAYMENT</u>	<u>AMOUNT TO BRYANT</u>
05-04-93	Merl Johnson	\$ 26.81	\$ 13.40
06-02-93	Pearl Brewer	5.00	2.50
06-04-93	Alberta Beverly	11.51	-0-
06-07-93	Merl Johnson	30.00	15.00
06-09-93	Londa Myers	10.00	-0-
06-11-93	James Mayes	50.00	-0-
06-12-93	Brenda Barnett	20.00	10.00
06-15-93	Hattie Fetcher	25.00	12.50
06-15-93	Tony Bell	186.69	55.84
06-21-93	Londa Myers	10.00	2.50
06-22-93	Mae Arnold	50.00	25.00
06-27-93	Tom Ferrari	20.00	10.00
06-28-93	J. Mayes	50.00	12.50
06-29-93	Frieda Harper	20.00	10.00
07-01-93	Merl Johnson	30.00	15.00
07-02-93	Harold Peach	40.00	20.00
07-02-93	Pearl Brewer	5.00	2.50
07-02-93	Carol McGinnis	242.63	83.81
07-06-93	Hattie Fetcher	25.00	12.50

TOTAL PAYMENTS RECEIVED (AMBULANCE)	\$ 857.64	\$ 303.05
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VANDEBURGH TREASURER

2-28-93 Cedarwood Farms	\$100.00	\$ 50.00
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TOTAL PAYMENTS RECEIVED (TREASURER)	\$100.00	\$ 50.00
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RECAPITULATION

COLLECTIONS RECEIVED (AMBULANCE & TREASURER)	\$957.64	\$ 353.05
CASES ACCEPTED (AMBULANCE)	8@ \$75.00 each	\$ 600.00
	4@ \$37.50 each	\$ 150.00

TOTAL DUE BRYANT..... \$1,103.05

SUMMARIZATION OF COLLECTIONS
RECEIVED JULY 9, 1993 TO AUGUST 3, 1993

AMBULANCE

<u>DATE</u>	<u>NAME</u>	<u>PAYMENT</u>	<u>AMOUNT TO BRYANT</u>
07-07-93	Glen Galloway	\$378.77	\$149.38
07-12-93	Londa Myers	10.00	5.00
07-13-93	James Mayes	50.00	25.00
07-16-93	David Devine	44.31	-0-
07-16-93	Matt Roe	183.00	54.00
07-16-93	Rick Tabb	219.00	72.00
07-16-93	Shane James	45.90	-0-
07-19-93	Steven Lindsey	10.00	-0-
07-22-93	Alberta A. Beverly	2.88	-0-
07-23-93	James Calvert	492.56	208.78
07-29-93	Mae Arnold	50.00	25.00
07-30-93	James Moser	99.20	12.10
08-02-93	Harold Peach	40.00	20.00
08-03-93	Kim Ryan	142.79	33.89
08-03-93	Londa Myers	10.00	5.00
08-03-93	Pearl Brewer	5.00	2.50
TOTAL PAYMENTS RECEIVED (AMBULANCE)		\$1,737.51	\$ 612.65

VANDEBURGH TREASURER

	\$ -0-	\$ -0-
TOTAL PAYMENTS RECEIVED (TREASURER)	\$ -0-	\$ -0-

RECAPITULATION

COLLECTIONS RECEIVED (AMBULANCE & TREASURER)	\$1,737.51	\$ 612.65
CASES ACCEPTED (AMBULANCE)	7@ \$75.00 each	\$ 525.00
	2@ \$37.50 each	\$ 75.00

TOTAL DUE BRYANT..... \$1,212.65

SUMMARIZATION OF COLLECTIONS
RECEIVED AUGUST 4, 1993 to AUGUST 25, 1993

AMBULANCE

<u>DATE</u>	<u>NAME</u>	<u>PAYMENT</u>	<u>AMOUNT TO BRYANT</u>
08-12-93	Mike Sexton	\$483.33	\$204.16
07-23-93	Brenda Barnett	25.00	12.50
08-17-93	Franklin Frederick	50.00	6.25
08-10-93	Tommy Ferrari	10.00	5.00
08-15-93	Tommy Ferrari	10.00	5.00
08-16-93	Londa Meyers	10.00	5.00
08-13-93	F. L. Harper	20.00	10.00
08-13-93	Steven Lindsey	116.80	25.90
08-13-93	Theresa Durre	493.14	209.07
08-09-93	Merl Johnson	30.00	15.00
08-02-93	Malinda Burton	398.94	161.97
07-31-93	Steve Lindsey	10.00	5.00
08-25-93	Steve Lindsey	15.99	7.99
08-20-93	F. L. Harper	20.00	10.00

TOTAL PAYMENTS RECEIVED (AMBULANCE)	\$1,693.20	\$ 682.84
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VANDEBURGH TREASURER

07-31-93 Cedarwood Farms	\$100.00	\$ 50.00
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TOTAL PAYMENTS RECEIVED (TREASURER)	\$100.00	\$ 50.00
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RECAPITULATION

COLLECTIONS RECEIVED (AMBULANCE & TREASURER)	\$1,793.20	\$ 732.84
CASES ACCEPTED (AMBULANCE)	8@ \$75.00 each	\$ 600.00
	0@ \$37.50 each	\$ 00.00

TOTAL DUE BRYANT..... \$1,332.84

R. Borries

NOTICE OF MEETING
EXECUTIVE SESSION
BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY
Monday - October 25, 1993
4:30 p.m.

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana will meet in Executive Session on Monday, October 25, 1993 at 4:30 p.m. in Room 307, Civic Center Complex, Evansville, IN.

PURPOSE OF SAID MEETING is to discuss Pending Litigation and Personnel Matters.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member

ATTEST:

Sam Humphrey, Auditor
Vanderburgh County

APPROVED:

Alan M. Kissinger
County Attorney

The Evansville Press Metro

In this section
 14 Lifestyles
 17 Entertainment
 19 Money

Tri-State

Black Expo president to give talk at dinner

The head of the Indiana Black Expo will address the annual Freedom Fund Dinner of the local NAACP next week.

The Rev. Charles Williams, Indiana Black Expo president, will be the keynote speaker for the fund-raising dinner at 6:30 p.m. on Nov. 5 at the Petroleum Club.

The Freedom Fund Dinner is the major fund-raiser of the Evansville branch of the National Association for the Advancement of Colored People, branch president Sidney Taylor said.

The majority of the dinner proceeds will be used for rent and upkeep at the NAACP's office at 506 S. Kentucky Ave., Taylor said.

The Indiana Black Expo Inc. is a not-for-profit organization that Taylor said is "geared to supporting the minority community." The group sponsors events that foster and celebrate black achievement.

Tickets cost \$25 a person or \$200 a table. Ads are being accepted for a souvenir journal.

25-year term in molestation

A man convicted for a second time molesting the same girl was sentenced to the

Acker resigns as Coliseum chief

By Dan Bernard
 Staff reporter

Wanting to avoid a possible conflict of interest arising from his position in Vanderburgh County government, Mark Acker has stepped down from his second job as manager of the Coliseum.

According to the head of the private veterans group that operates the Coliseum, Acker and the group's board of directors agreed on the move, which was effective Tuesday.

The county commissioners in early August hired Acker to head the county's Veterans Service Office. County Commission President Rick Borries said the commissioners did not influence Acker's resignation.

Directors of the Council of Veterans Organizations feared that patrons who want to rent the hall could try to use Acker's government position to negotiate a lower rental rate, said L.O. Montgomery, commander of the Council of Veterans Organizations.

Fears conflict with veterans' post

"We just removed that possibility," Montgomery said, declining to elaborate.

Acker said he and the Veterans Council directors had been planning since August for him to eventually relinquish his duties as manager. He had promised county commissioners he would spend business hours in the Veterans Service Office, and trying to run the Coliseum on a moon-

lighting basis became burdensome, Acker said.

Acker will act as a consultant on the management of the Coliseum and sit on the Veterans Council's board of directors, Montgomery said.

The Veterans Council leases the Coliseum from the county and employs a manager to rent out the Downtown venue for social functions and entertainment events.

The Coliseum's new manager is John Bradford, who had served as Acker's assistant since he accepted the county position. Bradford is a representative of Amvets Post 84.

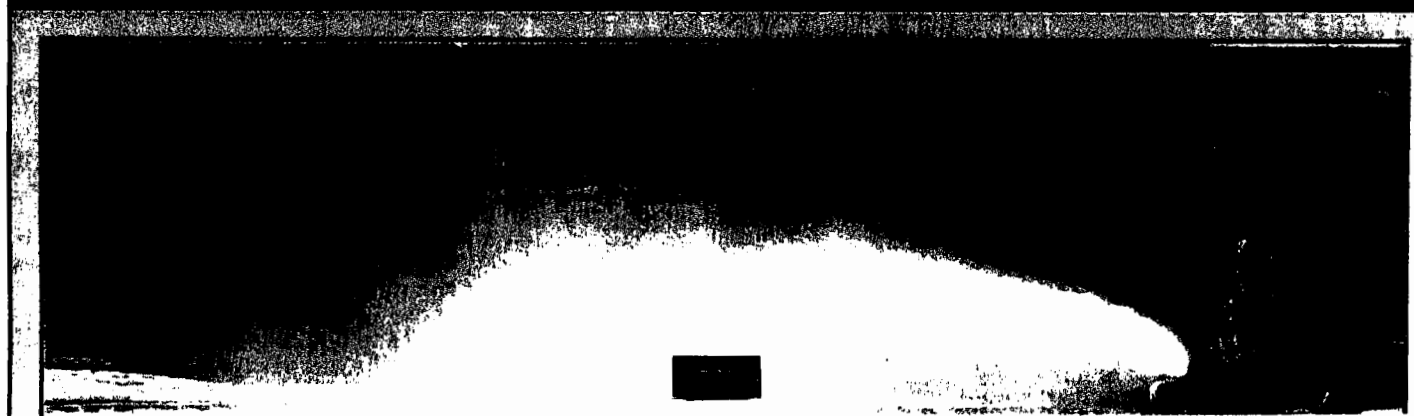
The council was concerned that a

would-be client might ask the county commissioners to pressure Acker to give a lower rental rate, Bradford said. While the county owns the building, the Veterans Council has authority over setting rates.

Borries had promised the Veterans Council he would not allow such influence, Bradford said. "And we believe him," Bradford added. "But why even put (Borries) in a position where that might happen? Why put Mark into a position where he could suspect that instance arose?"

The Veterans Council this week accelerated their plan for Acker to step down after a would-be renter telephoned Borries to complain about the rental rate, Bradford said. Borries confirmed the phone call took place, and said he referred the caller to Veterans Council.

Watered down



Car-truck accident kills 3, hurts one

By Dan Armstrong
 Staff reporter

A Missouri couple and a woman from California died when their automobile was struck by a tractor-trailer truck after they left Harmonie State Park in Posey County.

**MINUTES
COUNTY COMMISSION MEETING
NOVEMBER 1, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m.	1
Introductions & Pledge of Allegiance	1
Purchasing Department/Daryn Burgdorf	1
Rejection of Bid on Post Frame Building for Sheriff's Department & Authorization to Re-Advertise; Bid Opening Scheduled for 11/22/93	1
Awarding of Contract for Liquid Asphalt for 1994 to J. H. Rudolph & Co.	1
Awarding of Contract for County Telephone System to VanAusdall & Farrar (\$67,465.00)	2
Authorization to Open Bids/Virginia Street Culvert & Paving	2
Ordinance to Amend Chapter 72, Schedule II, of the Vanderburgh County Code of Ordinances - Final Reading	2
Vanderburgh Auditorium/Sandra Toten/Authorization to Go on Council Call for Appropriation & Transfer	2
Business Records Corporation/Voting Equipment/Geoff Ryan ...	2
DMD/Grant Application/Sunbeam Plastics - Mike Robling	11
(Approved Annex Railroad Builders @ \$21,800)	
County Attorney/Alan Kissinger	12
Request for Information re Motor Vehicles Assigned to County Offices & Departments	
County Highway Garage/Bill Morpew	12
Early Snowfall/Overtime	
Weekly Progress Report	
Snow Route List & Vehicle Inventory	
Damaged Guard Rail	
County Highway Garage Roof (B. Morpew to keep Commissioners informed)	
Superintendent of County Buildings/Mark Abell	13
Telephone System at County Highway Garage to be Updated	
United Way Campaign	
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Orchard Rd. Bridge/Signing of INDOT Form	
Orchard Rd. Bridge Now Open	
Copperfield Subdivision/Section II, Phase III/Street & Storm Drainage Acceptance	
Cross Pointe Subdivision/Dedication of Additional Right-of-Way Accepted	
North Green River Rd. Project/Update	
Public Hearing/INDOT/Eickhoff-Koressel/Phase I from S.R. 61 to S.R. 66 (Dec. 9th at USI in Administration Building	
Consent Agenda	16
Appointments/Burdette Park (Bonus on two employees to be clarified)	

New Business 17

 Errors in Precinct List

 Recognition of Councilmen (R. Sutton & S. Bagby)

 Joint Executive Session (Commission & Council)

 scheduled 11/15/93 at 4:30 p.m. to discuss

 Pending Litigation, Personnel Matters &

 Financial Matters

Meeting Adjourned @ 8:00 p.m. 18

MINUTES
COUNTY COMMISSIONERS MEETING
NOVEMBER 1, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, November 1, 1993 in the Commissioners Hearing Room, with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Supt. of County Buildings, Mark Abell;; County Attorney Alan Kissinger, Commissioner Tuley, himself, Commissioner Hunter, County Auditor Sam Humphrey and Joanne Matthews, Official Recording Secretary). He subsequently asked the group to stand for the Pledge of Allegiance.

Mr. Borries then asked if there are any individuals or groups who wish to address the Commission but do not find their particular item of interest on tonight's agenda. There were none.

Commissioner Borries said there is one misprint on the agenda. Actually, Sandra Toten (Manager/Vanderburgh Auditorium) really could have gone under Department Heads. But that will be very brief, as she just has one item. It was just put in the wrong category.

RE: PURCHASING DEPARTMENT - DARYN BURGDORF

VC9313/Post Frame Building/Sheriff's Department: Mr. Daryn Burgdorf was recognized and said one (1) bid was received from Deig Bros. Construction Co. After speaking with Mr. Eric Williams from the County Sheriff's Department, they both feel that bid is a little too high. They would like to reject this bid and re-bid.

Attorney Kissinger said as he understands it, there is a stipulation in the contract that all bids can be rejected.

Mr. Williams confirmed this is correct.

Commissioner Borries entertained a motion to reject the sole bid received on VC9314.

Motion to this effect made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Attorney Kissinger informed Mr. Williams he also needs a motion to re-advertise.

Mr. Burgdorf said he would like to re-advertise on Tuesday, November 2nd and Tuesday, November 9th, with bid opening scheduled on Monday, November 22nd.

Motion to this effect made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Awarding of Contract for Liquid Asphalt: Mr. Burgdorf said he is requesting that the Board award the contract for the liquid asphalt. Only one (1) bid was received, that bid being from J. H. Rudolph & Co. Their prices are listed on the memo and he noted they are only 10 cents per gallon higher than last year, with the delivery charge being a penny higher. He has spoken with Mr. Bill Morpew at the County Highway Garage and he sees no reason why we cannot award the bid to J. H. Rudolph & Co.

Mr. Borries entertained a motion.

Motion to award the contract to J. H. Rudolph & Co., as recommended, was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Awarding of Contract for County Telephone System: Mr. Burgdorf said there were three (3) bidders. The bids were reviewed with Mark Abell. Mr. Burgdorf said it is his recommendation at this time that the contract be awarded to the low bidder, VanAusdall & Farrar in the amount of \$ 67,465.00.

Motion to this effect was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Authorization to Open Bids/Virginia Street Culvert & Paving: Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, the County Attorney was authorized to open the bids received on this project. So ordered.

RE: ORDINANCE TO AMEND CHAPTER 72, SCHEDULE II, OF THE
VANDERBURGH COUNTY CODE OF ORDINANCES - FINAL READING

President Borries noted this has been advertised. Ordinance was heard on First Reading on October 11th. Second Reading was on October 25th. The Third and Final Reading is this evening. This Ordinance amends the traffic signs at certain intersections in the County. He then entertained a motion.

Motion to approve the Ordinance on Final Reading was made by Commissioner Tuley, with a second from Commissioner Hunter.

Mr. Borries then asked if there are any persons who wish to speak to this ordinance. There was no response and he subsequently asked for a roll call vote. Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. So ordered. Ordinance approved by unanimous affirmative roll call vote.

RE: VANDERBURGH AUDITORIUM - SANDRA TOTEN

President Borries recognized Ms. Sandra Toten, Manager at the Vanderburgh Auditorium, apologizing for the misprint on tonight's agenda. He said she believes she only has one item this evening -- a request to go on Council Call.

Ms. Toten said she is asking for permission to go to Council to request money to place into the P.E.R.F. account, which they were notified by the Auditor's office was a little over \$629 short -- in order to finish out the year. She also has a transfer request concerning transfer to repairs from the salary account.

There being no questions, a motion was entertained.

Motion to approve the requests was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: BUSINESS RECORDS CORPORATION - GEOFF RYAN

The meeting continued with President Borries recognizing Mr. Geoff Ryan, Vice President of Business Records Corporation, who is present to submit a proposal for 1994 lease agreement for tabulators for the election.

Mr. Ryan said, "Thank you for your time. As Rick mentioned, I am Geoff Ryan of Business Records Corporation and was coming down because of the election tomorrow. Rob and I will be here along with the technician and since you were having a meeting and I was going to be here, I thought I would at least make myself available for any questions. I know that there was some discussion in previous meetings. Since the last Commissioners' meeting I have been in touch with Wayne Trockman and he was interested in finding

out if there was a rental agreement for a punch card tabulation system other than the one you already have, as well as other information. I did give Wayne that information, as well as Betty Knight Smith, the County Clerk. If they want to rent a system for the punch card tabulation, I've given them that information and all the costs.

On the proposal I put forth for the Optical Scan Voting System, the reason that BRC submitted that to the County -- really we've been talking to the Election Board and the County Clerk's office for probably about two years off and on. The Federal Election Commission has documented that more counties are switching to Optical Scan voting than all other types of systems combined. The Optical Scan proposal that we put before you was also with a financing plan. The financing plan allowed the County to go one year without a payment and then pay off the balance in equal monthly installments at a 4% interest rate. The price was a net price and I probably made a bad mistake. I did not break out (which I brought with me tonight) the trade in allowance that was given to the County. The trade in allowance was \$350,000 and basically would buy back the punch card system. The amount that was given for the system you have now -- the Elpak or the Election Pack System. The trade in allowance allowed \$75,000 for that Elpak System. It also allowed \$350 for each vote recorder, voting device and booth that you have and lesser amounts for the other paraphernalia that Alberta Matlock has shown me in the election room down the hall. So I netted it out. I put the number on the finance agreement and that is what I've given to the County.

I did want to make myself available if there were any questions from the Board of Commissioners and wanted to let you know I did give Wayne the information requested (of course, he would have told you anyway) and briefly explain the financing agreement on the Optical Scan purchase.

Mr. Borries said he appreciates Mr. Ryan's being here and he knows the election officials are appreciative that he is here should there be any problems. He then entertained questions from the Board.

Commissioner Tuley asked, "The information you just gave Mr. Trockman is in reference to the same system, only renting it? Is that what I am hearing?"

Mr. Ryan responded, "It is a different system than the one you have now -- the Elpak. It is based on a P.C."

Mr. Tuley said, "Right, that is what I am saying. Is it the same system that was proposed for us to buy?"

Mr. Ryan responded, "No."

Mr. Tuley continued, "So it is an upgrade to not the top of the line but...."

Mr. Ryan interjected, "What it is, Pat, it lets you keep all the voting devices that you currently use -- all of that stuff -- all it does is provide a different computer to run the ballot cards through; a new personal computer system is what it is. It's twin P.C.'s, backed up by card readers. Nobody today manufactures the tabulators or card readers."

Mr. Tuley asked, "This is something you guys are doing all over the state or several places across the state -- what you're suggesting to us?"

Mr. Ryan replied, "The P.C.'s have been provided to a number of Indiana counties and we traded out the Elpaks. You are the last one in Indiana -- and nearly out of several hundred systems --

there aren't half a dozen of the Elpaks left out in the field today. Yes, we do provide these. It's usually the counties who are in the same position you are. But P.C.'s have been used to upgrade the system."

Mr. Tuley asked, "So we aren't talking about a total overhaul, but a change in areas where we have a problem?"

Mr. Ryan said that is correct.

Mr. Borries said, "This past week I contacted Mr. Maidenbergh, because what I was looking at was alternatives so that we could see, as you have pointed out here, there are other ways. It is my understanding that having met with State Election Board, that one of the things that they were able to provide me -- and what I had asked for all along, Geoff -- was some kind of equipment and to see what other Indiana counties were using. Some of this information that was current as of June 1993 did confirm that we here in Vanderburgh use this Elpak system and there was one other county (Fountain County) that had an Elpak system that apparently they have converted. What have they done?"

Mr. Ryan stated they have also gone to a P.C. system.

Mr. Borries continued, "And then there were a number of counties -- in fact, as of June 1993, there was the actually the growth of one county. There are now 43 counties instead of 42 counties using a ballot card. There are 27 still using the old lever system. There are 19, according to the Election Board's information, that indicated that they are now using this direct record -- some kind of electronic system, and then there are still three counties that are using paper ballots. But still, by far, I guess -- well not by far, but at least 37% of the registered voters still voting in Indiana -- are on a ballot card system. So there are a number of counties on this printout sheet that had BRC (your initials) and then P.C. on it. Then there is apparently another firm known as Governmental Business Systems and they are also in some kind of ballot card business.

Mr. Ryan said, "Yes."

Mr. Borries asked the County Clerk if we've talked to Governmental Business Systems at all? Has she ever talked with anybody from that particular firm? They also apparently have information on some counties and he guesses what he wanted and has asked for all along is something less than a million dollar outlay because, frankly, we have \$2,000 in the general fund and we just don't have that kind of cash outlay. Also, we can't see that far ahead. He never understood when he and Mr. Ryan talked before -- back in 1985 when we got this Elpak System -- he didn't realize it was going to be outdated technology ten years ago. It didn't say anything in any letter that we have in relation to that record. he guesses he's always had the concern that if we're going to be in a tight budgetary situation, what can we do with this system to make it work for quite a bit less than this Optical Scan kind of system that is going on. And he guesses his last question was in relation to his request. Has that been officially approved by the State Election Board yet?

Mr. Ryan responded affirmatively, saying it has been sold to Crawford County, Washington County and Gibson County.

Mr. Borries said there was something they mentioned in his conversation with them that said that there was not going to be something that had to be officially certified by the State Election Board and they had not done so as of yet. That is why he....

Mr. Ryan interrupted, "There is an additional software package they are adding to it that they are presenting to the State Election

Board. It permits a remote totaling for accumulation of results, which we do yet have to present to the Board."

Mr. Borries asked, "That was part of your proposal? It must have been in the proposal you gave to Betty?"

Mr. Ryan responded, "The error system, yes."

Mr. Borries said, "I guess my question is, Geoff, for a county our size, can we -- I shared some information with the Election Board on Madison County. They now have 82,000 voters, so they are a little less than we are. But can't you come in and run our system? Aren't you doing that in other counties?"

Mr. Ryan responded, "That is what Wayne suggested -- that I use the contracts we have in other Indiana counties -- and that is what I gave to him. It's a rental price for just what we would do for Madison. As a matter of fact, that template -- or that contract -- that we use for Madison, I used the very same one for Wayne,."

Mr. Borries said, "Tell me how this works."

Mr. Ryan continued, "The idea is, if you will go down to his P.C. 46M -- you see that -- that is the P.C. Because Vanderburgh County uses two card readers, there are two P.C.'s in there. A system printer is included and there is only printer included, because it is for the entire system. The other items are two card readers. There are printer cables and that kind of thing, Rick, but I mean the basic system is two (2) P.C.'s, 2,000 cards per minute card readers, an internal modem in case you have problems. You can actually dial into the VRC in Chicago and we can bring up your screen and have our software people look at it. The carbon copy plus is simply communications software between the two systems -- and then the tabulation program is the software program. The lease price (as it did in Madison) includes programming of the system, which is the candidates names, office, titles, party affiliations -- pre-election testing and on-site election day support person for the time the ballots are being tabulated. The annual lease price is \$20,500 for a three year contract."

Mr. Borries asked, "And then there is another one for contract."

Mr. Ryan said, "What I did here -- we provide all the consumables for an election. I may have been wrong in the 657. I thought that was the number of voting devices you have. It might be 150 or so low."

Mr. Borries continued, "People are still using these Votomatics all around -- so there is still equipment you can get to refurbish some of that, isn't there?"

Mr. Ryan responded, "Certainly. The parts that you refurbish on a Votomatic are the really the templates, the rubber "T" strips and the voting stylus."

Mr. Hunter asked, "What would it cost to refurbish those?"

Mr. Ryan replied, "I understand the 657 figures should be 837. It is mostly the labor, getting those rubber "T" strips unglued and re-gluing them -- but I would say \$25.00 to \$45.00 per machine as a guess -- for a new template, new stylus, re-gluing the strips and doing anything else that had to be done."

Mr. Hunter asked, "Could that be done in house?"

Mr. Ryan said, "If you had the parts and a person who knew how to do it. Well, I guess that is kind of an obvious answer. Yes, you could. It's mechanical."

Mr. Hunter remarked, "With 837 of them, after the first 100 they ought to know how to do it."

Mr. Ryan continued, "So what I did was, for \$25.00 per set -- and BRC does this in a number of jurisdictions in Indiana, Illinois, Wisconsin and other states -- we print the ballot pages, punch the masks and get them ready for insertion in the vote recorders. Sample ballots, which are required in our system, he just figured at 20 per precinct and he figured they can do the masks real quick -- and they can do 167 precincts, which works out at \$49.00 per hundred; absentee voter ballots, which are for the absentee voting -- \$49.00 per hundred; ballot cards were \$125.00 per thousand; ballot cards without a precinct I.D. are \$125.00 per thousand, and the precinct kits."

Mr. Tuley asked, "What are the precinct kits?"

Mr. Ryan responded, "Miscellaneous forms the poll workers use; the Affidavits that have to be signed and their badges and that kind of thing."

Mr. Tuley asked, "So basically, this is almost a total package?"

Mr. Ryan confirmed that is correct.

Continuing, Mr. Ryan said, "You know, Rick, you're looking at \$40,679 per election on the first contract and on the second one -- that is an annual amount -- not per election."

Mr. Borries asked, "In other words, it would basically be \$40,000 per year?"

Mr. Ryan said, "The two elections would be about \$81,000, plus \$20,000 -- so it's about \$100,000 for each year. -- if you have two elections."

In addressing the County Clerk, Mr. Tuley asked, "Do you have any idea what it would cost for you to have all this stuff printed up and do it yourself?"

Ms. Smith responded, "We do most of that in house -- what his proposal is. And his proposal was \$101,859.60 per year. Basically, the only thing we're going to save there is like \$35,000 in supplies. So instead of the budget we have (\$301,040) we're talking about \$266,040 and then you add the \$101,859.60 and that brings the totals of the elections per year to \$367,899.60, because a lot of the work he is proposing to do, we do in house."

Mr. Borries interjected, "But there could be a savings; for example, like these flat sheet style ballots. Is this a better quality paper than some of the other paper? Somebody was telling me a little bit about paper that is a high quality that allows less malfunctions on the actual tabulation?"

Ms. Smith acknowledged we use the same kind of paper.

Mr. Ryan said the flat sheet ballots are the same ones used for absentee voting. You mail it out.

Mr. Borries said this certainly gives us something to think about and he appreciates getting that information. That lease would then be 1994, 1995 and 1996.

Mr. Ryan said that is correct. There is no election, of course, in 1997.

Mr. Tuley commented, "So it is right out rent, that is what it is."

Mr. Ryan stated, "Yes. It is rental. You don't own the system."

Mr. Tuley continued, "And if upgrade is necessary each year...."

Mr. Borries continued, "So anything that would be on this voting equipment by type of system on this State Election Board printout that I had -- there must be a lot of counties doing that?"

Mr. Ryan interjected, "Twenty-eight."

Ms. Smith offered comments -- but they were completely inaudible, as she was speaking from her seat and not the podium.

Mr. Borries asked, "How is your experience in doing this in 35 counties, Geoff? Are you encountering a lot of difficulties with any kind of tabulating equipment? Because apparently the ballot system seems to work fine."

Mr. Ryan replied, "The punch card ballot system is not uncommon in the State of Indiana or throughout the U. S. People with punch card ballots all have the same problem -- a lot of handling of the card. The poll worker handles it; it goes to the voter and the voter handles it; it goes back to the poll worker and is deposited into the ballot box they're counted out and they go through a whole route. I'm sure you've seen those on election night. Does it work? Yes, it will work. The Optical Scan type system simplifies it. The voter walks out of the booth, the ballot goes into a machine and is tabulated, put into a sealed ballot box and it is all done. There is a trade-off. It is more expensive -- which you all recognize. But since I was coming down for the election and everything, I thought it might be a good idea to let you know both types available."

Mr. Hunter asked, "So you're saying that in all 43 counties that are using ballot cards, in 1993 they are experiencing the same type problems we have in the last few elections?"

Mr. Ryan replied, "No, honestly, Don. I know you're going to yell at me -- but the equipment that you have that I sold you when I worked for Thornber Company, is now -- nobody makes 8 inch floppy disks anymore. You mentioned Governmental Business Systems. The owner of that company is the man who owned Thornber Company. And at that time there was a decision to use OSI equipment and OSI stopped manufacturing it. They may not even be in business. I remember dealing with Rick back then and I honestly feel today that I never said anything that I thought was misleading. But technology continues. More and more and more today, Business Record Corporation is leasing equipment rather than selling it, just because of the very reason that computers change. I don't think anybody could have foreseen the speed of that change. But that is the condition IBM is in."

Mr. Hunter asked "The P.C.'s are replacing the Elpak, is that what we are saying?"

Mr. Ryan replied, "Yes. Everything is being replaced."

Mr. Hunter asked, "At what point did you start selling the P.C.'s?"

Mr. Ryan responded, "Business Records Corporation acquired the Thornber Company and at that time recognized (this was about 1987 or 1988) that the OSI equipment was no longer manufactured. BRC continued to support the Elpacs, because there were so many in the field -- but we have been trying to replace them with P.C.'s. And, you know, the first Elpacs we replaced were with P.C.'s that had Z-80 chips. Now they're on 486 and the next chip around the corner is, I think, a 686. I mean, it just keeps going."

Mr. Tuley said, "I think that is why we wanted some other options to look at, as opposed to...."

Mr. Ryan interrupted, "That is why I wanted to stop down here. I was worried that you thought, you know, you couldn't reach me or I wouldn't be around. The Press reached me a lot."

Mr. Borries said, "It isn't anything you, personally. I mean, I had to look back myself to see what your letter was. It was very nice letter and I guess what is why you've really hit on a mark that is very sensitive -- be it IBM or be it Business Records or whatever -- it's very difficult in this age of rapid change to anticipate what is going to be ahead technologically. So, I mean, if we're getting into a system that is going to be that expensive, then doggone, you hope it would last for a while. But, again, you never know. There are the Motor Voter Bills and all kinds of other things coming out that could well change the whole nature of how we vote."

Mr. Ryan stated, "That is true. And, as Commissioners, you are asked to make dozens or perhaps hundreds of decisions and it is difficult. I think that is why more and more counties are leasing. You know, the system we were talking a<bout for \$1 million, there are counties that lease that."

Mr. Borries said, "And that might be an alternative. If you could get us some information -- I had not seen this until today -- and if we could also look at this other system -- we'll make some copies of this. I appreciate your coming down. I think our whole thrust has been to try to get some information to set the table so we can make the right decision here. If we have to buy equipment or look at equipment, we need to look at all the alternatives available to us."

Mr. Ryan said, "You did that a number of years ago, I know. That is why I wanted to talk with you."

Mr. Borries said, "Well, I don't know that we did the right thing. It got down to us and Fountain County here -- so I don't want to get into a situation again."

Mr. Ryan commented, "At the time you bought that, as I said, there were several hundred of those units in the field. I mean you did the right thing. I do want to say that I did try very hard over the last several elections to do the things that we should do, as a company, to make sure you didn't have problems. I know we ran a little late -- quire a bit late, maybe -- in the November election. But I didn't want to turn a cold shoulder to the County or not get back in here. We are bringing in a technician tomorrow to support the system and not charging the County, because you had your confidence placed in us and we wanted to measure up to it."

Commissioner Borries said, "And we appreciate that. And you've given us some things to think about and I think this Board (obviously, I am not going to speak for them) -- but I know they wanted to look at this issue carefully. We have some information now and I think we are committed to change for the 1994 Primary Election."

Commissioner Hunter said, "I think so. I think the scary thing was these people came in a few weeks ago with a very legitimate concern about our equipment and they also came in with this million dollar price tag and he says we have \$2,800 to run us for the rest of the year -- so we have a major problem."

Mr. Ryan interjected, "I must say this about the people I work with down here -- Rick, before -- and Betty and the Election Board Members -- if there was a question to ask, they asked it. They've gone to see this equipment work (the Optical Scan System) and, as I said, if a county is converting to a new system -- truly the trend across the U. S. has been to go to Optical Scan voting. And that is what I was presenting to them. I think their concern was

also money, because they discussed financing and that is when I arrived at the financing plan that I brought up. They were, I know, doing their homework. They asked enough questions of me, I know."

President Borries continued, "And certainly they are under a tremendous pressure, too, to make sure that everything goes as it should. As I said before, it is real interesting; probably the people interested in getting almost immediate results are, obviously, the media and the people that area running. But you have people voting out at Armstrong Township and other places where human enters in -- they have to get in a car, drive down here, get in line -- it is not going to be instant. It takes a little time to get through this thing. The last time we were all asked to make statements at 7:00 p.m. based on just a fraction of precincts. As it went past the news time, everybody kind of disappeared. They kind of faded away once it was past the deadline. But we got through the election; there was no fraud. The integrity of the election system was held and, again, we just want to make sure that we are going to try to do the right thing here. I appreciate your getting us this information; it will help us look at some alternatives."

Mr. Ryan asked that the Board let him know if they need to talk further with him.

Commissioner Hunter said we might even be interested in taking a look at some of this fancy new equipment -- we've got a couple of elections coming up next year.

Mr. Ryan said, "We'd love to show you. Rob McGinnis lives in the Indianapolis and is the sales rep for this area. He's done a great job and he will be more than happy to demonstrate anything to the Election Board and the Board of Commissioners or any county officials."

Mr. Tuley said he must do a pretty good job. He gave a demonstration in Washington County one day when he was over there -- and he said they changed and bought it. So he must be pretty good.

Ms. Smith again offered brief comments about the election, in general. But, again, she was speaking from her seat and her comments were inaudible.

Attorney Wayne Trockman said he does want the Commissioners to know that Geoff Ryan gave him this information on Friday. He wasn't holding out on anyone -- he looked at it this morning. The one concerning he has with this plan -- and it certainly solves or problem immediately -- he hopes we don't have a breakdown tomorrow. If we do, they will work through it -- they will get the election results out one way or another. But we know the problems we had two years ago -- especially when we didn't certify the results for two days. The problem is this will just get us back into some more 1960's technology and really, after the meeting and some of Rick's comments, he called Geoff Ryan and asked the same question Rick did, "Why in the world were we sold this stuff in 1985 if it was 2960's technology?" He got the an adequate explanation, he thinks -- the same answer given the Commissioners tonight. That is what the County wanted -- because of the price, he assumes. The lease option is that same equipment, with a slight upgrade. He'd love to see the County go to an optical scanner type system. That's what we need -- but he understands we can't afford it. But, to reiterate, the Election Board just has a concern with what we have -- a concern that is on our doorstep right now. Anything we can do -- whether it is a band-aid, a \$1,000 band-aid or a million dollar a year fix -- he thinks we need an upgrade.

Commissioner Borries said he agrees. He said, "We are pledged to

change -- whether we get that or the other. Maybe it would be interesting to think ahead. Since that was 1985 and this is 1993 -- where are we going to be in 2005? How will we be voting? I'd like to dream ahead a little bit. When we start talking about a large cash outlay, how will we be voting in the year 2005?"

Mr. Tuley asked, "Wayne, in the figures that Geoff provided you, did you provide him with the lease arrangement o the Optech?"

Mr. Ryan replied, "No, not on the Optech? But I can."

Mr. Tuley asked if he can share that with Wayne, then he can bring it back to the Commissioners. He said all we're looking for is an option.

Ms. Smith said, "We looked at the MicroVote and they came down and demonstrated that. It is kind of misleading what they say. They went to Gibson County and you could not put one of those machines in a precinct. You're going to have to have as many as we have now and that is what the Clerk and the Commissioners told them in Gibson County. If we had one of those here, we'd have people lined up for two blocks."

Mr. Tuley asked "You're talking about a total of one?"

Ms. Smith replied, "They were talking about one MicroVote in a precinct. It would take five and six -- it won't work. Where this one, the Optech -- you've got the one machine, but you've got the vote. It's a paper trail. You've got that and you stick it in -- so it would be a lot less cost. They are supposed to be working on something, but the State Election Board tells me they do not have it and it has not been certified."

In response to query from Commissioner Hunter about the Microvote, Ms. Smith said it is like a microwave. They are standing up here punching a light -- so you couldn't just use one voting machine in a precinct. You'd have to have four or five. Right now in some of our precincts -- Armstrong, for instance -- we have six voting machines out there and sometimes they're still lined up -- where we could have six places for them to vote, it still goes through just one machine. So if you look at it that way -- how many actual machines it takes -- "

Mr. Borries interrupted, "What do they do in Lake County and Allen County?"

Mr. Trockman said, "Those are both MicroVote."

Mr. Borries said, "You have 271,000 in Lake County who are using this MicroVote and 170,000 in Allen County using this MicroVote..."

Ms. Smith interrupteddd, "But I don't know how many machines they have per precinct. I can find out. But I know you can't take just one of those machines in a precinct."

Mr. Ryan said, "Again, the difference is -- with the DRE if you've not seen one -- the same as the old lever machines -- where you actually are voting on the machine itself -- you're waiting in line to get at that machine. With what you've been doing with the punch card, you have the four, five, six voting stations per precinct. So to reiterate what Betty was saying, is that you would actually need one MicroVote per one of the booths to vote the same amount of people. So that is the answer for that. Again, Rick, I want to mention that the lease is something people have been going to because, as you said, a million dollars is a lot of money and what are we going to be doing in six, seven or eight years -- is this going to be old equipment? We've had people across the country tell us they can lease it and if, in four years, this is old -- then they'll have new equipment. So that certainly is an option."

Mr. Borries said he would certainly want to consider that because of the rapid change in technology. He just doesn't know how appropriate it is to enter into a long term cash outlay in such a rapidly changing field. He then expressed appreciation to the Election Board and the representatives of Business Records Corporation for their appearance at tonight's session.

RE: DMD/MIKE ROBBLING

Mr. Robling said that several weeks ago the Board authorized the DMD to prepare a Grant Application to the Department of Commerce on behalf of Sunbeam Plastics Corporation. It turns out we are in somewhat of a time crunch from Sunbeam's point of view because of the necessity for them to have this rail siding that the State is planning to provide funding for done before the weather gets bad. They've already had some problems with the siding and the fear a derailment if they wait until spring. If we wait until we actually have a Grant Agreement from the State it will probably be the first of the year -- pushing it into the spring. The State has said that, although Sunbeam would be at some risk of not getting reimbursed, it would be all right to proceed with getting bids and awarding a contract. Once the Grant Agreement were finalized with the State, the company could be reimbursed by the County from the Grant Funds. The State Board of Accounts has said that because the projected cost is less than \$25,000 we could use informal bidding procedures, which don't require advertising, sealed bids, etc. -- and the company has obtained three bids (which all came in via FAX):

1) Annex Railroad Builders	\$21,800
2) Industrial Contractors, Inc.	\$49,993
30) Mize Construction Company	\$25,655

Mr. Robling said the Grant is based upon the \$21,000 bid estimate which Sunbeam earlier submitted to the State.

Commissioner Borries said there is really a wide scale on that. Is there any kind of prevailing wage scale that has to be used in this.

Mr. Robling said not that he is aware of.

Mr. Borries asked what causes the huge difference in price between \$21,800 and \$49,993?

Mr. Robling said it is probably because Annex Railroad Builders is in the business of doing this kind of work specifically and Industrial Contractors isn't. Originally, Sunbeam got estimates back in June for replacing 75 ties instead of 300. At that time they got two bids and the bid from Annex was something like \$7,000 and the bid from Industrial Contractors was \$20,000 plus -- so there was a wide disparity.

Mr. Tuley asked if it is safe to assume that Mize Construction does this on a regular basis also?

Mr. Robling said he doesn't know. He's never really heard of them -- but their bid is very close to that of Annex. They all bid on exactly the same form -- it specifies what is to be done and by when.

Mr. Borries said the only thing about this -- he means, he has a real thing about not only in terms of the prevailing wage -- but you sometimes ultimately get what you pay for. In some cases, some pretty skilled labor. The only other thing about this is, if these guys come in with any kind of change order and they got into something more than they anticipated, then he thinks the whole bidding process was skewed and

Mr. Robling said this was the price they quoted to Sunbeam back in August. As he understands, it is a firm price and they were prepared to proceed directly with Sunbeam before the grant offer came. The way he looks at it, Sunbeam would be responsible for anything over and above what the amount of the grant would be anyway.

Mr. Borries said Mr. Robling is recommending the low bid and a motion was entertained. He said if they go for this, he will vote "No" if they come back with any kind of a change order. This is a done deal insofar as he is concerned.

In response to query from Commissioner Tuley, Mr. Robling said he prepared the form they submitted their bids on, based upon the work that Sunbeam had identified and sent to the State back in August and he is quite comfortable with the bids.

Motion to approve the low bid from Annex Railroad Builders in the amount of \$21,800, in accordance with recommendation of Mr. Robling, was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: COUNTY OF ATTORNEY - ALAN M. KISSINGER

Request for Information re Motor Vehicles Assigned to County Offices & Departments: Attorney Kissinger said the Commissioners will recall that last week it was noted a memorandum would be sent out to the various officeholders and departments requesting specific information on motor vehicles assigned to those offices and departments. He thinks nearly all of those reports have been returned to the Commissioners' office. He is continuing to communicate with Mark Abell on those matters. They will gather that information, assemble same and proceed to continue to report to the Commissioners ultimately for the purpose of developing a more comprehensive Motor Vehicle Take-Home Policy, etc. Presently, as he says, we've received all but perhaps one complete report and he will be reporting on further progress at next week's meeting.

Commissioner Borries entertained questions of the Attorney. There were none.

RE: COUNTY HIGHWAY GARAGE - BILL MORPHEW

President Borries said he thought of Mr. Morphey. It is getting cold and those streets are wet. This is the earliest snow he can remember -- but it was a wake-up call.

Mr. Morphey said they did plow the roads. He had several men stay late Friday afternoon -- particularly on bridges. In the northern part of the county they had four and five inches of snow on the roads. Of course, by 11:00 a.m. or noon it was slush. They had a lot of problems with trees. The snow was so wet it was heavy and we had trees down all over the county. When the plow crews finished, he had those guys out removing trees. It was a busy Saturday. They started at 3:00 a.m. and ended at 4:30 p.m.

Weekly Progress Report: Mr. Borries asked that the record show that Mr. Morphey has submitted his Weekly Progress Report for period of October 22 thru October 28, 1993.....report received and filed.

Mr. Morphey said he is going to keep an eye on the weather. It looks as though there will be two more weeks of sunshine and he has a couple more roads he'd like to get paved.

Mr. Borries noted we usually pave into November -- and the snow was a real wake-up call.

Snow Route List & Vehicle Inventory: Mr. Morphey noted he has also

provided the Commissioners with a list of the Snow Route for all the major roads. All of the secondary roads aren't on there. He does now have a truck to do subdivisions with. If he can get some additional equipment he is going to be asking for, he will have two trucks to do the subdivisions with and that would make things go a lot faster.

Mr. Borries said he appreciates Mr. Morpew also including the information concerning the take-home vehicles the County Highway Department has, as well as the inventory of trucks as of August, 1993.

Damaged Guard Rail: Mr. Morpew said over the weekend we had a couple of cars go off the road and take some guard rail with them - - so the bridge crew has been busy trying to correct those problems.

County Highway Garage Roof: Commissioner Borries asked if they've started on this project yet.

Mr. Morpew said they have not. He has a meeting with the contractor tomorrow morning. He has a fellow lined out as a watch dog on the roof at all times the contractor is on the property -- same as he has with the environmental project.

Mr. Borries requested that Mr. Morpew keep the Board informed. They are interested in making sure the progress proceeds in the right fashion.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Telephone System at County Highway Garage: Mr. Abell reported he received a letter from VanAusdall & Farrar. He'd asked them to look into the County Garage telephone system. It is a rather old system and he believes it was installed by KLF -- one of their Isotech systems. The School Corporation had a lot of these at one time, also, and they've subsequently replaced all but one of theirs over there. They have a tendency to go down. They have the same problem at the County Highway Garage -- particularly during periods of storms, etc., which, if you know anything about the County Highway Garage and what they do -- that's a bad time, because that is when we need them out there -- during the tree storms, etc. Anyway, he looked into that and he received a basic ball park idea on price and he thought this might be a good time when we're making the December 4th switch if the Commissioners would agree -- we could look into changing their system out there, the actual hardware away from the KLF system into something compatible with this complex here. We would go through the quotation procedure with the Purchasing Department.

Mr. Borries said he would very much like to have the whole county on the same type system.

Mr. Hunter asked, "And that would tie them in with four digits?"

Mr. Abell said, "They will still be tied in with the four digit system, as will all remote locations -- due to the nature of the Centrex itself. But I mean just their actual physical hardware out there. It is old and it is aging and it breaks when we really need it.

Mr. Hunter said if we're putting in new equipment, we might as well do it all at the same time instead of piecemeal.

Mr. Abell said that would be his recommendation out there and he thinks probably Bill Morpew will back him up on that.

Mr. Hunter asked Mr. Morpew if he's having problems with it?

Mr. Morpew said they are -- whenever there is a storm they lose telephones.

Mr. Hunter asked "And do you feel that what you and Mark have worked out will be sufficient for your needs today and a few years up the pike?"

Mr. Morpew responded affirmatively.

Mr. Abell commented, "This will be state of the art, bringing it right up along with this complex."

Mr. Morpew commented, "I was a contract engineer for a number of years for various telephone companies. I worked with AT&T and MCI, U. S. Sprint, Telcom, etc. -- quite a few different companies. I worked with Indiana Bell, South Central Bell, Southern Bell, etc. Indiana Bell is the only company in the United States that is one hundred percent mechanized. All the engineering services have state-of-the-art, up-to-date computer network systems. They are using fiber optics for all their trunk cables, which goes from CO to CO. It is the fastest, most dependable network in the United States -- they are the best."

Mr. Borries said, "Coming from you, I think that is why we felt we were probably on the right track. The future is going to hold a lot of changes there, too, with cable systems, T. V. cable systems, and everybody else getting into these fiber optics and I think we're on the right track."

Mr. Morpew continued, "I built the second fiber optic network -- or I was part of building the plant -- the first one built was in California and the second was in Scottsdale, Arizona -- and it has progressed rapidly since then. It's a tremendous network and that is what is needed."

Mr. Borries said, "Well, we'll get you what you need. Based on your experience, you probably know what you need out there anyway."

Mr. Abell said since we're talking about phones, since we did get the bids and now know the prices of the hardware that we're going to be buying for the Civic Center, it was possible to get an actual real figure of savings, and I thought you'd probably like to hear that. Now, keep in mind this -- a year ago I saw what our prices were and I put a moratorium on moves, adds and changes -- because we were just getting killed financially. So we are in a position where we needed some moves, adds and changes and I thought this would be the time to incorporate all of those and bring everybody up to where they should be. We've added 34 new lines and upgraded 79 different phones, in addition to making everything at least as good as what we had before, hardware wise. So there are going to be upgrades and new lines involved in this system plus the other myriad aspect of the system being better than the other one. Our savings will be \$211,432.00 over a ten year period, which is somewhat staggering when you consider we're getting better!

Mr. Hunter asked "That is on the hardware itself?"

Mr. Abell responded that is on everything. That does not include long distance. That is on the hardware and the system itself -- the service itself.

Commissioner Borries said that is great.

United Way Campaign: Mr. Abell said the United Way Pledge Drive is over. We had some very good participation this year and he will be getting figures on that -- probably by next week.

Mr. Borries said he wants to commend Mr. Abell on that. He put some incentive in there. He has one department that literally

matched what the County contributed in its entirety last year.

Mr. Abell said he is going out on a limb and say we're going to safely double what we did last year -- but he will know more next week.

Mr. Borries thanked Mr. Abell for his work on the phones and the United Way Campaign.

RE: COUNTY ENGINEER - JOHN STOLL

Orchard Rd. Bridge Project: Mr. Stoll said he has a form that needs to be included in the final construction record for the Orchard Road Bridge Project. This form is just a standard form that INDOT requires as far as finalizing the paperwork on the bridge project since it was a Federal Aid job and it basically says who was on the final inspection. The form does need to be signed by the Commissioners.

Mr. Borries asked if Mr. Stoll is recommending they sign the form and he responded affirmatively. A motion was entertained.

Motion to sign the form was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

In response to query from Commissioner Borries, Mr. Stoll stated the Orchard Rd. Bridge is open.

Copperfield Subdivision, Section II/Phase III/Street & Storm Drainage Acceptance: Mr. Stoll said he is recommending acceptance of the following. All of this was constructed according to plan and he would recommend they be accepted for maintenance once the developer submits his fee of 50 cents per ft. for the storm sewers.

Greendale Drive (continuation)	350 LFT	40' R/W
Copperfield Drive (continuation)	398 LFT	40' R/W
Northfield Drive (continuation)	442 LFT	50' R/W
Southport Drive (continuation)	<u>394 LFT</u>	40' R/W
Total	1,584 LFT	

Motion to approve was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Cross Pointe Subdivision/Dedication of Additional Right-of-Way: Mr. Stoll said he has a diagram of additional right-of-way that the developer of Cross Pointe Subdivision would like to dedicate to the County for the purpose of building a wider road that would match the existing cross section of the road that is out there right now. It basically would be four lanes, with left turn lanes.

Mr. Borries said he had a guy who kept calling long distance who said he needed some kind of letter to proceed. Unless you ask the whole question, you don't get the whole answer. After talking with Barbara Cunningham, it turned out to be exactly as John said here - that we needed some additional right-of-way. It is his understanding that this fellow or the firm that wishes to develop within this Cross Point Subdivision -- they are going to build the road and do so and grant this additional right-of-way?

Mr. Stoll replied they will dedicate the additional right-of-way. The street plans he has right now show a 41 ft. cross section (as in the letter he sent to the three Commissioners). He is not sure whether they are going to go ahead with the five lanes right now. But they are supposed to give us a Letter of Credit for the five lane road -- so if they don't build it now, at least we could call in the Letter of credit if they don't build it in the future and go ahead and get it done. So he believes we are protected. They just

need to dedicate this additional right-of-way to increase it. He talked to Jim Morley this evening and he said that once he gets the signatures on the right-of-way dedication from Jim McKinney, then he will go ahead and record the right-of-way. He just wanted the Commissioners to accept the dedication of the additional right-of-way this evening so they can go ahead and proceed with their plans.

Motion to accept the additional right-of-way was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

North Green River Rd. Project/Update: Mr. Stoll said tomorrow they should have the four lanes striped, as well as the center left turn lane. It's temporary striping. There will be four 14 ft. travel lanes (two north bound and two south bound) plus a 10 ft. center left turn lane from Morgan Center Drive to just north of Sugar Mill Creek. It doesn't have the final inch of surface asphalt on there yet, but it is going to be opened up to four lanes of traffic tomorrow.

Mr. Hunter asked if he heard Mr. Stoll's melodic tones on WIKY the other day, saying that it was supposed to be completely finished by Thanksgiving.

Mr. Stoll said that is what they told him and he hopes it makes it. He believes they told him they have 300 to 400 ft. left of just exposed dirt in the center still -- but they are expecting to get all of that covered soon and, hopefully, we will get the final asphalt down by the end of November -- as they've said all along. They are already being assessed damages; their contract days are up. They are being assessed \$1,500 per day. He is not sure how many days so far, but believes it is at least a couple of weeks.

Mr. Borries said he imagines they are going to be interested in getting this finished quickly. He drove this yesterday and he thinks they've made a lot of headway.

Attorney Kissinger noted, "John, while we're on the subject. That resolution with reference to the speed limit out there -- when the necessity for that actually leaves, please remind me -- because the Commissioners need to repeal that resolution."

Public Hearing/INDOT/Eickhoff-Koressel/Phase I: President Borries said, "John, you probably got this as a memo from me and I will just bring it up with you now -- because I know we've been lobbied by at least one gentleman and a number of people who have written in, in this family's behalf. We surely don't want them to miss that there is going to be a Hearing through INDOT on Thursday, December 9th, at the University of Southern Indiana on the proposed University Parkway or Eickhoff-Koressel Rd. from S. R. 62 to S. R. 66. It will be held in the Administration Building (formerly Lecture Hall) Forum 1. We'll just go ahead and enter that into the record. Maybe we need to let Roger and Kathy Hall know."

Mr. Stoll said he received a copy of this today. If he is not mistaken, the Halls are on the Second Phase, and this is the First Phase. He will check that.

Mr. Borries said he just wants to be sure the Halls know about this Hearing.

Mr. Stoll said INDOT is supposed to send out a notice to all the property owners affected along the project.

RE: CONSENT AGENDA

President Borries entertained comments or questions re the Consent Agenda.

Appointments/Burdette Park: Mr. Hunter said he is questions appointment of Robert Townsend at salary of 25 cents as a guard. This seems like slave labor. What kind of guard would that be? One is making 25 cents per hr. and the other one is making \$4.60 per hr.

Commissioner Borries said this needs to be excluded from the Consent Agenda and he would ask that Ms. Matthews obtain information on this prior to next week.

Ms. Matthews said she will check this out with Sandi Deig before she leaves on vacation, so the Board will have an answer by next week.

Approval of Minutes: Mr. Borries noted he also has the original minutes of October 18th for signatures -- and he would add this to the Consent Agenda.

There being no further questions, motion to approve the Consent Agenda as amended was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: OLD BUSINESS

Commissioner Borries entertained matters of Old Business to come before the Board. There were none.

Bonus for Burdette Park Employees: Auditor Humphrey said the 25 cents is a bonus that Council agreed to give the kids who stayed the year around with Burdette -- 25 cents per hour for the number of hours they worked.

Mr. Borries asked, "So this kid worked one hour?"

Commissioner Tuley commented, "No. At the end of the year they lose all these kids because they go back to school. But the Park has several bookings, but in the past Council has said if they can get these guards to come back and cover those weekends, they will pay them a bonus of 25 cents for each hour they worked. But the effective date is what is wrong. Ms. Matthews should still check this out with Ms. Deig.

RE: NEW BUSINESS

Errors in Precinct List: Mr. Borries said there are members of the media here and he would note there were errors in an advertised precinct list this morning. He thinks it has been corrected. We want to urge people to look at the listings in the Press today or tomorrow's Courier and, of course, encourage all people to vote tomorrow. Hopefully, the errors will have been corrected at that point. County offices will be open tomorrow and if there is any confusion about where they are to vote, they can call 426-5122 or 426-5222, whichever political party they want to call.

Recognition of Councilmen: President Borries noted two distinguished Councilmen are present this evening: Royce Sutton of the County Council and Steve Bagby of the City Council. He asked if either of these gentlemen with to address the Commission. Both responded negatively.


Joint Executive Session: It was noted by Commissioner Borries that a Joint Executive Session of the Board of Commissioners and County Council has been scheduled for 4:30 p.m. on November 15th and same will be advertised. Purpose of said meeting is to discuss Pending Litigation, Personnel Matters and Financial Matters.

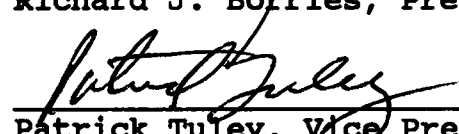
There being no further business to come before the Board, President Borries declared the meeting adjourned at

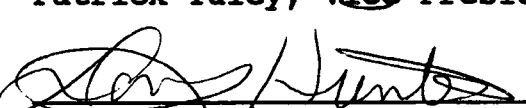
PRESENT:

Richard J. Borries
Patrick Tuley
Don Hunter
Sam Humphrey, County Auditor
Alan M. Kissinger, County Attorney
John Stoll, County Engineer
Bill Morphey, County Hwy. Superintendent
Mark Abell, Supt./County Buildings
Mike Robling/DMD
Daryn Burgdorf/Purchasing Department
Sandra Toten/Vanderburgh Auditorium
Pat Gray/J. H. Rudolph & Co.
Eric Williams/Deputy Sheriff
Betty Knight Smith/County Clerk
Alberta Matlock/Election Office
Geoff Ryan/Business Records Corp.
Robert McGinnis/Business Records Corp.
Wayne Trockman/Election Board
Jim Morley/Morley & Associates
Ray Nix/Concrete Pavers, Inc.
Royce Sutton/County Council
Steve Bagby/City Council
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Richard J. Borries, President


Patrick Tuley, Vice President


Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

November 1, 1993

5:30 P.M.

FINAL

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ACTION ITEMS**
 - A. Any group/individual wishing to address the commission**
 - B. Daryn Burgdorf/Purchasing**
 - 1) Reject Bid VC 9313/Post Frame Building/Sheriff Department and request approval to readvertise**
 - 2) Award Bid VC 9401/Liquid Asphalt**
 - 3) Open Bid VC 93-09-01/Virginia Street Culvert & Paving (John Stoll, County Engineer will be present)**
 - 4) Award Bid VC 9314/County Telephone System**
 - C. Ordinance to Amend Chapter 72, Schedule II, of the Code of Ordinances/Final Reading**
 - D. Sandra Toton/General Manager, Vanderburgh Auditorium re: Dept. Head Report/Council Call**
 - E. Geoff Ryan/Vice-President/Business Records Corporation re: Proposal for 1994 Lease Agreement for Tabulators for Elections**

F. R. Michael Robling/DMD
re: Bids/Sunbeam Plastics

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney
Mark Abell ----- Superintendent of County Buildings
Bill Morpew ----- County Garage
John Stoll ----- County Engineer
*See attached engineer requests

6. CONSENT ITEMS

- A. Travel/Education Requests:
Health (4)
- B. Employment Changes:
see attached
- C. Claim for payment:
1) Alexander Ambulance.....\$ 11,797.58

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1180	ROBERT TOWNSEND		GUARD		25	10-6-93 ✓
1180	DANIEL TOWNSEND		GUARD	4	60	10-6-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Mark T. Tuley DATE 10-25-93

plate

COUNTY ENGINEER'S
CONSENT AGENDA
NOVEMBER 1, 1993

1. **CLAIMS:**

U.S.I. & S.R. 62 430 BOND	
Bernardin Lochaueller Inv. #93-003-2(5)	\$28,104.87
OAK HILL ROAD BRIDGE #117 203-4394	
Floyd E. Burroughs Inv. #5	\$ 2,315.00
LYNCH ROAD BRIDGE 203-4395	
Bernardin Lochaueller Inv. #92-032-2(2)	\$ 7,862.94
LYNCH ROAD EXTENSION 216-4827	
Bernardin Lochaueller Inv. #92-032-2(2)	\$10,221.10

1993

October 31 - December 11

1993

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
October 31 304 / 61 Daylight Savings—set back 1 hour Halloween	November 1 305 / 60 4:00pm Co. Comm. Dept. Head 5:30pm County Commissioners	November 2 306 / 59 Riverboat Gambling Referendum	November 3 307 / 58 3:30pm County Council	November 4 308 / 57	November 5 309 / 56 Pay Day	November 6 310 / 55
November 7 311 / 54	November 8 312 / 53 4:30pm Solid Waste 5:30pm County Commissioners	November 9 313 / 52	November 10 314 / 51	November 11 315 / 50 Veterans Day	November 12 316 / 49 Veteran's Day (observed)	November 13 317 / 48
November 14 318 / 47	November 15 319 / 46 5:30pm County Commissioners 7:00pm Co. Comm. Reconings	November 16 320 / 45 9:00am County Insurance Committee	November 17 321 / 44	November 18 322 / 43 9:00am Co. Steering Comm. 5:00pm Pigeon Creek	November 19 323 / 42 Pay Day	November 20 324 / 41
November 21 325 / 40	November 22 326 / 39 5:30pm County Commissioners Co. Comm. Drainage Bd.	November 23 327 / 38	November 24 328 / 37 3:30pm Personnel & Finance	November 25 329 / 36 <div>Thanksgiving</div>	November 26 330 / 35	November 27 331 / 34
November 28 332 / 33	November 29 333 / 32 5:30pm County Commissioners	November 30 334 / 31	December 1 335 / 30 3:30pm County Council	December 2 336 / 29	December 3 337 / 28 Pay Day	December 4 338 / 27
December 5 339 / 26	December 6 340 / 25 4:00pm Co. Comm. Dept. Head 5:30pm County Commissioners	December 7 341 / 24	December 8 342 / 23	December 9 343 / 22	December 10 344 / 21	December 11 345 / 20



Business Records Corporation

155 NORTH WACKER DRIVE

CHICAGO, ILLINOIS 60606-1719

(312)419-0270

LEASE AGREEMENT FOR VANDERBURGH COUNTY, INDIANA November 1, 1993

Business Records Corporation agrees to lease to the Vanderburgh County Commissioners a PC Ballot Tabulation System and Ballot Tabulation programs for 1994 thru 1996. The Lease Agreement includes the services necessary to conduct your 1994 thru 1996 Primary and General Elections.

The equipment and software to be leased are as follows:

	<u>Quantity</u>
PC-D 486M 8MB 33MHz (6 slots)	2
PC Disk Operating System	2
Invisible Network 10MB Card	2
Systems Printer	1
Log Printer	1
10 Ft. Parallel Printer Cable	2
Card Reader Cable	2
Documation 1000 CPM Card Reader	2
Auto Reader Interface	2
Internal Modem 2400 Baud	1
Carbon Copy Plus Communications Software	1
Election Tabulating Program IV Network	1

The lease price includes: coding, pre-election testing and an on-site election day support person from the closing of the polls until all ballots have been tabulated.

The annual lease price is \$20,500 payable within 30 days of receipt of invoice.

ACCEPTANCE:

Lease for 1994 - 1996 Primary and General Elections - \$20,500 annually.

Vanderburgh County Commissioners

Business Records Corporation

Signature

Price is firm for 60 days and is FOB point of origin.



Business Records Corporation

155 NORTH WACKER DRIVE CHICAGO, ILLINOIS 60606-1719 (312)419-0270

AGREEMENT FOR CONTRACT

By this contract, entered into between Vanderburgh County, Indiana (the County) and Business Records Corporation (BRC), it is agreed that:

BRC will furnish to the County the following services and supplies for both the May 1994 Primary Election and the November 1994 General Election:

657	Official Ballot Pages @ \$25 per set All Ballot Pages will be printed and assembled into the County's ballot frames with punched masks and delivered ready for insertion into vote recorders.	\$16,425.00
3,340	Sample Ballots/flat sheet style (20/precinct) @ \$49.00/100	1,636.60
6,680	Official Absentee Voter Ballots/flat sheet style (40/precinct) @ \$49.00/100	3,273.20
100,000	Official Ballot Cards with Precinct I.D. @ \$125/M	12,500.00
7,000	Official Ballot Cards without Precinct I.D. @ \$125/M All Ballot Cards will be stitched in pads of 50 and shrink wrapped.	875.00
167	Precinct Kits with all necessary forms @ \$35.00	5,845.00
1	Clerk's Kit	125.00
Total:		\$40,679.80

The County agrees to pay to Business Records Corporation upon receipt of invoice, the amount of \$40,679.80 (\$243.59 per precinct) for the May 1994 Primary Election, and \$40,679.80 for the November 1994 General Election.

All supplies and services for both elections are FOB Chicago. Prices are firm for 60 days.

Agreed to and entered into this _____ day of _____, 199__ by:

Vanderburgh County Commissioners

Business Records Corporation

Signature

BID RECAP SHEET

PROJECT: VIRGINIA STREET CULVERT & PAVING

BID OPENING DATE: NOVEMBER 1, 1993

* * * * *

Bidder Name

Amount

Koberstein Trucking, Inc.

\$65,680⁰⁰

J. H. Rudolph & Co., Inc.

\$ 84,051⁰⁰

Concrete Pavers, Inc.

\$56,471.45

Sam Bailey & Co., Inc.

\$81,453.38

Pagle, Inc.

\$63,244.⁰⁰

Deig Bros. Lumber & Constr. Co. Inc.

\$74,836.⁰⁰

CCC of Evansville, Inc.

\$58,318.78

COMMENTS:

ACTION TAKEN:

ACTION TAKEN: *Report to John Hall for review
and a recommendation.*

BID FORM

TO: Board of Commissioners
Vanderburgh County
305 Civic Center Complex
1 N.W. Martin Luther King, Jr. Blvd.
Evansville, IN 47708

PROJECT: Sunbeam Plastics Corporation Rail Spur Track and Support Bed Improvements

LOCATION: Rail spur located at 3245 Kansas Road, Evansville, Indiana

SCOPE OF WORK:

Remove 600 feet of existing railroad track.

Remove 300 worn cross ties.

Furnish and install 100 tons of track ballast.

Furnish and install 300 new, Grade 5 cross ties.

Surface, line and dress 600 feet of track.

Work to be completed before December 31, 1993

Approved

The undersigned company proposes to complete the above-described Scope of Work for the price of:

\$ 21,800.00

Company Name: ANNEX RAILROAD BUILDERS, INC.

Address: 2400 N. Ritter Avenue, Indianapolis, IN 46218

Telephone: 317-547-2806 FAX: 317-546-4324

By: *James D. Ruppel*

Title: Vice President

Date Submitted: October, 28, 1993

To Be Submitted in Sealed Envelope to the Board of Commissioners at the above address, no later than 2:30 p.m. on Monday, November __, 1993. The notation "Sunbeam Rail Spur" should be clearly written on the outside of the envelope.

BID FORM

TO: Board of Commissioners
Vanderburgh County
306 CMA Center Complex
1 N.W. Martin Luther King, Jr. Blvd.
Evansville, IN 47708

PROJECT: Sunbeam Plastics Corporation Rail Spur Track and Support Bed Improvements

LOCATION: Rail spur located at 3245 Kansas Road, Evansville, Indiana

SCOPE OF WORK:

1. Remove 500 feet of existing railroad track.
2. Remove 300 worn cross ties.
3. Furnish and install 100 tons of track ballast.
4. Furnish and install 300 new, Grade 5 cross ties.
5. Surface, line and dress 500 feet of track.
6. Work to be completed before December 31, 1993

The undersigned company proposes to complete the above-described Scope of Work for the price of:

\$ 49,993.00

Company Name: INDUSTRIAL CONTRACTORS, INC.

Address: 401 N.W. FIRST STREET

Telephone: 812-423-7832

FAX: 464-9050

By: 

CHARLIE MICHEL

Title: GENERAL CONSTRUCTION ESTIMATOR

Date Submitted: 10-28-93

To Be Submitted in Sealed Envelope to the Board of Commissioners at the above address, no later than 5:30 p.m. on Monday, November __, 1993. The notation 'Sunbeam Rail Spur' should be clearly written on the outside of the envelope.

TO: Board of Commissioners
Vanderburgh County
305 Civic Center Complex
1 N.W. Martin Luther King, Jr. Blvd.
Evansville, IN 47706

PROJECT: Sunbeam Plastics Corporation Rail Spur Track and Support Bed Improvements

LOCATION: Rail spur located at 3245 Kansas Road, Evansville, Indiana

SCOPE OF WORK:

Remove 600 feet of existing railroad track.

Remove 300 worn cross ties.

Furnish and install 100 tons of track ballast.

Furnish and install 300 new, Grade 5 cross ties.

Surface, line and dress 600 feet of track.

Work to be completed before December 31, 1993

The undersigned company proposes to complete the above-described Scope of Work for the price of:

\$ 25,655.00

Company Name: MIZE CONSTRUCTION COMPANY

Address: P.O. Box 928, Vincennes, In 47591

Telephone: 812 882-6136 FAX: 812 882-6162

By: Morris L. McCray

Title: General Manager

Date Submitted: October 28, 1993

To Be Submitted in Sealed Envelope to the Board of Commissioners at the above address, no later than 3:30 p.m. on Monday, November __, 1993. The notation "Sunbeam Rail Spur" should be clearly written on the outside of the envelope.



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue

Room N755

Indianapolis, Indiana 46204-2249

(317) 232-5533

FAX: (317) 232-0238

EVAN BAYH, Governor

FREDERICK C. P'POOL, Commissioner

Writer's Direct Line:

(317) 232-6601

October 25, 1993

Vanderburgh County Commissioners
Civic Center Complex
Room 305
Evansville, IN 47708

Re: Proposed new roadway (University Parkway) or (Eickhoff-Koressel Road)
from State Road 62 to State Road 66, located on the west side of the city
of Evansville in Vanderburgh County.

Indiana Project: STP-M-E180() CN RS-6582() CN
Des: 8406980 8138090

Dear Sir:

The Indiana Department of Transportation, hereby requests that the Vanderburgh County Commissioners, be present at the forthcoming design public hearing as shown in the attached "Legal Notice of Public Hearing". Also with the magnitude of interest that this project is generating we request additional staff members be present, who are familiar with this project.

It is requested that this office be notified as soon as possible as to which members of your staff will participate in the proceedings.

Your cooperation in this public affair is most appreciated.

Sincerely,

Donald G. Shields
Hearings Examiner
Indiana Department of Transportation
N755 Government Center North
Indianapolis, Indiana 46204-2217

PLEASE ROUTE TO:

RICK BORRIES RB

PAT TULEY PT

DON HUNTER DH

OTHER John Stoll (012)
Keith Lockmiller (OK)

DGS:rp

Attachments

PROJECT NUMB1
STP-M-E180() C
RS-6582() CN
DES: 8406980
8138090

LEGAL NOTICE

OF

PUBLIC HEARING

Notice is hereby given that the Indiana Department of Transportation, in cooperation with the Vanderburgh County Commissioners will hold a design public hearing on Thursday, December 9, 1993, at the University of Southern Indiana, in the Administration Building (Forum Wing), Lecture Hall (Forum One) in Evansville, Indiana.

The purpose of the public hearing is to publicly discuss and afford all interested persons an opportunity to comment on current design plans for the proposed new roadway (University Parkway) or (Eickhoff-Koressel Road) from State Road 62 to State Road 66. The project is located on the west side of the city of Evansville in Vanderburgh County. The total project length is about 4.838 mile.

As planned, the proposed new roadway will begin at a new interchange over State Road 62. The new roadway will consist of four 12-foot driving lanes with a 60-foot median. There will also be 10-foot outside shoulders and 4-foot inside shoulders. Hogue Road, Upper Mount Vernon Road, Marx Road, New Harmony Road, and St. Joe Road will have access to the new facility.

There will be a new bridge constructed over the CSX Railroad. This new structure will be a 3-span continuous composite steel beam bridge. Also a new structure will be constructed over Little Creek. This new structure will be a 3-span twin continuous reinforced concrete slab bridge. The clear roadway width thru both bridges will be 40 feet 8 inches.

Construction of the project will require a maximum new permanent right-of-way width of about 450 feet. Approximately 179 acres of new permanent right-of-way may be needed. Eight residents will be displaced by this project. Two of those residents are presently vacant. Another residents is historic and is to be relocated. Hogue Road, Upper Mount Vernon Road, Marx Road, New Harmony Road, and Eickhoff Road will be closed for short periods of time.

There will be two formal presentations given in room FA one at 4:00pm and at 7:00pm. Displays detailing the proposed project will be available in the administration hallway. Comments and written statements will be accepted in the hallway. The Relocation Assistance Program, and tentative timetables for right-of-way acquisition and construction, will be discussed during the formal presentations

Anyone wishing to speak for the official record should do so in the comment area of the hallway. To avoid duplication and in the best interest of full public participation, organizations are encouraged to select one spokesperson for the public record. A verbatim report will be made of all

PROJECT NUMBER:
STP-M-E180() CN
RS-6582() CN
DES: 8406980
8138090

comments and materials received. This data will be evaluated and addressed in the final design study report.

Written statements and other exhibits about the project may be presented for the official record in place of, or in addition to, oral testimony.

Written statements and exhibits may also be submitted to the Hearings Examiner, Room N755, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, Indiana 46204-2217, at any time from this date, and for a period of two (2) weeks following the hearing.

An informal session in the hallway will be concurrent with the presentations. This area is for interested persons to walk in and discuss, one on one with professional engineers, any concerns they may have about the proposal. No presentations will be given in the hallway. Conversations will not be recorded, and will not become part of the official record. However, written statements and other exhibits will be accepted for inclusion in the official record in the comment area.

A draft design study report, environmental document and preliminary design plans along with other materials on the proposed project are available for advance public viewing and inspection during normal office hours in the following offices:

1. Hearings Examiner, Room N755, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, Indiana 46204-2217.
(317-232-6601)
2. Evansville Urban Transportation Study (EUTS), Room 316, Civic Center Complex, Evansville, Indiana 47708

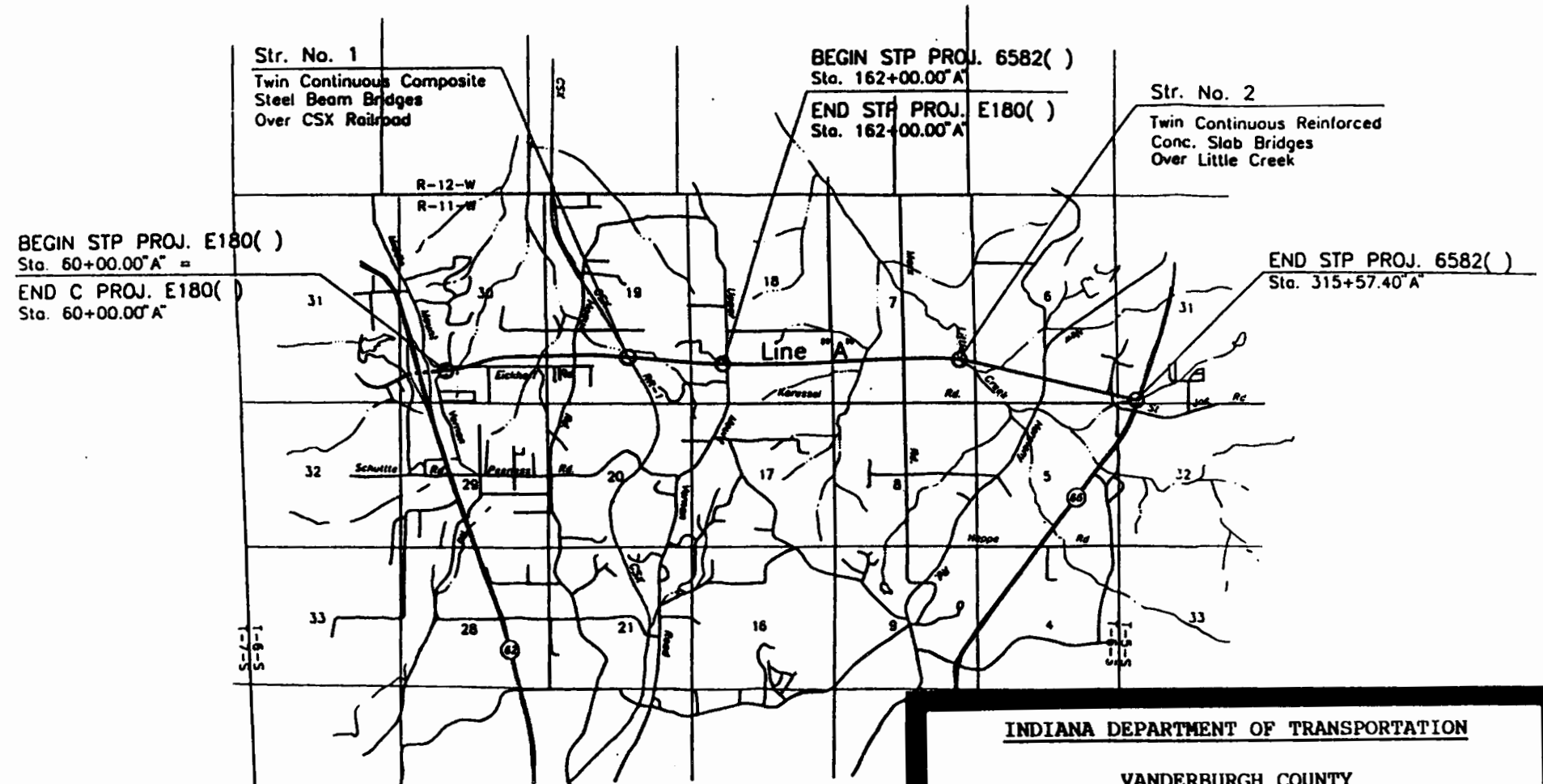
Sketch maps depicting the location of the proposed project may also be obtained at any of the aforementioned offices. All materials will also be available for public inspection and review during the public hearing.

All interested parties are invited and urged to attend the hearing and comment or present written statements and exhibits as to the social, economic, and environmental impacts the proposed project will have upon the area.

This notice is published in compliance with Title 23, Section 128, U.S. Code, Federal Road Acts of 1958, and the Indiana Public Involvement/Public Hearing Procedures for Federal-Aid Project Development approved by the Federal Highway Administration, U.S. Department of Transportation on January 7, 1985.

INDIANA DEPARTMENT OF TRANSPORTATION

Donald G. Shields
Public Hearings Examiner



INDIANA DEPARTMENT OF TRANSPORTATION

VANDERBURGH COUNTY

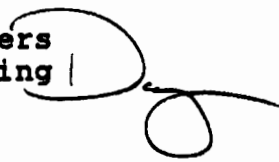
INDIANA PROJECT: STP-M-E180() CN
RS-6582(1) CN

Proposed new roadway (University Parkway) or (Eickhoff-Koressel Road) from State Road 62 to State Road 66, located on the west side of the city of Evansville. Total project length is about 4.839 mile.

CITY—COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

To: Board of County Commissioners
From: Daryn S. Burgdorf, Purchasing
Date: Friday, October 29, 1993
Re: Bid Number VC 9313



Per recommendation from Mr. Eric Williams of the Vanderburgh County Sheriff's Department, I am asking for your permission to reject Bid Number VC 9313 and re-bid for the Post Frame Building for the Sheriff's Department.

Mr. Williams informed me that the contractor who constructed a building of this nature was much lower in terms of competitive pricing.

With your permission to re-bid, I would like to advertise on Tuesday, November 2 & 9, 1993 with Bid Opening to be set for Monday, November 22, 1993.

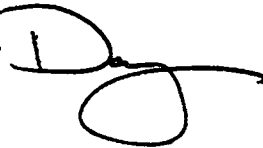
If you need additional information, please contact me at 426-5715.

cc: Mr. Rick Borries, President
Mr. Pat Tuley, Vice-President ✓
Mr. Don Hunter, Member
Bid File

CITY—COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

To: Board of County Commissioners
From: Daryn S. Burgdorf, Purchasing
Date: Friday, October 29, 1993
Re: Award Bid Number VC 9401



At your meeting on Monday, November 1, 1993, I will be making my recommendation of award of the 1994 contract for Liquid Asphalt to J.H. Rudolph & Co., Inc.

J.H. Rudolph was the only bidder on this contract. However, upon speaking with the County Highway Department, they felt J.H. Rudolph has provided the County with quality service in the past. I feel that the \$0.10 per gallon increase is justifiable when looking at the increase of the Consumer Price Index from last year to this year.

Therefore, I am recommending award of the 1994 Liquid Asphalt bid to J.H. Rudolph at the prices listed below:

Liquid Asphalt AE-T.....\$1.30 / gallon
Liquid Asphalt AE-P.....\$1.45 / gallon
Delivery.....\$0.03 / gallon

cc: Mr. Rick Borries, President ✓
Mr. Pat Tuley, Vice President
Mr. Don Hunter, Member
Bid File (2)



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603

Agenda for November 1, 1993

1. INDOT Report of Contract Final Inspection and Recommendation for Acceptance for the Orchard Road Bridge
2. Street and Storm Sewer Acceptance for Copperfield Subdivision Section II Phase III
 - Streets

Greendale Drive	350 LFT
Copperfield Drive	398 LFT
Northfield Drive	442 LFT
Southport Drive	394 LFT
 - Storm Sewers
502.75 LFT R.C.P. outside street rights of way
3. Dedication of additional right of way for Cross Pointe Boulevard
4. Update on progress of the north Green River Road project

VANDERBURGH COUNTY ENGINEERING DEPARTMENT

Old Courthouse, Suite 307
201 N.W. Fourth Street
Evansville, IN 47708

DATE: NOVEMBER 1, 1993 424-9603

Vanderburgh County Board of Commissioners
Rm. 305 Civic Center Complex
Evansville, IN 47708

**RE: Acceptance of Street Improvements in
COPPERFIELD SECTION II, PHASE III**

Dear Commissioners:

The undersigned have made an inspection of the subject Street and Storm Drainage (included within the street right-of-way) Improvements on OCTOBER 21 & 28, 1993. These Improvements were constructed/finished on/by SEPTEMBER 1993. All streets were constructed with CONCRETE in accordance with the approved plans.

The following is a summary of the length of the completed 24 & 29 TO BACK CURB _____ feet wide streets in the subject Subdivision:

	R/W	Length
<u>GREENDALE DRIVE (CONTINUATION)</u>	<u>40'</u>	<u>350 LFT</u>
<u>COPPERFIELD DRIVE (CONTINUATION)</u>	<u>40'</u>	<u>398 LFT</u>
<u>NORTHFIELD DRIVE (CONTINUATION)</u>	<u>50'</u>	<u>442 LFT</u>
<u>SOUTHPORT DRIVE (CONTINUATION)</u>	<u>40'</u>	<u>394 LFT</u>
<u>TOTAL</u>		<u>1584 LFT</u>

It is recommended that these Street and Storm Drainage (included within the street right-of-ways) improvements be accepted for maintenance:

If you have any questions please call the County Engineering Department.

Respectfully,

John Stoll
County Engineer

Assistant County Engineer

CC: Developer
Design Engineer
APC
Co. Highway Dept.
Road File

07/93

Accepted for Maintenance by the
Board of County Commissioners

Richard L. Barnes
President

Robert J. Juley
Vice-President

2 J. Hunt
Member

VANDERBURGH COUNTY ENGINEERING DEPARTMENT

OLD COURT HOUSE, SUITE 307
201 N.W. FOURTH STREET
EVANSVILLE, INDIANA 47708

DATE: NOVEMBER 1, 1993

RE: Acceptance for Maintenance of Retention Basin(s) and
Storm Sewers under SECTION B of Subdivision Drainage
Ordinance for Vanderburgh County In:

COPPERFIELD SEC II, PHASE III

Dear Commissioners:

The undersigned have made an inspection of the subject Retention Basins(s) and storm sewers (NOT within the street right of way) on OCTOBER 28, 1993. All drainage construction was in accordance with the approved street and drainage plans. MAP ATTACHED SHOWING LOCATION(S) AND LOT # 52 THRU 88. The following is a summary of the length and fees of the completed drainage improvements in the subject subdivision:

<u>SHORELINE OF RETENTION BASIN(S)</u>	<u>LFT</u>	<u>@ \$.50</u>	
<u>STORM SEWERS (OUTSIDE COUNTY ROAD R/W)</u>	<u>502.75 LFT</u>	<u>@ .50</u>	<u>\$251.38</u>
<u>TOTAL</u>	<u>LFT</u>	<u>@ .50</u>	<u>\$ 251.38</u>

Date of County Engineer Approval Letter NOVEMBER 1, 1993 (One year developer guarantee from this date)

It is recommended that these retention basin(s) and storm sewers (not within the street right of way) improvements be accepted for maintenance.

Respectfully,

John Stall
County Engineer

CC: Developer
Design Engineer
APC
Highway Department
Road File

10/93

Accepted for Maintenance by the Board of County
Commissioners

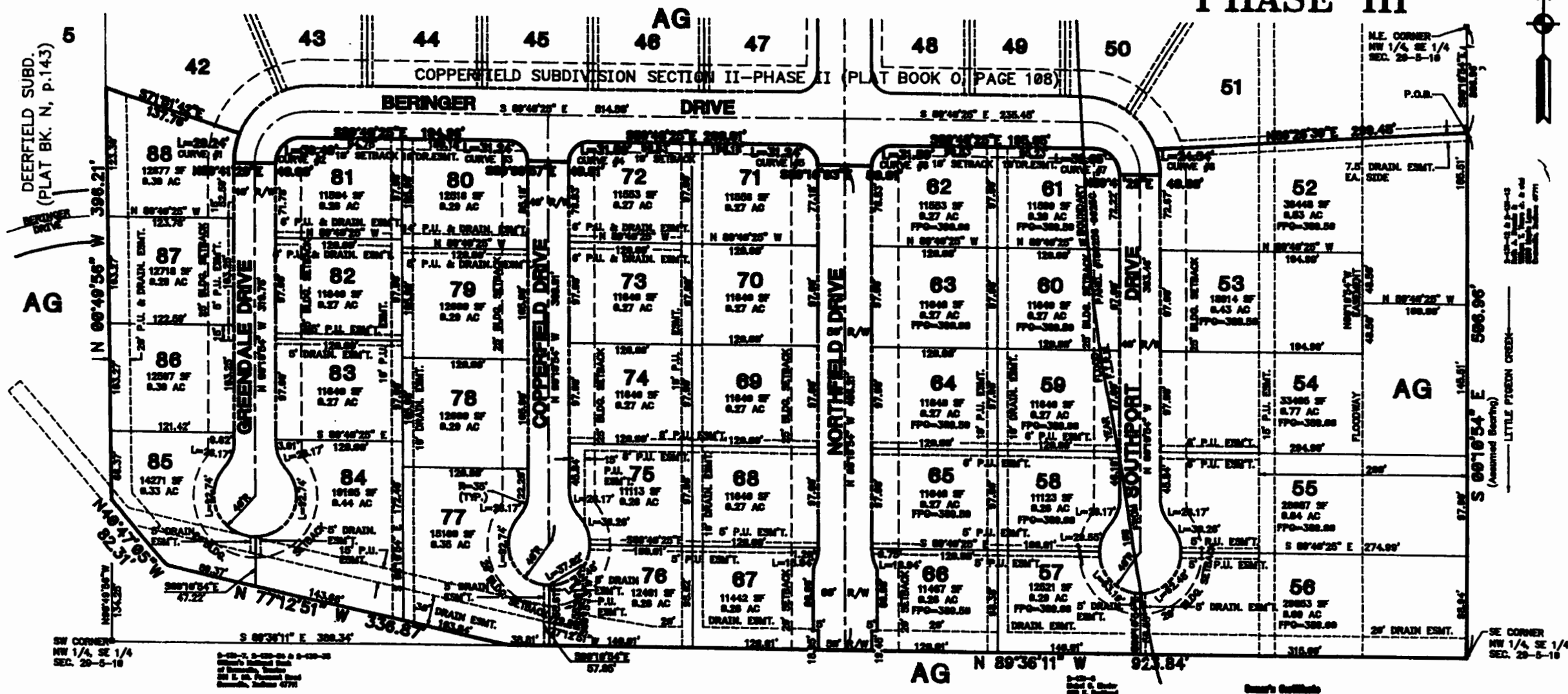
Richard J. Barnes
President

Victor Julez
Vice President

[Signature]
Member

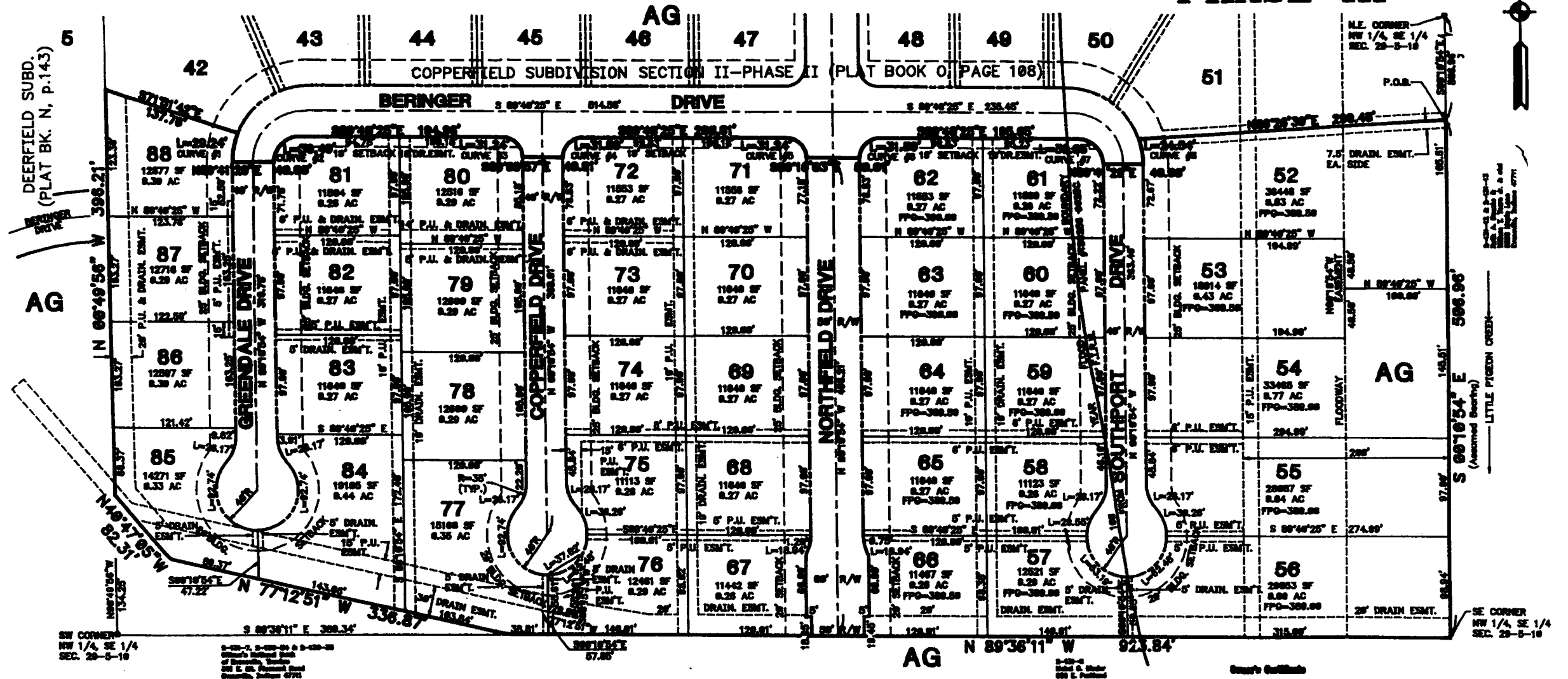
SECTION II

PHASE III



SECTION II

PHASE III



INDIANA DEPARTMENT OF TRANSPORTATION

REPORT OF CONTRACT FINAL INSPECTION
AND RECOMMENDATION FOR ACCEPTANCE

Contract B-19810 Project BRZ-9982 (012)

Date Construction Completed 9/21/93
(The date all items were complete, except punch list & removal of traffic control devices.)

Preliminary Inspection made by Area Engineer, Mr. Rick Yunker; Vanderburgh County
Engineer, Mr. John Stoll; Project Supv. David Franklin on 9/30/93

Date Punch List Items Completed 10/7/93

Sod Maintenance Expired on 10/11/93

Date Sod Repaired, if necessary N/A

Date Failed Material Replaced N/A

Final Inspection made by David Franklin, P.E./P.S.

on 10/15/93 and all work was found to be
satisfactory from Station 11+90 to Station 22+41

Date Construction Signs and Temporary Traffic Control Devices Removed All signs removed on 9/21/93
except for (2) XW-20-1 signs that replaced (2) XW-20-3 signs that were removed 10/12/93
Pavement Smoothness (does) (does not) comply with the Specifications.

Pavement markings (have) (have not) been placed in accordance the MUTCD manual or as directed by the
District Traffic Engineer.

Right-of-Way (is) (is not) clear of all encroachments.

Date of Last Work 10/15/93 (date on which power pole encroaching on R/W was
re-located)

RECOMMEND ACCEPTANCE

District Construction Engineer

* County or City signatures when
required (at least two).

Vanderburgh County Commissioners
LOCAL PUBLIC AGENCY

* By: Richard J. Barnes

* By: Richard J. Barnes

* By: Richard J. Barnes

PUBLIC ROADWAY AND UTILITY EASEMENT GRANT

This Indenture Witnesseth, that Cross Pointe Commerce Corp., P.O. Box 5189, Evansville, Indiana 47716 (GRANTOR) of Vanderburgh County, Indiana, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby GRANT and CONVEY unto Vanderburgh County. (GRANTEE), a governmental entity organized and existing under the laws of the State of Indiana, a perpetual easement and right-of-way for roadway and utility purposes over and across the following described real estate located in Vanderburgh County, Indiana, to-wit:

CROSS POINT BOULEVARD-ADDITIONAL RIGHT-OF-WAY

ON EAST SIDE AND ON WEST SIDE OF EXISTING 60 FOOT RIGHT-OF-WAY

Part of the East Half of the Southwest Quarter of Fractional Section 19, Township 6 South, Range 9 West in Vanderburgh County, Indiana; being more particularly described by metes and bounds as follows:

Commencing at the southeast corner of said half quarter section; thence south 89 degrees 26 minutes 35 seconds west along south line of said half quarter section a distance of 504.98 feet; thence at a right angle, north 00 degrees 33 minutes 25 seconds west 203.84 feet to a point on the north right-of-way line of S.R. 66, as described in Deed Drawer 3, Card 8085 in the office of the Recorder of Vanderburgh County, Indiana; thence north 01 degree 23 minutes 12 seconds west 192.85 feet to the point of intersection with the easterly extended north line of Lot A14 in said Cross Pointe Section 1 as per plat thereof recorded in Plat Book O, Page 17 in the office of the Recorder of Vanderburgh County, Indiana; thence along said extended line and the north line of said Lot A14, south 88 degrees 36 minutes 48 seconds west 325.60 feet to the east line of Cross Pointe Boulevard; thence along the east line thereof north 00 degrees 32 minutes 33 seconds east 121.64 feet; thence north 00 degrees 52 minutes 31 seconds east 108.40 feet to the north line of Indiana Street, also being the north line of Cross Pointe Section 1, said point being the true point of beginning; thence along said north line of Indiana Street and north line of Cross Pointe Section 1 south 88 degrees 36 minutes 48 seconds west 26.65 feet to the east line of Cross Point Boulevard as dedicated per document recorded in Deed Drawer 5, Card 7848 and 7849; thence along said east line north 00 degrees 32 minutes 33 seconds east 439.17 feet; thence north 89 degrees 26 minutes 36 seconds east 10.00 feet; thence south 00 degrees 32 minutes 33 seconds west 222.68 feet; thence south 05 degrees 10 minutes 05 seconds east 169.89 feet; thence south 00 degrees 52 minutes 31 seconds west 46.74 feet to the true point of beginning, containing 0.15 acres (6608.14 square feet).

Also Part of the East Half of the Southwest Quarter of Fractional Section 19, Township 6 South, Range 9 West in Vanderburgh County,

Indiana; being more particularly described by metes and bounds as follows:

Commencing at the southeast corner of said half quarter section; thence south 89 degrees 26 minutes 35 seconds west along south line of said half quarter section a distance of 504.98 feet; thence at a right angle, north 00 degrees 33 minutes 25 seconds west 203.84 feet to a point on the north right-of-way line of S.R. 66, as described in Deed Drawer 3, Card 8085 in the office of the Recorder of Vanderburgh County, Indiana; thence north 01 degree 23 minutes 12 seconds west 192.85 feet to the point of intersection with the easterly extended north line of Lot A14 in said Cross Pointe Section 1 as per plat thereof recorded in Plat Book O, Page 17 in the office of the Recorder of Vanderburgh County, Indiana; thence along said extended line and the north line of said Lot A14, south 88 degrees 36 minutes 48 seconds west 325.60 feet to the east line of Cross Pointe Boulevard; thence along the east line thereof north 00 degrees 32 minutes 33 seconds east 121.64 feet; thence north 00 degrees 52 minutes 31 seconds east 108.40 feet to the north line of Indiana Street, also being the north line of Cross Pointe Section 1; thence along said north line of Indiana Street and north line of Cross Pointe Section 1 south 88 degrees 36 minutes 48 seconds west 86.68 feet to the west line of Cross Point Boulevard as dedicated per document recorded in Deed Drawer 5, Card 7848 and 7849; said point being the true point of beginning; thence continue south 88 degrees 36 minutes 48 seconds west 86.66 feet, to a point on a curve concave to the northwest having a radius of 50 feet and from which a chord bears north 49 degrees 07 minutes 23 seconds east a distance of 63.59 feet; thence northeasterly along said curve a distance of 68.92 feet to the point of tangency of said curve; thence north 09 degrees 37 minutes 58 seconds east a distance of 183.03 feet; thence north 00 degrees 32 minutes 33 seconds east a distance of 219.96 feet; thence north 89 degrees 26 minutes 36 seconds east a distance of 10.00 feet to the west line of the 60 foot right-of-way dedicated in Deed Drawer 5 Card 7848 and 7849; thence south 00 degrees 32 minutes 33 seconds west a distance of 440.04 feet; to the true point of beginning, containing 0.20 acres (8639 square feet).

Grantor reserves unto itself, its successors and assigns, the continuing right, exercisable from time to time, of free ingress and egress from the real estate and any roadway or roadway improvements located thereon. Grantor also reserves unto itself, its successors and assigns, the continuing right, exercisable from time to time, to place whatever utilities or other equipment necessary to serve the Grantor's property on and under the real estate.

IN WITNESS WHEREOF, the said _____
has/have hereunto set _____ hand(s) and seal(s) this _____ day of _____, 19____.

STATE OF INDIANA, COUNTY OF VANDERBURGH) ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named _____ who acknowledged the execution of the foregoing instrument to be _____ voluntary act and deed.

WITNESS my hand and notarial seal this _____ day of _____, 19____.

Notary Public

(typed or printed name)

My Commission Expires:

Notary Resides in _____
County, _____

This Instrument Prepared By:

Record Data:

RIGHT-OF-WAY EASEMENT

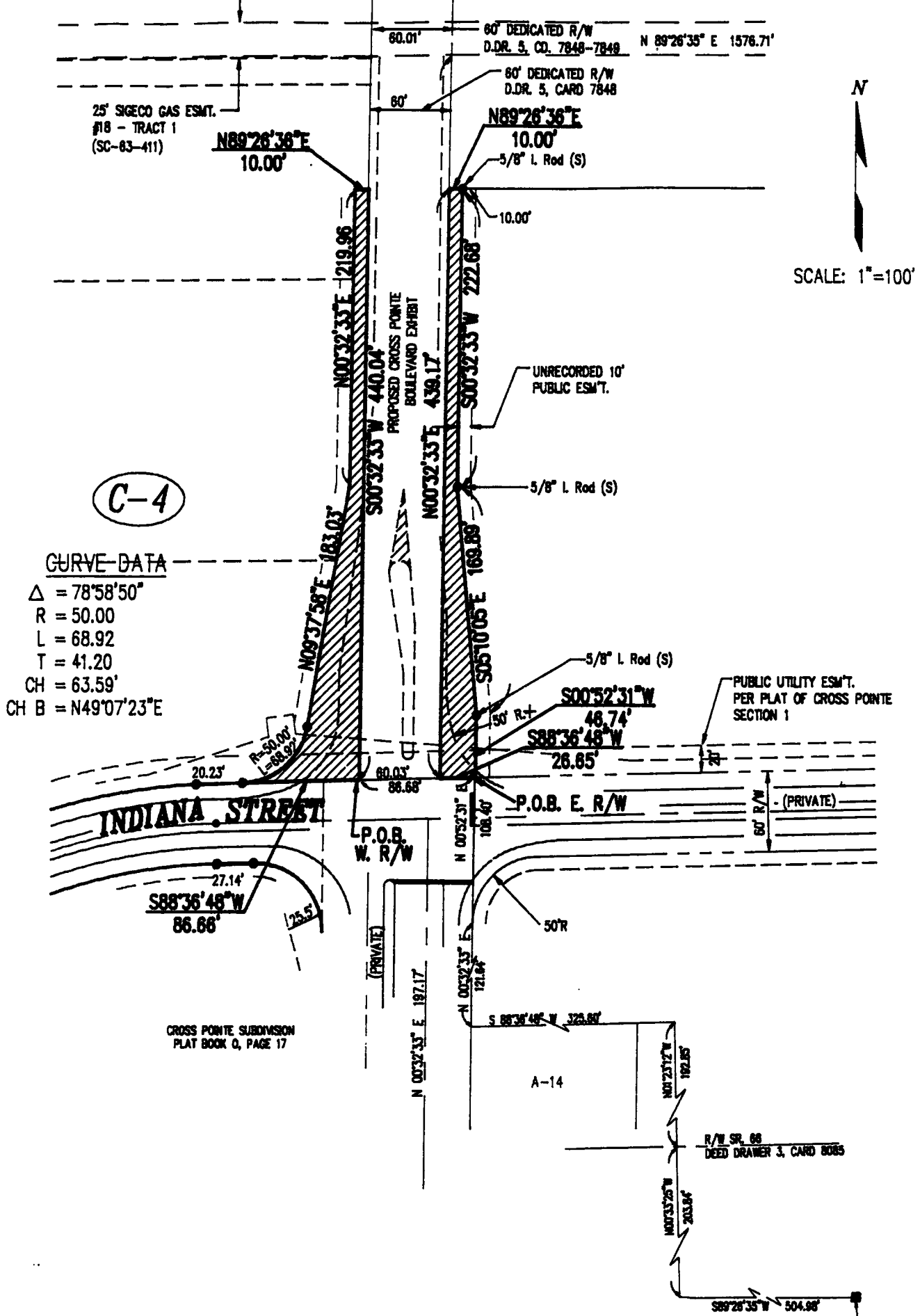


EXHIBIT
 10/12/93
 93-1884-4(M)
 SCALE: 1"=100'

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, OCTOBER 22, 1993 THRU THURSDAY, OCTOBER 28, 1993

FRIDAY, OCTOBER, 22, 1993

Gradall and one crew worked at Burdette Park.
Gradall and six crews repaired shoulders on Smith Diamond.
Two patch crews worked on work orders.
Mowers worked on work orders.

MONDAY, OCTOBER 25, 1993

Gradall and one crew worked at Upper Mt. Vernon & Tupman.
Two patch crews worked on work orders.
One crew moved paving equipment.
Pay loader, Gradall, and seven crews repaired shoulders on Smith Diamond.
Tiger Mower worked on work orders.

TUESDAY, OCTOBER 26, 1993

Gradall and one crew worked on Upper Mt. Vernon and Tupman.
Gradall and one crew worked on Wedeking.
Paver, Roller and eight crews paved Everglades.
Trash crew ran regular routes.
Grader and one crew graded Shawnee and Grace Lane.
Tiger mower worked on Baseline.

WEDNESDAY, OCTOBER 27, 1993

Gradall and one crew worked on Wedeking.
Gradall and one crew replaced culvert at 3815 Orchard.
Paver, roller and seven crews paved Everglades.
Trash crew ran regular routes.
Grader and one crew graded Shawnee and Grace Lane.
Tiger mower worked on Grace Lane.

THURSDAY, OCTOBER 28, 1993

Gradall and one crew ditched and placed pipe on Wedeking.
Gradall and one crew ditched and placed pipe on Meadowbrook.
Paver, roller and five crews paved Everglades, moved equipment.
Trash crew ran routea.
Tiger Mower and one crew worked on Baseline.
Grader and three crews graded Shawnee and Mann Road.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, OCTOBER 22, 1993 THRU THURSDAY, OCTOBER 28, 1993

FRIDAY, OCTOBER 22, 1993

Crew #1 - finish drop box on Hogue, finish pipe at Burdette, rip rap and jackhammer headwall on Roth and Cypress Dale.
Crew #2 - blow out culvert on Evergreen Road with fire hydrant, paint post, guardrail and bridges on Middle Mt. Vernon.

MONDAY, OCTOBER 25, 1993

Crew #1 - widen intersection at Tupman and Upper Mt. Vernon.
Crew #2 - clean up equipment barn, crib and wash #16.

TUESDAY, OCTOBER 26, 1993

Crew #1 - install culvert at Roth and Cypress Dale.
Crew #2 - paint guard rails.

WEDNESDAY, OCTOBER 27, 1993

Crew #1 - install pipe at 3815 Orchard Road, finish drop box on Hogue Road.
Crew #2 - reset culvert on Wedeking.

THURSDAY, OCTOBER 28, 1993

Crew #1 - replace pipe on Meadowbrook, clean up tank and pump for winter storage.
Crew #2 - Wedeking Avenue, replace culvert, put up barricades at Glendale Drive at washout on walk.

SNOW ROUTES

ROUTE #1 - TRUCK # 34 - LARRY PHILLIPS 422-8242
ERIC NORTH 476-1225

ROTH ROAD	DUESNER ROAD
OLD HENDERSON ROAD	BROADWAY AVE.
CYPRESS DALE ROAD	HAPPE ROAD
GRAFF ROAD	RED BANK ROAD (FROM BROADWAY SOUTH)
NURRENBERN ROAD	ST. JOE AVE.
SEMINARY ROAD	FRANKLIN ST. BRIDGE
BAYOU CREEK ROAD	OHIO ST. BRIDGE

ROUTE #2 - TRUCK # 32 - GARY PAGE 424-0580
DARYL CHAMBERLAIN 424-3318

BROADWAY	RED BANK (FROM UPPER MT. VERNON TO HWY 62)
HOGUE ROAD	BOEHNE CAMP ROAD
UPPER MT. VERNON RD.	WEST TERRACE SCHOOL
PEERLESS RD.	MIDDLE MT. VERNON RD.
SCHUTTE ROAD	

ROUTE #3 - TRUCK # 36 - CECIL SILLS 426-1610/421-0481
J.D. SMITH 479-6051

KORRESSEL ROAD	ST. JOE AVE. TO MOHR ROAD
OLD 460 TO 62	MEIER
RED BANK (FROM OLD 460	HARMONY WAY
TO UPPER MT. VERNON RD)	MOHR ROAD TO ST. JOE AVE.
ALLENS LANE	MARYLAND STREET BRIDGE
MESKER PARK DR.	DELAWARE ST. BRIDGE
MILL ROAD (FROM ST. JOE AVE WEST)	

ROUTE #4 - TRUCK # 8 - LARRY BABBS 425-8117/422-8560
JIM GOERGES 867-5655

OLD STATE ROAD	OLD PRINCETON ROAD
BOONVILLE-NEW HARMONY RD	EAST BASELINE ROAD
OLD PETERSBURG ROAD (FROM BOONVILLE-NEW HARMONY ROAD NORTH)	
BROWNING ROAD (NORTH FROM BOONVILLE-NEW HARMONY ROAD)	

ROUTE #5 - TRUCK # 40 - KIRK HUMPHREY 867-6544/425-1722
RON MARTIN 479-7794

DARMSTADT ROAD	ST. GEORGE ROAD
GREEN RIVER	BROWNING ROAD
OAK HILL ROAD	KRATZVILLE ROAD
OLD PETERSBURG RD	MT. PLEASANT ROAD
WHETSTONE ROAD	STRINGTOWN ROAD BRIDGE
EVERGREEN ROAD	ST. GOERGE ROAD BRIDGE
OLD STATE ROAD	
RODE ROAD	

SNOW ROUTES
PAGE TWO

ROUTE #6 - TRUCK # 31 - DENNIS MEREDITH 424-6189
JOHN GARRETT 464-8415

OLD BOONVILLE HWY	OLMSTEAD ROAD
BURKHARDT ROAD	HIRSCH ROAD
POLLACK AVE	GREEN RIVER ROAD
FUQUAY ROAD	MILL RD TO KRATZVILLE ROAD
COVERT AVE	FIRST AVE BRIDGE
	FIFTH AVE BRIDGE

ROUTE #7 - TRUCK # 38 - JACK CRAWFORD 476-7707
TERRY CALKIN 963-9280

VIENNA ROAD	ST. JOE AVE
ORCHARD ROAD	#6 SCHOOL ROAD
ST. JOE - ST. WENDELL RD	SLATE ROAD
WEST BOONVILLE-NEW HARMONY ROAD	
ST. JOE ROAD TO #6 SCHOOL ROAD	

ROUTE #8 - TRUCK # 5 - RANDY TRIPLETT 867-3114/424-5535
ROGER HALL 477-0157

W. BASELINE ROAD (ALL NORTH)	BAEHL ROAD
OWENSVILLE ROAD	FRONTAGE ROAD
NISBET STATION ROAD	WOODS ROAD
BIXLER ROAD	NEWMANN ROAD
ARMSTRONG	WALLENMIER

SUBDIVISIONS - TRUCK # 10 - BRUCE COOK 464-2270
GREG BAGGETT 476-1078/867-3848

OPERATOR HARRY WOODS 963-9246

GASMAN ANDY WADE 477-9318

LABORER BOB SMITH 424-7214

CRIBMAN DONALD WILLIAMS 425-9602/423-3630

GRADER JOHN CULVER 426-1718

RELIEF DRIVER SUSIE KIRK 425-6722

RELIEF DRIVER BILL BORING 424-7617

11/1/93

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

TAKE HOME CARS

<u>UNIT #</u>	<u>ASSIGNED TO</u>	<u>MAKE & MODEL</u>	<u>SERIAL #</u>	<u>PLATE #</u>
01	BILL MORPHEW	1990 CHEVY CAPRICE	1GIBL5474LA160815	46294
02	FRED HOWARD	1988 CHEVY CAPRICE	1GIBL5167JR208785	46292
04	DAVE HUDSON	1987 FORT LDT	2FABP72574X206491	46301
14	MILTON HAYDEN	1981 CHEVY CAPRICE	1G1AN69H5BJ132114	46291
21	CLETUS "BUD" MUENSTERMAN	1988 FORD F-150 PICK UP	1FTDFA5NJJN865623	46293
27	BILL HIGGS	1987 FORD LTD	2FABP72F5HX231333	46290

EQUIPMENT INVENTORY AS OF AUG '93

Equipment number	Model year	Description of equipment	Serial number
001	1990	CHEVY CAPRICE	IGBL5474LA160815
002	1988	CHEVY CAPRICE	1G1BL5167JR208785
003	1979	FORD VAN CLUB CAR	E11GHEF3012
004	1987	FORD LTD	2FABP72574X206491
005	1990	FORD DUMP TRUCK	1FDYL90A5LVA43081
007	1978	CHEVY WAGON	1L35V8J223924
008	1985	CHEVY DUMP TRUCK	AGBL7DD18XFV100249
009	1980	GMC TANDEM DUMP TRUCK	T47DBAV566364
010	1985	CHEVY DUMP TRUCK	1GBL7D1B7FV100242
011	1979	FORD FLATBED	F10BLEH1395
012	1980	FORD DUMP TRUCK	F70HVJA5342
013	1974	FORD DUMP TRUCK	E50CVT81714
014	1981	CHEVY CAPRICE	1G1AN69H5BJ132114
015	1984	WHITE CHEVY IMPALA	IGIAL69HOEH150456
016	1993	FORD SUPER CAB F-250	1FTHX25H1PKA11841
017	1979	FORD DUMP TRUCK	F70AVEA6084
018			
019	1974	FORD DUMP TRUCK	F25BL92555
020	1988	FORD TRUCK F-150	IFTDFI5N3JN865622
021	1988	FORD PICK UP F-150	1FTDFA5N3JN865623
022	1979	FORD PICK UP F-100	F10BLEHI396
023			
024	1982	DODGE OMNI	188BZ18B060182825
025	1976	FORD DUMP TRUCK F-700	F70EVB805362
026	1980	FORD TRUCK	F103LJD0900
027	1987	FORD LTD	2FABP72F5HX231333
028	1987	CHEVY PICK UP	19C9R24KBH511879
029	1988	CHEVY WAGON	1G1BN8140JR164304
030	1983	FORD DISTRIBUTOR	F75WU393597
031	1990	FORD TANDEM DIESEL	1FDYL9DA6LVA43655
032	1979	GMC TANDEM	77DB9V568502
033	1988	CHEVY VAN	2GCGG35J6G4161284
034	1993	INTERNATIONAL TANDEM	IHTSHPPR9PH496803
036	1993	INTERNATIONAL TANDEM	IHTSHPPRPH496804
038	1993	INTERNATIONAL TANDEM	IHTSHPPR5PH496801
040	1993	INTERNATIONAL TANDEM	IHTSHPPR7PH496802
042	1993	INTERNATIONAL TANDEM	IHTSHPPR3PH496800
046	1988	FORD PICK UP F-150	1ETDF15NB65624
050	1986	CHEVY DUMP TRUCK 70	1GB57D4E16V118528
053	1986	CHEVY DUMP TRUCK 70	1GB57D4ES6V118585
055	1979	FORD DUMP TRUCK F-700	E70AVEA6083
057	1980	FORD WRECKER F-700	F70HVJA5343
063	1969	FORD DUMP TRUCK	M80CVE10335

Date _____

IN FAVOR OF

Vendor Name Bernardin Lochmeyer

Vendor No. 985

\$28,104.87

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name USI & SR62

Account No. 430 BOND

Allowed _____ **19** _____

~~In the sum of \$~~

In the sum of \$

Richard J. Bonies

Patricia Juley

AB Hunt

Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Oct 29, 1993

John Steel
Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
93-003-2(5)	—	10/19/93	430 Burs	28,104.87
TOTAL				28,104.87

11/1/93

Warrant No. _____

Claim No. _____

Date _____

IN FAVOR OF

Vendor Name BENEDIN LOCHMEYER

Vendor No. 985

\$ 18,084.04

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name _____

Account No. _____

Allowed _____ 19____

In the sum of \$ _____

Richard J. Barnes
John G. Guley
[Signature]

Board of Commissioners

I hereby certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were ordered by me and were necessary to the public business; that each and every item has been delivered to me at prices mentioned, and was in accordance with contract, except

Oct 29 , 1993

John Stoll
Signature of Office Holder

I have examined the within claim and hereby certify as follows:

That it is in proper form; that it is duly authenticated as required by law; that it is based upon contract / statutory authority; that it is apparently correct / incorrect.

Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>92-032-2(2)</u>	<u>-</u>	<u>10/19/93</u>	<u>216-4827</u>	<u>10,221.10</u>
<u>92-032-2(2)</u>	<u>-</u>	<u>10/19/93</u>	<u>203-4395</u>	<u>7,862.94</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 18,084.04

CLAIM No. WARRANT No.

IN FAVOR OF
NAME AND ADDRESS

Alexander Ambulance

0518

\$ 11,797.58

OF ACCOUNT OF APPROPRIATION

ACCOUNT NO. 130-3080

PURCHASE ORDER NO.

INVOICE NO. Oct 10-27

PURPOSE

Allowed 19

In the sum of \$ Richard J. Barnes
Robert J. Barnes

Robert J. Barnes

Commissioners County

I have examined the within claim and hereby certify
as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon ☒ contract.
statutory authority.

That it is apparently ☒ correct.
☐ incorrect.

Auditor

I certify that the within bill is true and correct; that the supplies and materials therein
itemized and for which charge is made were ordered by me and were necessary to the
public business; that each and every item has been delivered to me at prices mentioned
and was in accordance with contract, except

H COUNTY

10/27
1993
Ad

Richard J. Barnes

ISSUED BY:

Rebecca A. Fitzsimmons
Rebecca A. Fitzsimmons, CPA
CFO/Controller

DATE ISSUED: 10-27-93

**ALEXANDER AMBULANCE SERVICE, INC.
QUARTERLY REPORT OF INCOME AND EXPENSES ALLOCATED TO VANDERBURGH COUNTY
FOR THE QUARTER ENDED SEPTEMBER 30, 1993**

ISSUED BY: Rebecca A. Fitzsimmons
Rebecca A. Fitzsimmons, CPA
CFO/Controller

DATE ISSUED: 10-27-93

Alexander Ambulance Service, Inc.
County Billing Statement
1993 - 3rd Quarter Ended September 30, 1993

	Total Working Hours	Pct	Total Miles	Pct	Total Runs	Pct
Alexander	2,237	56.49%	30,452	67.03%	1598	39.99%
City	1,427	36.04%	10,645	23.43%	2072	51.85%
County	296	7.47%	4,332	9.54%	326	8.16%
	3,960	100.00%	45,429	100.00%	3,996	100.00%

Allocation Basis:

Purchases	8.16%	(Runs)
Gas & Oil	8.85%	(Miles & Runs)
Bad Debt	Actual	
Advertising & Donations	No Allocation	
All Other Expenses	25% Of Total Expense	

Summary of County Patient Accounts Activity for 3rd Quarter Ended 9/30/93

Beginning Balance at July 1, 1993	\$65,857.74
Quarterly Charges Net of Adjustments and Bad Debt Write Off	75,500.55
Total Received During the 3rd Quarter, 1993	(61,661.23)
Ending Balance at September 30, 1993	\$79,697.06

ALEXANDER AMBULANCE SERVICE, INC.
COUNTY STATEMENT OF PROFIT & LOSS
1993 - 3rd Quarter Ended September 30, 1993

	County	City & Private	Total
<hr/>			
Revenue:			
Net Revenue	\$82,384.78		
<hr/>			
Expenses:			
Purchases	2,873.99	\$32,346.50	\$35,220.49
Gas & Oil	1,504.31	15,493.56	16,997.87
Utilities	2,731.14	8,193.43	10,924.57
Rent & Operating Lease	1,894.49	5,683.48	7,577.97
Repairs & Maintenance Vehicles	5,496.28	16,488.82	21,985.10
Repairs & Maintenance Equipmnt	1,297.04	3,891.13	5,188.17
Repairs & Maintenance Building	350.13	1,050.40	1,400.53
Advertising	0.00	5,645.94	5,645.94
Wages & Salaries	108,108.14	324,324.40	432,432.54
FICA Tax	8,242.54	24,727.60	32,970.14
Federal & State Unemployment Tax	15.23	45.67	60.90
Federal & State Income Tax	0.00	26,804.00	26,804.00
Vehicle License & Other Tax	5.00	15.00	20.00
Real Estate Personal Property Tax	741.46	2,224.39	2,965.85
Legal & Accounting	160.28	480.84	641.12
Travel	21.23	63.68	84.91
Group Medical Insurance	8,746.81	26,240.41	34,987.22
Other Insurance	6,894.37	20,683.10	27,577.47
Donations	0.00	2,700.00	2,700.00
Laundry & Cleaning	455.26	1,365.78	1,821.04
Miscellaneous	227.01	681.03	908.04
Dues & Subscriptions	90.49	271.45	361.94
Professional Fees	1,457.14	4,371.41	5,828.55
Employee Training	2,682.14	8,046.43	10,728.57
Office Supplies	2,534.39	7,603.16	10,137.55
Directors' Fees	0.00	0.00	0.00
Bad Debts & Recoveries Private	0.00	15,980.39	15,980.39
Bad Debts & Recoveries County	12,385.75	0.00	12,385.75
Bad Debts & Recoveries City	0.00	0.00	0.00
Bad Debts & Recoveries Wheelchair	0.00	9,949.37	9,949.37
Interest & Bank Service Charge	225.54	676.61	902.15
Pension	3,750.00	11,250.00	15,000.00
Depreciation & Amortization	10,374.17	31,122.49	41,496.66
Employee Benefits	1,775.62	5,326.85	7,102.47
Gain / Loss On Asset Disposal	0.00	0.00	0.00
Penalties	0.00	0.00	0.00
<hr/>			
Total Expenses	185,039.95	613,749.12	798,789.07
<hr/>			
Net Profit <loss> for 3rd Qtr, 1993	(102,655.17)		
Net Profit <loss> for 2nd Qtr, 1993	(113,082.14)		
Net Profit <loss> for 1st Qtr, 1993	(142,240.32)		
<hr/>			
1993 YTD Net County Loss	(357,977.63)		
<hr/>			

ALEXANDER AMBULANCE SERVICE, INC.
COUNTY STATEMENT OF PROFIT & LOSS
1993 - 3rd Quarter Ended September 30, 1993

1993 County Subsidy		197,977.90
YTD 9/30/93 Net County Profit <Loss>:		
1st Qtr, 1993	(142,240.32)	
2nd Qtr, 1993	(113,082.14)	
3rd Qtr, 1993	(102,655.17)	

Total YTD 9/30/93 County Loss		(357,977.63)

Unsubsidized County Loss YTD 9/30/93		(159,999.73)
		=====

1993 County Subsidy		\$197,977.90
1993 County Response Time Penalties		
1st Qtr, 1993	-400.00	
2nd Qtr, 1993	-330.00	
3rd Qtr, 1993	-460.00	

Total YTD 9/30/93 Penalties		-1190.00

1993 County Subsidy Net of Penalties		\$196,787.90
1993 County Subsidy Payments Received:		
5/21/93	(\$55,337.58)	
6/11/93	(86,902.74)	
8/25/93	(42,750.00)	

Total Received as of 9/30/93		(\$184,990.32)

1993 Net County Subsidy Outstanding as of 9/30/93		\$11,797.58
		=====

Alexander Ambulance Service, Inc.

Vanderburgh County / 911 Ambulance Call Summary

Third Quarter Ended September 30, 1993

District	ALS	BLS	Dry	Total	Weighted Average Response Time	Number Of Runs With Excessive Response Time (> 13 Min.)	Less: Justified Runs With Excessive Response Time	Unjustified Runs With Excessive Response Time
1	52	24	27	103	9.40	12	4	8
2	8	6	7	21	6.29	0	0	0
3	67	53	45	165	8.03	8	1	7
4	2	1	4	7	7.54	0	0	0
5	17	5	7	29	6.64	0	0	0
Totals	146	89	90	325	8.22	20	5	15

Response Time Reliability Compliancy	<u>Required</u> 90.00%	<u>Before Justification</u> 93.85%	<u>After Justification</u> 95.38%
--------------------------------------	---------------------------	---	--

Response Time Requirement 13 Minutes

Fractile Response Time Summary:

Time	Runs	Pct.	Pct.	
=< 13 Min.	305	93.85%	93.85%	
14 Minutes	5	1.54%	95.38%	(1 Run Justified)
15 Minutes	5	1.54%	96.92%	(2 Runs Justified)
16 Minutes	3	0.92%	97.85%	(1 Run Justified)
17 Minutes	2	0.62%	98.46%	
18 Minutes	2	0.62%	99.08%	(1 Run Justified)
19 Minutes	1	0.31%	99.38%	
20 Minutes	2	0.62%	100.00%	
	<u>325</u>	<u>100.00%</u>		

Alexander Ambulance Service, Inc.
VCO Runs With Response Times > 13 Minutes
July 1 - September 30, 1993

				District			Time			Penalty	Justification
Run #	DOS	Address	Dispatch		Arrive	Response	Standard	Excess time			
1	4041	07-02-93	10140 Old L. Mt. Vernon	3	1020	1037	17	13	4	\$40.00	Dry
2	4128	07-03-93	6701 Nisbit Rd.	1	2025	2041	16	13	3	\$30.00	
3	4345	07-08-93	4435 Orchard Rd.	3	1529	1545	16	13	3	\$30.00	
4	5019	07-23-93	19,445 Owensville Rd.	1	1850	1905	15	13	2	\$20.00	2nd unit in.
5	5394	07-31-93	Boonville-N.H. @ Hwy 65	3	2200	2216	16	13	3	\$30.00	
6	5396	07-31-93	5312 Koressel	3	2223	2237	14	13	1	\$10.00	
7	5417	08-01-93	Busler's Hwy 41 N.	1	0848	0907	19	13	6	\$60.00	Dry.
8	6330	08-22-93	14,930 Bender Rd.	1	1754	1808	14	13	1	\$10.00	
9	6455	08-29-93	7012 Gartner Ln.	3	0346	0406	20	13	7	\$70.00	
10	6475	08-26-93	8509 #3 School Rd.	3	2007	2022	15	13	2	\$20.00	
11	6478	08-26-93	11,909 Buente	1	2105	2122	17	13	4	\$40.00	
12	6548	08-28-93	20,680 Barton Rd.	1	0823	0841	18	13	5	\$50.00	
13	6605	08-29-93	2620 Volkman Rd.	1	1543	1557	14	13	1	\$10.00	
14	6699	08-31-93	3234 Bromm Rd.	3	1617	1632	15	13	2	\$20.00	
15	6846	09-04-93	I-64 @ I-164	1	0004	0019	15	13	2	\$20.00	
16	6890	09-04-93	15,208 Old Henderson	3	2224	2242	18	13	5	\$50.00	Dry run.
17	7403	09-16-93	16,510 Wallenmeyer	1	1902	1922	20	13	7	\$70.00	Dry run.
18	7472	09-18-93	Hwy 41 @ Stacer Rd.	1	0146	0200	14	13	1	\$10.00	
19	7495	09-18-93	14,114 Petersburg Rd.	1	1335	1349	14	13	1	\$10.00	
20	7776	09-25-93	1810 Volkman Rd.	1	1618	1633	15	13	2	\$20.00	
									62	\$620.00	

Gross Penalty Dollars
\$620.00

VAN DERBURGH COUNTY EMPLOYMENT CHANGES

Department

BURBETTE PARK

what kind of guard

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1180	ROBERT TOWNSEND		GUARD		25	10-6-93 ✓
1180	DANIEL TOWNSEND		GUARD	4	60	10-6-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Mark T. Tuley

DATE

10-25-93

**MINUTES
COUNTY COMMISSIONERS MEETING
NOVEMBER 8, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:35 p.m.	1
Introductions & Pledge of Allegiance	1
Purchasing Department/Daryn Burgdorf	1
Request to Advertise for Bids for One 1994 Full Size Pick Up Truck for County Health Dept. Request to Advertise for 1994 Timber Materials Bid Opening/Guard Rails, Posts, End Sections & Various Pipe Materials	
Voter's Registration/Susie Kirk	1
Sheriff's Department/Renewal of Contract with Szabo Food Services	4
Agreement with the Y.M.C.A. (Approved at the 1993 Rates)	4
County Attorney/Alan M. Kissinger	7
Reading of Bids for Guard Rails, End Sections, Posts & Various Pipe Materials	
Superintendent of County Buildings/Mark Abell	7
Travel Request/Jim Angermeier (Approved Two People only, not three) Acceptance of Check (Koester Contracting - \$200) Sheriff's Department/Accepted 1984 Chevy Caprice into Surplus Property	
County Highway Garage/Bill Morphey	8
Weekly Progress Report Golden Rule Rd.	
County Highway Engineer/John Stoll	8
Awarding of Contract/Virginia Street Culvert & Bridge to Concrete Pavers (\$56,471.45) R/W Engineering Agreement w/Bernardin, Lochmueller & Associates/Ohio Street Bridge (\$8,200) North Green River Rd. Project	
Legal Aid/Sue Hartig	9
(Relocation to Veteran's Services Office space)	
Consent Agenda	10
Burdette Park/Seasonal Employees/Bonus County Clerk/Election Office Claim (referred to the County Attorney)	
Old Business	10
Formation of Bipartisan Committee to Study Available Voting Systems & Equipment (9 Members; Report due by end of March 1994; Committee Activity to cease on date of 1994 Primary Election)	
New Business	12
Agreement w/David M. Griffith & Associates (Cost Allocation Plan - \$13,125) Petition to Vacate a Road in Gabensee Acres Request for Executive Sessions on November 22nd and November 29th to discuss continuing Personnel Matters & Pending Litigation	
Meeting Adjourned @ 6:35 p.m.	12

MINUTES
COUNTY COMMISSIONERS MEETING
NOVEMBER 8, 1993

The Vanderburgh County Board of Commissioners met in session at 5:35 p.m. on Monday, November 8, 1993 in the Commissioners Hearing Room with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed those who were present, introduced members of the County Staff (Mark Abell, Attorney Alan Kissinger, Commissioner Tuley, himself, Commissioner Hunter, County Auditor Sam Humphrey and Sunny Titzer, who was sitting in as Recording Secretary for Joanne Matthews, who is on vacation).

Commissioner Borries asked if there are any individuals or groups in the audience who wish to address the Commission but do not find their particular item of interest on tonight's agenda. There was no response.

RE: PURCHASING - DARYN BURGDORF

Request to Advertise for Bids for One 1994 Full Size Pick Up Truck for the Vanderburgh County Health Department: Mr. Burgdorf submitted specifications for approval and requested permission to advertise for the subject vehicle. Request for Bids is to be advertised on November 12 and 19, with bid opening scheduled on Monday, November 29, 1993.

Motion to approve the request was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Request to Advertise for the 1994 Timber Materials: Mr. Burgdorf said the specifications are basically the same as in previous years. They are for the entire year of January 1 thru December 31, 1994. Upon approval by the Board, the Request for Bids will be advertised on Wednesday, November 10th and November 17th, with bid opening scheduled on Monday, November 29, 1993.

Motion to approve the request was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Bid Opening/Guard Rails, Posts, End Sections, Various Pipe Materials, etc.: Mr. Burgdorf said that specifications for V9402 for the subject materials were approved back in October. He is requesting permission for the County Attorney to open the subject bids at this time.

Motion to this effect made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Mr. Burgdorf said that with the Board's approval, he would like to review the bids and get back to the Commissioners next week. Permission was so granted.

RE: VOTER'S REGISTRATION - SUSIE KIRK

The meeting continued with Mr. Borries recognizing Ms. Susie Kirk of Voter's Registration. Ms. Kirk said she spoke with several people in the Election Office and there seems to be a general consensus that for the most part the calls on Election Day concerned 4-15. That is where we moved the polling place from Culver School to the Sweetser Recreational Center. They received numerous complaints concerning this. She is requesting that this be moved back, even though she realizes it is in that precinct.

Mr. Borries interjected, "That's the issue."

Ms. Kirk responded, "Yes, that's true. But the parking is bad. One polling place is enough there period. Whoever gets it or has to go there -- nobody can find it."

Mr. Borries asked, "Is there one there already?"

Ms. Kirk responded, "Yes. And that is a dead end street. You go down and you can't get out. We got loads of calls on that one. The second one is Center 3. I guess Jon and I really didn't check that one out too good. We need to move that one probably to Highland School instead of McCutchan United Methodist Church. People had to cross the highway to get there. Also, Betty Knight Smith..."

Mr. Borries interrupted, "There is a typographical error in that one, too. That really confused people earlier in Center 3."

Ms. Kirk responded, "Well, that was not our office."

Mr. Borries said, "I didn't say it was, Susie. Don't get defensive."

Ms. Kirk replied, "I am a little defensive, because we did your guys work for you. On 4-1, Betty Knight Smith requested that be moved out of the Civic Center and back over to the Auditorium. I don't care. She has ordered signs that would be placed out. There are Ward and Precinct signs to be placed in front of each polling place. We had several people who went to the polls and they didn't think it was open because there was not that much activity outside. So she's ordered that. I would like to at least see that Sweetser thing -- one precinct, not two in there. The room is big enough, it's just that there isn't any place to park."

Mr. Borries asked, "Who's in there now? What other precinct is in there?"

Ms. Kirk replied, "4-15 and 4-16. You see, we already had one in there."

Mr. Borries asked, "It's in 4-15 now, isn't it?"

Ms. Kirk replied, "Yes."

Mr. Borries asked, "And the hassle has been 'Wherever there is a public place within the precinct'."

Ms. Kirk said, "That's right. So it's fine for one to be there. But two -- by the time the Board Members park there -- as I said, it's just a little dead end street and there is just no room for anybody. It's a gymnasium, so there's plenty of room once you get in there; it's just getting there and people can't even find it."

Mr. Borries asked, "4-16 is going out of the precinct, is that correct?"

Ms. Kirk responded, "Yes. It would be 4-15 at Sweetser..."

Mr. Borries interrupted, "Where is 4-16? Could we move them?"

Ms. Kirk responded, "You could move them to Culver School if you wanted to."

Mr. Borries said, "I don't know. Give me a location where 4-16 is."

Ms. Kirk stated, "Well, it sits right next to 4-15. Hey, you've been in politics as long as I have. As a matter of fact, I noticed your sign is yellow. Everybody else's is white and your's has turned yellow, Rick."

Mr. Borries commented, "Boy, this has turned into an ugly mood all of a sudden here. Mark, get me a new sign, will you -- so they won't know how old I am."

Ms. Kirk continued, "It doesn't make any difference which one -- as long as we just have one precinct at Sweetser."

Mr. Tuley commented, "The argument being 4-15 is now voting in its precinct. If there are two there, one can't be voting in their precinct -- so we ought to see what we can do about 4-16."

Mr. Borries said that is what he was trying to get at; he just wanted to know where it was located.

Ms. Kirk said, "It would be closer to them. Well, I don't know that it would be closer, but Culver School is where 4-15 used to be."

Mr. Borries asked how many precincts Culver School has now.

Ms. Kirk responded, "One. They had two and now they're down to one. And I was so glad to hear you mention a while ago about saving money. I know I talked to Don; I talked to Pat; I talked to Mark; I talked to Joe; and then I talked to you out here. I would like to know why you haven't done anything about this redrawing of the districts -- the precincts -- so we can combine those. We would save some money on that. Is there any particular reason why?"

Commissioner Borries responded, "No, other than it was my understanding there might have to be some redrawing to add some precincts in the County due to growth."

Ms. Kirk stated, "That was done. It was K-1. That's the only one."

Mr. Borries asked, "And that's the only one?"

Ms. Kirk again confirmed there was only one.

Mr. Borries said, "Well, I don't know of any other reason then."

Ms. Kirk said, "Because you guys have had this for two months -- or more than that. We had it all ready to send to the State so we could get our work done. The way it is now, we'll be lucky to get it done. But it would save us some money. So you will do something?"

Mr. Borries responded, "Sure."

Ms. Kirk asked, "When?"

Mr. Borries responded, "We'll do it next week if we get all the information."

Ms. Kirk said, "Well, you haven't accepted the Knight one."

Mr. Borries said, "Okay. Thank you, Susie. Any questions of Susie?"

There being none, Mr. Borries asked, "Where did you say you were going to move C-3 back to?"

Ms. Kirk responded, "Highland School."

Mr. Borries stated he also heard from a voter concerning 4-15, so the Commissioners will look into this. He still would like to see -- apparently there is not a public place in 4-16.

Mr. Hunter said they fought over that last year.

Mr. Borries said they fought over 4-15.

Mr. Hunter said as he recalls, they moved it back to Culver School because of the parking problem.

Mr. Borries said he doesn't know if it was for that reason or what, but he knows there were also several members of the minority community who came and felt it was unfair to them due to transportation problems to vote out of their precinct. So if the Statute says you're supposed to vote in the precinct, it seems reasonable to him to do so. But he also understands what Susie is saying the situation is down there now with two precincts. Maybe we need to look at moving one of the precincts. That is certainly a reasonable request.

RE: SZABO FOOD SERVICES/RENEWAL OF CONTRACT FOR 1994

Chief Deputy Robert Beckham of the Sheriff's Department was recognized and stated he has a renewal contract with Szabo Food Services. They have agreed there will be no price increase on the meals for the Jail this year. Costs will be the same as last year -- \$1.19 per meal.

Commissioner Borries said that as best he can remember, they have not had a lot of price increases. It's really amazing. They must be real efficient in how they operate. He then entertained a motion.

Motion to approve the contract, as submitted, was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: AGREEMENT WITH Y.M.C.A.

The meeting continued with President Borries recognizing Mr. Gary Miller, Director of the Y.M.C.A., who was present with regard to the 1994 agreement and a request for permission to start a new membership drive.

Mr. Miller stated the agreement they are proposing will enroll and cancel people included in the membership. That will all happen at the Y.M.C.A. All forms will be filled out there. Secondly, they are proposing a membership rate increase. There has not been one to this particular plan since 1991. Those changes to the employee and to the County can be found on the back of the packets. Basically it is a rate based on their general adult membership where the County is involved -- and that is what their cost is, no matter what membership rate somebody joins at. It is currently \$9.00 per employee and that would go to \$10.04 as far as the County and the employee themselves would go from \$4.06 to \$4.31. So that is the rate increase proposal. When all the forms are filled out at the Y.M.C.A., then that will relieve some work on the payroll department, because the Y.M.C.A. will track everybody that way and they don't have to come to the "Y" to fill out a membership form and to the Civic Center to sign a payroll deduction authorization form. They will have the payroll authorization forms at the "Y", so when they come in they will fill out their membership form, their payroll authorization form, and they will receive a temporary card and can start using the "Y" right away. He takes the payroll authorization forms to do the billing each month to the payroll department.

Mr. Borries asked if this is a change in what was originally proposed? Sunny Titzer (the secretary for this evening) brought a memo to him from the payroll clerk in the Auditor's office and they indicated the "Y" wished to have members deleted from their records and have them renewed. But that is a lot of data entry on the payroll at the beginning of the year. They said we could perhaps do it this year but maybe not be able to do it every year. Does he

understand where they are going to have a problem in terms of converting to the New Year? Does the "Y" want to do this every year?

Mr. Miller responded they do. But someone will never have to re-enroll for this. Until they cancel it they will never have to enroll in the program again. So it just goes on and on for an individual until they want to cancel their membership.

Ms. Titzer interjected that Karen Joest in payroll indicated they wanted to drop every person at the end of the year and then pick them up again.

Mr. Miller said that is just to get this whole thing started out one time. It's a one time deal. Then it's just whenever someone wants to enroll, they can get into it. It doesn't make any difference and they do not have to re-enroll. The only time they would ever have to re-enroll -- and really, it is not re-enrolling -- they would have to sign another authorization form if the "Y" ever increases their rates year after year after year after year -- because that would be a different amount that would be coming out of their check. But that's the only time. This time, the "Y" is just requesting to make a push on it -- but it's the only time. He said, "Mr. Borries, if you joined you would never have to come to sign up again until you canceled."

Mr. Tuley asked, "You'd just have a new payroll deduct card if the rate changed?"

Mr. Taylor confirmed that is correct.

Auditor Sam Humphrey said he must have missed something. Why is the "Y" wanting to delete everything we have on there now and re-start it?

Mr. Miller said, "What has happened is that it has gotten to where we have some people -- employees -- who may come to the "Y", fill out their membership application form, but then they don't make it to the payroll department over here to be deducted. Also, we will have some who come to the payroll department here and fill out their authorization form, yet never fill out their membership application forms -- so we're losing people. I mean, some are being deducted who don't have their cards. Some have their cards who aren't being deducted. What we want to do is center it all one time so that the "Y" handles all of that. So whatever the "Y" records show -- then that is who has joined or who has canceled. And it's mixed right now. We have people coming in who say the don't have their card. That may be because we didn't get them one, or it may be because they didn't sign up over here at the County to be deducted."

Mr. Borries noted, "One of them is probably me."

Mr. Tuley said, "Well, one of them is me -- because I left employment for six weeks. I still have a card and I don't think it has been deducted from my payroll."

Mr. Miller said, "See, we have a lot of them this year -- but we haven't gone back and done anything about that, because there..."

Mr. Humphrey noted, "Well, I belonged and when I went back to drop my membership, they asked me for my card at that time -- my payroll did and I had to give it to them. You're telling me there are others who still have a card who have dropped it?"

Mr. Miller replied, "It could be -- if we didn't collect their cards or they weren't collected here. As they check in and out of the 'Y', we will eventually catch that. But you're right -- that can happen."

Mr. Humphrey continued, "That is a routine policy in my office. Have you dropped it, Pat?"

Mr. Tuley responded, "I left employment and they stopped taking it out of my paycheck at the end of last year and I still have my card."

Mr. Miller said he thinks a lot of this is because we're asking employees to do one thing in one location and one thing in another.

Mr. Humphrey asked if they issue new cards every year?

Mr. Miller said that is right. They will never have to sign up again -- but there will be an expiration date of a year on the new cards. That is just for us so that thirty days prior to the expiration date it will come up on our computer and we will make new cards. That's the only reason that expiration date is on there. You wouldn't have to come in and fill anything out again.

Mr. Humphrey said his card wouldn't be a valid card then.

Mr. Miller asked when the expiration date is.

Mr. Humphrey said it says, "Renewal Date 1/15/92".

Mr. Miller said, "Right."

Mr. Borries asked Mr. Humphrey if from the Auditor's standpoint we can do it this way.

Mr. Humphrey responded, "We can do it one time. It is going to be a headache and we may have to pay some overtime."

Mr. Borries said the other thing we have to talk about is he is not sure we're funded for the increase.

Mr. Miller said, "Well, I can tell you this, Richard. At the beginning of this -- and I want to make it clear, too -- if you aren't, we'll accept that -- that's fine."

Mr. Borries continued, "Here's what's going to have to happen. In the future we need some advance information. A lot of people go on a calendar year and the County does, too. We go through this budget season and we have to really make those decisions as early as June to plug those in so the County Council has some advance notice."

Mr. Miller stated, "If it's past -- then it's past and we've learned and we'll do it the next year. I think the most important thing here is process."

Mr. Borries said we can go forward on process. But, again, he is not sure about the money.

Mr. Tuley said he doesn't imagine they did any funding increase if they weren't put on notice. When was the rate increase?

Mr. Miller said the rate increase starts in January.

Mr. Borries asked, "When was the rate increase anticipated, just recently? This is the first I knew of it."

Mr. Tuley said there was no reason for the County to increase the funding since they weren't aware of it.

Mr. Borries asked, "Are you saying then that will not be a problem? I mean, I'm just not sure. We can go ahead and start this thing, but if we get into a problem where the account doesn't match up and we don't have the money -- that's what I'm worried about."

Mr. Miller stated, "Richard, that's fine."

President Borries entertained a motion to authorize this one time payroll purge or data entry so we can get the records corrected.

Motion was made by Commissioner Tuley that the process begin, as long as it is duly noted that the County probably has not funded an increase and the agreement will therefore be at the 1993 rates. Seconded by Commissioner Hunter. So ordered.

Commissioner Tuley asked Mr. Miller if he will be sending notices of any kind to County Employees or how will this be handled?

Mr. Miller said he planned to request permission to sign up members in designated area in the Civic Center. Also, during those times they can come over to the "Y".

Mr. Tuley asked if it would be feasible for Mr. Miller to work with Mark Abell, just as United Way did, to work with elected officials and department heads to set up a time to go to individual offices and departments.

Mr. Hunter said he thinks it would be more effective to go to the individual offices; he believes the numbers will be greater if he can do that.

The Board asked Mr. Miller to get with Mark Abell on this.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Reading of Bids/Guard Rails, End Sections, Posts & Various Pipe Materials: Attorney Kissinger reported two (2) bids were received as follows:

- 1) P.V.C. Plastics Company, Inc.
- 2) M&W Concrete Pipe & Supply, Inc.

Mr. Kissinger noted there were various sizes and classifications of pipe bid at unit prices and he assumes Purchasing wants to take these bids under advisement.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Travel Request/James L. Angermeier: Mr. Abell said he was handed a travel request from County Assessor Jim Angermeier late today to attend an emergency meeting of the Legislative Committee of Indiana County Assessors. There was also a handwritten request on the memo from B.J. that possibly Evelyn Lannert and Dorothy Joest should also attend, though Mr. Angermeier does not have this written on the letter.

Commissioner Hunter said this is the request he mentioned to Commissioner Tuley -- he wasn't sure why we had to send three people. Mr. Angermeier is the Assessor and apparently there is a problem across the State (computer software crisis and reassessment) -- but he doesn't think we need to send an army up there.

Mr. Abell said he doesn't know anything about it -- it was just handed to him late today. If it helps, B.J. did indicate there is money in that account.

Commissioner Borries said the key thing is to get the information and he entertained a motion.

Mr. Tuley said there is a 10:00 a.m. meeting and a 1:00 p.m.

meeting and the meetings are of a different nature. He doesn't have a problem with it.

Commissioner Tuley moved to approve the request.

Commissioner Hunter asked, "Which request? For Mr. Angermeier or for all three individuals? This is just for Mr. Angermeier."

Mr. Tuley said the problem is they will not have time to come back before the Board. Ms. Lannert should attend the meeting that has to do with the computer crisis, because that is what her job is. But he is not exactly sure why Ms. Joest would need to go. He will withdraw his motion as it was made and re-submit a motion that Mr. Angermeier be granted permission to travel as requested. In the event he notifies the Commissioners' staff that Evelyn Lannert needs to go with him, that Evelyn be granted permission to travel, as well. However, he doesn't see any need for three people.

Mr. Hunter said he doesn't either and he will second the motion. So ordered.

Acceptance of Check/Koester Contracting/Rental Payment: Mr. Abell said he has a quietus for \$200 from Koester for their monthly rental payment.

Sheriff's Department/Disposal of Unit #201 (1984 Chevy Caprice, 2G1AN69HXE9257173): Mr. Abell said the Sheriff's Department would like to dispose of this vehicle. He would like to take this into surplus property. He thinks this one actually runs.

Mr. Borries entertained a motion.

Motion to take this vehicle into surplus property was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: COUNTY HIGHWAY GARAGE - BILL MORPHEW

Weekly Progress Report: Mr. Borries noted Mr. Morphey has submitted his Weekly Progress Report for period of October 19 thru November 4, 1993.....report received and filed. He said it looks like we're still doing some patching, but the paving crew has about had it.

Mr. Morphey said he it has been a little cool to pave. They did start back paving today and paved an alley east of Woods Avenue, and will probably start paving Woods Avenue tomorrow.

Golden Rule Rd.: In response to query from the Commissioners, Mr. Morphey said Old Henderson Rd. changes into Golden Rule Rd. as it goes around the bend of the river and comes back to Seminary Rd.

Mr. Borries said he hopes we don't have to get the snowplows out anymore. He asked if Mr. Morphey has anything else to bring before the Board at this time.

Mr. Morphey said he does not. In response to comment by Commissioner Tuley, Mr. Morphey said the weeds never quit growing and they will probably be cutting weeds up until January.

RE: COUNTY ENGINEER - JOHN STOLL

Awarding of Contract/Virginia Street Culvert & Bridge: Mr. Stoll said it is his recommendation to award the contract for this project to Concrete Pavers in the amount of \$56,471.45.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Right-of-Way Engineering Agreement/Bernardin, Lochmueller & Associates/Ohio Street Bridge: Mr. Stoll said the not-to-exceed amount for this agreement is \$8,200 and they will prepare all of the right-of-way parcels. He believes there are only four property owners they are going to deal with on these, but they are doing all the rest of the work on the Ohio Street Bridge and he recommends we let them do the right-of-way engineering.

Motion to approve the agreement was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

North Green River Rd. Project: Commissioner Borries noted this project is looking better and better all the time. The project has come together nicely. Quite a bit of it is open now.

Mr. Stoll said it is open to just north of the Sugar Mill apartments. There was only a small section remaining to be paved near Evansville Day School. In response to query from Commissioner Borries, he said the contractor feels they can still get the top coat and at least temporary striping completed before winter.

RE: LEGAL AID - SUE HARTIG

The meeting continued with Ms. Sue Hartig of Legal Aid being recognized. She said that, subject to formal approval by the Board, she thinks they finally have their space problem resolved. President Borries brought to her attention that the Veteran's Service Office was moving to the Old Courthouse. While that was not enough space for Legal Aid, luckily the Prosecutor's Office worked with them and their Bad Check Division (located right next to the Veteran's Service Office) and the current Legal Aid Office are going to trade places. Legal Aid will take over the veteran's Service Office and the Prosecutor's Bad Check Division office and using the dead end hall for a waiting area (which has been approved by the Building Authority) Legal Aid will now have sufficient space. Legal Aid provided \$5,000 to the Veteran's Service Office and \$2,000 to the Prosecutor's Office to reimburse them for the window installed and repealed extra money to the General Fund. All of that went through last week. They have submitted plans and obtained a quote from Mr. Utley with the Building Authority and Legal Aid has that amount in privately raised funds. Therefore, they will not need to ask the County for these funds. The phones were worked out today, changing computer wiring and, hopefully, all the other details. Hopefully, Veteran's Services will move as soon as possible, Legal Aid will move downstairs, the Prosecutor's Bad Check Division will move to Legal Aid, and Legal Aid will expand in the old Veteran's Service Office. There may be some down time between now and the first of the year when all those changes take place.

Commissioner Borries said he knows Ms. Hartig is a bit relieved, and so is he. He knows it has been very frustrating for her and he thinks this has worked out to everyone's benefit. He certainly wants to commend Ms. Hartig for being able to find available finances to make sure things are moving forward. That is very necessary in these tight budget times. She has certainly done her part and everyone has cooperated. He must also say the Prosecutor is concerned about his space and told him that if we would move forward in good faith, he certainly was going to tell his staff that we would also look for additional space for him. He assured him the County will do this, but told him Ms. Hartig was at the top of the list and this had to be done. The Prosecutor was certainly cooperative.

Ms. Hartig said she appreciates all of Mr. Borries' help.

Commissioner Borries entertained a motion to approve the request, as submitted.

Motion to this effect was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: CONSENT AGENDA

Burdette Park/Seasonal Employees: Mr. Borries said that the Board raised questions concerning the seasonal employees at Burdette Park. Mrs. Deig in the Council Office has responded that a twenty-five cent per hour bonus had previously been approved and Robert Townsend was due \$38.38. Daniel Townsend was released without being paid in the last pay period and was due \$369.15.

County Clerk/Election Office Claim: Commissioner Borries said he does have one item which he is referring to the County Attorney concerning a claim from the Election Office. The question has to do with some salary criteria and also to have this conform in relation to the personnel policy.

There being nothing else, he would entertain a motion for approval of the Consent Agenda.

So moved by Commissioner Hunter and seconded by Commissioner Tuley. So ordered.

RE: OLD BUSINESS

Commissioner Borries entertained matters of Old Business to come before the Board.

Bipartisan Committee to Study Available Voting Systems & Equipment: Commissioner Tuley said that with the continuing back and forth between this Board and the County Clerk in reference to new voting equipment and what we should or shouldn't be doing, he is recommending the Board form a Bipartisan Committee to Study the Available Equipment & Systems out there. There is a lot of information available to the State Election Board. He would like to see this committee formed and to immediately start reviewing to see what we can do in terms of upgrading and bring about a system agreeable to the Commission, to the Council, and to the County Clerk. He would like that Committee to be made up of three (3) Election Board Members; he would like to see Susie Kirk and Jon Hill from the Board of Voter's Registration appointed to the Committee; he would like to see both Party Chairmen to be appointed to the Committee; and a member of the County Commissioners and a member of the County Council, that person being the opposite party of whatever Commissioner is appointed. We'd end up with a total of nine (9) members -- five (5) Democrats and four (4) Republicans -- and let them work through this and come back to the Commissioners with a solution that will work for all. He thinks we have to move off dead center and do something. Apparently there is a misunderstanding from last week's meeting. He thought the Commissioners left it clear that they were going to do something. Apparently, after watching the media, that message didn't get across and he thinks the formation of this Committee may be one way to strengthen the message that the Commissioners are going to do something.

Commissioner Borries said he agrees he thought that was in the public record, as well.

Commissioner Hunter asked if this is in the form of a motion.

Mr. Tuley responded that it is. Also, he wouldn't mind being on the Committee as a representative of the Commissioners.

Commissioners Hunter and Borries agreed this would be great and Council can appoint a member from the majority party.

Motion seconded by Commissioner Hunter. So ordered.

Commissioner Borries said he thinks the formation of this Committee is a fine idea and a way to get things going. He has met with David Maidenbergl and asked him to assist in this process. The other Commissioners will recall he shared this information with the other Commissioners last week when the gentleman from Business Records was here. He has asked Mr. Maidenbergl to share information as to what other counties are doing and, again, that might be something this Committee needs to look at.

Also, as a result of our inquiries to the Madison County Clerk, we have now received two proposals -- one for some kind of electronic equipment from Business Records and then he came in with a package of basically what twenty-seven other counties are doing. That means you upgrade the system, you have this punch card system where you improve the sleeves and make new stylus points and get all these parts and then you connect this with a P.C. System -- and this Business Record groups comes in and they run the election. So we've received those two proposals.

In addition, Mr. Borries said he has written a letter to a person from Government Business systems -- this is the competitor -- and asked if they would be interested in giving us some information. He thinks this Committee is a good thing. The Commissioners clearly stated last week that we were pledged to have a change in place by the May 1994 Election. But, again, you have to look at alternatives when you're looking at a system like this and you have to touch all the bases. This MicroVote system is another one -- they're a competitor of the other electronic system. If you're going to look at one, in fairness it would seem that you'd probably better look at all of them.

Commissioner Hunter agreed.

Commissioner Tuley said that is his intent. Based on the information Mr. Borries provided from the State Election Board, there are a lot of systems available out there and he thinks we need to be open minded and look at as many things as we possibly can look at to come up with the best solution to our problems.

Commissioner Hunter said most of the counties still use them. He was led to believe that only two or three counties in the whole state were using this system and the tabulators are our problem.

Mr. Borries said there are alternatives and he thinks we're on the right track on this.

Mr. Hunter said there are certainly alternatives to \$1,000,000 -- there have to be.

Mr. Borries said he thinks this Committee can do that and do an outstanding job. With three Election Board Members, Ms. Kirk and Mr. Hill, Mr. Owen and Mr. Harrison, a member of County Council and Commissioner Tuley, that makes nine (9) members -- so if there is any division there (philosophical or otherwise) they ought to at least reach some kind of decision. (We'll need to send a letter to County Council to ask them to appoint their representative.) Again, he and Commissioner Hunter charge Commissioner Tuley with having something to report, certainly by the end of March.

Mr. Tuley said he will contact these people by next week's meeting and set up the first meeting.

Mr. Borries said the Commission Office can send out notification letters, also.

Attorney Kissinger suggested the Board put an expiration date on the Committee's activity, so they won't continue on and on after they've completed their duties.

Commissioners Hunter and Tuley said the date of the Primary Election would be the logical date.

Mr. Borries said that would work. One other option -- and he doesn't know if he would fully agree with the idea of trying to have competing systems trying to come in and run part of the County's election at the same time -- but there may be a possibility that this Committee might find out there may be some group want to come in and run it to show us what they can do -- at no cost to us. The competition is the healthy part -- that's the thing.

Mr. Hunter said if we have two or three groups come in, then we could give the voters a voice as to which equipment they liked the best.

Mr. Tuley said there are a lot of options out there.

RE: NEW BUSINESS

Agreement w/David M. Griffith & Associates: Commissioner Borries said this firm has had a long association with this County. This plan enables the County to be reimbursed for administrative costs for such programs as Child Support, Food Stamps, AFDC, Medicaid, Civil Defense, etc. To be eligible to claim these costs in the future, Vanderburgh County has to update the plan in 1994 using financial data. This is certainly advantageous to the County. The fee for services is based on County population and our fee is \$13,125. We get far more than that back.

Mr. Tuley said he believes this firm does this for all ninety-two counties in the State.

Motion to approve the agreement was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Petition to Vacate a Road in Gabensee Acres: Mr. Borries noted Ms. Titzer has handed him this petition. It needs to be advertised and a hearing date set. (This matter was held until Ms. Matthews' return and subsequently placed on the Agenda for November 15th, with hearing being set at that time for 5:30 p.m. on November 29th.)

Request for Executive Sessions: Motion was made by Commissioner Tuley that Executive Sessions be called for November 22nd and November 29th at 4:30 p.m. in Room 307 for purposes of discussing continuing Personnel Matters and Pending Litigation. Seconded by Commissioner Tuley. So ordered. Ms. Titzer was instructed to so advertise.

There being no further business to come before the Board, President Borries declared the meeting adjourned at 6:35 p.m.

PRESENT:

Richard J. Borries
Patrick Tuley
Don Hunter
Sam Humphrey, County Auditor
Alan Kissinger, Attorney
Daryn Burgdorf/Purchasing Dept.
Susie Kirk, Voter's Registration
Chief Deputy Sheriff Robert Beckham
Gary Miller/Y.M.C.A.
Sue Hartig/Legal Aid
John Stoll/County Engineer
Bill Morphew/County Highway Supt.

COMMISSION MEETING
November 8, 1993

13

Mark Abell/Supt. County Buildings
Others (Unidentified)
News Media

SECRETARY: Taped by Sunny Titzer
Transcribed by Joanne Matthews



Richard J. Borries, President



Patrick Tuley, Vice President



Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

November 8, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Any group/individual wishing to address the commission
 - B. Daryn Burgdorf/Purchasing
 - 1) Approval of Specs for VC 9403/Timber Materials
 - 2) Open Bids: 93 VC 9402/Guard Rails, Posts, End Sections, Pipe.
 - C. Susie Kirk/Board Member, Voters Registration
 - 1) Changes to polling places for May 1994 Election
 - 2) Problems concerning polling places
 - D. Sheriff Hamner
re: Amendment for contract renewal for 1994/Szabo Correctional Services (food services)
 - E. Gary Miller/Downtown Director of YMCA
 - 1) 1994 agreement for approval/signatures
 - 2) Permission to start new membership drive and schedule dates to sign up county employees within the Civic Center Complex

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney
Mark Abell ----- Superintendent of County Buildings
Bill Morphew ----- County Garage
John Stoll ----- County Engineer
*See attached engineer requests
Sue Hartig----- Legal Aid

6. CONSENT ITEMS

A. Travel/Education Requests:

B. Employment Changes:
see attached

C. Sandie Toton/General Manager, Vanderburgh Auditorium
re: Approval of letter to Margaret, Evansville Philharmonic
dated October 18, 1993 from Board of Commissioners

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

COUNTY ENGINEER'S

CONSENT AGENDA

NOVEMBER 8, 1993

1. **CLAIMS:**

U.S.I. & S.R. 430 BOND

Blankenberger Brothers - R-20697 (Est. #7)

\$71,083.93

CONTRACTUAL SERVICES 203-3930

Community Jobs Service (Inv. #2)

\$ 75.00

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY HIGHWAY DEPT. 20101990 EXTRA HELP

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101990	JEFFREY W. EFFINGER	6720 ROSSER DR. EVANSVILLE, IN 47712	EXTRA HELP	HR. 5 00	10-29-93
	LAST DAY WORKED 10-29-93 <i>Still Paid 11/1/93 P.C.</i>				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY William F. Murphy DATE 11-4-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249011101990	LOIS STUCKI	1401 LAUBSCHER RD	PART TIME DEPUTY	HR 7 00	11/5/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11101990	LOIS STUCKI	1401 LAUBSCHER RD	PART TIME DEPUTY	HR 5 00	11/5/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Lois Stucki DATE 11-5-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department ELECTION OFFICE

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
121-1300	MATLACK, ALBERTA	764 E. COLUMBIA ST.	ELECTION DEPUTY	9 7045/HR 5 72	4-20-93 ✓
121-1110	Betty Knight Smith		County Clerk	500 00	4-20-93 ✓
121-1140	Betty Knight Smith		County Clerk	400 00	9-20-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 11-5-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300216	Julie Mitchell		Clerk/Typist	7 1599 14950 00	11-5-93 ✓
105011300217	Martie Williams		Clerk/Typist	7 1599 14950 00	11-5-93 ✓
105011300218	Diane Roe		Clerk/Typist	7 1599 14950 00	11-10-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300216	Julie Mitchell		Clerk/Typist	6 8309 14263 00	11-4-93 ✓
105011300217	Martie Williams		Clerk/Typist	6 8309 14263 00	11-4-93 ✓
105011300218	Diane Roe		Clerk/Typist	6 8309 14263 00	11-9-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Ray Hamner DATE Nov. 5, 1993

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

505-108-N

Prosecutor Victim/Witness Program

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108N1120108N	Justine St. Louis	1504 E. Walnut St	Clerical	7.00 Per Hour	11-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108N1120108N	Justine St. Louis	1504 E. Walnut St	Clerical	6.00 Per Hour	11-1-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Stanley A. Lucco

DATE

11/2/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.01362 1990	JASON E. CANNON		PART TIME CORRECTION OFFICER	7.00 HR	10-17-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

NOV 2, 9

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136D 1160	AMANDA LIGON		SECRETARY	7.0402 / HL 14,700 AN	11-1-93 ✓
505.0136D 1140	JAMIE VOGES		PROBATION OFFICER	10.3591 / HL 21,630 AN	11-1-93 ✓
505.0136D 1150	PAUL WOLLENMANN		PROBATION OFFICER	10.3591 / HL 21,630 AN	11-1-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
260-1500	AMANDA LIGON		SECRETARY	6.7049 / HL 14,000 AN	10-31-93 ✓
505.0136D 1140	JAMIE VOGES		PROBATION OFFICER	10.0574 / HL 21,000 AN	10-31-93 ✓
505.0136D 1150	PAUL WOLLENMANN		PROBATION OFFICER	9.0496 / HL 19,000 AN	10-31-93 ✓
260-1520	PAUL WOLLENMANN		PROBATION OFFICER SUPPLEMENT	1.9578 / HL 2,000 AN	10-31-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

11-2-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department TAX ADJUSTMENT BOARD

sl

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	Rolland M. Eckels	1405 E. Park Dr.	Member	\$ 35 00	10/4/93
	Edwin C. Witte	709 S.E. Second	Member	per Mtg.	"
	Edward R. Ziemer	8320 Carolwood Ct.	Member	"	"
	Rita Heathcotte	3512 Koring Rd.	Member	"	"

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	Rolland M. Eckels	1405 E. Park Dr.	Member	\$ 35 00	10/6/93
	Edwin C. Witte	709 S.E. Second	Member	per Mtg.	"
	Edward R. Ziemer	8320 Carolwood Ct.	Member	"	"
	Riza Heathcotte	3512 Koring Rd.	Member	"	"

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

DATE 11/8/93

Richard J. Bonias

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR

sl

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249011101990	JAMES CORDER	7788 OUTER GRAY	PART TIME FIELD DT. RE	HOUR 7 00	11/5/93
249011101990	JOHN DIXON	5815 ASHEROKE	PART TIME FIELD DT. RE	HOUR 7 00	11/5/93
249011101990	MARGARET C. HINKLE	7939 CONVENTRY CT APTB	PART TIME FIELD DT. RE	HOUR 7 00	11/5/93
249011101990	DEANNA WILSON	500 PLEASANT VIEW DR	PART TIME FIELD DT. RE	HOUR 7 00	11/5/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

DATE 11-5-93

William F. Smith

1993

October 31 - December 11

1993

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
October 31 304 / 61 Daylight Savings—set back 1 hour Halloween	November 1 305 / 60 4:00pm Co. Comm. Dept. Head 5:30pm County Commissioners	November 2 306 / 59 Riverboat Gambling Referendum	November 3 307 / 58 3:30pm County Council	November 4 308 / 57	November 5 309 / 56 Pay Day	November 6 310 / 55
November 7 311 / 54	November 8 312 / 53 4:30pm Solid Waste 5:30pm County Commissioners	November 9 313 / 52	November 10 314 / 51	November 11 315 / 50 Veterans Day	November 12 316 / 49 Veteran's Day (observed)	November 13 317 / 48
November 14 318 / 47	November 15 319 / 46 5:30pm County Commissioners 7:00pm Co. Comm. Resonings	November 16 320 / 45 9:00am County Insurance Committee	November 17 321 / 44	November 18 322 / 43 9:00am Co. Steering Comm. 5:00pm Pigeon Creek	November 19 323 / 42 Pay Day	November 20 324 / 41
November 21 325 / 40	November 22 326 / 39 5:30pm County Commissioners Co. Comm. Drainage Bld.	November 23 327 / 38	November 24 328 / 37 3:30pm Personnel & Finance	November 25 329 / 36 <div>Thanksgiving</div>	November 26 330 / 35	November 27 331 / 34
November 28 332 / 33	November 29 333 / 32 5:30pm County Commissioners	November 30 334 / 31	December 1 335 / 30 3:30pm County Council	December 2 336 / 29	December 3 337 / 28 Pay Day	December 4 338 / 27
December 5 339 / 26	December 6 340 / 25 4:00pm Co. Comm. Dept. Head 5:30pm County Commissioners	December 7 341 / 24	December 8 342 / 23	December 9 343 / 22	December 10 344 / 21	December 11 345 / 20

CITY OF EVANSVILLE/VANDERBURGH COUNTY
DEPARTMENT OF PUBLIC PURCHASE

SPECIFICATIONS

Bid No.: VC 9315
Opening Date: Monday, November 29, 1993 - 5:30 p.m.
Dates Advertised: November 12 & 19, 1993
Bid Item(s): One 1994 Full Size Pick Up Truck
Term of Bid: One Time Purchase

SCOPE: These specifications are intended to cover the furnishing and delivery of one 1994 Full Size Pick Up Truck to the Vanderburgh County Health Department.

GENERAL CONDITIONS:

1. Brand names of parts, assemblies, accessories, fittings and/or other items set forth in these specifications are not intended to be discriminatory, but are for the sole purpose of describing the quality, size, design and capacity of the items desired.
2. Estimated delivery time must be stated.
3. Any exceptions to the specifications hereinafter provided must be noted on a separate sheet entitled "Exceptions to Specifications." Failure to include an exception sheet means that the bidder shall comply 100% with the specifications set forth.
4. Manufacturer specifications and other relevant information must be included in the bid package submitted.
5. Where delivery is requested, separate delivery costs must be stated (e.g. per ton, per item, etc.)
6. Maintenance costs, where applicable, must be listed separately with any terms and conditions which are applicable.
7. Warranty information must be provided.
8. Include all specifications of proposed vehicle and applicable mileage information.
9. Bidders must provide information concerning warranty and location of service facility.
10. Any bid may be rejected if the bid price exceeds the amount the department has budgeted for this purchase.
12. Specify policy on loaned vehicles during the period of warranty service.
13. A representative from the Health Department shall be given the opportunity to inspect and test drive the vehicle. The vehicle may also be inspected by a mechanic of the department's choice.
14. During the warranty period, any bidder whose repair facilities are located more than ten (10) miles from Evansville shall be responsible for the pick up and delivery of the vehicle requiring service to the specified service location.
15. The Board of County Commissioners reserves the right to reject any and all bids.

MINIMUM REQUIREMENTS - One 1994 Full Size Pick Up Truck

	Bidder Complies (yes/no)
Exterior color: White	_____
Engine: Six (6) Cylinder	_____
Four Wheel Drive	_____
Half Ton Pick Up	_____
Maximum 2000 lb. Payload Capacity	_____
Rear Step Bumper	_____
Tires: Four 6-ply Radials	_____
Transmission: Standard	_____
Air Conditioning	_____
Power Steering	_____
Power Brakes	_____
AM/FM Radio	_____
Standard Warranty: _____ years or _____ miles	
Powertrain warranty: _____ years or _____ miles	
Corrosion warranty: _____ years or _____ miles	
Emissions warranty: _____ years or _____ miles	

Please include the following information with bid:

Manufacturer specifications
Mileage information
Warranty information

Location of service facility: _____

(Please return this page with your bid)

Policy on loaned vehicles during warranty service: _____

Estimated delivery: _____ days from receipt of Purchase Order

Proposed vehicle: _____

Vehicle Cost: _____

Delivery Cost: _____

TOTAL COST: _____

It is the intention of these specifications to cover the basic vehicle proposed. Please indicate the cost of any optional items that are included in your bid, but are not listed in the specifications.

<u>ITEM</u>		<u>COST</u>
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____

Please print or type the following information:

VENDOR

PHONE

ADDRESS

DATE

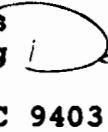
REPRESENTATIVE

SIGNED

(Please return this page with your bid)

CITY—COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

To: Board of County Commissioners
From: Daryn S. Burgdorf, Purchasing 
Date: Thursday, November 4, 1993
Re: Specification Approval for VC 9403

Attached, please find a copy of the proposed specifications concerning Bid Number VC 9403 for 1994 TIMBER MATERIALS. These specifications are the same as last years.

At the Board meeting on Monday, November 8, 1993, I will be requesting to advertise for this bid on Wednesday, November 10 and Wednesday, November 17, 1993 with the bid opening date to be set for Monday, November 29, 1993.

If you have any questions, I may be reached at 426-5495.

cc: Mr. Rick Borries, President
Mr. Pat Tuley, Vice President
Mr. Don Hunter, Member
File (2) ✓

CITY OF EVANSVILLE/VANDERBURGH COUNTY
DEPARTMENT OF PUBLIC PURCHASE

SPECIFICATIONS

Bid No.: VC 9403

Opening Date: Monday, November 29, 1993 - 5:30 p.m.

Dates Advertised: November 10 & 17, 1993

Bid Item(s): Timber Materials

Term of Bid: January 1 through December 31, 1994

GENERAL CONDITIONS

1. Brand names of parts, assemblies, accessories, fittings and/or other items set forth in these specifications are not intended to be discriminatory, but are for the sole purpose of describing the quality, size, design and capacity of the items desired.
2. Warranty information must be included.
3. Estimated delivery time must be stated.
4. Any exceptions to the specifications hereinafter provided must be noted on a separate sheet entitled "Exceptions to Specifications." Failure to include an exception sheet means that the bidder shall comply 100% with the specifications set forth.
5. Manufacturer specifications and other relevant information must be included in the bid package submitted.
6. Where delivery is requested, separate delivery costs must be stated (e.g. per ton, per item, etc.)
7. Installation costs, where applicable, must be listed separately with any terms and conditions which are applicable.
8. The Board of County Commissioners reserves the right to reject any and all bids.
9. Bid Bond should be based on five percent (5%) of \$100,000, or \$5,000.

COUNTY HIGHWAY DEPARTMENT SPECIFICATIONS

Class # ____ to include the following items:

- Treated Timber Bridge Planking
- Treated Timber Box Culverts
- Treated Timber Laminated Deck Panels
- Creosote Treated Bridge Timbers
- Creosote Treated Timber Deck Components
- Salt Storage Building Package Components
- Galvanized Attaching Hardware for the Above
- Geotextile Fabric Filter Cloth
- Treated Timber Piling

- A. Treated Timber Bridge Planking: All materials shall meet the requirements specified in section 910.02 Treated Lumber in the 1988 Indiana Department of Highways "Standard Specifications."
- B. Treated Timber Box Culverts and Laminated Deck Panels: Design HS-20-44 loading.

1. Materials:

a. Lumber: All lumber used in the construction of deck panels shall conform to the requirements set forth in the current edition of the American Association of State Highway Officials "Standard Specifications for Highway Bridges."

Treated timber shall meet the requirements specified in paragraph 910.02 in the 1988 Indiana Department of Highways "Standard Specifications" with the following additions and exceptions:

- 1) All timber material shall be Southern Yellow Pine, No. 2 or better, and only one species of lumber shall be used in any one laminated section.
- 2) All surfacing shall be S4S to standard size. All cutting, framing, boring, and assembly shall be done prior to treatment, and certification of such shall be furnished by the manufacturer prior to delivery of any material. The individual laminae shall be assembled into panel sections using 9/16" diameter steel bolts spaced not greater than three (3) foot center-to-center spacings. Laminated deck panels shall be either 4", 6", or 8" nominal size in thickness, with width and length to be determined at the time of placing the order.

3) All lumber shall be treated by the "empty cell process using CCA only, and conform to the requirements of the American Wood Preservers Association "Standard Specifications for CCA." With a minimum retention of 4.5 pounds of preservative per cubic foot of wood treatment.

b. Hardware: Bolts used for assembling sections shall be formed of rolled steel rods of structural grade and of such length as to properly grip the laminae composing the sections. Heads and nuts of bolts shall be resessed into the lumber so they do not interfere with placement of adjacent panel sections.

c. Fasteners: Fasteners used to connect the deck panels to bridge floor beams shall be manufactured from A151 1065 steel, austempered to a minimum core hardness of 50-54rc. Typical tensile strength to be no less than 270,000 psi, typical shear strength to be no less than 102,000 psi. The standard finish for all fasteners to be zinc plating to a minimum thickness of 0.0002" and passivated with a supplemental clear chromate which meets the requirement of federal specification QQ-Z-325B. Fasteners are to be no less than 4" in shank length, 1 1/64" in shank diameter, and 3/8" in head diameter.

2. Attachment Procedures: Bidder will provide no less than four (4) attaching tools to the County, to be used under our supervision, by which the fasteners will be installed. Only approved standard velocity (direct-acting) tools for extra-heavy duty fasteners as described above will be provided, such as Ramset Super-Power 238M, using .38 caliber power loads. All tools will be in good working order, complete with all accessories, having been cleaned and safety checked by an authorized instructor prior to use on each job.

C. Treated Timber Materials - Bridge Packages / Salt Storage Building Packages:

Creosote Treated Bridge Timbers
Creosote Treated Timber Deck Components
Salt Storage Building Package Components
Galvanized Attaching Hardware

1. Design Specifications: The design load capacity will be HS-20-44 in accordance with current A.A.S.H.T.O. specifications and current Indiana Department of Highways Standard Specifications. One set of design drawings by

a registered Indiana Professional Engineer, shall be provided by the Manufacturer, certified and sealed by the same, and submitted within fourteen (14) days of notice to proceed. They shall be specific in detail and dimensions on 22" x 34" sheets. An itemized "Bill of Materials" showing in detail all materials used for the complete package (including all treated timber items, piles, nuts, bolts, cable, cable clamps, drive spikes, draft pins, etc.) as required, will also be submitted with each sealed bid.

2. Material Specifications:

a) Timber: All timber except piling shall be of Coastal Region Douglas Fir species, dense #1 structural grade, with a minimum of 1500 psi unit stress for extreme fiber in bending and 120 psi in horizontal shear stress. All timber will be pressure creosote treated to minimum net retention to ten (10) pounds preservative per cubic foot of wood, in accordance with AITC 109-65 "treating standards for structural timber framing" and section 910.02, subsections (a), (b), and (f-1) of the 1988 Indiana Department of Highways Standard Specifications. All timber material shall be pressure-creosote treated by the "Empty-Cell Process, and certification of such provided by the supplier as required, before the final design is accepted by the owner, and notice to proceed given. All timber to be cut to exact lengths and dressed to size required. All framing and boring is to be done prior to treatment.

b) Longitudinal Deck: All planks in the decking shall be panelized in approximately six (6) foot wide sections using 4" thick plank and to be pre-drilled prior to treatment. Deck panels to be shop assembled shall with hydraulic or mechanical press procedure and fitted hot-dipped galvanized ring-shank dowels with a minimum size of 3/8" diameter by 15" long. Assembled deck panels will be free from damage and/or indentations from hammer and have at least 90% of all timber plank in panels touching adjoining timber plank. Design drawings must show doweling diagram of each deck panel with center to center placement to the ring-shank dowels as required, and certification of the entire pre-drilling and assembly process, as described herein, shall be provided by the Bridge Manufacturer, as required by County, before final design is accepted by owner and notice to proceed is given.

In addition, deck panels must conform to the following dimensions for HS-20-44 design loading:

Using #1 Dense Structural, 1500 psi / 120 psi

Span to 12' - Use 4" x 8" timbers
Span to 18' - Use 4" x 10" timbers
Span to 26' - Use 4" x 12" timbers
Span to 32' - Use 4" x 14" timbers
Span to 36' - Use 4" x 16" timbers

Using #1 Select Structural - 1600 psi / 120 psi

Span to 42' - Use 4" x 16" timbers

c) Hardware: All hardware, such as dowels, nails, cable clamps, nuts, bolts, steel beam guard rails, and all other hardware are to be hot-dipped galvanized in accordance with current Indiana Department of Highways Standard Specifications.

d) Piling: All test piling shall be delivered with structure, with balance of piling to be furnished in appropriate lengths as per final design. All timber piles shall be creosote-pressure treated and be as specified in current Indiana State Highway Department of Highways Standard Specifications.

e) Certification Requirements: Supplier will, as required by the County, furnish three (3) copies of an affidavit in which a Professional Engineer, registered in the State of Indiana, has sworn before a Notary Public, that he has personally inspected the materials as to specie and grade, their treatment, the fabrication of structural members as required, and that they have been treated and fabricated and that the materials used in the complete package comply with these specifications and the Standard Specifications of the Indiana Department of Highways. Delivery of the signed affidavit and acceptance of the sealed design drawings must precede any order to proceed from the Owner. These pre-Engineered, pre-Fabricated, Creosote-Pressure Treated Timber Bridge packages will be complete and delivered to the site by a Manufacturer regularly engaged in the design, fabrication, treatment, and furnishing of such Pressure-Treated, Federally-Approved Structures.

Bridge packages shall include sealed Design Drawings certified and signed by the Manufacturer with a Professional Engineer registered in the State of Indiana, that the design and all components, when assembled as a completed bridge package, shall meet current A.A.S.H.T.O. and 1988 Indiana Department of Highways design standards for HS-20-44 loading. The bridge manufacturer will also provide a capable field advisory person who shall be present for at least two (2) consecutive days at the start of construction, and at all other times, when called upon, during the duration of the construction project.

- D. Treated Timber Piling: Timber Piling shall be 12" in diameter and conform with Section 910.02 of the 1988 Indiana Department of Highways Standard Specifications, Subsections (c) and (f-1) and have an allowable working stress compression of 1200 psi.
- E. Handling and Shipping: The entire structure, including piling, shall be shipped directly to the job site, or as directed by the Owner, for storage in such a manner as to cause no damage to the members, or any other materials. The Owner will be notified forty-eight (48) hours prior to delivery, and a Factory Representative shall be present for unloading at the storage site, as required by the County. The Supplier shall also arrange for the equipment and materials to be safely unloaded, and furnish the necessary blocking to prevent any of the materials from being placed directly on the ground. All shipping and handling charges shall be included in the unit price for each item.
- F. Guarantee: The Supplier shall guarantee that any materials or workmanship which prove defective within five (5) years after the date of completion and acceptance of the project shall be replaced by them or made good without charge to the Owner. This guarantee shall be in addition to the Insurance provided by the Manufacturer, covering both the design and component materials provided, in the amount of One Million Dollars (\$1,000,000) in Liability Coverage.

SPECIFICATIONS

All bridges or bridge components or alternatives to the above to be designed in accordance with current HS-20-44 loading. The design and construction drawings and specifications shall be subject to the approval of the Vanderburgh County Highway Engineer. All materials and construction shall meet or exceed specifications. Bidder shall submit unit prices F.O.B. as designated in Vanderburgh County. Materials to be included in this line or class are:

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PRICE</u>
1.	Treated Bridge Planking (per 1,000 board foot)	_____
2.	Timber Box Culverts (per 1,000 board foot)	_____
3.	Panel Laminated Decks (per 1,000 board foot)	_____
4.	Creosote Pressure-Treated Bridge and Salt Storage Building Package Components (per 1,000 board foot)	_____
5.	Longitudinal Creosote Pressure-Treated Super Structure Deck Replacement Components (per 1,000 board foot)	_____
6.	Galvanized Hardware for above (per pound)	_____
7.	Treated Timber Piling (per linear foot) (15' - 40' lengths)	_____
8.	Treated Timber Piling (per linear foot) (41' - 55' lengths)	_____
9.	Treated Timber Piling (per linear foot) (56' and longer lengths)	_____

VENDOR

DATE

ADDRESS

TELEPHONE



Gifts and Bequests
to the YMCA
Perpetuate Our Work

November 5, 1993

Dear County Commissioner:

The enclosed proposed membership agreement between the **YMCA** and the **County** is identical to the existing one with two exceptions.

The new proposed agreement includes:

1. **YMCA Membership Enrollment/Cancellation Process**

The **YMCA** will assume responsibility for all of the enrollment and cancellation procedures for each employee. All procedures will now occur **at the YMCA**. This will make it more convenient for the employees and less work for the county payroll department.

2. **Membership Rate Increase**

There has not been a rate increase to the **County/YMCA** membership plan since 1991. (Fee schedule attached)

Thank you for your consideration. Current enrollment in this program includes 220 participants.

Sincerely,

Gary Miller
Downtown Executive

AGREEMENT

THIS AGREEMENT, entered into this 8th day of November, 1993, between **THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF SOUTHWESTERN INDIANA, INC. ("YMCA")** and the **BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, ("County")**, WITNESSETH:

WHEREAS, the **YMCA** is engaged in the business of providing physical fitness programs and activities for residents of Southwestern Indiana from its facility located at 222 Northwest Sixth Street in Evansville, Vanderburgh County, Indiana; and

WHEREAS, the **County** is concerned about the physical fitness of its employees and believes its employees would benefit from regular physical activity; and

WHEREAS, the **County** desires to assess the physical fitness of its employees and also to encourage their participation in physical activities by underwriting the cost of membership in the **YMCA**.

NOW, THEREFORE, in consideration of the premises, the **YMCA** and the **County** agree as follows:

1. **YMCA Membership** - The **YMCA** agrees to offer single adult memberships in the **YMCA** to employees of the **County** at a rate which is **thirty-five percent (35%)** less than its standard fee for such memberships in effect from time to time. At the time of execution of this agreement the regular monthly charge for single adult **YMCA** memberships is **\$22.08**, making the initial discounted rate payable for such membership under this agreement **\$14.35 per month**. Such memberships shall provide all benefits and privileges applicable to regular single adult memberships, including, without limitation, the following:

- A. Use of indoor running track;
- B. Use of gymnasium;
- C. Use of indoor swimming pool;
- D. Use of nautilus training room;

- E. Use of free weight room;
- F. Use of showers and locker rooms;
- G. Participation in free in-house fitness classes;
- H. and Use of YMCA parking lot (while utilizing the YMCA facilities)

Any **County** employee may, if he or she so desires, convert the single adult membership provided for in this agreement to any other type of membership offered by the **YMCA** upon paying the full amount of the difference between the cost of a single adult membership and the cost of such other type of membership.

3. **Payment of Membership Fees** - The **County** shall pay to the **YMCA** **seventy percent (70%)** of the monthly charges for single adult memberships issued to employees of the **County** pursuant to this agreement. Such charges shall be paid monthly. The remaining **thirty percent (30%)** of the monthly charges for single adult memberships issued pursuant to the provisions hereof, plus the entire amount of any additional charges for other types of memberships issued to **County** employees, shall be payable by such employees. The **County** nevertheless agrees to withhold from the wages of its employees acquiring **YMCA** memberships pursuant to the provisions hereof the portion of the cost of such memberships payable by such employees and to remit the same to the **YMCA** monthly.
4. **Term** - The initial term of this agreement shall be for a **one (1) year** period commencing **January 1, 1994, and ending December 31, 1994**. The term shall, however, automatically renew for successive periods of one year each unless terminated by either party hereto giving written notice to that effect to the other at least **sixty (60) days** prior to the end of any such one-year term.
5. To participate in this plan each employee must fill out the **YMCA** membership application form and payroll authorization form at the **YMCA**. To cancel your membership each employee must cancel **at the YMCA**.

IN WITNESS WHEREOF, the parties have executed this agreement as of the day and year first above written.

**YOUNG MEN'S CHRISTIAN ASSOCIATION OF
SOUTHWESTERN INDIANA, INC.**

By _____
Eric Ellsworth
Executive Director

"YMCA"

**THE BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA**

By _____
Richard J. Borries
President

By _____
Patrick Tuley
Vice President

By _____
Don L. Hunter
Member

"COUNTY"

ATTEST:

Sam Humphrey
Auditor

APPROVED AS TO LEGALITY AND FORM:

Vanderburgh County Attorney

YMCA/COUNTY Employee Membership Program

GENERAL MEMBERSHIP	1993 EMPLOYEE RATE	1993 COUNTY RATE	TOTAL	1994 PROPOSED EMPLOYEE RATE	1994 PROPOSED COUNTY RATE	TOTAL AMOUNT
ADULT	\$4.06	\$9.00	\$13.06	\$4.31	\$10.04	\$14.35
COUPLES	\$12.81	\$9.00	\$21.81	\$13.56	\$10.04	\$23.60
FAMILY	\$17.39	\$9.00	\$26.39	\$18.39	\$10.04	\$28.43
S.P. FAMILY	\$6.56	\$9.00	\$15.56	\$6.98	\$10.04	\$17.02

FITNESS MEMBERSHIP	1993 EMPLOYEE RATE	1993 COUNTY RATE	TOTAL	1994 PROPOSED EMPLOYEE RATE	1994 PROPOSED COUNTY RATE	TOTAL AMOUNT
ADULT	\$18.64	\$9.00	\$27.64	\$19.73	\$10.04	\$29.77
COUPLES	\$27.81	\$9.00	\$36.81	\$29.48	\$10.04	\$39.52
FAMILY	\$29.89	\$9.00	\$38.89	\$31.73	\$10.04	\$41.77
S.P. FAMILY	\$20.72	\$9.00	\$29.72	\$22.06	\$10.04	\$32.10



Szabo Correctional Services



RECEIVED

NOV 02 1993

Vanderburgh County Commissioners

October 18, 1993

Sheriff Ray Hamner
Vanderburgh County Sheriff's Department
101 Civic Center Complex
Evansville, Indiana 47708

Dear Sheriff Hamner:

Attached is our Amendment for contract renewal for 1994. As you will note, Szabo has waived its option to request adjusted pricing due to inflation in 1993. We propose to renew our agreement for the same price for another year, and hope you find this acceptable.

If you have any questions, please do not hesitate to contact me at 1/800-777-7080.

I look forward to serving the needs of Vanderburgh County for another year.

Sincerely,

Nick Guaetta / by
Nicholas J. Guaetta
District Manager

NJG:bq

Attachment

*change all dates
on file.*

2000 Spring Road, Suite 300, Oak Brook, Illinois 60521-1899
708-571-8258 Fax: 708-571-0280

**AMENDMENT
TO
MANAGEMENT OPERATING AGREEMENT**

THIS AMENDMENT, made and entered into this 8 day of ~~October~~^{NOVEMBER}, 1993 by and between SZABO CORRECTIONAL SERVICES, a division of ARA Services, Inc. a Delaware Corporation, having its principal place of business at 2000 Spring Road, Suite 300, Oak Brook, Illinois 60521, ("SZABO"), and Vanderburgh County Board of Commissioners, having its principal place of business at City/County Building, Evansville, Indiana 47708 ("VANDERBURGH COUNTY JAIL");

WITNESSETH:

WHEREAS, the parties did on January 1, 1977, enter into a Management Operating Agreement for the management by SZABO of the food service facilities of the VANDERBURGH COUNTY JAIL: and

WHEREAS, the parties desire to amend and renew said Agreement as hereinafter set forth, effective from January 1, ~~1994~~¹⁹⁹⁵;

NOW, THEREFORE, in consideration of the foregoing and of the mutual promises contained in said Management Operating Agreement including all amendments and supplemental agreements thereto, it is mutually covenanted and agreed as follows:

1) The term of this agreement shall continue through December 31, 1994 and will be automatically renewed thereafter from year to year upon mutual agreement of the parties.

2) All pricing under the agreement shall remain at the current rates.

3) Except as hereinabove provided, said Management Operating Agreement, including all amendments thereto, dated January 1, 1977, is hereby in all other respects ratified and confirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed, each by its respective officer thereunto duly authorized, this 8th day of ~~October~~ ^{Nov.}, 1993.

1243. VANDERBURGH COUNTY BOARD

Richard J. Barnes
[Signature]
[Signature]

BY: _____

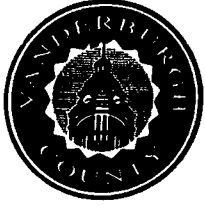
SZABO CORRECTIONAL SERVICES
a division of ARA Services, Inc.

BY: *William H. Barratt*
William H. Barratt
President

ATTEST: *[Signature]*

ATTEST: *Daniel Green*

DATE: 10-18-93



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603

Agenda for November 8, 1993

1. Award Virginia Street Culvert and Paving to Concrete Pavers in the amount of \$56,471.45.
2. Right of way engineering agreement with Bernardin Lochmueller and Associates for the Ohio Street bridge for \$8,200.

A G R E E M E N T

THIS AGREEMENT is made and entered into November 8, 1993, by and between Vanderburgh County, Indiana, acting by and through the Board of County Commissioners, hereinafter referred to as the "LOCAL PUBLIC AGENCY" and Bernardin, Lochmueller & Associates, Inc.
20 NW Fourth Street
Suite 606, Hulman Building
Evansville, Indiana 47708
hereinafter referred to as the "CONSULTANT".

W I T N E S S E T H

WHEREAS, the LOCAL PUBLIC AGENCY desires to contract for:
Right-of-Way Engineering

WHEREAS, the CONSULTANT has expressed a willingness to perform the
Right-of-Way Engineering

NOW, THEREFORE, the parties hereto agree that said CONSULTANT shall provide the services and documents, hereinbefore and hereinafter described, in relation to the following described project or projects:

Bridge No. 3C Relocation. Project No.: STP-BRM-480(). Des. No. 9286960

Beginning approximately seven hundred (700) feet east of the intersection of Ohio and Ninth Streets, and running to the east for approximately twelve hundred and eighty (1,280) feet and crossing Pigeon Creek approximately one hundred and eighty feet (180) feet north of the existing Ohio Street Bridge.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto mutually covenant and agree as follows:

Section I Services by CONSULTANT

The services to be provided by the CONSULTANT under this Agreement are as set out in Appendix "A", attached to this Agreement, and made an integral part hereof.

Section II Information and Services to be Furnished by LOCAL PUBLIC AGENCY

The information and services to be furnished by the LOCAL PUBLIC AGENCY are as set out in Appendix "B", attached to this Agreement, and made an integral part hereof.

Section III Notice to Proceed and Schedule

The CONSULTANT shall begin the work to be performed under this Agreement immediately upon receipt of this fully executed Agreement from the LOCAL PUBLIC AGENCY. The CONSULTANT shall deliver the work to the LOCAL PUBLIC AGENCY in accordance with the Schedule contained in Appendix "C", attached to this Agreement, and made an integral part hereof.

Execution of this Agreement shall serve as a written notice to proceed. The CONSULTANT shall not begin work prior to receipt of the fully executed Agreement.

Section IV Compensation

The CONSULTANT shall receive payment for the work performed under this Agreement as set forth in Appendix "D", attached to this agreement, and made an integral part hereof.

The cost principles contained in the Federal Acquisition Regulations, 48 CFR Subpart 31.2, shall be adhered to for work under this agreement.

Section V General Provisions

1. Work Office

The CONSULTANT shall perform the work under this Agreement at the following office(s) Bernardin, Lochmueller & Associates, Inc.

20 NW Fourth Street

Suite 606, Hulman Building

Evansville, Indiana 47708

The CONSULTANT shall notify the LOCAL PUBLIC AGENCY of any change in its mailing address and/or the locations(s) of the office(s) where the work is performed.

2. Employment

During the period of this Agreement, the CONSULTANT shall not engage, on this project on full or part time or other basis any professional or technical personnel who are or have been at any time during the period of this Agreement in the employ of the Federal Highway Administration or the highway organization of any State, County or City except regularly retired employees.

3. Ownership of Documents

All documents, including tracings, drawings, reports, estimates, specifications, field notes, investigation, studies, etc., as instruments of service, are to be the property of the LOCAL PUBLIC AGENCY. During the performance of the services, herein provided for, the CONSULTANT shall be responsible for any loss or damage to the documents, herein enumerated, while they are in his possession and any such loss or damage shall be restored at his expense. Full access to the work during the progress of the work shall be available to the LOCAL PUBLIC AGENCY.

4. Access to Records

The CONSULTANT and his subcontractors shall maintain all books, documents, papers, accounting records and other evidence pertaining to the cost incurred and shall make such materials available at its respective offices at all reasonable times during the period of this Agreement and for three years from the date of final payment under the terms of this Agreement, for inspection by the LOCAL PUBLIC AGENCY.

5. Compliance with State and Other Laws

The CONSULTANT specifically agrees that in performance of the services herein enumerated by him or by a subcontractor or anyone acting in behalf of either, that he or they will comply with any and all State, Federal, and Local Statutes, ordinances, and regulations and obtain all permits that are applicable to the entry into and the performance of this Agreement.

6. Responsibility for Claims

The LOCAL PUBLIC AGENCY and the CONSULTANT have discussed the risks, rewards and benefits of the project and the CONSULTANT's total fee for services. The risks have been allocated such that the LOCAL PUBLIC AGENCY agrees that to the fullest extent permitted by law, the CONSULTANT's total liability to the LOCAL PUBLIC AGENCY for any and all injuries, claims, losses, expenses, damages or claims expenses arising out of this agreement from any cause or causes, shall not exceed the amount of the CONSULTANT's total compensation for services paid and received by the CONSULTANT under this agreement. Such causes include but are not limited to design professional's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

7. Workmen's Compensation and Liability Insurance

The CONSULTANT shall procure and maintain, until final payment by the LOCAL PUBLIC AGENCY for the services covered by this Agreement, insurance of the kinds and in the amounts hereinafter provided in insurance companies authorized to do such business in the State of Indiana covering all operations under this Agreement whether performed by him or by his subcontractor. During the life of this Agreement, the CONSULTANT shall furnish the LOCAL PUBLIC AGENCY with certificates showing that the required insurance coverage is maintained. The certicator certificates shall provide that the policies shall not be changed or canceled until ten (10) days written notice has been given to the LOCAL PUBLIC AGENCY. In the event that such written notice of change or cancellation is given, the LOCAL PUBLIC AGENCY may at its option terminate this Agreement and no further compensation shall in such case be made to the CONSULTANT.

The kinds and amounts of insurance required are as follows:

- (A) Policy covering the obligations of the CONSULTANT in accordance with the provision of the Workmen's Compensation Law. This agreement shall be void and of no effect unless the CONSULTANT procures such policy and maintains it until acceptance of work.
- (B) Comprehensive Policies of Bodily Injury Liability and Property Damage Liability Insurance, including Owners or Contractors Protective Coverage and a Save and Hold Harmless Endorsement of the types herein specified each with Bodily Injury Limits of Liability of not less than \$100,000.00 for each person, including the death at any time resulting therefrom, and not less than \$300,000.00 in any one accident, and not less than \$100,000.00 for all damage arising out of injury to or destruction of property.
- (C) Automobile Policies of Bodily Injury and Property Damage Liability Insurance of the types herein specified with bodily injury limits of liability of not less than \$100,000.00 for each person, including death at any time resulting therefrom, and not less than \$300,000.00 in any one accident, and not less than \$100,000.00 for all damages arising out of injury to or destruction of property, including hired and non-owned vehicles.

8. Changes in Work

In the event the LOCAL PUBLIC AGENCY requires a major change in scope, character or complexity of the work after the work has progressed as directed by the LOCAL PUBLIC AGENCY, adjustments in compensation to the CONSULTANT and in time for performance of the work as modified, shall be determined by the LOCAL PUBLIC AGENCY and the CONSULTANT in the exercise of their honest and reasonable judgment. The CONSULTANT shall not commence the additional change of the scope of the work until a supplemental agreement is executed and the CONSULTANT is authorized in writing by the LOCAL PUBLIC AGENCY.

9. Abandonment and Termination

The LOCAL PUBLIC AGENCY reserves the right to terminate or suspend this Agreement upon written notice.

(A) If the LOCAL PUBLIC AGENCY shall abandon the services herein mentioned, the CONSULTANT shall deliver to the LOCAL PUBLIC AGENCY all data, reports, drawings, specifications and estimates completed or partially completed and these shall become the property of the LOCAL PUBLIC AGENCY. The earned value of the work performed shall be based upon an estimate of the portions of the total services as have been rendered by the CONSULTANT to the date of the abandonment and which estimate shall be as made by the LOCAL PUBLIC AGENCY in the exercise of its honest and reasonable judgment for all services to be paid for on a lump sum basis and shall be based upon an audit for those services to be paid for on a cost basis or a cost plus fixed fee basis. The audit shall be performed by the LOCAL PUBLIC AGENCY staff or CPA in accordance with generally accepted auditing standards and the cost principles contained in the Federal Acquisition Regulations, 48 CFR Subpart 31.2. The payment as made to the CONSULTANT shall be paid as the final payment in full settlement for his services hereunder.

(B) If, at any time, for any cause whatsoever, the CONSULTANT shall abandon or fail to timely perform any of its duties hereunder, including the preparation and completion of plans and specifications within the several times hereinbefore specified, or within such further extension or extensions of time as agreed upon, the LOCAL PUBLIC AGENCY may give written notice, that if the CONSULTANT shall not within twenty (20) calendar days from the date of such notice, have complied with the requirements of this Agreement, then the Agreement is deemed terminated. Upon the mailing or delivery of such notice or personal delivery thereof to the CONSULTANT, and the failure of the CONSULTANT within said described twenty (20) day period to fully comply with each and all requirements of this Agreement, this Agreement shall terminate and the LOCAL PUBLIC AGENCY may by any method it deems to be necessary designate and employ other consultants by agreement or otherwise, to perform and complete the services herein described. When written notice is referred to herein, it shall be deemed given when deposited in the mail addressed to the CONSULTANT at its last known address.

(C) In case the LOCAL PUBLIC AGENCY shall act under the last preceding paragraph, then and in such event, all data, reports, drawings, plans sketches, sections and models, all specifications, estimates, measurements and data pertaining to the project, prepared under the terms or in fulfillment of this Agreement, shall be delivered within twenty (20) days to the LOCAL PUBLIC AGENCY.

In the event of the failure by the CONSULTANT to make such delivery upon demand, then and in that event the CONSULTANT shall pay to the LOCAL PUBLIC AGENCY any damage it may sustain by reason thereof.

10. Non-Discrimination

(A) Pursuant to I.C. 22-9-1-10 the CONSULTANT and his subcontractors, if any, shall not discriminate against any employee or applicant for employment, to be employed in the performance of work under this Agreement, with respect to

hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of race, color, religion, sex, handicap, national origin or ancestry. Breach of this covenant maybe regarded as a material breach of the Agreement.

11. Successors and Assignees

The LOCAL PUBLIC AGENCY, insofar as authorized by law, binds itself and its successors, and the CONSULTANT binds his successors, executors, administrators and assignees, to the other party of this Agreement and to the successors, executors, administrators and assignees of such other party, as the case may be insofar as authorized by law, in respect to all covenants of this Agreement.

Except as above set forth, neither the LOCAL PUBLIC AGENCY nor the CONSULTANT shall assign, sublet or transfer its or his interest in this Agreement without the consent of the other.


12. Supplements

This Agreement may only be amended, supplemented or modified by a written document executed in the same manner as this Agreement.

IN TESTIMONY WHEREOF, the parties hereto have executed this Agreement.

CONSULTANT

Bernardin, Lochmueller &
Associates, Inc.


BY 
Keith Lochmueller, President

Attest:


Thomas G. Bernardin, Secretary

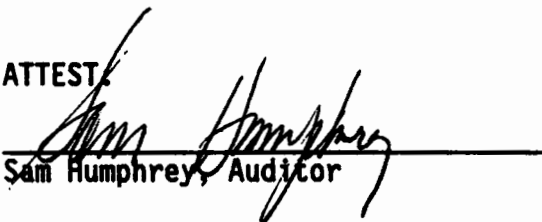
LOCAL PUBLIC AGENCY

Board of County Commissioners
Vanderburgh County

BY 
Richard J. Borries, President

BY 
Patrick Tuley, Vice President

BY 
Don Hunter, Member

ATTEST:

Sam Humphrey, Auditor

Approved as to Legality and
Form:


Alan Kissinger, Attorney for
County Board of Commissioners

ACKNOWLEDGMENT

State of Indiana County of Vanderburgh SS:

Before me, the undersigned Notary Public in and for said County personally appeared Keith Lochmueller, President; Thomas G. Bernardin,
(Name of signers, their official capacity and Agency Name)

Secretary, Bernardin, Lochmueller & Associates, Inc.
(Firm Name)

and each acknowledged the execution of the foregoing agreement on this 28th
day of October, 1993 and each acknowledged and stated that he is the party
authorized by the said firm to execute the foregoing agreement.

Witness my hand and seal the said last named date.

My Commission Expires:

September 22, 1995

Cynthia L. Evans
Notary Public

Cynthia L. Evans
Print or type name

ACKNOWLEDGMENT

State of Indiana, County of Vanderburgh, SS:

Before me, the undersigned Notary Public in and for said County, personally
appeared Richard J. Borries, President; Patrick Tuley, Vice President; Don
(Name of signers, their official capacity and Agency Name)

Hunter; Vanderburgh County Board of Commissioners

and acknowledged the execution of the foregoing agreement on this 8 day
of Nov., 1993.

Witness my hand and seal this said last named date.

My Commission Expires: 2/96

Vanderburgh
My County of Residence:

Bruce J. Farrell
Notary Public

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA }
COUNTY OF Vanderburgh }

The undersigned, being duly sworn on oath says, that he is the contracting party, or, that he is the representative, agent, member, or officer of the contracting party, that he has not, nor has any other member, representative, agent, or officer of the firm, company, corporation or partnership represented by him, directly or indirectly, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he has not received or paid, any sum of money or other consideration for the execution of the annexed agreement other than that which appears upon the fact of the agreement.

BERNARDIN, LOCHMUELLER & ASSOC., INC.

Keith Lochmueller

Keith Lochmueller
(Print or type name)

Subscribed and sworn to before me this 28th day of October, 1993.

Donna L. Wans
Notary Public

My Commission Expires:

September 22, 1995

APPENDIX "A"

SERVICES BY CONSULTANT

A. RIGHT-OF-WAY ENGINEERING

The CONSULTANT shall provide right-of-way engineering in accordance with the procedures and standards as indicated in the Indiana Department of Transportation (INDOT) Division of Land Acquisition Right-of-Way Engineering Procedures Manual including but not limited to the following:

1. Prepare and provide one mylar and 2 copies of the final right-of-way plans.
2. Provide a documented twenty (20) year title search prepared by a professional abstractor for each parcel with a fair market value of \$5,000.00 or more. At the time each such parcel is acquired, the title search shall be updated and one of the following documents issued:
 - a. An examination of the abstract and opinion of title by an attorney, or
 - b. A guaranty of Title or Title Insurance in the amount of \$5,000.00. For parcels with a fair market value of less than \$5,000.00 and for temporary R/W, provide the last-deed-of-record and all liens and encumbrances.
3. Provide metes and bounds legal descriptions and transfer documents for each parcel. The descriptions shall be prepared and certified by an Indiana registered land surveyor.
4. Provide individual plats for each parcel. Each plat shall be certified by an Indiana registered land surveyor and include the following:
 - a. Total area before taking;
 - b. Area of existing right-of-way; and
 - c. Areas of all residue.

5. Provide separate folders for each parcel containing information obtained from A.1 through A.4 of this Appendix.
6. Complete the Parcel Listing Summary Sheet in final right-of-way plans.
7. Provide in the field a stake-out locating the new right-of-way line (including temporary and permanent right-of-way) for the partial takings included in all parcels. The stake-out shall be made using wooden hubs located at changes in bearing and other points necessary to show the location of the proposed right-of-way takings.

B. APPRAISAL PROBLEM ANALYSIS

The CONSULTANT shall provide an Appraisal Problem Analysis prepared by an appraiser as approved by INDOT as follows:

1. Examine the R/W plans and determine the extent of the taking;
2. Perform an on-site inspection of each parcel requiring R/W acquisition;
3. Determine the type of appraisal needed for each parcel according to FHWA Regulations (49 CFR Part 24, Dated March 2, 1989);
4. Complete an Appraisal Problem Analysis form for each parcel to be acquired;
5. Prepare a summary sheet setting out:
 - Parcel Name
 - Name of Owner
 - Size of Property
 - Amount of R/W to be acquired
 - Types of R/W to be acquired
 - Recommended Appraisal Form
6. Transmit two copies of the completed report to the appropriate LPA official for submission to INDOT for review.

APPENDIX "B"

INFORMATION AND SERVICES TO BE FURNISHED BY LOCAL PUBLIC AGENCY

The LOCAL PUBLIC AGENCY (LPA) shall furnish the CONSULTANT with the following:

1. Sufficient quantities of all pertinent forms.
2. Mylar reproductions of the approved design plans.
3. Access to (or make provisions for the CONSULTANT to enter upon) public and private lands as required for the CONSULTANT to perform the work under this agreement.
4. Review and approval of all completed transfer documents by an attorney (their own or fee attorney.)
5. Copies of the design or location-design study reports.
6. Copies of the environmental studies and/or approvals.

APPENDIX "C"

SCHEDULE

All work by the CONSULTANT under this agreement except Section D below, shall be completed and delivered to the LOCAL PUBLIC AGENCY no later than 55 calendar days after notification to proceed from the Local Public Agency, exclusive of LOCAL PUBLIC AGENCY's review time.

For the purpose of contract control the work will be submitted by the CONSULTANT to the LOCAL PUBLIC AGENCY for review and approval within the following approximate time periods:

- A. Final Right-of-Way Plans, title search, legal descriptions, transfer documents and land plats for each parcel within 30 calendar days after receipt from the LOCAL PUBLIC AGENCY of notice to proceed.
- B. Right-of-Way stake-out within 5 calendar days after receipt from the LOCAL PUBLIC AGENCY of approval of the final right-of-way plans and notification to proceed with the stake-out.
- C. Appraisal Problem Analysis report within 20 calendar days after right-of-way engineering is complete.
- D. Title Search updating and issuance of title work to be at the time of each parcel acquisition.

APPENDIX "D"

COMPENSATION

A. AMOUNT OF PAYMENT

1. The CONSULTANT shall receive as payment for the work performed under this Agreement the total fee not to exceed \$ 8,200.00, unless a modification of the Agreement is approved in writing by the LOCAL PUBLIC AGENCY.
2. The CONSULTANT shall receive as payment for the work performed under this Agreement based on the specific cost per unit multiplied by the actual units of work performed.

	<u>QUANTITY</u>		<u>UNIT PRICE</u>	<u>TOTAL</u>
a. Final Right-of-Way Plans	<u>1</u> LSUM	@	\$ <u>3,006.00</u>	\$ <u>3,006.00</u>
b. Title Search	<u>2</u> parcels	@	\$ <u>125.00</u>	\$ <u>250.00</u>
c. Title Update & Insurance	<u>2</u> parcels	@	\$ <u>125.00</u>	\$ <u>250.00</u>
d. Last-Deed-of-Record Search	<u>1</u> parcels	@	\$ <u>25.00</u>	\$ <u>25.00</u>
e. Permanent Legal Descriptions	<u>3</u> each	@	\$ <u>373.00</u>	\$ <u>1,119.00</u>
f. Add'l Permanent & Temporary Legal Descriptions	<u>4</u> each	@	\$ <u>87.00</u>	\$ <u>348.00</u>
g. Transfer Documents	<u>3</u> each	@	\$ <u>48.00</u>	\$ <u>144.00</u>
h. Land Plats	<u>3</u> parcels	@	\$ <u>307.00</u>	\$ <u>921.00</u>
i. Appraisal Problem Analysis	<u>2</u> parcels	@	\$ <u>100.00</u>	\$ <u>200.00</u>
j. Right-of-Way Stake-Out	<u>3</u> parcels	@	\$ <u>290.00</u>	\$ <u>870.00</u>
	TOTAL:			\$ <u>7,133.00</u>

The amount of \$ 7,133.00 , determined above is an estimate of the cost which the CONSULTANT will incur in fulfilling the requirements of Appendix "A". The final amount will be adjusted according to the actual units of work performed; however, the final amount shall not exceed \$ 8,200.00 without approval of the LOCAL PUBLIC AGENCY.

B. METHOD OF PAYMENT

1. The CONSULTANT shall submit invoices to the LOCAL PUBLIC AGENCY, not more often than once per month during the progress of the work, for partial payment of account for the work completed to date.
2. For work performed under Section A.1 of Appendix "A" the LOCAL PUBLIC AGENCY agrees to pay the CONSULTANT for the percentage of the work completed.
3. For work performed under Section A.2 and A.7 and Section B of Appendix "A" and upon completion of the respective work and its acceptance by the LOCAL PUBLIC AGENCY, the LOCAL PUBLIC AGENCY agrees to pay the CONSULTANT the fees established above. No partial payments shall be made on a per parcel fee.
4. In the event of a substantial change in the scope, character or complexity of the work on the project, the maximum fee payable and the specified fee shall be adjusted in accordance with Changes in Work of General Provisions set out in the Agreement.



VANDERBURGH COUNTY COUNCIL
STATE OF INDIANA

ROOM 303A, CIVIC CENTER COMPLEX
1 N.W. SEVENTH STREET
EVANSVILLE, IN 47708-1833
(812) 426-5790

MEMO

TO: VANDERBURGH COUNTY COMMISSION MEMBERS
FROM: SANDIE DEIG, EXECUTIVE ASSISTANT
RE: BURDETTE PARK SEASONAL EMPLOYEES
DATE: NOVEMBER 5, 1993

THIS MEMO IS IN RESPONSE TO THE QUESTIONS THE COMMISSIONERS
VOICED DURING THEIR LAST REGULAR MEETING HELD NOVEMBER 1,
1993.

ROBERT TOWNSEND (GUARD) .25 PER HOUR
THE TWENTY-FIVE CENTS REPRESENT A BONUS THAT WAS APPROVED
BY THE VANDERBURGH COUNTY COUNCIL. THE BONUS WAS APPROVED
FOR ALL STUDENT EMPLOYEES WHO CONTINUED TO WORK ON WEEKENDS
AFTER FALL CLASSES STARTED. ROBERT TOWNSEND IS DUE \$38.38.
THIS AMOUNT REPRESENTS TWENTY-FIVE CENTS PER HOUR FOR
ONE HUNDRED FIFTY THREE AND ONE HALF HOURS.

DANIEL TOWNSEND (GUARD) 4.60 PER HOUR
DUE TO AN ERROR THIS EMPLOYEE WAS RELEASED WITHOUT BEING
PAID FOR THE LAST PAY PERIOD THAT HE HAD WORKED AS A
GUARD. DANIEL TOWNSEND IS DUE \$369.15.

I WILL BE HAPPY TO TRY AND ANSWER ANY OTHER QUESTIONS THAT
YOU MIGHT HAVE REGARDING THE ABOVE NAMED EMPLOYEES.

THANK YOU.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, OCTOBER 29, 1993 THRU THURSDAY, NOVEMBER 4, 1993

FRIDAY, OCTOBER, 29, 1993

Gradall and one crew worked at Burdette Park.
Gradall and one crew worked at 4513 Korressel Road.
One crew cleaned paver.
Front loader, and six crews rocked shoulders on Pollack Ave.
Trash crew ran regular routes.
Tiger mower worked on Denzer Road.

SATURDAY, OCTOBER 30, 1993

CALL IN FOR SNOW - 7 crews and the Gradall were called in for snow removal.

MONDAY, NOVEMBER 1, 1993

Gradall and one crew ditched and placed culvert at 823 Agathon.
Gradall, roller and 5 crews repaired holes on Cypress Dale.
Tiger mower and one crew worked on Denzer and Co. Line Road.
Tree Crews - three crews worked on Big Schaeffer.
One crew washed trucks.
Grader and one crew worked on Mann Road and Motz Lane.

TUESDAY, NOVEMBER 2, 1993

Gradall and two crews worked at 823 Agathon and Cypress Dale.
Tiger mower and one crew worked on Green River.
Four tree crews worked on Old Henderson and Sky Line.
Pay loader worked on Golder Rule.
One crew washed trucks.

WEDNESDAY, NOVEMBER 3, 1993

Gradall and one crew ditched Cypress Dale.
Three patch crews worked on New Harmony Road.
Tiger Mower and one crew worked on Green River.
Two tree crews worked on Schraeder.
Two crews rocked roads in the bottoms.
One crew washed trucks and one crew cleaned paver and repaired Gradall.

THURSDAY, NOVEMBER 4, 1993

Gradall and one crew ditched Cypress Dale.
Two patch crews worked on Harmony Road.
Two tree crews worked on Schraeder and Barton Road.
Rock crew worked on Woods Avenue Alley.
One crew spread rock in the botoms.
One crew cleaned trucks.
Tiger Mower worked on Schraeder and Barton.

VANDEBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

FRIDAY, OCTOBER 29, 1993 THRU THURSDAY, NOVEMBER 4, 1993

FRIDAY, OCTOBER 29, 1993

Crew #1 - install culvert pipe at 4513 Korressel and 8112 Marx.
Crew #2 - paint guardrail, post, and cut on Mueller Road, Hogue Road, east of Corpus Christi, Old Boonville Hwy and Old Petersburg.

MONDAY, NOVEMBER 1, 1993

Crew #1 - build drop box on 3809 Korressel, saw Korressel to install culvert across road.
Crew #2 - dig out rock on Newberry Drive, clean dirt off 5th Avenue bridge.

TUESDAY, NOVEMBER 2, 1993

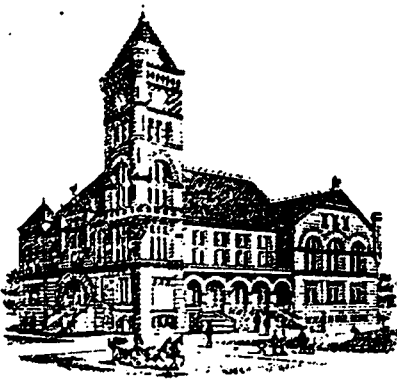
Crew #1 - build wall at garage to contain rock.
Crew #2 - install culvert at 823 Agathon, trim weeds on Broadway.
Crew #3 - saw N. Green River for culvert, trim on Baseline.

WEDNESDAY, NOVEMBER 3, 1993

Crew #1 - trim weeds on Darmstadt.
Crew #2 - trim weeds on Broadway.
Crew #3 - trim weeds on Baseline.

THURSDAY, NOVEMBER 4, 1993

Crew #1 - install guardrail on Broadway, Boehne Camp and Owensville.
Crew #2 - paint guardrail and bridges, dig out rock on Newberry Road, work in yard,



Connie S. Prible
Wells County Assessor
Courthouse, Bluffton, Indiana 46714

November 5, 1993

RECEIVED
NOV 08 1993

TO: COUNTY ASSESSORS

FROM: CONNIE

Connie

James L. Angemeier
Vanderburgh County Assessor

We now have a draft of our bill on resource recovery. After listening to several people at the Statehouse and then answering their questions, I feel that it is very important that all of you can explain this problem. We are getting lots and lots of support from the people that we need support from (in Indianapolis), but we don't want to let our guard down. You need to be out front with information - not only to explain the bill, but to handle any of the resource recovery systems that apply this year in your county.

I have scheduled a meeting in Indianapolis at the Marriott for November 15, 1993. They will give us a rate of \$65 for Sunday night if any of you want to stay Sunday evening before the meeting. You will have to tell them you are with the County Assessors.

Our agenda will be:

Legislative Committee Meeting 9:30 A.M.
Assessors' Meeting - 10:00 A.M.
Resource Recovery Systems - new bill
General Discussion

Computer Software Crisis and Reassessment - 1:00 P.M.

I have been hearing horror stories throughout the State, and I will try to get some key people at this meeting, but if we can't, we still need to band together to get this mess underway.

If you get the chance, please give me a call to let me know if you can come. If you are staying overnight, you will need to make your own reservation with the Marriott. Remember to tell them you are with the County Assessors.

Hope to see you the 15th.

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 11/8/93 DEPARTMENT: VANDERBURGH CO. ASSESSOR

EMPLOYEE(S): JAMES L. ANGERMEIER

DATE(S) OF TRAVEL: NOVEMBER 14 & 15, 1993

DESTINATION: INDIANAPOLIS, IN.

PURPOSE: TO ATTEND EMERGENCY MEETING OF THE LEGISLATIVE COMMITTEE
OF INDIANA COUNTY ASSESSORS

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: YES

MEANS
OF
TRAVEL

COUNTY VEHICLE NUMBER: _____

OTHER: PERSONAL CAR

REIMBURSEMENT CLAIMED

X Mileage

 Parking

X Per diem

 Registration

 Air fare

 Other

APPROVED: _____

Department Head

APPROVED: _____

Office Holder

APPROVED BY:

VANDERBURGH COUNTY COMMISSIONERS this _____ day of _____, 1993

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME BLANKENBERGER BROS.

481

On Account of Appropriation for VC R-20697

430 BOND

Invoice No.	Itemized Claim	Amount	
EST. #7	PROGRESSIVE ESTIMATE #07		
	DATED OCT 16, 93 — OCT 31, 93		
	AS PER ATTACHED SHEETS	\$74,825	19
	5% RETAINAGE	3,741	24
	TOTAL DUE THIS ESTIMATE	\$78,566	43

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Patricia Blankenberger

Name

Ass. Secretary

Title

Date _____, 19____

11/01/93
CONTRACT NO: VR-20697

INDIANA DEPARTMENT OF TRANSPORTATION
PROGRESSIVE ESTIMATE
10/16/9 TO 10/31/9

Page 1

Est. #7

ITEM NO.	ITEMS OF CONTRACT	QUANTITY	UNIT	UNIT PRICE	PRICE EXTENSION
9	EXCAVATION, COMMON	210.0000	CYS	2.01	422.10
11	BORROW	17,340.0000	CYS	4.01	69,533.40
17	COMPACTED AGGREGATE FOR BASE, 0 SIZE NO. 53	63.4000	TON	14.12	895.21
181	MAINTAINING TRAFFIC	.1000	LUMP	39,744.86	3,974.49

=====
74,825.19
Less Retention: 3741.26
\$ 71,083.93

ITEM NO.	ITEMS OF CONTRACT	QUANTITY	UNIT	UNIT PRICE	PRICE EXTENSION
----------	-------------------	----------	------	------------	-----------------

LIQUIDATED DAMAGES _____ OTHER DEDUCTIONS _____

PURSUANT TO THE PROVISION AND PENALTIES OF IC 1971 5-11-10 I HEREBY CERTIFY THAT THE FOREGOING ACCOUNT IS JUST AND CORRECT, THAT THE AMOUNT CLAIMED IS LEGALLY DUE, AFTER ALLOWING ALL JUST CREDITS, AND THAT NO PART OF THE SAME HAS BEEN PAID.

Patrick Blankenbeyer
CONTRACTOR

10-30-93
DATE

PER PLANS, SPECIFICATIONS, AND/OR SPECIAL PROVISIONS, THE FOLLOWING CONDITIONS APPLY ON THIS ESTIMATE. ERECTION OF BARRICADES YES NO , ERECTION OF DETOUR SIGNS YES NO , CURING OF CONCRETE YES NO , MAINTENANCE OF TEMPORARY RUNAROUNDS YES NO , PREPARATION OF PAYROLLS YES NO , BASED ON FOREGOING CONDITIONS THIS ESTIMATE (SHOULD) (SHOULD NOT) BE DELAYED.

Charles R. Mills
PROJECT ENGINEER

10-30-93
DATE

ENGR. OF CONTR. SERV (CONSTR)
(FINAL/PRE-FINAL)

DATE _____

DISTRICT ENGINEER OR ASST.

DATE

CHIEF OF CONSTR (FINAL/PRE-FINAL)

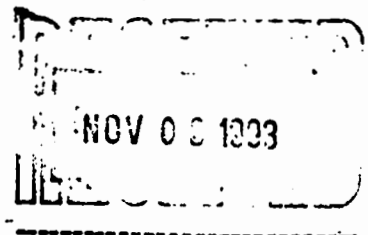
DATE

CONTROLLER OR ASST.

DATE _____

DEPUTY DIR. OPERATION (FINAL ONLY)

DATE _____



Statement

INV #2

Vanderburgh County Engineering Department
201 NW 4th Street
Old Court House - Suite 307
Evansville, IN 47708

Date: 11/02/93

Total Due: \$75.00

FOR SERVICES RENDERED PER CONTRACT: OCTOBER, 1993

WORK DATES :	10/01/93	15.00
	10/08/93	15.00
	10/15/93	15.00
	10/22/93	15.00
	10/29/93	15.00

Please remit payment to:
Community Jobs Club, Inc.
415 Mulberry Street
Evansville, IN 47713

NOV 2 1993
LIBRARY



VANDERBURGH COUNTY COUNCIL
STATE OF INDIANA

ROOM 303A, CIVIC CENTER COMPLEX
1 N.W. SEVENTH STREET
EVANSVILLE, IN 47708-1833
(812) 428-5790

MEMO

TO: VANDERBURGH COUNTY COMMISSION MEMBERS
FROM: SANDIE DEIG, ^{cl} EXECUTIVE ASSISTANT
RE: BURDETTE PARK SEASONAL EMPLOYEES
DATE: NOVEMBER 5, 1993

THIS MEMO IS IN RESPONSE TO THE QUESTIONS THE COMMISSIONERS
VOICED DURING THEIR LAST REGULAR MEETING HELD NOVEMBER 1,
1993.

ROBERT TOWNSEND (GUARD) .25 PER HOUR
THE TWENTY-FIVE CENTS REPRESENT A BONUS THAT WAS APPROVED
BY THE VANDERBURGH COUNTY COUNCIL. THE BONUS WAS APPROVED
FOR ALL STUDENT EMPLOYEES WHO CONTINUED TO WORK ON WEEKENDS
AFTER FALL CLASSES STARTED. ROBERT TOWNSEND IS DUE \$38.38.
THIS AMOUNT REPRESENTS TWENTY-FIVE CENTS PER HOUR FOR
ONE HUNDRED FIFTY THREE AND ONE HALF HOURS.

DANIEL TOWNSEND (GUARD) 4.60 PER HOUR
DUE TO AN ERROR THIS EMPLOYEE WAS RELEASED WITHOUT BEING
PAID FOR THE LAST PAY PERIOD THAT HE HAD WORKED AS A
GUARD. DANIEL TOWNSEND IS DUE \$369.15.

I WILL BE HAPPY TO TRY AND ANSWER ANY OTHER QUESTIONS THAT
YOU MIGHT HAVE REGARDING THE ABOVE NAMED EMPLOYEES.

THANK YOU.

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1180	ROBERT TOWNSEND		GUARD	153 1/2 (38.28)	25	10-6-93 ✓
1180	DANIEL TOWNSEND		GUARD	369.45 91.55	4 60	10-6-93 ✓
			life off on suspense			

What kind of guard?

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
	PT	25				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Mark T. Tuley

DATE

10-25-93



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BOYER

DON L. HUNTER

PATRICK R. TULLY

AGENDA REQUEST

NAME OF REQUESTOR: SANDRA TOLON

REQUESTOR TITLE: GENERAL MANAGER

DEPARTMENT: VANDERBURGH AUDITORIUM

REQUEST(S) BEING MADE:

Approval of letter to Margaret Hagerman, Evansville Philharmonic
dated October 18, 1993 from Board of Commissioners.

DATE TO BE PLACED ON AGENDA: November 8, 1993

ACTION **CONSENT** XXXX **OTHER**



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

October 18, 1993

Ms. Margaret Hagerman
Director of Operations
c/o Evansville Philharmonic Orchestra
PO Box 84
Evansville, Indiana 47701-0084

COPY

Dear Margaret,

After reviewing your letter of September 2, 1993, I asked Ms. Sandy Toton for information about your concerns. I have reviewed them and will recommend that the family event, one daytime concert could be adjusted to \$ 600.00 and the Youth Concerts be \$ 400.00. The other Commissioners will review these recommendations and either revise or concur with them.

Let me emphasize, however, that the Board of Commissioners and Vanderburgh Auditorium Management works very hard to accommodate the Evansville Philharmonic Orchestra in the following ways:

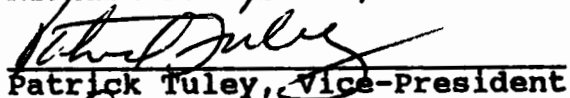
- 1) Rehearsal rate is not charged the day of the concerts.
- 2) Evansville Philharmonic box office personnel uses the box office and ticket office at no charge.
- 3) Evansville Philharmonic Orchestra Guild is not charged a percentage of lobby sales which supports the orchestra and are given storage at no extra charge.
- 4) Evansville Philharmonic Orchestra Guild is allowed from time to time to set up refreshments in the lobbies free to their guests during intermissions.
- 5) Reserved parking is given to three Evansville Philharmonic Orchestra staff.
- 6) Evansville Philharmonic Orchestra Fundraiser Ball to support the orchestra was discounted to \$ 500.00 in the Gold Room with their choice of caterer brought in.

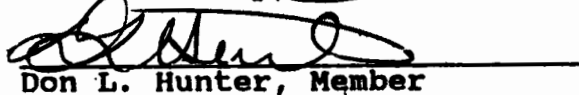
- 7) Meeting Room A is given to the Evansville Philharmonic for storage at no charge.
- 8) Evansville Philharmonic Orchestra choral risers are stored on the property at no charge.
- 9) Evansville Philharmonic Orchestra is allowed to use their own ticket takers and ushers which normally cost \$ 200.00 per crew of four.

We stand ready to work with you in the future. Our policy has been to provide fair, equitable and competitive rates which ensure enough income that the Vanderburgh Auditorium can meet it's major expenses. We look forward to your input in how we can better serve the citizens of Vanderburgh County.

Sincerely,


Richard J. Borries, President

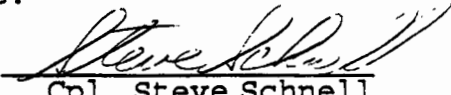

Patrick Tuley, Vice-President


Don L. Hunter, Member

cc: Sandra Toton, Manager
Vanderburgh County Auditorium

To: Mark Abel
From: Cpl. Steve Schnell
Ref: Vehicle disposal
Date: 11 01 93

Mark; the Vanderburgh County Sheriff's Department would like to dispose of our unit #201. This unit is a 1984 Chevy Caprice, V.I.N. 2G1AN69HXE9257173. Although this vehicle might serve other offices for a while longer, we feel that we do not need it. I have taken the car to the county garage for storage.


Cpl. Steve Schnell
Fleet Manager



DAVID M. GRIFFITH & ASSOCIATES, LTD.

101 West Ohio Street, Suite 1730 Indianapolis, Indiana 46204 (317) 634-7040 FAX (317) 637-7835

November 5, 1993

VANDERBURGH COUNTY

FILED

NOV 8 1993

Sam Humphrey
AUDITOR

The Honorable Sam Humphrey
Vanderburgh County Auditor
1 Martin Luther King Boulevard
Suite 208
Evansville, IN 47708

Dear Auditor Humphrey:

David M. Griffith & Associates, Ltd., (DMG) in conjunction with the Association of Indiana Counties, prepared a cost allocation plan in 1993 to assist Vanderburgh County in recovering the administrative costs of federally sponsored programs. This plan enabled the county to be reimbursed for administrative costs for such programs as Child Support, Food Stamps, AFDC, Medicaid, Civil Defense, etc. To be eligible to claim these costs in the future, and to insure a continuing flow of cost recoveries, Vanderburgh County must update their plan in 1994 utilizing 1993 financial data.

As in previous years, DMG is prepared to assist Vanderburgh County in updating their cost allocation plan. The terms and fees of our contract for services are the same as last year. Due to the request of some county auditors, DMG is sending their renewal contracts earlier than usual so that you may put them on the Commissioners agenda at your convenience.

The following is our fee schedule for 1994:

1994 Fees Based on County Population

Under 25,000	\$4,400.00
25,000 to 49,999	\$6,775.00
50,000 to 99,999	\$8,600.00
100,000 to 400,000	\$13,125.00
Over 400,000	\$17,100.00

Payment for our services is of course dependent upon the County recovering costs in excess of our fees. Therefore, even though the implementation of ICES (Indiana Child



printed on recycled paper

Enforcement System) by the Division of Family and Children has reduced your recoveries, participating in this program will still be advantageous to Vanderburgh County.

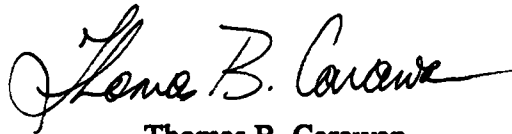
We would appreciate your prompt return of our enclosed contract for consulting services. Please return one signed copy of the contract to:

David M. Griffith & Associates, Ltd.
101 W. Ohio Street, Suite 1730
Indianapolis, IN 46204

Thank you for your continued support of our services. If we can answer any questions, please call us at (317) 634-7040. We look forward to working with you again this year.

Respectfully,

DAVID M. GRIFFITH & ASSOCIATES, LTD.



Thomas B. Carawan
Vice President

TBC:ve
enclosures

cc: Richard J. Cockrum, Executive Director
Association of Indiana Counties



printed on

**AGREEMENT TO PROVIDE
PROFESSIONAL CONSULTING SERVICES
TO VANDERBURGH COUNTY, INDIANA**

THIS AGREEMENT, entered into this 2nd day of November, 1999, and effective immediately by and between **David M. Griffith & Associates, Ltd.** (hereinafter called the "Consultant") and the County of Vanderburgh, State of Indiana (hereinafter called the "County").

WITNESSETH THAT

WHEREAS, the County has programs which it operates with Federal funding, and

WHEREAS, the County supports these programs with support services paid from County appropriated funds, and

WHEREAS, the United States government will pay a fair share of these costs if supported by an approved cost allocation plan, and

WHEREAS, the Consultant is staffed with personnel knowledgeable and experienced in the requirements of developing and negotiating such governmental cost allocation plans, and

WHEREAS, the County desires to engage the Consultant to assist in developing a plan which conforms to Federal requirements, and will be approved by their representative,

NOW THEREFORE, the parties hereto mutually agree as follows:

1. **Employment of Consultant** - The County agrees to engage the Consultant and the Consultant hereby agrees to perform the following services.

2. **Scope of Services** - The Consultant shall do, perform, and carry out in a good and professional manner the following services:

A. Development of a central services cost allocation plan which identifies the various costs incurred by the County to support and administer Federal programs. This plan will contain a determination of the allowable costs of providing each supporting service, such as purchasing, legal counsel, disbursement processing, etc. The plan will be based upon the County's year end financial data for 1993.

B. Negotiation of the completed cost allocation plan with the representatives of DHHS and/or the State if required. Negotiations must be successfully conducted on the County's behalf before any compensation is due the Consultant.

C. Assistance in preparing the initial claims to the State for recovery of funds due the County. Consultant will also monitor the progress of claims through the State to insure the County receives recoveries due it.

3. **Time of Performance** - The services to be performed hereunder by the Consultant shall be undertaken and completed in such sequence as to assure their expeditious completion and carry out the purposes of the agreement.

4. **Compensation** - The County agrees to pay the Consultant a sum not to exceed Thirteen Thousand One Hundred and Twenty Five Dollars (\$13,125.00) for all services required herein, which shall include reimbursement for expenses incurred. Consultant agrees to complete the project and all services provided herein for said sum.

5. **Method of Payment** - Payment will be made by the County to the Consultant from recovered funds in the agreed upon amount in paragraph 4. Payment is due in full following submission of the completed cost allocation plan to the County and upon receipt by the County of recovered funds from indirect costs. Recoveries will be shared equally by the County and Consultant until the amount in paragraph 4 is paid in full to the Consultant. Should the County recover, from the plan, an amount less than the amount needed to satisfy the Consultant's fees, then no further payment is due the Consultant. It is understood that the funds received by the County after the end of this contract term which funds are received as a result of the work effort of the Consultant during the contract term, and reported to the County Auditor shall be included in the fee computation for the period this contract work is performed.

6. **Changes** - The County may, from time to time, require changes in the scope of the services of the Consultant to be performed hereunder. Such changes, which are mutually agreed upon by and between the County and the Consultant, shall be incorporated in written amendment to this agreement.

7. **Services and Materials to be Furnished by the County** - The County shall furnish the Consultant with all available necessary information, data, and materials pertinent to the execution of this agreement. The County shall cooperate with the Consultant in carrying out the work herein, and shall provide adequate staff for liaison with the Consultant and other agencies of County government.

8. **Termination of Agreement for Cause** - If the County shall for any cause notify the Consultant in writing to terminate the Consultant's services under this agreement, this agreement shall be deemed terminated and the County's obligation to compensate the Consultant shall be null and void. If the Consultant shall for any cause notify the County that it cannot complete its obligation under this contract and that it shall, thereafter, cease the performance of all its services, this agreement shall be deemed terminated, and the County's obligation to compensate the Consultant shall be null and void. As specified in this paragraph, each party hereby waives, relinquishes, releases, and discharges the other party from all claims liabilities, and obligations of every kind or nature arising from the exercise of the right to terminate this agreement here-in-above granted.

9. **Information and Reports** - The Consultant shall, at such time and in such form as the County may require, furnish such periodic reports concerning the status of the project, such statements, certificates, approvals, and copies of proposed and executed plans and claims and other information relative to the project as may be requested by the County. The Consultant shall furnish the County, upon request with copies of all documents and other materials prepared or developed in relation with or as part of the project. Working papers prepared in conjunction with the cost allocation plan may be turned over to the County for safekeeping.

10. **Records and Inspections** - The Consultant shall maintain full and accurate records with respect to all matters covered under this agreement. The County shall have free access at all proper times to such records, and the right to examine and audit the same and to make transcripts therefrom, and to inspect all program data, documents, proceedings and activities.

11. **Accomplishment of Project** - The Consultant shall commence, carry on, and complete the project with all practicable dispatch, in a sound economical and efficient manner, in accordance with the provisions thereof and all applicable laws. In accomplishing the project, the Consultant shall take such steps as are appropriate to insure that the work involved is properly coordinated with related work being carried on in the County.

12. **Provisions Concerning Certain Waivers** - Subject to applicable law, any right or remedy with the County under this contract may be waived in writing by the County by a formal waiver, if, in the judgment of the County, this contract, as so modified, will still conform to the terms and requirements of pertinent laws.

13. **Matters to be Disregarded** - The titles of the several sections, subsections, and paragraphs set forth in this contract are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of the provisions of this contract.

14. **Completeness of Contract** - This contract and any additional or supplementary document or documents incorporated herein by specific reference contain all the terms and conditions agreed upon by the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this contract or any part thereof shall have any validity or bind any of the parties hereto.

15. **County Not Obligated to Third Parties**. The County shall not be obligated or liable hereunder to any party other than the Consultant.

16. **When Rights and Remedies Not Waived** - In no event shall the making by the County of any payment to the Consultant constitute or be construed as a waiver by the County of any breach of covenant, or any default which may then exist, on the part of the Consultant, and the making of such payment by the County while any such breach or default shall exist, shall in no wise impair or prejudice any right or remedy available to the County in respect to such breach or default.

17. **Personnel** - The Consultant represents that he has or will secure at his own expense, all personnel required in performing the services under this agreement. Such personnel shall not be employees of or have any contractual relationship with the County. All of the services required hereunder will be performed by the Consultant or under his supervision, and all personnel engaged in the work shall be fully qualified to perform such services.

18. **Consultant Liability If Audited** - The Consultant will assume that all financial and statistical information provided to the Consultant by the County, its employees or representatives is accurate and complete. Any subsequent penalties to the County due to the information provided by County, its employees or representatives or due to the County's employment policies and practices is the sole responsibility of the County. The Consultant will, however, provide assistance to the County should an audit be undertaken of County indirect costs.

19. **Copyright** - Client acknowledges that the report format to be provided by Consultant is copyrighted. Consultant shall ensure that all copies of its report bear the copyright legend. Client agrees that all ownership rights and copyrights thereto lie with Consultant. Client may use the report solely for and on behalf of Client's operations. Client agrees that it will take appropriate action by instruction, agreement or otherwise with its employees to satisfy its obligations with respect to use, copying, protection and security of the report format.

20. **Notices** - Any notice, bills, invoices, or reports required by this agreement shall be sufficient if sent by the parties hereto in the United States mail, postage paid, to the addresses noted below:

COUNTY
County of Vanderburgh
Office of the Auditor
208 Civic Center Complex - Room 208
Evansville, IN 47708

CONSULTANT
David M. Griffith & Associates, Ltd.
101 West Ohio Street
Suite 1730
Indianapolis, IN 46204

IN WITNESS WHEREOF, the County and the Consultant have executed this agreement as of the date first written above.

Vanderburgh County

By: Richard J. Barnes
(County Official)

Attest: Sam Humphrey

David M. Griffith & Associates, Ltd.

By: Thomas B. Carawan
Thomas B. Carawan
Vice President



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK R. TULEY

Steve Utley,

This letter should serve as notification that 1) the Veterans Affairs office plans to move out of the Civic Center, room 105.


2) Room 200 will then be occupied by the Prosecutors Check Deception Unit.

3) Legal Aid Services will be moving from room 200 to occupy both the former V.A. office and the former Check Deception office (rooms 105 and 107) located in the Civic Center. Additionally, the Legal Aid Services would like to take the adjoining public space (hallway) which is approximately 9 by 12 feet, and use that as a lobby.

We realize this additional 9 by 12 space could cause an increase in the square footage allotment paid by the County.

All of this maneuvering is contingent on monies being put in place by the County, and the subsequent approval of the State Board of Accounts. Please bill the appropriate department for the work they have requested and as usual the County will continue to pay it's share of the rent.

Thank you


Mark Abell
Superintendent of County Buildings

approved

**MINUTES
COMMISSIONERS MEETING
NOVEMBER 15, 1993**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:59 p.m.	1
Introductions & Pledge of Allegiance	1
Resolution re Vanderburgh County Farm Bureau & Indiana Farm Bureau	1
Ordinance to Amend Title 3 of the Code of Ordinances (Second Reading)	2
Voters Registration/Redistricting of Precincts	2
Rezoning Petitions	2
VC-17-93/Petitioner, Gregory A. Kirves (First Reading)	
VC-18-93/Petitioner, Alfred H. Bauer (First Reading)	
Voters Registration (continued)	2
Poor Relief Appeal/Pigeon Township	12
Petition to Vacate Portion of a Public Right-of-Way for Gabensee Acres - Bill Bivins	12
Public Hearing scheduled @ 5:30 p.m. on 11/29/93	
County Attorney/Alan M. Kissinger	13
Summary Judgment/Jerry David Enterprises vs. County Commissioners (Authorization given to request Transfer to the Indiana Supreme Court)	
Superintendent of County Buildings/Mark Abell	13
Y.M.C.A. (1994 Rates to Apply in 1994)	
Veterans Affairs Office Relocation	14
(Office Must Remain Open; One Day Sufficient for Move)	
County Highway/Bill Morpew	16
Weekly Work Report	
Paving Program	
Request to Travel to Cincinnati	
Request to Advertise for Bids for New Grader	
County Engineer/John Stoll	17
Change Order/Vogel Rd. Bridge	
Claim/Concrete Pavers, Inc./Vogel Rd. Bridge	
Change Order/North Green River Road Project	
Change Order/Darmstadt Rd. Bridge #214	
Change Order/Contracting Paving Contract	
Change Order/Schmitt Lane Project	
Purchase of Twelve (12) Right-of-Way Parcels on Green River Rd. Section C	
Plans for Extension of Cross Pointe Boulevard	
Reduced Speed Limit/North Green River Road (35 mph to remain in effect until such time as Resolution is rescinded)	
Consent Agenda	19
Employment Status Form/Alberta Matlock/Election Office	
Travel Request/County Assessor (Board seeks clarification)	
Scheduled Meetings (None included w/Agenda)	19

Old Business	20
Election Equipment Committee Meeting scheduled at	
2:00 p.m. on Friday, November 19th in the	
Election Office	
County-Owned Vehicles (Policy to be developed following	
statutory research)	
New Business	20
Recorder's Office/Emergency declared with regard	
to Microfilm Copier, subject to funding by Council	
Rezoning Petition/VC-15-93, Petitioner Simon Oeth	21
Board declared the Petition Withdrawn due to failure	
to follow specific guidelines	
Meeting Adjourned @ 8:00 p.m.	22

MINUTES
COUNTY COMMISSIONERS MEETING
NOVEMBER 15, 1993

The Vanderburgh County Board of Commissioners met in session at 5:59 p.m. on Monday, November 15, 1993 in the Commissioners Hearing Room with President Rick Borries presiding. Commissioner Borries called the meeting to order and apologized for the late start, but stated it was unavoidable -- as the Commissioners had two earlier meetings; an Executive Session held concerning pending litigation and personnel matters and also a special meeting called with the County Council to consider the question as to whether or not bonds that the County has issued to pay for two road projects should be refinanced.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

Commissioner Borries introduced members of the County Staff (Mark Abell/Supt. County Buildings, Attorney Alan Kissinger, Commissioner Pat Tuley, himself, Commissioner Don Hunter, Chief Deputy Auditor Cindy Mayo, and Joanne Matthews, the Official Recording Secretary to the Commission). He then asked the group to stand for the Pledge of Allegiance.

RE: RESOLUTION RE VANDERBURGH COUNTY FARM BUREAU AND INDIANA FARM BUREAU.

Mr. David Ellison, a member of the Board of Directors of the Vanderburgh County Farm Bureau, was recognized. Mr. Borries said Mr. Ellison is present with regard to the following Resolution:

"WHEREAS the Vanderburgh County Farm Bureau and Indiana Farm Bureau have a long established tradition of constructive involvement in the affairs of County government and the development of public policy,

AND WHEREAS the Farm Bureau organizations effectively represent the agricultural community of Vanderburgh County at the local, state and federal levels,

AND WHEREAS the Farm Bureau will celebrate its 75th Anniversary in Indiana at its Annual Convention to be held December 5 thru December 7, 1993 in Indianapolis,

NOW THEREFORE BE IT RESOLVED by the Commissioners of Vanderburgh County, Indiana that on behalf of all citizens of Vanderburgh County, Indiana, congratulations be extended to the Vanderburgh County Farm Bureau and the Indiana Farm Bureau on the occasion of the Indiana Farm Bureau's 75th Anniversary

AND THAT THE Vanderburgh County Auditor is authorized and directed to forward a copy of this Resolution to the Presidents of the Vanderburgh County Farm Bureau and the Indiana Farm Bureau."

Mr. Borries said if the other Commissioners agree, then he would suggest they wholeheartedly endorse the foregoing resolution.

Motion to this effect made by Commissioner Tuley and seconded by Commissioner Hunter. So ordered.

President Borries said the Board will again extend their official congratulations and asked that Mr. Ellison relay same to the Farm Bureau Board and members.

Mr. Ellison expressed his appreciation to the Board.

Mr. Borries then asked if there are any other individuals/groups present who wish to address the Commission but do not find their particular item of interest on this evening's agenda. There was no response.

RE: ORDINANCE TO AMEND TITLE 3 OF THE CODE OF ORDINANCES
(SECOND READING)

Commissioner Borries said the Board is hearing this Ordinance on Second Reading tonight and Final Reading is scheduled next week. If passed next week, then the Ordinance will be signed. Notice has been published in the media. Basically, the Ordinance re-establishes the Parks & Recreation Advisory Committee which, through a previous Ordinance, had expired on December 31, 1992. Mr. Borries then asked if there is anyone present to speak to this Ordinance. There was no response. He then entertained a motion.

Motion made by Commissioner Hunter to approve the subject Ordinance on Second Reading, with a second from Commissioner Tuley. So ordered.

RE: VOTERS REGISTRATION/REDISTRICTING OF PRECINCTS

Mr. Jon Hill of Voters Registration was recognized and stated they were asked to see what they could do about reducing the numbers of precincts in the County. There were none outside of Knight Township that they could do anything about. Within the City, as can be seen from the map he's given the Commissioners, they were able to cut back on several of the precincts in each of the wards -- anywhere from one in the 5th Ward to five in the 4th Ward and the 3rd Ward. This will be a savings of 18 precincts within the City Wards. If the Commissioners will also note, in Knight Township they have redrawn a small section of Knight 1, because it's gotten so large now that it is getting to the point where it needs to be split up. They have taken the highly populated area between Plaza Drive, the Warrick County Line, Pollack Avenue and Covert Avenue and put that into a separate precincts, splitting this into K-1 and K-2 and then they changed K-2 to K-3. They also discussed renaming the numbers on the precincts to make sure there are no gaps in there. It has been brought up that we should at this time perhaps look at the wards and renumber them all, so we can have them in some kind of sequential order all the way through.

Ms. Susan Kirk of Voters Registration indicated objection, and Mr. Hill said that obviously there are two different trains of thought here. When the ward changes were made by the City, they did not notify any of the people that changed their ward and precinct numbers, because their voting place was not changed. Now that we're changing the size of the precincts themselves, we'll have some people who will be going to different voting places. So now the question comes up as to whether we want to spend the money to notify everybody by renumbering these, leaving the numbers like they are and correcting only the ones they've suggested on the maps and notifying only those people who are actually going to change their voting place.

Commissioner Hunter asked what the difference in cost would be.

Ms. Susie Kirk said, "When you look at your maps, you can see that there's really -- even though some of the colored areas look a little large -- only small portions of some of those precincts that will actually change for that voter. You're talking about a handful of precincts that are actually going to have a different polling place. -- opposed to mailing out notices to everybody in the City plus Knight 1, 2 and 3. It just seems like over the years that I have found that people are more creatures of habit. They are going to go back to the familiar polling place -- to the school

or wherever they are used to going. Most of them, we have found in our office through the years, don't keep their Voter's Registration card. Those who do, don't look at it. It's an expense, first of all, that we don't have. We did not budget it. I don't know how much those cards cost, but it's quite a bit. It cost the County -- it seems to me we used some kind of a bulk rate from the Commissioners office in 1989 when we did that. And I don't remember how much the cards cost, but I could find that out from the computer room. But since we're basically dealing with only a handful who need to know where they are going to go vote, I think we just confused people in 1989. They had no idea why they were getting cards. We got it back in the mail the same way we sent it to the post office -- in ward and precinct number and alphabetical. They didn't even send it out; it came back as non-deliverable. It just really was not worth the cost and the effort. Now, to notify those people who have a different polling place -- yes, that is fine. We know we 50,000 people know where to go, because they just did. If we notify those we're going to change -- fine. But insofar as renumbering all the precincts, all the paperwork is done. It's ready to go -- I've got it right here. Just by going back and renumbering them 1, 2, 3, 4, etc., to make it look nice, the very first time someone redraws something, it's going to knock it all out of kilter again. You can't keep them looking 1, 2, 3, 4, etc., in little columns or rows -- it's not necessary. And they don't know their wards and precincts. I wish we had a big crowd here tonight -- I'd ask them if they knew what ward and precinct they're in. They'll go back to the school, the hose house, the church -- that's what they want to know. They don't care what the number is. So I think it's a lot of extra work, effort and expense for taxpayers when it really is not needed. If we just notify those who need to be notified, fine. But just changing their number -- I think it is unwarranted. As I said, all of this is checked and ready to go. If you want to go back and start changing the numbers around, somebody is going to have to do that -- because I've done it already -- and that is a lot of work. It's ready to go -- now."

Mr. Hill said the disadvantage of not notifying people -- we had phone calls election day where they noted their registration card said they were 1-17 and the paper said they were voting at Vogel School. Obviously, we changed their number. But, again, it goes back to do people look at their cards and keep their cards?

Ms. Kirk said out of the 50,000 people who voted, the percentage was small that actually said, 'Gee, I want my card.'

Mr. Hill offered a comment, but it was inaudible.

Mr. Hunter asked, "So where do you two differ?"

Commissioner Tuley explained, "She is saying to notify only those people and send new cards only to those people who are affected by a change in voting place. He is saying to go back and renumber the precincts so we go 1 thru 14...."

Mr. Hunter asked, "You're wanting to renumber the precincts, Jon?"

Ms. Kirk stated, "It falls in order; it goes 1, 2, 3, 4, 5,, and 6 -- there are no gaps. It's just that when...."

Mr. Borries raised questions about Wards 1 and 2, saying Ward 1 is right in the middle and Ward 2 is up at the top. When was the last time these were renumbered?"

Ms. Kirk responded, "1989".

Ms. Borries asked, "The precincts?"

Ms. Kirk replied, "Yes, Sir, they were. We discussed that then."

Probably at the beginning they did look real nice, but every time something is done and the State law changes -- we were going to have 800, and now you can have 1,200 or whatever they decide to do. Every time you go in and change something it causes a domino effect. So you may change one precinct, but it causes other precincts to be renumbered. You may have it looking nice until the next time somebody gets ready to redraw something -- and when they do, it is not going to be that way anymore. You're going to end up with the same thing you have now -- Ward 1 in the middle, etc. As I said, people don't care what their number is. They want to know where they are going to vote. They don't care if their number is 3, 5, 6, 10 or what -- as long as they know where to go. Having it look nice, that's great -- but's that a lot of expense to go to just to have maps that go 1, 2, 3, 4 and 5 across the top. Actually, in 1989 when they re-did it -- well, actually when the City Council re-did it after the last General Election, some of that could have been done then. But it seems like every few years somebody decides to do something else -- and it's just run in circles. Trying to get them all back in line -- she doesn't think it will last very long and it will end up back in the same shape it is in now.

Commissioner Hunter queried Ms. Kirk and Mr. Hill as to what it would cost.

Mr. Hill said they don't know what the cards would cost, they couldn't get the figure today. They only have about 50,000 cards left and probably wouldn't do this before the first of the year anyway. We have a little less than 109,000 registered voters, and that includes the county. If we did it by household, we'd be looking at 65,000 households in the county and we'd have to send it to all of them. That would run in the neighborhood of 14-1/2 cents each and the bulk mail would run around \$9,000.

Ms. Kirk said she is talking 16 or 17 precincts tops, because a lot of people in the colored area will not be affected. She wants everybody to know where they are going to vote. She wants everybody to be able to do that with as much ease as possible. But she thinks the expense, with the experience we had back in 1989 -- it just didn't work. And we would be giving them the same thing we gave them back in 1989.

Mr. Borries said, "But they weren't numbered in sequential order like John is talking about. I mean, how..."

Ms. Kirk interrupted, "But they don't know that. They don't care what number they are. What's the difference whether you are Ward 1, Precinct 2 as long as you know where to go vote?" Like I said, this paperwork is done. It is ready to go. If you go in there and make changes, we'll just delay the process. I've already done it. I drew up all those little maps and all that junk -- I've got all this paperwork ready to go. And I, personally, am not going through that just so it looks pretty."

Mr. Hunter asked when the deadline is.

Mr. Hill said you have to make the changes by January 1st.

Ms. Kirk said, "Well, we start filing in February. And, as you know, the Party Chairmen are not going to be happy campers when they get ready to pick their Committee Members and you say you don't know where they go. I mean, we have to have time. You're talking about moving around 50,000 people. We have to go to the street guide, look at every street in the county. It takes time to do that -- it really does -- and then check it. And renumbering just makes it look pretty -- that's all it does. People just don't know what their numbers are. I don't care what my number is -- I just need to know where to vote. I don't care if I sit next to 1-2 or 1-10 or 1-50."

Mr. Borries said, "One thing is for sure, when you look at it you aren't going to get any kind of sense of sequence out of it."

Ms. Kirk said, "Well, I've been around -- and, Rick, if I had a sign my would be as yellow as yours -- and it never has. We've had gaps in precincts where we've had no 6-6. We went through several years there where we were minus numerous precincts. And it won't stay 1, 2, 3, 4, 5, 6 -- it won't. The first time somebody gets ready to redraw it -- we'll end up back with the same thing we have now. As long as the voter know where he is supposed to go to vote, that is the most important thing. And those people need to be notified. And I just don't really think they care what the number is."

Mr. Tuley asked, "How many notifications are we doing based on what is sitting here now?"

Ms. Kirk said she doesn't know until they go in and make changes on the computer. But, as she said, as you can see in Ward 1, most of the people are not even going to be affected. You're talking about a little block there.

Several minutes were spent reviewing the map. Ms. Kirk again stated several precincts weren't affected.

Commissioner Hunter asked if there is any advantage in having them all in nice little numbers and neat little rows.

Mr. Borries asked, "When you ask the question as one of 92 counties, what are other counties doing? Are they using an outlay of \$1 million to solve this problem. I was able to get some information and share with the Commissioners that we have 28 counties who essentially updated the system."

Mr. Hunter said the problem doesn't seem to be the voting machines at all, but the tabulators.

Mr. Tuley said it was more than the tabulators. It was the punch card from the standpoint that those machines need to be refurbished.

Mr. Hunter said there should have been some maintenance on those. And there needs to be an education program for the voters themselves, to teach them how to punch a punch card. He is not being sarcastic, he is being very sincere about this.

Mr. Tuley said we were also operating with a lot of new people.

Mr. Hunter added that we were operating with what he would call a lot of non-professional people or non-trained people. Now we did have some trained ones -- but they were not the ones who had been doing it for years and years and years and there were mistakes made. Such as the case of ballots being laid down rather than being put in the box.

Mr. Tuley said his ballot was handed to him, but upside down.

Mr. Hunter said his was too, and at first he put it in the machine upside down.

It was noted by one individual that the person who took his ballot did not even let him put it in the ballot box. He watched him and he put it in -- it's just that he didn't get to personally put the ballot in the box. But simply being democratic, you should get to put your ballot into the ballot box.

Mr. Hunter said we weren't dealing with the pros in this election.

Mr. Borries said, "Come to think of it, somebody grabbed mine,

too."

Mr. Hunter said they took his, but he stood there to make sure they dropped it in.

Mr. Tuley said as a voter you are allowed to drop your own ballot in if you want to. He then asked what happens when you have two Precinct Committeemen when you have two precincts combined into one.

Mr. Borries said they used to either have to run against each other in the Primary or the Chairman can appoint One. Next year is the year they run against each other. In a Primary, which is actually a Party Election, they can actually run against each other. So this next time you could technically have two names on the ballot, if they chose to do that.

Mr. Tuley said you have a hard time getting people to serve as Precinct Committeemen. In response to comment from one of the news media personnel that party committeemen no longer have the power they once had, Mr. Tuley said they now primarily help obtain people to work phone banks, door to door registrations, etc.

The meeting proceeded with Commissioner Borries noting it is now past 7:00 p.m. and it is time for the Board to consider Rezoning Petitions. Therefore, he will recess the regular portion of the meeting and reconvene to hear the Rezoning Petitions.

VC-17-93/Petitioner, Gregory A. Kirves (First Reading): Mr. Borries said the location is 4141 Old Henderson Rd.

Motion to approve on First Reading and forward to the Area Plan Commission was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

VC-18-93/Petitioner, Alfred H. Bauer (First Reading): It was noted the common known address is 11700 Oak Meadow. This has actually been designated as C-4, so it sounds as though they are going to down grade it.

Motion to approve the Petition on First Reading and forward to the Area Plan Commission was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: VOTERS REGISTRATION - REDISTRICTING

Mr. Hill said the main reason he felt we should send everybody new cards -- and renumbering would require us to do that -- was that we made a lot of polling place changes in this last election and we're going to change some of them back again. At least everybody would have a brand new card and be aware of where the voting place is when they got it in the mail. At least we would tell everybody one more time that in 1994 you will vote at so and so.

Ms. Kirk said the only way you can do that is not to mail a registration card to them. They don't look at it. We had more calls on why they got a card than really any valid questions.

Mr. Borries interjected, "But you've got to notify them until the Motor Voter Bill comes up. You really do."

Ms. Kirk said, "But we're not changing their voting place, just their number."

Mr. Borries said, "If you're using that train of argument, you wouldn't notify anybody."

Ms. Kirk said those who have a voting place change will be notified. And we have an option. We can send those people a new

Voters Registration card -- but they basically have no idea what that is. Or we can set up a letter and make it short -- saying the voting place has been changed and they now vote at....and that's it. If you say much more than that, it gets lost in the shuffle.

Mr. Tuley said the only thing he is concerned about is that we seem to go to great lengths to publish in the newspaper, etc., where people vote -- by their numbers. If they don't know their numbers, they still don't know where to go.

Ms. Kirk said the newspaper didn't have it right.

Mr. Hill said they later made a correction in another edition of the newspaper.

Mr. Bill Jeffers asked if the Board is going to take any public comments on all of this.

The Board then recognized Mr. Jeffers and asked that he come to the podium and identify himself.

Mr. Bill Jeffers stated his name and said they change Ward lines about every five years. Like Susie said, that is how come the precincts aren't numbered in tiers. 1-5 used to be 3-5. The reason 3-20 is 3-20 is because it used to be 5-20. And every time they decide they want to change the Ward lines they follow the precincts lines and one precinct gets moved into a different ward. Following historical progression, five years from now -- no matter how neatly we number these precincts, the tiers will be upset by a new configuration of ward lines. When we did it in 1988 and 1989, we called the Election Board and asked them what to do about that and they said the State Law doesn't prescribe any numbering sequence. As a matter of fact, it doesn't prescribe the use of numbers. You can name the precincts after people or your pet or a mountain or whatever.

Mr. Borries asked, "Does the Indiana Legislature do that?"

Mr. Jeffers responded, "There are counties in Indiana that have Commissioners' names as their precincts."

Mr. Borries asked, "But does the Indiana Legislature have numbers for their State Representative Districts and their State Senate Districts?"

Mr. Jeffers responded, "No, they don't. Oh, yes, they do. They have numbers for them."

Mr. Borries stated, "Sure they do. And do they follow a somewhat sequential order?"

Mr. Borries replied, "They follow the lines that are decided by whoever wants to draw a line."

Mr. Borries said he knows that -- he understands how that political game is played. But like State Senate District 50, isn't that down here? It's next to 49.

Ms. Kirk said District 78 (Vaneta Becker's) is Scott Township and down below her is 77.

Mr. Borries asked, "But it not like State District 1, is it?"

Ms. Kirk said, "It doesn't fall within any order in Vanderburgh County -- otherwise, the last guy would be down at the tip -- but he's not."

Mr. Jeffers continued, "Another comment I have is when our office was asked to do that, we were asked by both Party Chairmen to upset

the apple cart as little as possible by not changing numbers -- unless absolutely necessary or adding or subtracting numbers unless absolutely necessary -- and to displace the least number of people and precinct officials from one area to another by changing their numbers and that type of thing. And that is why it ended up the way it did.

Another comment I have is that in Ward 4 and Ward 3, we were asked to make the precincts as small as possible without being ridiculously small, because those precincts -- especially in Ward 4 and in Ward 3 -- there is a high percentage of walking voters as opposed to motorist voters and by enlarging those precincts you may be preventing a certain number of walking voters from arriving at the polls at the next election."

Mr. Borries said he doesn't think he wants to enlarge any of them.

Mr. Hill said, "We are restricted by law anyway -- you cannot create a new precinct with over 800 voters registered."

Mr. Borries asked how long that law has been in effect this time. What is the Motor Voter Bill going to do with this?

Mr. Hill said that won't change anything, other than if it allows a greater number to register it does in fact eliminate -- it starts in January of 1995 and next June they will do their final purge. There will be no more purges except through deaths or people notifying them they have moved or something. The U. S. Post Office is supposed to update them with regard to people moving.

Mr. Borries asked, "What will it do though? It will eliminate some of the archaic thing of having to go door to door, right? Tell me what it is going to do, because that might....."

Mr. Hill interrupted, "Well, if in fact, more people register, it may be necessary to change these unless the Legislature changes the law about the 800 voters per precinct -- because we have a number of precincts now that are in the 700 area and a lot of them in the 600 area. If it goes over the 800, you can let it go as many as 1,200 before you have to change it. But anytime you change it, then you are restricted back to the 800 limit."

Mr. Borries asked, "How will it work?"

Ms. Kirk replied, "You go into the License Branch or Federal Building Unemployment Office and there will be applications for registration. That person takes that and fills that out. The way I understand it, the person is not registered until we receive it in our office. So way by some chance Don picked up because he moved and mailed it, but we don't get it -- then you don't get to be registered."

Mr. Borries asked if there will be a deadline.

Ms. Kirk responded, "Yes, there probably will be. But it may be election day."

Mr. Hill said that under this law the Post Office is required to notify them within ten (10) days after somebody registers -- as are any of these offices.

Mr. Borries asked, "But they could actually register right up until election day?"

Ms. Kirk said, "There is a possibility of that. I have not seen the whole.."

Mr. Hill said they have not cleared that up -- just like they haven't cleared up of whether we're going to enforce them to put a

Social Security Number on the registration. If they don't, he can see the possibility of some fraud -- people registering at different locations.

Ms. Kirk said, "As far as our 800 limit, there are other counties that have something very similar to the Motor Voter Bill and they do not purge and they now have more registered voters than they do population. Of course, we can't get them all. There are too many government things involved and it is just not working very smoothly."

Mr. Hill said, "There is one county that has 125% of the residents registered."

Mr. Hunter commented, "Vote early and vote often -- wow!"

Mr. Borries continued, "That is why I wanted to see if we were going to have to redraw them, because maybe the next time we redraw precincts -- if we're going to have to do all of that, we maybe could look at changing the numbers. When would you anticipate that would be? The Census or maybe a year or two after the Motor Voter thing kicks in? You're saying 'not purge' -- so you mean from now you will just leave names on the...."

Mr. Hill interrupted, "Unless we are notified by the County that those people or deceased -- or the Post Office is supposed to notify us with regard to those who move."

Ms. Kirk said, "The deceased are no problem; we get that every month now from the Health Department. But the problem is when they move away. When we purge, we purged something like 17,000 people when we were doing it every two years. So keep adding that on and, like I said, some of these counties have had this long enough that they should have streamlined it to where it is workable -- but it isn't working."

Commissioner Tuley stated, "You know, I have to agree with Susie in terms of not going back and renumbering these for the sake of convenience. But I've got a different opinion now. I've looked through here and there are an awful lot of these precinct numbers that changed. We've already complained that there are not enough people that participate in the voting process as it is, so why make it even more difficult by changing the numbers and not telling that is what we've done."

Mr. Hunter asked, "The numbers have changed but the polling places have not changed, is that what we are saying? And your argument is that the only thing they care about is ~~where~~ they vote?"

Ms. Kirk said, "Out of all the people..."

Mr. Tuley interrupted, asking Mr. Hunter if he knows what his Ward and Precinct are?

Mr. Hunter said he thinks he is Scott 1.

Ms. Kirk said he is correct. Mr. Borries is 1-9 and Mr. Tuley is 3-13.

Mr. Tuley continued, "My fear is -- I think anytime you do anything that may lead to additional confusion as to where people vote, you just give them one more excuse to get up and say, 'It ain't worth it and I'm not going to do it.' I think we all lose when that happens."

Mr. Hunter asked, "What is your recommendation?"

Mr. Tuley responded, "I don't mind not changing all these precincts. But I think it important for these people we've

changed this on them -- to let them know that it's been changed. I don't care if you do it by letter -- I don't care how you do it. I'm just a little concerned that --

Mr. Hill interrupted, "There's 85 precincts that would be affected."

Ms. Kirk said, "It's got to be cheaper than having those cards printed, plus the fact you are giving them something short with large print that they surly will open and see."

Mr. Hunter said, "I think I go along with you on this, Pat."

Mr. Tuley asked, "The person who was in 1-20 and who now is in 1-19, will that individual get a letter saying he's been changed?"

Mr. Hill replied, "No."

Ms. Kirk said, "If it's their number that's changed and not their polling place. If you all want to do that, that's fine. But I opt for the letter rather than the card."

Mr. Tuley said, "I don't care how you do it. I'm not arguing for a new card. I want that person -- so we can say we sent you a letter and we said you are not in 1-19 and your polling place is such and such."

Ms. Kirk noted, "Now all we need to do is get the money to do that."

Commissioner Tuley said he didn't say he's got the money -- he's just got the idea.

Ms. Kirk said they can't possibly use the copy machine to run 108,000 copies of the letter.

Commissioner Hunter asked, "You're not going to send 108,000 though, are you?"

Commissioner Borries said, "Sure."

Commissioner Tuley said some of the precincts didn't change.

Mr. Hill offered brief comments, but they were inaudible since he wasn't speaking from the microphone.

Ms. Kirk said, "If you're going to mail out to all of those who we're even renumbering who are going to have the same polling place, you're going to get almost everybody by doing that. Eighty-five precincts were renumbered, but they're going to go back to the same polling place. There are actually only a handful of voting places that are going to change."

Mr. Hunter asked if everybody's name and number couldn't be printed on a postcard.

Ms. Kirk said everybody's name is entered into the computer. That would mean they'd have to go through and write everybody's name down and there is no physical way they could get that done.

Chief Deputy Auditor Cindy Mayo said Roger Elliott in Data Processing could get them a program that would pick that information up and it on a letter. We have modifications like that all the time. She would suggest discussing this with him if they want to go with a letter. Since that information is there, they can pull it and do whatever Voter's Registration wants to do with it.

Mr. Hill again offered comments; but, again, they were inaudible because he was not at the microphone.

Commissioner Tuley said we don't know how many people look at that card then pick up the newspaper to see where they vote. They may be smart enough to say that doesn't make sense and then pick up the phone call. And there may be others who will say 'I'm not driving over there -- that doesn't make sense' -- and not go to vote.

Ms. Kirk said if you notify them, what you can say is that you have notified them.

Mr. Tuley said, "Right. You justify that we've made changes and you've been made aware of it. If you don't know about it now, I'm sorry."

Mr. Hunter agreed, saying do it with the least amount of reading that they have to do. Somewhere on there, just put where they are going to vote.

Mr. Hill said, "I was going to recommend, as you said, that we notify everyone whose number changed -- by letter, if possible -- if the computer can do it. And, by registration card, if the computer can't do it."

In response to comment by Commissioner Tuley, Ms. Mayo said Mr. Elliott will not charge for this.

Mr. Tuley said, "He may do a contract and come back and say we got too many program changes, so we'll still you a flat rate. She is right, however."

Mr. Hill said this is probably not a program change for them, because the information is already in the computer.

Mr. Tuley said, "They already have the information. They are changing the format which is going to be printed."

Mr. Hill said it would probably be easier to do on a postcard than it would in a letter. You could save the stuffing. Just use a single old post card -- addressed on one side and information printed on the other side.

The Commissioners said it is up to Voter's Registration.

Commissioner Hunter said he doesn't have any problem with it. He thinks this is important enough that we could sell the idea. If the Voters Registration office can come up with some cost estimates, he will be glad to approve it. Again, he thinks it is something that has to be done.

Commissioner Tuley said he wants somebody on Council to sit up there and say it is not worth the cost to notify these people of the changes.

Commissioner Hunter said he agrees and doesn't think this is a hard item to sell at all.

Commissioner Borries said that maybe if we get the money for the new voting equipment we can just kind of roll it all in together.

Ms. Kirk then submitted the official data which is to be sent to the State Election Board with a cover letter. The Commissioners need to finish filling this out -- date it and sign the letter. She is providing a draft of the letter, which answers Question #9 on these forms. This material and the letter need to be sent to the State, along with the maps.

Mr. Borries said no wonder Ms. Kirk did not want to change the numbers. With this Motor Voter Bill, he would think there will be some radical changes. He would tend to agree that people want to know about the voting place rather than the numbers. But it is a strange thing. As he says, the Legislative boundaries -- even though they are kind of odd in places -- there is a sequence. The lower numbers are down by the Ohio River and the others are up in the north. He then entertained a motion.

Motion was made by Commissioner Tuley that the precincts be forwarded to the State Election office as they have been presented and the material that breaks it down and supports those precinct boundaries be accepted; further, he recommends that the Commissioners, along with someone from the Registration office, be given permission to go before the Council to appropriate the money so that all people who have been identified as having some change in their precinct -- be it voting place or precinct number -- be notified by mail. Seconded by Commissioner Hunter. So ordered.

Commissioner Borries then gave the draft of the letter to the State Election office to Joanne Matthews, requesting that it be re-typed on the Commissioners' letterhead.

RE: POOR RELIEF APPEAL

President Borries said there was a poor relief hearing earlier today and under the new rules adopted by this Board, Attorney Kissinger acted as a Hearing Office for this Board and in a public meeting will now report what took place at the hearing.

Attorney Kissinger stated the hearing was held at 3:30 p.m. today. The parties -- Mr. James Riley, who filed the Notice of Appeal was notified on November 10th of the time, date and location of the meeting. Also, the Pigeon Township Trustee's office was notified of that information. Mr. Riley had gone to the Pigeon Township Trustee's office and requested what is referred to as a food allowance. A determination was made that Mr. Riley was already receiving food stamps from the Welfare Department. Miss Joann Hastie from the Pigeon Township Trustee's office did appear for the hearing. Mr. Riley did not appear. But, according to Ms. Hastie and according to Indiana State Law allowing them to adopt policies and procedures, the Township Trustee does not supplement the food stamp program. Also, under State Law, they are not allowed to supplement the food stamp program. They are allowed to do it on an interim basis once someone has applied for food stamps but is not yet receiving them. To make a long story short, they followed their policies and their procedures and they also followed State Law in denying the food allowance through the Trustee's office. As he said, Mr. Riley did not appear -- so they heard no testimony or statements from him. But in consideration of the information taken at the hearing, he recommends the Commissioners affirm the action of the Pigeon Trustee and deny the appeal request of Mr. James Riley.

President Borries entertained a motion to this effect

So moved by Commissioner Tuley and seconded by Commissioner Hunter. So ordered.

RE: PETITION TO VACATE PORTION OF A PUBLIC RIGHT-OF-WAY FOR GABENSEE ACRES - BILL BIVINS

Mr. Borries said that Mr. Bill Bivins is here to represent the Petition in the subject vacation proceeding. In order to hold the Public Hearing on November 29, 1993, Joanne Matthews has noted she has already sent the notice to the newspaper. It will be published on Wednesday, November 17th, and the Public Hearing is scheduled at 5:30 p.m. on Monday, November 29th. She says this will allow time to get reports back from the Area Plan Commission and the County

Engineer, as well as letters from the utility companies. He asked Mr. Bivins if this date is agreeable. Mr. Bivins having responded affirmatively, Mr. Borries entertained a motion.

Motion to approve the Public Hearing as scheduled was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Summary Judgment/Jerry David Enterprises vs. County Commissioners: Attorney Kissinger said the only thing he has to report is that the Indiana Court of Appeals did reverse a Summary Judgment that was issued from the Vanderburgh County Superior Court in the case of Jerry David Enterprises, Inc. vs. the County Commissioners. As he thinks the Commissioners will recall -- and as he addressed to them during the Executive Session -- this is the borrow pit case in reference to rezoning, etc. The Commissioners denied rezoning that was openly appealed to Circuit Court and then he thinks suit was filed on it -- so maybe it is a Circuit Court case. Nonetheless, the Summary Judgment Order has been reversed and this case is a carry-over from the previous County Attorneys. Mr. Gary Price is handling this case. Mr. Price has addressed this situation to him and they have communicated re this case. He agrees with him that it is probably appropriate in consideration of this point of law that we request that this case be transferred to the Indiana Supreme Court for their consideration. Attorney Kissinger said he is requesting authority from the Commissioners to allow them to do that.

Commissioner Borries entertained questions. There being none, a motion was entertained.

Motion was made by Commissioner Hunter that the Attorneys be authorized to request a Petition to Transfer to the Indiana Supreme Court. Seconded by Commissioner Tuley. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS

Y.M.C.A.: Mr. Abell said that with regard to last week's discussion about the Y.M.C.A.'s proposed rate changes, he would like to ask permission to stuff the paychecks with information regarding these benefits. The County is not going to undergo any changes on their participating amount, but the employees have a very slight increase which they will be picking up, which he thinks were included in last week's minutes -- but he has another copy.

Commissioner Tuley said, "Wait a minute -- I thought we approved at no increase whatsoever."

Mr. Abell asked, "None for the employees?"

Commissioner Hunter said, "No changes across the board."

Mr. Tuley continued, "I think the motion I made was for no changes for 1993-1994."

Mr. Hunter said that was also his understanding.

Mr. Abell said, "They mistook that then. They thought it was just the County side only and they were okayed on the employee increase. Either way they are fine. They just need to know which way it will be."

Mr. Tuley said again that there were to be no increases for 1994.

Mr. Hunter said he therefore assumed there would be no increases for anybody.

Mr. Hunter said he is not assuming anything -- since he doesn't have the minutes in front of him (Ms. Matthews was on vacation).

Mr. Abell said maybe the Board did not address that part of it. But he knows they addressed the County aspect as we're not budgeted and therefore no increase.

Mr. Hunter asked, "You say they are willing to go along with the 1993 rate for employees, as well?"

Mr. Abell responded, "Oh, yes. Either way the benefit is going to be there. The difference in price was very minimal -- like a 1993 rate of \$4.06 for an adult was going to go to \$4.31. For couples it was \$12.81 up to \$13.56. I think he said something like a 6% increase. That was part of the minutes last week and I guess we just wait until those minutes come out and see what we did on that."

Commissioner Borries said the only trouble is that he is trying to set up here. Maybe we can research this thing -- or take action.

Ms. Mayo said she doesn't know if the next payroll would be a good time to put this notice in the paychecks. That is a short week -- Thanksgiving Week - and the paychecks will be issued on Wednesday. She doesn't believe this would allow their office enough time.

Mr. Borries said that even if we got the notice in the first payroll of December, that would give people a month.

Mr. Abell said we need that month so we can get with everybody and decide. If the Commissioners will recall, we are more or less terminating everybody.

Mr. Borries said we need to leave it at the 1993 rate. If we can just get the staffer in - saying the rates will remain the same, but we have to change the procedure -- I think we could get by doing that. He doesn't see how we could be able to go through the whole business of putting all the deduction changes in there and everything else.

Commissioner Hunter asked, "But they're willing to live with the 1993 rate for both the County and the employees?"

Mr. Abell said he is positive they are. This isn't an issue that they 're going to yank us...

Mr. Borries interrupted, "I tell you what they need to do and I think we talked about that the last time. If they envision that there are going to be changes, they need to be talking to us in June so we can either budget or let Council know what those changes are going to be -- because we have no shot at getting those things done this late in the year."

Mr. Abell said he will inform them of that. He also needs permission to stuff the paychecks with the memo indicating they are terminating everybody and listing the times to meet Mr. Gary Miller. He thinks that is the most effective way to reach everybody. They will be receiving new cards and they will need to re-sign. He will get with Cindy and do that.

Mr. Borries said he is not going to ask for a motion, because we are not changing the rates. The process is really the only thing we're going here.

Mr. Abell said maybe they were trying to slip this by on him, now that he thinks about it.

Veterans Affairs Relocation: Mr. Abell said the relocation of the Veterans Affairs office will begin one week from today -- November

22nd. Mr. Acker has requested permission to close his office from November 22 thru December 1, taking that period to do the actual physical move and set up in the Old Courthouse.

Mr. Tuley noted the County offices will be closed on November 25th and November 26th for the Thanksgiving Holiday.

Commissioner Borries asked County Engineer John Stoll if he actually closed his office when he moved their operation to the Old Courthouse.

Mr. Abell said he believes Mr. Stoll made his move in one day, but this was Mr. Acker's request.

Mr. Borries said John Stoll didn't take that. The Board approved the relocation, but he wishes Mr. Acker would review his request. He thinks the Veterans Service Office -- he's got to have a way to keep that office open. He then asked Mr. Stoll how he did his move.

Mr. Stoll said they kept their phone lines active in both places throughout most of the day. They had someone sitting in both offices while the County Highway crews were moving a lot of the stuff. They kept one person in both offices at all times. In response to query from Commissioner Tuley as to how many employees he has in his office, Mr. Stoll said he has five (5) employees.

Mr. Borries said that Mr. Acker has three, but that shouldn't be a problem.

Mr. Hunter asked if Benny Gosser will be able to help Mr. Acker move.

Mr. Abell said so far he has been able to line up Benny and he will probably use one person from the Work Release program. Mr. Acker also requested some help from the County Highway Garage people and he thinks he has contacted Bill Morpew about that. But who knows, it could snow and he'd hate to rely on the County Highway crew.

Mr. Hunter asked Mr. Stoll who all he used to help him move other than his own employees.

Mr. Stoll said he used some of the County Highway crews.

Mr. Borries said we're not talking about moving that large an office.

Mr. Abell said they had a discussion about this today. He told Mr. Acker that Benny is a good worker and if he uses somebody with his pickup truck, he can't see them taking more than one day to do it. However, Mr. Acker was pretty adamant and he is just passing on his request.

Commissioner Borries said it would be his recommendation -- and, again, he is only one vote -- that we have to maintain some kind of continuity in the office.

Mr. Abell said Mr. Acker wanted to close on November 22nd and not re-open until December 1st.

Mr. Tuley said that is way too long.

Mr. Hunter said he'd like to see him do it on Wednesday, November 24th and we're closed on the 24th and the 25th. He sees no reason Mr. Acker couldn't be back in business on Monday, November 29th.

Commissioner Tuley said he doesn't think he needs to shut the office down. He thinks he needs to man the phones.

Mr. Hunter said he thinks the move needs to be November 24th. Then

if Mr. Acker needs to go back in over the Thanksgiving holiday and sort things out, etc....

Mr. Tuley said he has no problem with him starting on November 22nd, as long as he keeps the office open and someone available. He doesn't expect him to come in over the holidays to do it -- but Monday, Tuesday and Wednesday of that week should be ample time, without shutting down the office.

Mr. Abell said he would agree with that. In his opinion, one day is plenty.

Commissioner Borries said he thinks he needs to follow the example of the County Engineer -- station one person here and one person at the Old Courthouse. How did they do the phones?

Mr. Stoll said they had the same phone number -- ringing at both places.

Mr. Abell said he can work that out.

Mr. Tuley said he would move that the request be denied and that Mr. Acker be instructed to keep the office open, have someone on the telephone at both ends and Mr. Abell will take care of getting the phones lined up.

Seconded by Commissioner Hunter. So ordered.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Work Report: Mr. Borries said Mr. Morphey has submitted his weekly progress report for period of November 5th thru November 11th.....report received and filed. The report again indicates work being done in all parts of the county.

Paving Program: It was noted by Mr. Borries that we've had a lot of rain this week and he asked Mr. Morphey if we've been able to do any paving at all.

Mr. Morphey said they did not do any paving today. They more or less just cleaned the roads. They had a lot of roads flooded this weekend and there is a lot of mud, debris, etc. They had several emergency call-ins throughout the night. The crews spend the entire day cleaning mud and debris from the roads and setting up barricades and high water signs. If the weather holds out, they will go back to paving tomorrow. They will be putting the surface on Woods Avenue and that will probably be their last road this year. This will give them approximately twice the mileage they've paved during the last two years.

Request to Travel to Cincinnati: Mr. Morphey said he needs to send one truck and two drivers to Cincinnati tomorrow morning to retrieve seventeen (17) overpacks that we sent the hazardous material up there in. These overpacks have a value of approximately \$3,000 and if we need the barrels again in the future, that is an amount of money we would not be spending if we go up and retrieve these. It will run us about \$300 as far as wages and fuel to send the two men up in a truck.

Mr. Borries entertained a motion.

Motion to approve the request was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Request to Advertise for Bids for New Grader: Mr. Morphey said he has the specs worked up and is on Council call on November 24th for his transfers and appropriations for the month of December. Since there isn't long before the end of the year, he needs to get this out for bid now so we can get it advertised for two weeks.

Motion to approve, subject to Council approval of funding, proceeding with the bidding process was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: COUNTY ENGINEER - JOHN STOLL

Change Order/Vogel Rd. Bridge: Mr. Stoll said this Change Order is in the amount of \$9,158.23. The change results from design changes made after the project was let. They made several changes that increased the quantities on some concrete, steel and borrow. They also changed the rust inhibitor add mixture to the concrete. The net change was an increase of \$9,100.00.

Mr. Borries asked if our department is issuing this, not some contractor?

Mr. Stoll said that is correct. These changes were made by us after the contract had been let.

Motion to approve the Change Order, as submitted, was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Claim/Vogel Rd. Bridge: Mr. Stoll said this is the second claim for Concrete Pavers and it's in the amount of \$56,471.90. The reason it is not on the consent agenda is because they were ironing out the quantities resulting from the change order and he didn't get it on the consent agenda last Friday.

Motion to approve the claim was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Change Order/N. Green River Rd. Project: Mr. Stoll said this Change Order is in the amount of 1,408.46. This one results from some castings we had to replace. The castings were on a sanitary sewer that were not in the road when the road was only two lanes. Now that the road has been widened, these castings are actually in the travel portion of the road and they aren't strong enough to withstand traffic loads. In order to eliminate that, we're changing them to traffic worthy castings. We've already had one break.

Mr. Borries asked if there is still money in the budget to handle this.

Mr. Stoll responded affirmatively, saying our cost on this is 25% of the total cost.

Motion to approve the Change Order was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Commissioner Borries said he had to go to the airport yesterday and he will say one thing, in a heavy rain this should put a few folks at ease. He didn't notice any flooding on the road whatsoever. There was some ponding, as there would be. But by the time he got to Millersburg Rd. there was water over the road on Millersburg.

Mr. Stoll said some of the ponding on North Green River is because the inch of asphalt surface is not yet on the road.

Change Order/Darmstadt Rd. Bridge #214: Mr. Stoll said the design plans for this bridge did not address some cracking that was discovered underneath the bridge. Once the equipment was up there jackhammering off the sidewalks, etc., it compounded some cracking problems. The change order is in the amount of \$4,275.45 and it was to seal up some cracking and cover up some exposed steel and things like that. The work has been done and inspected.

Motion to approve the change order was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Change Order/Contracting Paving Contract: Mr. Stoll said this is in the amount of \$6,785.00. It was for the Boonville-New Harmony Rd. This is the one where the pipe had to be removed and an extension installed. Also, to cover a water line that was broken and the installation of some rip-rap. Her, again, it was work that had to be done and it has already been completed.

Motion to approve the change order was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Commissioner Hunter asked if we're going to resurface Boonville-New Harmony between Old Petersburg and Browning?

Mr. Stoll said that was not on our portion of it. That may be something we can look at for next year. That section is not as bad as the other sections we did this year.

Change Order/Schmitt Lane Project: Mr. Stoll said this is in the amount of \$4,672.61. This will cover asphalt patching and the installation of a kind of speed bump -- which will keep water going down the curb line rather than water going down the curb and into somebody's back yard.

Mr. Tuley asked if this put this to rest. He hasn't had any calls.

Mr. Stoll said this was the last problem that was out there and, hopefully, they will get out there within the next two weeks and get this finished. Koester will be doing this under contract paving.

Motion to approve the change order was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Mr. Hunter said maybe this is the last we'll hear of that. What a can of worms this turned out to be.

Purchase of Right-of-Way Parcels: Mr. Stoll said he has letters for United Consulting Engineers to purchase 12 right-of-way parcels for \$7,430.00 on Green River Rd., Section C (between Hirsch and Heckel). The amounts are the appraised value of the property and this is just a letter authorizing them to start the process of beginning offers and trying to acquire the right-of-way.

Motion for approval was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Plans for Extension of Cross Pointe Boulevard: Mr. Stoll said this is from where it ends now and Indiana Street, an extension northward. It will be a 41 ft. pavement and he's been told by the developers that a Letter of Credit will be issued that will cover the cost to widen this out to eventually a 5-lane section to match the five lanes that are currently south of Indiana Street. It will be curb and gutter section. They're just putting in three lanes now and will eventually widen it to five lanes.

Motion to approve the plans was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Commissioner Borries entertained questions of Mr. Stoll.

Reduced Speed Limit/North Green River Rd.: Joanne Matthews stated she has a question. She had a call from the Sheriff's Department today concerning the temporary 35 mph speed limit on North Green River Rd. They are wanting to know if we're lifting this or if it is to stay in effect.

Mr. Stoll said it will remain in effect until they at least get the surface asphalt on. Right now the man hole castings are about an inch higher than anything else and it would be better to retain the lower speed. There is still other work going on. According to what Attorney Kissinger said, we'll just have to rescind the Resolution once we are ready to raise the speed limit back to 45 mph -- but it is still in effect at 35 mph.

Commissioner Borries asked Mr. Stoll if they have given any indication as to when this project will be finished.

Mr. Stoll said he hasn't been given any updates lately. Last Friday they were checking the smoothness of the pavement. They are supposed to adjust any of the high or low spots and then work on putting down the surface soon. But he doesn't have any specific dates. With the weather like it's been the past few days, that's not helping matters any. He saw one low spot up near Spring Valley a couple of weeks ago when it rained, which was basically off because of the inch surface.

Mr. Borries asked that Mr. Stoll continue to keep the Board informed.

Mr. Stoll said they assured him that they wanted to give it their best shot to get the surface done this year, because they didn't want it to have to sit all winter.

RE: CONSENT AGENDA

Employment Status Form/Alberta Matlock: Mr. Borries said they held this over from last week and they will reach a decision concerning this temporary employment change.

Travel Request/County Assessor: Mr. Tuley said he thought last week the Board granted permission for Jim Angermeier and Evelyn Lannert to travel, but not Dorothy Joest. Now there is a request dated today.

Mr. Hunter said they acted on this last week because the meeting was today, and this is the paperwork that followed.

Mr. Tuley said Ms. Lannert was here today -- or at least she was when he came to this meeting. He met her in the parking lot. He doesn't understand. Unless she got up there and got back, which he finds it hard to believe.

Mr. Hunter said the Legislative Committee Meeting was at 9:30 a.m. today, and that is what she has asked to attend.

Mr. Tuley said there was also a Computer Software Meeting re Reassessment at 1:00 p.m.

Mr. Hunter suggested the Board defer this matter until they get clarification from the Assessor's office as to what is going on. The Board needs clarification as to whether Ms. Lannert went.

Mr. Abell said this request might just be Mr. Angermeier's official follow through in case Ms. Lannert did attend the meetings.

There being no further questions, a motion was entertained.

Motion to approve the Consent Agenda, as modified, was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: SCHEDULED MEETINGS

It was noted by the Commissioners that none of them have a list or calendar of Scheduled Meetings attached to their meeting agenda.

RE: OLD BUSINESS

Election Equipment Committee: Mr. Tuley said he made contact with everybody on the Election Equipment Committee, with the exception of Les Shively who was unavailable until November 18th. Mr. Tuley said he did schedule a meeting for this Friday, at 2:00 p.m. in the Election Office.

Mr. Borries said he forwarded all the correspondence he had, as well as a summary of all the information we have regarding election equipment.

County-Owned Vehicles: Commissioner Borries said one matter we will need to address is to determine if we've received all the information concerning County-owned vehicles. He thinks there is a policy in relation to this County on purchases in excess of \$10,000. He thinks we're considerably lower than the \$25,000 minimum -- so he thinks there is some statutory review to be done so we can begin to pull this thing together and develop a policy, review same, and then take some action at a public meeting.

Mr. Abell said we do have the information requested from the various offices.

RE: NEW BUSINESS

County Recorder's Office/Emergency Declared re Microfilm Copier: Commissioner Tuley said he is not sure how to handle this. But he was in the building today and apparently one of the big copiers (Microfilm machine) County Recorder Betty Hermann uses finally quit. She told him some months ago it was on its way to breaking down. They are already three (3) days behind. Mrs. Hermann wanted to know if there was any way for the Commissioners to declare an emergency to buy some new equipment. She also handed him a request for an appropriation. He doesn't know how the Board can declare an emergency without money being there up front.

Commissioner Borries said he would assume she would have to bid this.

Mr. Tuley said if it is declared an emergency, they have to get at least two quotes by telephone. They do not have to go through the normal bidding procedure.

Mr. Abell said she may have money budgeted in next year's budget for that -- he thinks she talked about this machine before.

Mr. Hunter said he thinks she did, too, because she has been anticipating the demise of this equipment for some time.

Mr. Tuley said, "But she put in a request for an appropriation, so that doesn't make sense. It's dated today. She did tell me that the person she got this particular quote from told her she would not be billed until next year. She did tell me that. The outright purchase price is something like \$21,975.00 plus \$500 for processing and training and installation. Yet, she tried to lease it and it figures out for 36 months about \$25,000. If she leases it for 48 months it turns out to be \$26,000 and over \$27,000 if she leases it for five years. I think it's local policy that says that in excess of \$10,000 requires bidding. But State Law says \$25,000."

Commissioner Borries said it is.

Mr. Tuley said the information she gave him contains the steps of what we must go through and what we must do if we declare it an emergency and let her do it by bid. He guesses his concern was that if she doesn't have the money available -- what good would it do for the Commissioners to declare an emergency.

Mr. Abell said that coming from Council, you'd think she'd be aware of this.

Commissioner Borries said Pat has a real valid point. We can declare this an emergency, but if there is no money in place to purchase it, we really have a problem. If she is saying she is going on Council Call today, we'll give approval to do that. Today is the 15th -- the last day to turn something in. Let's make it that way -- give approval to declare an emergency, subject to funding by the County Council.

Motion to this effect was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Mr. Tuley requested that Mr. Abell so advise Ms. Hermann tomorrow.

Commissioner Borries said the emergency won't happen without the money in place. It will be more than an emergency, it will be a disaster.

Mr. Tuley said he can understand the need -- and she is more than three days behind.

R E Z O N I N G S

VC-16-93/Petitioner, Simon Oeth (Third Reading): Commissioner Borries asked if there are people in the audience with regard to rezoning petition VC-16-93.

Ms. Barbara Cunningham said she thinks there is a problem with regard to the rezoning. She was just notified today that Mr. Oeth has withdrawn his checks from the Auditor's office. Therefore, she would think that he is not now complying with the terms of filing for a rezoning.

Mr. Tuley asked, "He withdrew his check?"

Ms. Cunningham said that is what Joanne Matthews said.

Ms. Matthews said she doesn't know that he withdrew his petition per se; but he did come into the Auditor's office while she was on vacation and picked up his checks, the morning after the APC meeting.

Mr. Borries asked the individuals in the audience if they are remonstrants, or are they here on behalf of the Petitioner. They indicated they are remonstrating -- not here on behalf of the Petitioner.

Mrs. Cunningham said the APC has not received a letter stating he has withdrawn. However, she takes it that with the absence of the checks, it is.

Mr. Borries said if there is no one to present the Petition, the Board is not going to hear it.

Mr. Tuley said he thinks the motion to withdraw it should be made by the Board, due to the fact there are certain procedures and guidelines to be followed -- that were not followed.

Mrs. Cunningham said that sounds good.

Motion to this effect was made by Commissioner Tuley, with a second from Commissioner Hunter. So order.

President Borries said the Petition has been withdrawn.

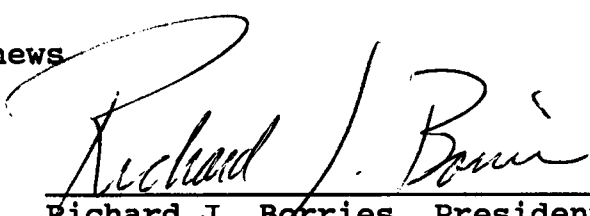
Mr. Borries then entertained further matters of business to come before the Board. There being none, he declared the meeting

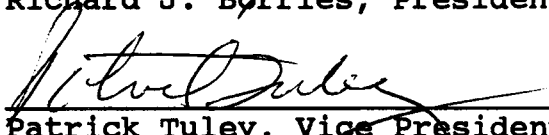
adjourned at 8:00 p.m.

PRESENT:

Richard J. Borries
Patrick Tuley
Don Hunter
Cindy Mayo, Chief Deputy Auditor
Alan M. Kissinger, County Attorney
Mark Abell, Supt./County Buildings
John Stoll, County Engineer
Bill Morphew, County Highway Supt.
Jon Hill/Voter's Registration
Susie Kirk/Voter's Registration
David Ellison/Farm Bureau
Bill Bivins/Accu Surveyors
Others (Unidentified)
News Media

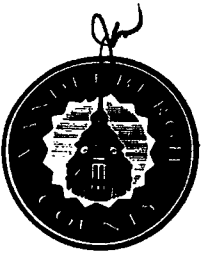
SECRETARY: Joanne A. Matthews



Richard J. Borries, President

Patrick Tuley, Vice President

Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

November 15, 1993

5:30 P.M.

1. CALL TO ORDER

2. INTRODUCTIONS

3. PLEDGE OF ALLEGIANCE

4. ACTION ITEMS

FINAL

- A. Any group/individual wishing to address the commission ✓ *D. Ellison -
Re-establish*
- B. Ordinance to Amend Title 3 of the Code of Ordinances ✓
re: Re-establish the Parks and Recreation Advisory Committee
*Second Reading

- C. Susie Kirk and Jon Hill/Voters Registration ✓
re: Redistricting Precinct

- D. Poor Relief Hearing, Pigeon Trustee/James Riley —
*Alan Kissinger/Attorney, Hearing Officer will discuss

- E. Petition to Vacate a portion of Public Road Right of Way/ ✓ *11-25-93*
for Gabensee Acres
re: set hearing dates

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney ✓
Mark Abell ----- Superintendent of County Buildings ✓
Bill Morpheu ----- County Garage ✓
John Stoll ----- County Engineer (See attached requests) ✓

6. CONSENT ITEMS

A. Travel/Education Requests:

Health (2) County Assessor (1)

B. Employment Changes:

None for this week

C. Claim for payment:

(1) Given & Spindler.....4,903.44
 *reimbursement for expenses for contract

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

1st Readings:

REZONINGS AT 7:00 PM

VC-17-93 Gregory A. Kirves
 4141 Old Henderson Rd.
 C-4 to AG

VC-18-93 Alfred H. Bauer, Jr.
 11700 Oak Meadow
 C-4 to R-4

3rd Reading:

VC-16-93 Simon Oeth
 5210 Broadway
 R-1 to M-1

COUNTY ENGINEER'S
CONSENT AGENDA
NOVEMBER 15, 1993

1. **CLAIMS:**

DARMSTADT RD. BRIDGE #214	203-4342	
Gary U. Kercher (Reimbursement/US Cellular Bill)		\$ 17.22
COLUMBIA/DELAWARE BRIDGE #1C	203-4353	
United Consulting Engineers (Inv. #12)		\$15,361.87
GREEN RIVER ROAD NORTH	216-4910	
United Consulting Engineers (Inv. #18A)		\$ 66.00
(Increase invoice #18 from \$15617.69 to \$15,683.69)		

VANDERBURGH COUNTY COMMISSION
VANDERBURGH COUNTY, INDIANA

RESOLUTION

WHEREAS, The Vanderburgh County Farm Bureau and the Indiana Farm Bureau have a long established tradition of constructive involvement in the affairs of county government and the development of public policy; and

WHEREAS, The Farm Bureau organizations effectively represent the agricultural community of Vanderburgh County at the local, state and federal levels; and

WHEREAS, The Farm Bureau will celebrate its seventy-fifth anniversary in Indiana at its annual convention to be held December 5 through 7, 1993 in Indianapolis;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS of VANDERBURGH COUNTY, INDIANA:

THAT, On behalf of all citizens of Vanderburgh County, Indiana, congratulations be extended to the Vanderburgh County Farm Bureau and the Indiana Bureau on the occasion of Indiana Farm Bureau's seventy-fifth anniversary; and

THAT, The Auditor of Vanderburgh County is authorized and directed to forward a copy of this Resolution to the Presidents of the Vanderburgh County Farm Bureau and the Indiana Farm Bureau.

Adopted this 15th day of Nov., 1993.
at Vanderburgh County, Indiana.

Richard J. Dorries
Commissioner

Robert J. Jiles
Commissioner

David Hunter
Commissioner

ATTEST:

Sam Humphrey cm
Auditor

BID RECAP SHEET

PROJECT: GUARD RAILS, END SECTIONS, POSTS & VARIOUS PIPE MATERIALS

BID OPENING DATE: NOVEMBER 8, 1993

* * * * *

[illegible]

COMMENTS: VARIOUS SIZES & CLASSIFICATIONS OF PIPE AT UNIT PRICES.

ACTION TAKEN:
Deferred OH



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603

Agenda for November 15, 1993

- PT/DN* 1. Change order for Vogel Road for an increase of \$9,158.23
- PT/DN* 2. Claim from Concrete Pavers for the Vogel Road bridge for \$56,471.90
- PT/DN* 3. Change order for^N Green River Road for an increase of \$1,408.46
- PT/DN* 4. Change order for the Darmstadt Road bridge for an increase of \$4,275.45
- DH/PT* 5. Change order for Boonville New Harmony Road (1993 Contract Paving) for an increase of \$6,785.00
- PT/DN* 6. Change order for Schmitt Lane for an increase of \$4,672.61
- DH/PT* 7. Authorization letter for United Consulting to purchase 12 right of way parcels for \$7,430 for Green River Road Sec. C
- PT/DN* 8. Cross Pointe Boulevard road plans

35 mph stays in effect.



OFFICERS
Billie W. Jones, P.E., L.S.
Jacob E. Hall, P.E., L.S.
Kent D. Downey, P.E., L.S.
Ronald B. Miller
John D. Staley, R.A., A.I.A.

United Consulting Engineers & Architects

Established 1965

ARCHITECTS
Andrew C. Churchill, R.A., A.I.A.
John K. Hardin, R.A., A.I.A.



ENGINEERS
Jerry D. Ritchie, P.E.
Ronald C. Miller, P.E.
William E. Hall, P.E.
William D. Richter, P.E., L.S.
Mark A. Eckert, P.E.
Keith A. Lytton, P.E.
Anthony W. Jones, P.E.
Greg L. Rominger, P.E.
Michael W. Cox, P.E.
Brad S. Fans, P.E., L.S.
Dale A. Schmidt, P.E.

Authorization to Purchase

Project: M-E 340 Section C
Road: Green River Road
County: Vanderburg

<u>Parcel Number</u>	<u>Owner</u>	<u>Appraisal Type</u>	<u>Land Use</u>	<u>Compensation</u>
50	Staub, Inc.	ME	AG	\$200.00
51	Pleasant Ridge Corp.	ME	AG	\$200.00
52	Manfred Stahl	ME	AG	\$1,220.00
53	William Carey	ME	AG	\$980.00
54	Samuel Vowels	ME	RES	\$250.00
55	Thomas Hollis	ME	RES	\$250.00
61	Francis Stock	ME	RES	\$1,495.00
64	William Dremstedt	ME	AG	\$1,440.00
65	Mary Jourdan	ME	RES	\$760.00
66	Robert Thacker	ME	RES	\$335.00
67	Jo Rita Smith	ME	RES	\$150.00
68	Jack Lambert	ME	RES	\$150.00

Total This Authorization

\$7,430.00

Land Use
AG-Agricultural
RES-Residential

Appraisal Type
ME-Market Estimate

The above parcels are approved for purchase:
VANDERBURGH COUNTY COMMISSIONERS

Kudach Barnes

Patricia Juley

Don Hume

Date 11-15-93

VANDERBURGH COUNTY ENGINEERING DEPARTMENT

Room 325A Administration Building

Civic Center Complex

Evansville, Indiana 47708

ACCNT NO: 216-3930 PROJ.: Schmitt Lane CONTRACT NO: SCHMITT

The following change(s) ~~is~~(are) recommended. (Give loc., descr. and reason)

See Attached.

CONTRACT ITEM	UNIT PRICE	INCREASE		DECREASE		% OF CHANGE
		QUANT.	AMT.	QUANT.	AMT.	
Patching			\$2,052.44			
Overlay Areas			\$2,397.06			
Wedge to divertwater			\$ 223.11			
CHANGE DOES / DOES NOT RESULT IN A CUM. CHANGE OF 20% TO ANY ITEM CONSTITUTING 5% OF THE ORIGINAL CONT.	TOTALS					
NET INCREASED DECREASED ESTIMATED COST \$ <u>4,672.61</u>						

Signed: [Signature] Title: Asst. Co. Eng. Date: 11/10/93

NOTIFICATION AND CONSENT TO THIS CHANGE IN PLANS IS HEREBY ACKNOWLEDGED.

Contractor: Hoover By: [Signature] Date: 11/15/93

Investigated and the following recommendations made: _____

BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

[Signature]
President

[Signature]
Vice-President

[Signature]
Member

ATTEST:

[Signature]

KOESTER
CONTRACTING CORP.

14649 Highway 41 North
Evansville, Indiana 47711

812-867-6635

800-880-6635

FAX 812-867-2302

OCT 22 1993

October 21, 1993

Mr. John Stoll
Vanderburgh County Engineer
Old Court House, Suite 307
201 NW 4th Street
Evansville, IN 47708

Dear John:

After meeting with Gary Kercher on Schmitt Lane to inspect damage to cul-de-sac from concrete, Koester Contracting submits the following prices to repair street.

Patching	\$2,052.44
Overlay Areas	2,397.06
Wedge to divert water	<u>223.11</u>
TOTAL	\$4,672.61

Sincerely,

James R. Hevron

James R. Hevron
President
KOESTER CONTRACTING CORPORATION

JRH/djt

VANDERBURGH COUNTY ENGINEERING DEPARTMENT

Room 323A Administration Building

Civic Center Complex

Evansville, Indiana 47708

Boonville-

ACCNT NO: 216-3930

PROJ.: New Harmony

CONTRACT NO: VC 93-05-03

The following change(s) ~~is~~(are) recommended. (Give loc., descr. and reason)

Required for ditch bank control

CONTRACT ITEM	UNIT PRICE	INCREASE		DECREASE		% OF CHANGE
		QUANT.	AMT.	QUANT.	AMT.	
Remobilization/Water Line			\$2,125.00			
Pipe Culvert Ext. & Re-Installation			\$2,505.00			
Grated Rip Rap Installation			\$2,155.00			
CHANGE DOES / DOES NOT RESULT IN A CUM. CHANGE OF 20% TO ANY ITEM CONSTITUTING 5% OF THE ORIGINAL CONT.	TOTALS					
	NET INCREASED DECREASED	ESTIMATED COST \$ <u>6,785.00</u>				

Signed: [Signature]

Title: Asst. Co. Eng.

Date: 11/16/93

NOTIFICATION AND CONSENT TO THIS CHANGE IN PLANS IS HEREBY ACKNOWLEDGED.

X Contractor: Rogers

By: [Signature]

Date: 11/15/93

Investigated and the following recommendations made: _____

BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

Richard J. Barnes
President

[Signature]
Vice-President

[Signature]
Member

ATTEST:

Sam Humphrey

VANDERBURGH COUNTY ENGINEERING DEPARTMENT

Evansville, Indiana 47708

ACCNT NO: 203-4396 PROJ.: Vogel Road Bridge & Paving CONTRACT NO: 93-07-01

The following change(s) ~~are~~ (are) recommended. (Give loc., descr. and reason)

Structural Concrete - in end bents & deck - Design Revisions caused change in quantity

Reinforcing Steel - in end bents - Design Revisions caused change in quantity

'B' Borrow -Design Revisions caused changed in quantity

Rust Inhibitor - in end bents & deck - County requested different material to be used.

Steel Shell Piles - in bridge - less piling required than estimated

CORTEC MCI-2000 in end bents & deck/County requested this material be used/Design revisions cause

CONTRACT ITEM	UNIT PRICE	INCREASE		DECREASE		% OF CHANGE
		QUANT.	AMT.	QUANT.	AMT.	
#4 Structural Concrete	257.00	26 cys	6682.00			38.24
#5 Reinforcing Steel	0.68	1035 lbs.	703.80			17.37
#6 'B' Borrow	17.00	15 tons	255.00			27.27
#14 Rust Inhibitor	48.75			20 gal.	975.00	-100.00
#17 Steel Shell Piles	28.67			11.6 1ft.	332.57	-1.66
#18 CORTEC MCI-2000	113.00	25 gal.	2825.00			
CHANGE DOES / NOT NECESSARILY RESULT IN A CUM. CHANGE OF 20% TO ANY ITEM CONSTITUTING 5% OF THE ORIGINAL CONT.	TOTALS		10,465.80		1307.57	
	NET DECREASED INCREASED	ESTIMATED COST \$ 9,158.23				

Signed: John Little Title: County Engineer Date: 11/15/93
 NOTIFICATION AND CONSENT TO THIS CHANGE IN PLANS IS HEREBY ACKNOWLEDGED.
 Contractor: Concrete Paving, Inc. By: Kay Little Date: 11-11-93
 Investigated and the following recommendations made: _____

BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

Richard J. Bowles
 President

Patricia Wiley
 Vice-President

[Signature]
 Member

ATTEST:
Sam Thompson

VANDERBURGH COUNTY ENGINEERING DEPARTMENT
 Room 325A Administration Building
 Civic Center Complex
 Evansville, Indiana 47708

ACCNT NO: 203-4342 PROJ.: Bridge #214 CONTRACT NO: VC 93-06-01

The following change(s) is(are) recommended. (Give loc., descr. and reason)
Pointing required to Protect exposed bars on Bents and Piers

CONTRACT ITEM	UNIT PRICE	INCREASE		DECREASE		% OF CHANGE
		QUANT.	AMT.	QUANT.	AMT.	
#29 Pointing	\$45.00	9501	4275.45			100%
CHANGE DOES / DOES NOT RESULT IN A CUM. CHANGE OF 20% TO ANY ITEM CONSTITUTING 5% OF THE ORIGINAL COM.	TOTALS					
	NET DECREASED INCREASED ESTIMATED COST \$ <u>4,275.45</u>					

Signed: *Ray Fisher* Title: Asst. Co Eng. Date: 11/10/93
 NOTIFICATION AND CONSENT TO THIS CHANGE IN PLANS IS HEREBY ACKNOWLEDGED.
 Contractor: Sam Over & Co. By: *Donald E. Hill* Date: 11/15/93
 Investigated and the following recommendations made: _____

BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

Richard Bonnis
 President
Victor Jones
 Vice-President
Ed Hard
 Member

ATTEST:
Sam Humphrey cm

NUMBER OF REGISTERED VOTERS IN
PROPOSED NEW PRECINCTS

WARD ONE

PCT. 1	720
3	701
11	781
12	791
15	781
22	767

KNIGHT TWP.

Pct. 1	633
2	534

WARD TWO

PCT. 5	760
10	798
12	784

WARD THREE

PCT. 1	689
2	612
3	772
4	789
7	719
13	740
15	733
16	778

WARD FOUR

PCT. 1	694
2	693
3	630
4	713
6	793
8	774
9	724
10	736

WARD FIVE

PCT. 9	729
--------	-----

WARD SIX

PCT. 2	566
3	648
5	774
8	790
13	757
14	796

REGISTERED VOTERS JUNE 1993

WARD ONE
 1. 642
 2. 476
 3. 491
 4. 663
 5. 643
 6. 814
 7. 670
 8. 924
 9. 702
 10. 734
 11. 633
 12. 307
 13. 652
 14. 625
 15. 551
 16. 714
 17. 838
 18. 560
 19. 638
 20. 969
 21. 706
 22. 741
 23. 682
 24. 429
15,804

WARD TWO
 1. 868
 2. 570
 3. 512
 4. 473
 5. 456
 6. 524
 7. 499
 8. 498
 9. 527
 10. 487
 11. 608
 12. 340
 13. 428
 14. 733
 15. 801
 16. 356
 17. 537
 18. 649
 19. 614
 20. 839
 21. 477
 22. 616
 23. 761
13,173

WARD THREE
 1. 463
 2. 498
 3. 545
 4. 578
 5. 486
 6. 560
 7. 506
 8. 426
 9. 519
 10. 303
 11. 665
 12. 704
 13. 495
 14. 532
 15. 578
 16. 536
 17. 528
 18. 464
 19. 408
 20. 435
 21. 465
 22. 226
 23. 493
 24. 864
 25. 377
12,654

WARD FOUR
 1. 444
 2. 448
 3. 486
 4. 406
 5. 424
 6. 509
 7. 403
 8. 532
 9. 625
 10. 468
 11. 533
 12. 453
 13. 109
 14. 306
 15. 746
 16. 760
 17. 619
 18. 522
 19. 445
 20. 627
 21. 833
 22. 496
 23. 633
 24. 499
 25. 559
 26. 549
13,434

WARD FIVE
 1. 48
 2. 72
 3. 77
 4. 52
 5. 59
 6. 71
 7. 48
 8. 64
 9. 43
 10. 45
 11. 55
 12. 58
 13. 60
 14. 45
 15. 29
 16. 62
 17. 76
 18. 50
 19. 99
 20. 67
 21. 50
 22. 66
 23. 49
13,511

WARD SIX
 1. 462
 2. 461
 3. 477
 4. 478
 5. 511
 6. 559
 7. 771
 8. 728
 9. 511
 10. 338
 11. 525
 12. 561
 13. 801
 14. 612
 15. 531
 16. 487
 17. 539
 18. 609
 19. 570
 20. 937
 21. 824
 22. 710
 23. 359
 24. 608
13,969

ARMSTRONG
 1. 995
CENTER
 1. 521
 2. 578
 3. 835
 4. 482
 5. 723
 6. 629
 7. 858
 8. 644
 9. 438
 10. 824
 11. 893
 12. 803
 13. 769
8,997

GERMAN
 1. 615
 2. 671
 3. 643
 4. 618
 5. 762
 6. 577
 7. 605
4,491

KNIGHT
 1. 1,167
 2. 1,986-612
1,742
PERRY
 1. 516
 2. 611
 3. 584
 4. 483
 5. 616
 6. 668
 7. 551
 8. 810
 9. 637
 10. 643
6,119

SCOTT
 1. 698
 2. 600
 3. 519
 4. 670
 5. 785
3,272

UNION
 1. 264

PIG OUT
 3. 1

CITY 82,587
 COUNTY 25,881
TOTAL 108,468

TO: INDIANA STATE ELECTION BOARD
IN. GOVERNMENT CENTER, SOUTH ROOM C032
302 W. WASHINGTON ST.
INDIANAPOLIS, IN. 46204

FROM: VANDERBURGH COUNTY COMMISSIONERS
1 N.W. M.L. KING, JR. BLVD.
EVANSVILLE, IN. 47708

ANSWER TO QUESTION # 9 ON SUMMARY STATEMENT for all proposed precinct changes.

Our County is proposing a reduction of our existing 184 precincts to 167 precincts. By combining or eliminating precincts, our county can reduce election costs such as: ballot set up charges, printing, precinct election board members pay and meals, polling place rentals, etc. Reducing the number of precincts will also ease the task of obtaining people to fill the precinct boards.

Our county may be purchasing new voting equipment in the near future and a reduction in precincts will mead a reduction in the cost of purchasing new voting equipment.

The precincts we are proposing a change in had few registered voters, thus by combining or eliminating, we will be closer to the 800 registered voter limit per precinct.

Thank you for your consideration,
Vanderburgh County Commissioners

Richard Borries, President

Patrick Tuley

Don Hunter

KEY TO WARD MAPS

BLACK PRECINCT LINES, PRECINCT NUMBERS AND STREET NAMES ARE OLD BOUNDARIES.

RED LINES, PRECINCT NUMBERS AND STREET NAMES ARE NEW PROPOSED BOUNDARIES.

SHADED AREAS ARE NEW PROPOSED PRECINCT DISTRICTS.

PROPOSED PRECINCT CHANGES

<u>PRESENT PRECINCTS</u>		<u>PROPOSED PRECINCTS</u>
WARD ONE	24	22
WARD TWO	23	21
WARD THREE	25	20
WARD FOUR	26	21
WARD FIVE	23	22
WARD SIX	24	21
ARMSTRONG	1	1
CENTER	13	13
GERMAN	7	7
KNIGHT	2	3
PERRY	10	10
SCOTT	5	5
UNION	1	1
<hr/>		
TOTAL	184	167

VANDERBURGH CO. IN. PRECINCT NAME CHANGES

WARD ONE PRECINCT NAME CHANGES

<u>WAS</u>	<u>IS</u>
16	15
17	16
18	17
19	18
20	19
21	20
22	21
23	22

REDUCED NUMBER OF PRECINCTS FROM 24 TO 22.

WARD TWO PRECINCT NAME CHANGES

<u>WAS</u>	<u>IS</u>
11	10
12	11
13 & 16	12
14	13
15	14
17	15
18	16
19	17
20	18
21	19
22	20
23	21

REDUCED PRECINCTS FROM 23 TO 21

WARD THREE PRECINCT NAME CHANGES

<u>WAS</u>	<u>IS</u>
1 & 22	1
4	3
5 & 10	4
6	5
7	6
8 (part) & 19	7
9	8
11	9
12	10
14	11
15	12
13 (part) & 16	13
17	14
18 & 13 (part)	15
20 & 3	16
21	17
23	18
24	19
25	20

REDUCED NUMBER OF PRECINCTS FROM 25 TO 20.

WARD FOUR PRECINCT NAME CHANGES

WAS IS

2 (part) & 1 1

3 2

4 (part) & 5 3

6 & 4 (part) 4

7 5

8 & 11 (part) 6

9 7

10 & 14 8

11 (part) & 12 9

13 & 20 10

15 11

16 12

17 13

18 14

19 15

21 16

22 17

23 18

24 19

25 20

26 21

REDUCED NUMBER OF PRECINCTS FROM 26 TO 21.

WARD FIVE PRECINCT NAME CHANGES

<u>WAS</u>	<u>IS</u>
16	15
17	16
18	17
19	18
20	19
21	20
22	21
23	22

REDUCED NUMBER OF PRECINCTS FROM 23 TO 22.

WARD SIX PRECINCT NAME CHANGES

<u>WAS</u>	<u>IS</u>
4	3
5	4
6 & 4 (part)	5
7	6
8	7
9 & 10	8
11	9
12	10
13	11
14	12
15 & 16 (part)	13
17 & 16 (part)	14
18	15
19	16
20	17
21	18
22	19
23	20
24	21

REDUCED NUMBER OF PRECINCTS FROM 24 TO 21.

KNIGHT TWP.

(DIVIDED K-1)
WAS

IS

1

1 & 2

2

3

ADDED ONE PRECINCT

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, NOVEMBER 5 1993 THRU THURSDAY, NOVEMBER 11, 1993

FRIDAY, NOVEMBER 5, 1993

Gradall and two crews ditched Cypress Dale.
Gradall and one crew ditched on Jobes Lane and built shoulder on Big Schaeffer.
Three patch crews worked on Old Boonville Hwy.
Two tree crews worked on Barton Road and Seven Hills Road.
Payloader and two crews prepared Woods alley for paving.
Tiger mower and one crew worked on Mid Mt. Vernon & Red Bank.

MONDAY, NOVEMBER 8, 1993

Gradall and one crew ditched on Cypress Dale.
Gradall and one crew replaced culvert at 3300 Allens Lane.
Paver, roller and six crews paved Woods alley.
Tiger mower and one crew worked on Mid Mt. Vernon & Red Bank.
Two patch crews worked on Orchard and West Mill Road.

TUESDAY, NOVEMBER 9, 1993

Gradall and one crew ditched Cypress Dale.
Gradall and one crew placed culvert at 14215 N. Green River.
Paver, roller and six crews paved Woods alley.
Tiger mower worked at Barton Road and Seven Hills.
One crew washed trucks.

WEDNESDAY, NOVEMBER 10, 1993

Gradall and one crew ditched Cypress Dale.
Gradall and one crew installed culvert at 4013 Korressel.
Paver, roller and six crews paved Woods Avenue.
Two patch crews worked on work orders.
Two crews graded roads in the bottoms.

THURSDAY, NOVEMBER 11, 1993

Gradall and one crew ditched at 6608 Marx Road.
Gradall and one crew ditched Cypress Dale.
Tiger mower and one crew worked on Volkman, Woodland Hills and Old Hwy 57.
Two tree crews worked on Lindauer Lane and 8600 Heinlein Road.
Two crews spread rock in the bottoms.
One crew cleaned trucks.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, NOVEMBER 5, 1993 THRU THURSDAY, NOVEMBER 11, 1993

FRIDAY, NOVEMBER 5, 1993

Crew #1 & #2 - jackhammer Lindauer Lane, haul rip rap.
Crew #3 - concrete Newberry Drive, paint guardrail on Broadway,
Boehne Camp and Owensville Road.

MONDAY, NOVEMBER 8, 1993

Crew #1 - finish drop box on Meadowbrook, Korressel and repair
wash out on Sensmier Road.d.
Crew #2 - install culvert at 3300 Allens Lane, pick up barricades
haul 1/2 load good dirt to Whispering Tree Lane, seed, haul
rip rap to Sensmier.
Crew #3 - dig out Orchard Road, Mill Road and Tupman for patch.

TUESDAY, NOVEMBER 9, 1993

Crew #1 - install culvert at 14215 N. Green River, blow out pipe
on Evergreen.
Crew #2 - rip rap at Roth and Cypress Dale, rip rap at Bridge
on Bromm Road, load up old pipe in yard,
Crew #3 - work on Orchard Road Bridge.

WEDNESDAY, NOVEMBER 10, 1993

Crew #1 - install culvert on Korressel, finish drop box on
Korressel.
Crew #2 - install guardrail on Bromm Road, rip rap, haul metal,
haul guardrail from Delaware St. Overpass.
Crew #3 - clean off Stringtown bridge, check wash out under
sidewalk.

THURSDAY, NOVEMBER 11, 1993

Crew #1 - finish Korressel, Meadowbrook drop box, seed, straw,
rip rap culvert on N. Green River, #3 School Road culvert.
Crew #2 - unload guardrail, haul rip rap, haul small load of
good dirt to Orchard Road.
Crew #3 - remove vines and brush from Maryland St. Bridge, pick
up guardrail off Heinlein.

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME CONCRETE PAVERS, INC.
2650 N. Cullen Ave./Evansville, IN # 3899

On Account of Appropriation for 203-4396 VOGEL BRIDGE & APPROACHES OVER STOCKFLETH DITCH #VC 93-07-01

Invoice No.	Itemized Claim	Amount	
002	SEE ATTACHED SCHEDULE	56,471	90

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

CONCRETE PAVERS, INC.
Name
BY: Sandra L. Miller
Sandra L. Miller Vice-President

Date 11-10-, 19 93

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

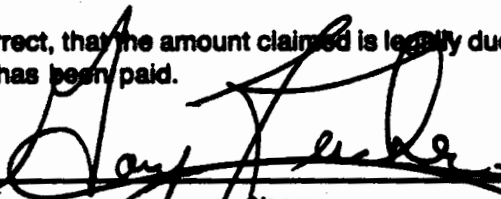
VENDOR NAME GARY U. KERCHER # 1100475

On Account of Appropriation for 203-4342 DAMSTADT RD. BR#214

Invoice No.	Itemized Claim	Amount	
<u>#1</u>	<u>REIMBURSEMENT FOR</u>		
	<u>US CELLULAR BILL</u>	<u>17</u>	<u>22</u>
	<u>USED FOR DAMSTADT RD. BR#214</u>		
	<u>MOBILE 453-0662</u>		
		<u>17</u>	<u>22</u>

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.


Name
Assistant County Engineer
Title

Date 11/10, 1993

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

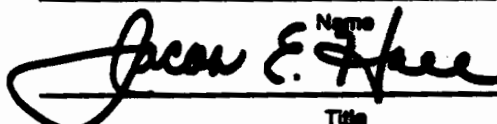
VANDERBURGH COUNTY, INDIANA

VENDOR NAME United Consulting Engineers, Inc. # 12621625 N Post Road Indpls., IN 46219-1995On Account of Appropriation for 216-4910 Greene River Rd.

Invoice No.	Itemized Claim	Amount
	For Construction Engineering Services on	
	Project Greene River Road Reconstruction	
	Section "A" INDOT Contract R-19511, County	
	Project MAM-ME-34096) in accordance with	
	our Agreement dated January 20, 1992 and	
	your Notice to Proceed letter dated Feb.	
	20, 1992.	
	For the Period from 8-21-93 thru 9-17-93	
	TOTAL AMOUNT DUE THIS INVOICE #18	15683 69
	CHECK MAILED 10/22/93	15617 69
	ADD'L INV. #18A DIFFERENCE - REVISED CLAIM AMT.	66 00

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

United Consulting Engineers, Inc.

Title

Jacob E. Hall, President

Date 10/20/93, 19

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME United Consulting Engineers, Inc. # 12621625 N. Post Road, Indpls. IN 46219-1995On Account of Appropriation for 203-4353 COL-DEL BRIC

Invoice No.	Itemized Claim	Amount	
	For Construction Engineering Services on		
	Project STP-BHZ-E140(001). Bridge No. 1-C		
	in accordance with Appendix "D" of our		
	Agreement dated February 18, 1992 and your		
	Notice to Proceed letter dated September		
	18, 1992.		
	STP-E140(001)——71.76% = 11,023.68		
	BHZ-E140(001)——28.24% = 4,338.19		
	TOTAL AMOUNT DUE THIS INVOICE #12	15,361	87

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

United Consulting Engineers, Inc.

Jacob E. Hall Name
Jacob E. Hall, President Title

Date October 27, 19 93

**MINUTES
COUNTY COMMISSIONERS MEETING
NOVEMBER 22, 1993**

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MINUTES
COUNTY COMMISSIONERS MEETING
NOVEMBER 22, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, November 22, 1993 in the Commissioners Hearing Room, with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Supt. of County Buildings Mark Abell, Attorney Alan Kissinger, Commissioner Tuley, himself, Commissioner Hunter, County Auditor Sam Humphrey and Joanne Matthews, the Official Recording Secretary.) He subsequently asked the group to stand for the Pledge of Allegiance.

Commissioner Borries asked if there are any individual/groups present who wish to address the Commission but do not find their particular item of interest on this evening's agenda. There were none.

RE: BURDETTE PARK - REQUEST TO DECLARE EMERGENCY WITH REGARD TO POOL REPAIRS & GO ON COUNCIL CALL

President Borries said Mr. Mark Tuley, Manager of Burdette Park, is here this evening with members of the Burdette Park Advisory Board (Messrs. Jerry Riney and Marion Deig) and there are some time conflicts involved. Therefore, he would like to deviate from the printed agenda and take this matter first.

Mr. Tuley said the Commissioners have a letter from the Advisory Board before them. They are asking the Commissioners to allow them to be placed on the County Council agenda for January. They do have a last minute change in the amount of money to be requested for plumbing repairs. The letter indicates \$90,000, but they are requesting \$100,000. Mr. Jerry Riney is president of the Board and Mr. Marion Deig has provided a lot of assistance in this matter. At the end of the summer when the pool was running the last couple of days, they had quite a bit of water that had surfaced up around the pump house. Water that is coming above the ground and running down into the parking lot. They weren't sure at that time exactly what it was. In the process of shutting down the pool and doing a lot of work, they had a plumber who does a lot of work for them assist them. They have drain lines underneath the swimming pool which are roughly 32 years old which have ruptured somewhere along the line. Marion, with his construction engineering background, has tried to educate him on this. Any questions the Board has, he is sure Marion will be glad to answer same. The problem is that the pipe is basically an iron pipe, which the standard life is 20 years to 30 years. Obviously, since they've been in the ground for 32 years we've done quite well with them. They have, however, basically outlived their life. They brought blueprints tonight which they'd like to share with the Commissioners to perhaps help them understand what we need to do. The reason the figure changed from \$90,000 to \$100,000 is that in doing further research they had David Austill (who has taken care of those swimming pools for years out at the park) was showing Mr. Tuley the tanks and the pipes that go above the ground (into the pump motors and then return to the filters) -- all that needs to be added into the project. They have basically the same life. They are rotted and need to be replaced. These are not the filters (they were replaced a few years ago -- but they are all part of the filtering system).

Mr. Tuley and Mr. Deig then proceeded to share the blueprints and discuss same with the Commissioners. They know they have a break

in a designated area; earlier in the year they had to replace some crush relief valves in designated spot in the family pool. This controls the water pressure in the pool. They can open that up and take the pressure off the concrete. In doing that, they found a small break then, but they weren't sure what it was. To make a long story short, the plumber thinks they have a break in two designated areas.

Mr. Deig interjected that there are eight inch and ten inch lines going out of these pump stations. They are 32 years old. There are leaks out here on top of the ground into the pump station floor. They have to be replaced from these two pumps all the way. They put a test on designated area and there is a leak, so they know there is a leak in the bottom of the pool. You will have to remove up the entire deck to replace the main lines in designated area. If these blueprints are right, you will be taking up 1/3 of the wide portion of the deck in designated area. To make a long story short, Mr. Deig said if the water department has a leak on a road -- and you know in about a month's time the road decays. As Mr. Tuley said, these pipes are 32 years old. You're fooling with chlorine here and if you have a leak in these lines, the chlorine will eat the concrete out in the bottom of that pool -- and then you're going to really have a big problem. And, this time of year -- you only have another month and this year is over with. This is going to take about 2-1/2 months construction and everybody knows what January, February and March bring -- rainy weather.

Commissioner Tuley said he and Mark discussed this earlier. We're trying to use the worst scenario in terms of cost, correct? At least getting enough money to be sure we don't have any surprises. Basically, the estimate on this \$100,000 is if we go in and replace every piece of this. Once we get in there and find out we don't have to -- is that right? Is that a possibility?

Mr. Deig responded, "No, Sir. The \$100,000 is the price of replacing it all. If you fix a leak in here and open your pool and then it breaks somewhere else -- then you've defeated your purpose and Burdette Park is closed."

Mr. Riney remarked, "You're better off to do it all now and get it over with."

Mr. Deig continued, "These lines have got to be replaced. The plumber knows this. Mark knows this. We're talking about the lines under the pool. If you have trouble with lines in designated area, you can stay open and fix these little lines. But we're talking about replacing the two main lines that have been there for 32 years. That is cast iron pipe. What they want to replace them with is PVC. An engineer from Terre Haute advised that this be installed. They do not recommend cast iron pipe, because chlorine will eat the inside of a cast iron pipe -- but it will not eat the inside of plastic pipe."

In response to query from Commissioner Tuley as to the estimated life of the plastic pipe -- the response from the Burdette Park group was "basically forever".

Mr. Tuley noted that to show how things have changed, when they built this pool in 1961, the whole complex (bath house, pools and everything) was \$1/4 million. Now, just to come in and replace the pipes is \$100,000. But, hopefully, this will make you feel like you have a good investment. A gentleman from Recreonics was at the Park this past summer and said if you'd build a complex like that today you'd be looking at \$3 million.

Mr. Deig explained you'd not be tearing up the entire deck in a designated area -- just enough to get the two main lines in. The main deck will not be disturbed at all. In response to query from Commissioner Tuley, Mr. Deig said he's talking about the concrete

deck between the shower houses and the edge of the pool. Whoever gets this job may have to drive piling in there -- because if this has been leaking, the ground is saturated.

Mr. Hunter asked if Mark Tuley earlier mentioned replacing filtration tanks.

Mr. Tuley said they replaced the filters a few years ago. What he is talking about -- right there by the pumps where the soda ash feeds into the system, there are basically cylinders that have been sitting on that concrete and those need to be replaced.

Mr. Riney interjected, "In other words -- do the whole thing right, rather than take a band-aid approach. All the Board Members recommended that Mark Tuley request this. They feel it is necessary and the project should be started as soon as possible. A couple of Council Members have been out to the park and they agree."

Mr. Hunter said he doesn't see that we have any choice.

Mr. Borries said not only that, it has to do with the entire quality of the park. You may as well not have a swimming pool if you can't get this done. He then entertained a motion to declare an emergency and begin to request money from Council. He asked if they can develop some specs on this rather quickly.

Mark Tuley said they will begin to work with Purchasing right away and, hopefully, with Marion's assistance. Also, they do not have any money in their planning account, but they need an engineer.

The Commissioners requested County Engineer John Stoll to lend his assistance.

Mark Tuley said his next question is, if they go to Council in January and that is approved, do they have to wait thirty (30) days or so for State approval, then award a contract -- that puts them back to the point where they will have the facility ready. Is there anything they can do this?

Commissioner Tuley addressed Deputy Auditor Cindy Mayo asking, "Cindy, correct me if I'm wrong, but in the past -- if the money is there -- can't we normally get a verbal commitment a week afterwards from the State?"

Mrs. Mayo responded, "Yes. Once it is mailed off to the State and they have it in their possession, then Sam can call them and get verbal approval."

Mr. Tuley said that should speed up the process. We won't have to wait 30 days to get State approval. So we can start the bidding procedure in January.

Motion was made by Commissioner Hunter that an emergency be declared for the repairs on the pool at Burdette Park and that Mr. Tuley be permitted to appear on the January County Council agenda to go on call in the amount of \$100,000. Seconded by Commissioner Tuley. So ordered.

RE: APPROVAL OF MINUTES

President Borries entertained a motion to approve three sets of Commission Minutes: October 25, November 1 and November 8.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: PURCHASING DEPARTMENT - DARYN BURGDORF

Authorization to Open Bids for Post Frame Building for Sheriff's Department (VC9313): At the request of Mr. Burgdorf, a motion was entertained to authorize the County Attorney to open the subject bids. Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Awarding of Bids for Guard Rails, End Posts, etc.: Mr. Burgdorf said these bids have been reviewed by Mr. John Stoll and himself. Their recommendation is to award all plastic items to P.V.C. and all other items to M&W Concrete Company. The prices are attached to the memo in the Commissioners' packets. (Copies of same attached hereto to the minutes.) These are the only two companies that usually bid on these items. Their prices were in line with last year's bids.

Motion to award the bids for the aforementioned, as recommended, was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

VC9316/Full Size 3/4 Ton Pickup/: Mr. Burgdorf noted that this item is shown on the agenda as being for the County Highway Department. It is not for the County Highway, it is for Cumulative Bridge. The specs were drawn up by Mr. Morpew and himself and Mr. Morpew has reviewed and approved same. With the Board's approval, he would like to advertise for the bids on Friday, November 26th, and Friday, December 3rd, with bid opening set for Monday, December 13th.

Motion to so approve was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

VC9318/Printing of Tax Bills: Mr. Burgdorf said that, for some reason, this was overlooked because of his lack of knowledge this was coming up -- so this is a little late getting started, but he thinks we will be able to get this in on time. The specifications are the same as last year. These tax bills are for 1994. He would like to advertise for these on Wednesday, November 24th, and on Wednesday, December 1st, with bid opening set for Monday, December 13th.

Motion to so approve was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

VC9319/Two Full Size 3/4 Ton Pickup Trucks for the County Highway Dept.: Mr. Burgdorf said he and Bill Morpew also developed these specifications. They are similar to the ones put out for the vehicle for the County Health Department, which they had spec approval for not too many weeks ago. He would like to advertise on Friday, November 26th, and Friday, December 3rd, with the bid opening on Monday, December 13th.

Motion to so approve was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

VC9320/Four Wheel Drive Vehicle for County Highway Dept.: Mr. Burgdorf noted that although tonight's agenda says this a Four ~~Week~~ Drive, it is a Four ~~Wheel~~ Drive vehicle.

Mr. Borries said there may be some subliminal suggestion here and a there may be a little truth to that -- sometimes it does take four weeks to get anything done. He and Bill also developed these specifications and Mr. Morpew has approved these. He'd like to advertise on Friday, November 26th, and Friday, December 3rd, with the bid opening on Monday, December 13th.

Motion to this effect made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: ORDINANCE TO AMEND TITLE 3 OF THE CODE OF ORDINANCES
FINAL READING

President Borries noted this Ordinance regards the re-establishment of the Parks & Recreation Advisory Committee. The Ordinance was heard and approved on Second Reading last week and tonight is the Final Reading. This basically puts the Advisory Committee in existence without any sunset provision to that extent. Previously it was a year to year to year situation. Really, as long as there is going to be this kind of committee going, the members may change -- but the committee, itself, may be there for quite some time. Mr. Borries asked if there is any discussion. If not, he would entertain a motion.

Motion to approve the Ordinance on Final Reading was made by Commissioner Hunter, with a second from Commissioner Tuley. President Borries then asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. So ordered.

RE: ORDINANCE TO AMEND CHAPTER 72, SCHEDULE II OF THE CODE
OF ORDINANCES - SECOND READING

Following brief discussion, Ms. Matthews said she believes this matter needs to be deferred due to advertising requirements. Matter deferred.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Reading of Bids re Post Frame Building for Sheriff's Department:
Attorney Kissinger reported bids were received, as follows:

- | | |
|--|----------|
| 1) Deig Bros. Lumber & Construction | \$27,715 |
| 2) Hobgood Contractors, Inc. | \$16,566 |
| 3) Cissel Construction/DBA as Crafty, Inc. | \$15,800 |

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, these bids will be taken under advisement for one week.

Attorney Kissinger said he has nothing further to report at this time.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

United Way Campaign: Mr. Mark Abell reported the County increased their participation amount by 66% over last year, which brought us up from roughly \$5,400 to a little over \$9,000. So it appears this campaign was successful. Maybe we can do even better next year.

Mr. Borries said that is great and he certainly wants to commend Mr. Abell. Again, sometimes when we all too often overlook things like this -- that's a pretty dramatic increase. Hopefully, people have seen that there are a lot of people out there with needs and the United Way is a good way to meet those.

Mr. Abell said they will be holding the drawing for the prize -- three days off.

RE: COUNTY HIGHWAY GARAGE - BILL MORPHEW

Weekly Progress Report: It was noted that Mr. Morpew has submitted his Weekly Progress Report for period of November 12 thru November 18.....report received and filed.

Flooding Problems: Mr. Borries asked if there were any flooding problems as a result of last week's rains?

Mr. Morpew replied, "Yes. We had barricades on Owensville, Rd.,

Old Princeton Rd., Woods Rd. -- all in the northern part of the county.

The intersection of Wallenmeyer and Nisbet Station Rd. floods. The ditches come out of their banks. It's actually a low area out there and there are actually quite a few tributaries that need to be cleaned out. When the water went down they had to go out and scrape the mud and debris off the roads.

Mr. Borries entertained questions of Mr. Morpew. There were none.

Request for Medical Leave: Mr. Morpew said he has a gentleman at the County Highway for whom he needs to request medical leave for the month of December. He has accumulated sick days and vacation days he has saved. He underwent heart surgery approximately 60 days ago. He is currently in rehab now. He will finish that up the third week of December, just before Christmas. But he has enough days accumulated to cover through December 2nd. There will be a couple of weeks he doesn't have enough accumulated time to cover. Therefore, he is requesting a medical leave of absence for that period of time -- until he is released from the doctor's care and able to return to work.

Commissioner asked Deputy Auditor Mayo if the Board needs to make sure that the County maintains the insurance as long as the employee pays his share?

Mrs. Mayo said the Commissioners just need to say that the Commissioners are willing to pay the County portion and then he will have to pay his employee's share.

Mr. Tuleys said he just wants to make sure -- because if he doesn't get back before the end of December and he hasn't made that arrangement.

Mr. Morpew said he believes the way the insurance policy reads -- if you are into that part of the month...

Mrs. Mayo said the insurance is paid the last of the month. That is the reason the Board just needs to state for the record that they are willing to pay the County's share.

Mr. Tuley said if he is not back by the end of December, as long as he pays his share, we will pay the County share -- and he will be covered through the end of January.

Mrs. Mayo said it would be a rare circumstance if the Commissioners turned this request down.

Commissioner Tuley moved that as long as the employee pays his share at the end of December if he is still not back at work, then the County will continue to pay its share. Seconded by Commissioner Hunter. So ordered.

Mrs. Mayo advised Mr. Morpew that he does need to submit a pink slip to payroll, indicating the employee is going to be on medical leave.

Mr. Morpew said he will do that. His last day is December 2nd that he has time covered for and he should be back at work by December 18th.

Mrs. Mayo said the insurance is fine.

Mr. Morpew said if there is a problem after that and he has to go back into the hospital, he would again come before the Board.

RE: COUNTY ENGINEER - JOHN STOLL

Title Sheet/Bridge Plans for Franklin Street Bridge Replacement:
Mr. Stoll said he needs the signatures of the Commissioners so they can finalize the set of plans and get ready to go on a letting.

Mr. Borries asked if it looks like we will be able to move forward on this?

Mr. Stoll said there is still a question of funding, which they've been trying to get resolved with INDOT. Their policy is they don't allow the bridge funds to be used within the urbanized area. Since that lies within the urbanized area, we can't use those funds. Lynch Rd. used up the substantial portion of the remainder of our funding -- so it's still not clear as to how we will get the Franklin Street Bridge funded. It's supposed to be 80%-20%. The total cost will be about \$2.1 or \$2.2 million.

Mr. Borries asked, "We did use some on Columbia, didn't we?"

Mr. Stoll responded that is correct, but if he understands it correctly -- that was off the last highway bill. If he understands it right, since they changed that policy with bridge funds, we can use our M.A. or STP funds -- that's the way they set that up. They're saying that gives us added flexibility in our projects. But whenever we have some large dollar projects like Lynch Rd. or Eickhoff-Koressel, then that eats up all of our other funding sources and then we need the bridge funds.

Commissioner Hunter said this one is critical and Mr. Borries agreed we have to get this one done. Columbia-Delaware is certainly going to be used and it looks like a nice project. He really likes the railing. But this project is even more critical, because it is closer to the Lloyd Expressway and we have to get this done before that....

Mr. Stoll interrupted, "Lloyd is still scheduled for a 1995 letting as far as I know, so it is important we get this thing done. It could be 1996 -- but I haven't seen a time table as of yet. They say there is about a million dollars left from money we didn't use on Lynch Rd. because it came in substantially under the engineer's estimate -- and we could use that on the Franklin Street Bridge. But then it would be up to us to come up with all local funding for the rest of it, unless INDOT allows us to get another source of funding. So that means we'd have to come up with \$1.2 million in local funds, which would pretty much wipe out a substantial portion of the cumulative bridge budget for next year."

Mr. Hunter asked if INDOT isn't coming down here for a meeting sometime in the very, very near future.

Ms. Matthews stated they will be down here on December 9th for a public hearing re Eickhoff-Koressel project.

Mr. Stoll said they will also be down to discuss their projects on December 16th, but he hasn't seen a time yet.

Mr. Hunter asked if we couldn't get in touch with those people and talk to them.

Commissioner Tuley said he and John Stoll went up last week to talk to them just about this project and seeking their help. Basically, he thinks the State is willing to work with us. But the way they explain it to them and the way they explained it to Messrs. Tuley and Stoll, we do not want a problem with the MPO's because of the priority of these other bridge projects.

Mr. Stoll said he did find out that the prioritization does not have to be changed for the bridge projects, so we are okay there.

But they were also concerned that if they let us use the funds, then every other county would want to use the bridge funds on their urban area if they allowed us to do it. So they didn't want to establish that precedent either.

Mr. Tuley said the way they explained it to them the day they were up there, the day before there was a Mayor of some city who asked them for \$8 million to \$10 million. Mr. Tuley told them we were only asking for about 10% of that. They are well aware of the Lloyd Expressway bridge problem and the fact of what it is going to do to traffic, even though they are going to keep part of it open. And he believes Mr. P'Poole and others up there are aware of and sensitive to our problems. But like everybody else, they've got limited funds and continually beating on their door and reminding them of the problems -- we need to continue to do that.

Commissioner Borries asked if Ohio Street is going to move forward in the same configuration time wise?

Mr. Stoll said this one is ahead of the Ohio Street project insofar as the Federal Aid process goes. There should be a hearing scheduled sometime soon for Ohio Street. Revisions from the Field Check have been made to the plans and they have been submitted back to INDOT and an opportunity to request a public hearing should be advertised some time soon. The process of trying to coordinate the permits with the railroad is still ongoing. So it is not as far along as this.

Mr. Borries asked if it is reasonable to assume we can get them both done by the time construction begins on Division?

Mr. Stoll said funding will still be a big issue.

Commissioner Tuley said that is the only real problem we have on Franklin Street -- the funding; because the plans are done and they are up at the State for approval now.

Mr. Stoll said that is correct. They said it could be on a letting in February.

Mr. Tuley reiterated that if the funding is there this project can go.

Mr. Stoll said we will run into the same obstacles with Ohio Street -- but with the other urbanized area projects we have, such as the paving of Lynch Rd. in a couple of years -- with all that in competition, all of those projects competing for the same funds, we will once again run into the same problem.

Commissioner Borries commented, "Magic. We can fund all these things through magic. That is what the Indiana Legislature thinks about all of this -- we can fund these things through magic. We get Federal increases of 4.3 cents on the gasoline tax and how much do we get locally? Not a red cent. I think we've got to get this done and unless you guys have some magic, we need to move forward here somewhere."

Mr. Tuley said he thinks we need to stay on the State and get what we can through them. He thinks it is encouraging that there is some money left over from Lynch Rd.

Mr. Borries said that will be a big help.

Mr. Stoll commented that they are supposed to be sending him a letter sometime that states the exact amount of the balance left from Lynch Rd. Hopefully, he will get this soon and at least know what we currently have available.

Mr. Borries said what the Commissioners are doing today is signing the Milar -- approving the specs -- to keep the process going.

Mr. Stoll said that is correct -- so we can get it to the State and ready to go for a letting.

Mr. Borries entertained a motion.

Motion to approve the plans for the Franklin Street Bridge (Project BHZE290) was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Notice to Bidders/Volkman Rd. Bridge Replacement: Mr. Stoll said he needs signatures on the subject notice so it can be advertised, with bid opening scheduled December 13th.

Motion to approve and sign the notice was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Street & Storm Sewer Acceptance/Brookview Heights/Section VII: Mr. Stoll submitted documents for street and storm sewer acceptance of this subdivision (copies attached hereto) and recommended approval, saying these were constructed in accordance with the plans.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Construction Bonds/Virginia Street & Vogel Rd. Projects: Mr. Stoll said he has these bonds. He didn't realize the Commissioners needed to sign these. These are just the bonds the contractors post to say they will build these projects for the amounts in the amount of the bids.

Mr. Borries asked if Vogel Rd. is pretty well complete.

Mr. Stoll said it should be completed in two weeks. They are primarily waiting on a couple of concrete tests to make sure it has achieved its proper strength. They should just be starting on Virginia Street, so it will be a while.

Mr. Stoll submitted the Contractor's Bond for the Vogel Rd. project in the amount of \$103,715.00.

Motion to approve the bond was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Mr. Stoll submitted the Contractor's Bond for Virginia Street in the amount of \$56,471.45.

Motion to approve the subject bond was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: COUNTY HEALTH DEPARTMENT/REQUEST TO GO ON COUNCIL CALL
RE TRANSFER OF FUNDS

Commissioner Borries said the Health Department has requested permission to go on Council Call to request Transfer of Funds. He then recognized Ms. Peggy Groves (Finance Officer for the Health Department), who was present in behalf of Mr. Sam Elder. Ms. Groves said she is just here should the Commissioners have questions. There were none and a motion was entertained.

Motion to approve the request to go on Council Call was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: CONSENT AGENDA

President Borries said there are primarily three items on the Consent Agenda: Travel/Education Requests, Employment Changes and Claims.

Commissioner Tuley said he notes the County Assessor has five (5) people going to Indianapolis which, according to the guidelines of the Board of Accounts is possible. But when we get this request -- mileage is requested. How many vehicles are we talking about? Are they going in one vehicle, three vehicles. He doesn't want to be picking on the County Assessor. But he thinks it would be nice if the Board had a feel for how many vehicles. They are well within the guidelines to take that many people.

Mr. Borries said mileage is allowable only if the claimant drives.

Mr. Tuley said correct -- and the Board can go ahead and vote for approval. But he would like for someone to say there will be one vehicle, two vehicles or what going.

Mr. Hunter said it would make it a lot easier if the Board knew up front.

Mr. Tuley said that is what he is saying. If the Board gives blanket approval and then five people drive up there, what happens? That's a lot of money.

President Borries said Messrs. Tuley and Hunter are absolutely right.

Commissioner Tuley said he would move for approval, pending written notification as to how many vehicles are going. He said he is not trying to give them a hard time. He would just like to know up front that the Board will not get four claims for mileage at 28 cents per mile for 400 miles.

Motion seconded by Commissioner Hunter. So ordered.

With regard to discussion last week concerning travel request from the County Assessor, Mr. Tuley said he has verification that only Mr. Angermeier traveled. Ms. Lannert was able to get the information she needed without making the trip. Again, he doesn't think Mr. Angermeier abuses this -- it's just that we're short on travel funds every year anyway.

RE: OLD BUSINESS

Election Equipment Committee: Mr. Tuley said the Committee did, in fact, meet for about an hour last Friday. Everyone was present with the exception of Les Shively, who was out of town on vacation. Wayne Trockman was elected to chair the Committee and is drafting some RFP's and what have you to bring back to the Committee for their next meeting during the first week of December. The Committee will be moving rather quickly on this. He will keep the Board advised as to what the group is doing each time they meet.

Overtime Claims/Election: Ms. Mayo asked if anything has been resolved with regard to the Overtime Claims re the Election.

Commissioner Tuley said Auditor Sam Humphrey is doing some checking on this, so the matter will not be resolved this week.

Ms. Mayo said Karen Joest asks her every week.

Commissioners Borries and Hunter commented, "We hope by next week."

RE: NEW BUSINESS

Acceptance of Deeds/Surplus Properties: Ms. Matthews said she has Deeds to the County for 136 Parcels given to her by Daviette Redmond in the Auditor's Office -- to be accepted by the Board, and authorization to forward same to the County Assessor for appraisal, prior to bringing back to the Board for review and advertising for the Auction of Surplus property to be held in the spring.

Commissioner Tuley said it is his recommendation at this time that said Deeds be handed to someone (he says someone, because he is not sure who) for checking before they are accepted -- to verify that none of these has any kind of environmental hazard before the Board accepts all of them. The law has changed. The County does not have to accept properties. We need to figure out who is going to do this. He doesn't know whether it should be Mark Abell or whom. He'd hate like heck to accept these and then find out we have a million dollar clean-up to do on one because it is an old gas station.

Ms. Matthews noted these are deeds which had already been recorded prior to being passed along to her. So perhaps the Commissioners would like to defer this.

Mr. Tuley said he knows that counties no longer have to automatically accept them -- because of the very reason he outlined.

Commissioner Borries advised Attorney Kissinger these are deeds to properties given to Ms. Matthews. Someone keeps passing these down the road. The deal on these is, as pointed out by Mr. Tuley, that we may not have to accept these before they are reviewed.

Attorney Kissinger said that is his understanding, although he has not yet seen this bit of recent legislation. It has something to do with the Indiana Responsible Property Transfer Act. We may be responsible for any environmental clean-up or whatever and we have a right to inspect the properties and review same before we accept them.

Deputy Auditor Mayo asked if these aren't Certificates -- not Deeds.

Ms. Matthews stated these are Deeds -- Recorded Deeds -- which were given to her, not Certificates.

Mr. Abell asked if these properties just need to be investigated then for possible environmental problems, etc.

Mr. Tuley said although the deeds have been recorded, the Board has not officially accepted them?

Attorney Kissinger said that is correct. By operation of law they becomes ours, but as far as accepting them, there is new legislation in reference to accepting them for ownership, maintenance, etc. And, yes, it is his understanding we do have some authority there to accept or reject or make certain demands in reference to the properties before we accept them. He doesn't know where it goes from there -- but he does intend to find out. He will have something to report on that next week.

Commissioner Borries said the Board has referred these properties to Mr. Abell for review and also to the County Attorney to research the new legislation. No action will be taken at this time.

Executive Sessions: Motion made by Commissioner Tuley to schedule Executive Sessions for Monday, December 6, Monday, December 20, and Tuesday, December 28th at 4:30 p.m. in Room 307 for purposes of discussing Pending Litigation and Personnel Matters.

Seconded by Commissioner Hunter. So ordered.

RE: SCHEDULED MEETINGS

President Borries directed the group's attention to the calendar of Scheduled Meetings.

Ms. Matthews noted that while Mr. Stoll had indicated the State would send letters concerning the public hearing to be held on December 9th in the Administration Building at USI re the Eickhoff-Koressel project, the Commissioners may want to add this to the list of scheduled meetings.

Mr. Borries said he believes the Commissioners did mention this previously, but Ms. Matthews is correct -- for the record he does again need to note there will be a public hearing re the Eickhoff-Koressel Rd. project held in the Administration Building at USI on December 9th and the those individuals who could be affected by the route are encouraged to attend and this should be placed on the scheduled meeting calendar.

Commissioner Borries also noted there is some kind of a Five County Group meeting on December 7th. He doesn't know whether he is to be a moderator or what.

Mr. Hunter asked if this wasn't where they were having the engineers come in and this is a sounding board on plans? He has to teach that night, but perhaps he could be here for thirty minutes or so.

Mr. Tuley said he will probably be in Indianapolis that night at an Annual Commissioners' Conference. He was surprised the A.I.C. would plan a Five County meeting at the same time the Commissioners were meeting in Indianapolis for their Annual Conference.

Mr. Hunter said those were his thoughts also.

Commissioner Borries said he will be here on December 7th. He believes it is at 5:30 p.m. But these meetings need to also be noted on the scheduled meetings calendar.

There being no further business to come before the Board, President Borries declared the meeting adjourned at 7:10 p.m., and announced that the Drainage Board will convene immediately following a five minute recess.

PRESENT:

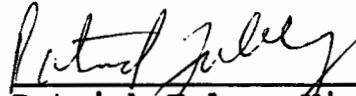
Richard J. Borries
Patrick Tuley
Don Hunter
Sam Humphrey/County Auditor
Alan M. Kissinger/County Attorney
Mark Abell/Supt., County Bldgs.
John Stoll/County Engineer
Bill Morphey/Supt., County Highway
Daryn Burgdorf/Purchasing Department
Mark Tuley/Manager, Burdette Park
Jerry Riney/Parks Advisory Board
Marion Deig/Parks Advisory Board
Sandi Deig
Peggy Groves/Health Department
Eric Williams/Deputy Sheriff
Others (Unidentified)
News Media

COMMISSION MEETING
NOVEMBER 22, 1993

13

SECRETARY: Joanne A. Matthews

Richard J. Borries, President



Patrick Tuley, Vice President



Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

November 22, 1993

5:30 P.M.

FINAL

1. CALL TO ORDER — 5:59 p.m.

2. INTRODUCTIONS

3. PLEDGE OF ALLEGIANCE

4. ACTION ITEMS

A. Approval of Minutes for 10/25/93 and 11/8/93 ✓

B. Any group/individual wishing to address the commission ✓

C. Daryn Burgdorf/Purchasing

(1) Open Bids: Post Frame Building for Sheriff Department

(2) Award Bid: VC 9402/Guard Rails, End Sections, Etc.

(3) Approve Specs:

A) VC 9316/Full Size 3/4 Ton Pickup for ~~County Hwy~~ *County Bridge*

B) VC 9318/Printing of Tax Bills for Vanderburgh Co.

C) VC 9319/Two Full Size 3/4 Ton Pickups for County Hwy

D) VC 9320/Four Week Drive Vehicle for County Hwy
when?

off D. Ordinance to Amend Title 3 of the Code of Ordinances
re: Re-establish the Parks and Recreation Advisory Committee
*Final Reading

E. Ordinance to Amend Chapter 72 Schedule II, of the Code of
Ordinances/*Second Reading *Deferred*.

5. DEPARTMENT HEADS

✓ Alan Kissinger ----- County Attorney
✓ Mark Abell ----- Superintendent of County Buildings
✓ Bill Morphew ----- County Garage
✓ John Stoll ----- County Engineer (See attached requests)
✓ Mark Tuley ----- Burdette Park (Council Call) - DH/PT
✓ Sam Elder ----- Health (Council Call) - DH/PT

6. CONSENT ITEMS

A. Travel/Education Requests:

Health (5) County Assessor (2)
* County Assessor (5) * Knight Township Assessor (3)
* These requests for travel are for 1994 Seminars

B. Employment Changes:
* see attached

C. Claims for payment:

- (1) Given & Spindler.....4,110.15
*management fee for November 1993
- (2) Environmental Consulting and Engineer.....18,269.86

7. Scheduled Meetings - List attached

8. OLD BUSINESS —

9. NEW BUSINESS — Co. Draw 136 Pages, 26" — Disposed.

10. MEETING ADJOURNED — Exec. Session - 12/6, 12/20 + 12/27

DRAINAGE BOARD IMMEDIATELY FOLLOWING

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department **CENTER ASSESSOR**

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
249011101110	ALVIN E. STUCKI	6640 STUCKI DR	ASSESSOR	2554	00	11-15-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
249011101110	ALVIN E. STUCKI	6640 STUCKI DR	ASSESSOR	2554	00	11-29-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Alvin E. Stucki

DATE **11-18-93**

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department **CIRCUIT COURT**

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1990	MARGARET E. TRAPP		TYPIST	4.75	HR	11-8-93
136-1980	REGINA R. JOHNSON			OTHER		11-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1990	KRISTIE YODER		TYPIST	4.75	HR	10-23-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Priscilla
JUDGE, CIRCUIT COURT

DATE **11/16/93**

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department SCOTT TOWNSHIP ASSESSOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249-116-1110	Bob F. Harris	1730 Montview Dr.	Assessor	\$709.00	11-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE 11-1-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department PIGEON TOWNSHIP ASSESSOR - (REASSESSMENT)

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490- 1150-1990	Matthew Coomer	2033 Frisse Ave.	Part Time	Hourly 7.00	11/16/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE 11/18/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.01362 1990	PATRICIA RHOADES		PART-TIME CORRECTION OFFICER	7.00	HR 10-31-93
505.01362 1990	CEDRIC REED		PART-TIME CORRECTION OFFICER	7.00	HR 10-31-93
505.01362 1990	KIM LAIB		PART-TIME CORRECTION OFFICER	7.00	HR 10-31-93
136-1990	CARRIE WEBB		TYPIST	5.00	HR 10-31-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.01362 1990	PATRICIA RHOADES		PART-TIME CORRECTION OFFICER	5.00	HR 10-30-93
505.01362 1990	CEDRIC REED		PART-TIME CORRECTION OFFICER	5.00	HR 10-30-93
136.1-1990	KIM LAIB		PART-TIME CORRECTION OFFICER	7.00	HR 10-30-93
136-1990	CARRIE WEBB		TYPIST	4.75	HR 10-30-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE 11/16/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department AREA PLAN COMMISSION

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
124-119	Laura M. Lamb	6108 Hickory Hill Lane	Zoning Inv.	8,935.61 18,664.00	11-17-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
124-119	Laura M. Lamb	6108 Hickory Hill Lane	Zoning Inv.	8,524.91 17,800.00	11-17-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

DATE 11-18-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY CLERK (ELECTION OFFICE)

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1210 1210	ELMER E TORNATTA			6.00 PER HR	11-1-91 ✓
1210 1120	PAMELA A DANIELS			6.00 PER HR	11-3-93 ✓
1210 1110	BETTY KNIGHT SMITH				11-3-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Betty Knight Smith* DATE 11-19-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department BURDETTE PARK

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	DANIEL TOWNSEND		GUARD	4 60	11-17-93 ✓
1180	JULIANA MURPHY		GROUNDS	7 00	11-17-93 ✓
1180	KIRK NICHOLS		GROUNDS	4 50	11-17-93 ✓
1180	ROBERT TOWNSEND		GUARD	4 50	11-17-93 ✓
1180	SARAH HILL		OFFICE	4 25	11-17-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Mark T. G.* DATE 11-17-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY CLERK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010 1330	DENISE HALL		DEPUTY CLERK	17133 00	11_29_93
1010 1140	LISA VOGEL		DEPUTY CLERK	14889 00	11_29_93
1010 1460	REBECCA MARTIN	6311 HOGUE RD	DEPUTY CLERK	14263 00	11_15_93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010 1460	PAULETTE ADERS		DEPUTY CLERK	14950 00	11_12_93
1010 1140	DENISE HALL		DEPUTY CLERK	15607 00	11_26_93
1010 1330	DIANE SCARBROUGH		DEPUTY CLERK	17963 00	11_26_93
1010 1990	LISA VOGEL		DEPUTY CLERK	6.00 PER HR	11_26_93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 11-19-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY CLERK ELECTION OFFICE

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1210 1120	NANCY KLEIMAN			6.00 PER HR	11-1-93
1210 1210	JOHN L JONES			6.00 PER HR	11-1-93
1210 1120	MARY L BASSEMIER			6.00 PER HR	11-1-93
1210 1120	JANE A WILKIE			6.00 PER HR	11-1-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 11-19-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701980	Edward J. Davine		Bailiff	Other pay 172 98	11/29/93
13701330	Diane K. Scarbrough		Bailiff	19,571 00	11/29/93
26201980	Karen Ruffin		Bailiff Mt. Night Ct.	Other pay 30 00	11/15/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701310	Elmer Ray Skelton		Bailiff/ Trans. Off	11,795 00	11/26/93
13701330	Edward J. Davine		Bailiff	22,573 00	11/26/93
13701330	Edward J. Davine		Bailiff	Other pay 172 98	12/1/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Robert J. Tornatta
Robert J. Tornatta, Judge Pro Tem

DATE 11/19/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff Jail

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105111300402	Cathi Titzer		Nurse	12 4080 25908 00	11-15-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105111300401	Edward Fodrea		Paramedic	10 5172 21960 00	11-12-93
		STILL Pd 11/24/93			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Ray Hamm

DATE 11-19-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105Q1110105Q	Davne Kahre		Clerk Typist	71599 1495000	11-18-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105Q1110105Q	Davne Kahre		Clerk Typist	618309 1426300	11-17-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Ray Hamm

DATE 11-19-93

COUNTY ENGINEER'S
CONSENT AGENDA
NOVEMBER 22, 1993

1. **CLAIMS:**

DARMSTADT RD. BRIDGE #214	203-4342	
Sam Oxley & Company (Inv. #8)		\$28,238.47
OHIO ST. BRIDGE #3C	203-4345	
Bernardin Lochmueller (Inv. #91-68-1(17))		\$ 7,226.04
CONTRACTUAL SERVICES	216-3930	
Koester Contracting (Inv. #93-1082-2381)		\$ 8,379.18
EICKHOFF-KORESSEL EXT.	216-4741	
Bernardin Lochmueller (Inv. #90-40-1(28))		\$ 1,000.00

December 1993

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 3:30pm County Council	2	3 Pay Day	4
5	6 4:00pm Dept. Head 5:30pm County Commissioners	7	8	9	10 Pay Day	11
12	13 4:30pm Solid Waste 5:30pm County Commissioners	14 9:00am Co. Insurance Comm.	15	16 9:00am Co. Steering Comm. 5:00pm Pigeon Creek	17	18
19	20 5:30pm County Commissioners 7:00pm Rezoning	21	22	23	24 Christmas Eve Pay Day	25 Christmas
26	27 Christmas	28 5:30pm County Commissioners Drainage Board	29 3:30pm Personnel & Finance	30	31 New Year's Eve	

November 1993

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

January 1994

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

*Burdette
Park*

*app'd.
11/24/93*

P.O. BOX 7081
NURRENBERN ROAD
EVANSVILLE, IN 47712
TELEPHONE (812) 424-9500

NOVEMBER 17, 1993

TO: MR. RICK BORRIES, PRESIDENT VANDERBURGH COUNTY COMMISSIONERS

RE: EMERGENCY APPROPRIATION TO REPAIR POOL PLUMBING

DEAR RICK,

PLEASE BE ADVISED THE BURDETTE PARK ADVISORY BOARD IS REQUESTING THAT WE BE
PLACED ON THE JANUARY COUNTY COUNCIL CALL IN THE AMOUNT OF ~~\$90,000.00~~ TO
REPLACE BROKEN 8" RETURN LINES BENEATH BOTH POOLS. *\$100,000.00 M.T.*

IT IS IMPAIRATIVE THIS WORK BE DONE AS SOON AS POSSIBLE TO NOT DELAY OPENING
OF THE POOL NEXT MAY.

THANK YOU FOR YOUR CONSIDERATION,

Mark T. Tulley
MARK T. TULEY
BURDETTE PARK MANAGER



CAROLYN McCLINTOCK
DON L. HUNTER
RICHARD J. "RICK" BORMES

Board of Commissioners

of the
County of Vanderburgh
305 ADMINISTRATION BUILDING
CMC CENTER COMPLEX
EVANSVILLE, INDIANA 47708



TEL. (812) 426-5241

AGENDA REQUEST

NAME OF REQUESTOR:

DARYN BURGWOLF

REQUESTOR TITLE:

BUYER

DEPARTMENT:

PURCHASING

REQUEST(S) BEING MADE:

- ✓ APPROVE SPECS VC 9316 - FULL SIZE 3/4 TON
SUPER CAB PICK UP FOR
Co. 4 Hwy. DEPT.
- ✓ APPROVE SPECS VC 9318 - PRINTING OF
TAX BILLS FOR VAND. CO.
- ✓ APPROVE SPECS VC 9319 - TWO FULL SIZE
3/4 TON PICK UPS FOR
Co. 4 Hwy. DEPT.
- ✓ APPROVE SPECS VC 9320 - FOUR WHEEL
DRIVE VEHICLE
- ✓ AWARD VC 9402 - GUARD RAILS, ENDS SECTIONS, ETC.
- ✓ OPEN VC 9313 - POST-FRAME BLDG FOR SHERIFFS
DEPT.

DATE TO BE PLACED ON AGENDA:

11/22/93

ACTION

CONSENT

OTHER

CITY—COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

To: Board of County Commissioners
From: Daryn S. Burgdorf, Purchasing
Date: Friday, November 19, 1993
Re: Award of Bid Number VC 9402

Attached, please find a copy of the proposed pricing for the 1994 GUARD RAILS, PIPE, END SECTIONS, ETC. bid for your review.

These prices have been reviewed and approved by Mr. John Stoll from the Vanderburgh County Engineer Department. Therefore, I recommend that all plastic materials be awarded to PVC Plastics Company and the remaining items to M & W Concrete Pipe & Supply at the prices listed on the attached pages.

If you have any questions, I may be reached at 426-5495.

cc: Mr. Rick Borries, President
Mr. Pat Tuley, Vice President ✓
Mr. Don Hunter, Member
File (2)



ITEM
3

**CITY OF EVANSVILLE/VANDERBURGH COUNTY
BID PROPOSAL**

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>
Smooth Wall Polyethylene Culvert Pipe	As Needed	Per Foot	12" ADS N-12 Poly Culvert Pipe (in 20' sections) with standard coupling	\$ 3.47 ft.
Smooth Wall Polyethylene Culvert Pipe	As Needed	Per Foot	15" ADS N-12 Poly Culvert Pipe (in 20' sections) with standard coupling	\$ 4.83 ft.
Smooth Wall Polyethylene Culvert Pipe	As Needed	Per Foot	18" ADS N-12 Poly Culvert Pipe (in 20' sections) with standard coupling	\$ 6.92 ft.
Smooth Wall Polyethylene Culvert Pipe	As Needed	Per Foot	24" ADS N-12 Poly Culvert Pipe (in 20' sections) with standard coupling	\$ 9.90 ft.
Smooth Wall Polyethylene Culvert Pipe	As Needed	Per Foot	30" ADS N-12 Poly Culvert Pipe (in 20' sections) with standard coupling	\$16.39 ft.
Smooth Wall Polyethylene Culvert Pipe	As Needed	Per Foot	36" ADS N-12 Poly Culvert Pipe (in 20' sections) with standard coupling	\$20.90 ft.

DELIVERY: In Stock or within 3 days of order
Delivery within Vanderburgh County

TERMS: Net 30 Days

PVC PLASTICS COMPANY, INC.

4406 East Moran Ave • P.O. Box 5029 • Evansville, Indiana 47716-5029 • Tel (812) 476-3592 • Fax (812) 474-4531

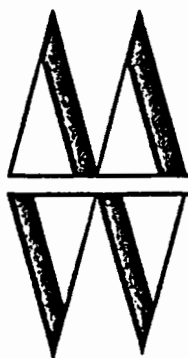
<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PRICE</u>
7.	10 Gauge Guard Rail 12'-6" Galvanized with Hardware Shop Curved Galvanized with Hardware	<u>\$ 6.95</u> per foot <u>11.20</u> per foot
8.	12 Gauge Guard Rail 12'-6" Galvanized with Hardware Shop Curved Galvanized with Hardware	<u>5.00</u> per foot <u>8.40</u> per foot
9.	End Sections Standard End Wings/Terminal End Section Transition End Section with 1" x 6" diameter rod Terminal End Section Flare	<u>30.00</u> each <u>30.00</u> each <u>30.00</u> each
10.	Posts - Galvanized with Hardware 4" x 6" x 5'-9" 6" x 6" x 6'-3"	<u>30.50</u> each <u>62.00</u> each
11.	Offset Brackets 4" x 6" 6" x 6"	<u>9.50</u> each <u>15.50</u> each
12.	"C" Splice Plates	<u>75.00</u> each

M & W Concrete Pipe & Supply, Inc.
VENDOR

Nov. 8, 1993
DATE

1213 Stanley Av., Evansville, In.
ADDRESS 47711

812-426-2871
TELEPHONE



Concrete Pipe

& Supply, Inc.

1219 STANLEY AVENUE
P. O. BOX 4817, STATION A
EVANSVILLE, INDIANA 47711
PHONE (812) 426-2871

ITEM
#1

CAP 2-2/3" X 1/2" CORRUGATION
ALUMINUM SPARAL/LOCKSEAM PIPE, CORLIX
ALCLAD 3004-H34

ROUND

<u>GAGE</u>	<u>DIAMETER</u>	<u>PRICE PER FOOT</u>
18 (.048)	6"	\$ 3.88
	8"	5.09
	10"	6.33
16 (.060)	6"	4.81
	8"	6.40
	10"	7.91
	12"	9.06
	15"	11.22
	18"	13.40
	21"	15.60
	24"	17.75
14 (.075)	30"	22.08
	24"	21.89
	30"	27.23
12 (.105)	36"	32.62
	36"	44.83
	42"	52.16
	48"	59.51
10 (.135)	54"	66.86
	48"	76.18
	54"	85.53
	60"	95.04



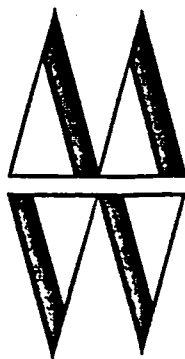
Concrete Pipe
& Supply, Inc.
1219 STANLEY AVENUE
P. O. BOX 4817, STATION A
EVANSVILLE, INDIANA 47711
PHONE (812) 426-2871

Item
#1

CAP 3" X 1" CORRUGATION
ALUMINUM SPIRAL/LOCKSEAM PIPE, CORLIX
ALCLAD 3004-H34

ROUND

<u>GAGE</u>	<u>DIAMETER</u>	<u>PRICE PER FOOT</u>
16 (.060)	42"	\$ 34.87
	48"	39.44
	54"	44.61
	60"	49.39
	66"	54.29
14 (.075)	42"	44.11
	48"	49.50
	54"	55.61
	60"	61.66
	66"	67.71
12 (.105)	48"	68.20
	54"	76.34
	60"	84.81
	66"	92.95
	72"	101.37
	78"	109.51
	84"	118.09



Concrete Pipe

& Supply, Inc.

1219 STANLEY AVENUE
P. O. BOX 4817, STATION A
EVANSVILLE, INDIANA 47711
PHONE (812) 426-2871

ITEM
#4

CLASS III C-443 REINFORCED CONCRETE PIPE

<u>DIAMETER</u>	<u>PRICES PER FOOT</u>
12"	\$ 6.10
15"	7.10
18"	9.80
21"	13.00
24"	14.50
27"	19.50
30"	20.50
33"	28.50
36"	29.50
42"	35.00
48"	45.00
54"	56.00
60"	66.00
66"	84.00
72"	105.00

INFORMATION IS AVAILABLE UPON REQUEST
FOR OTHER SIZES AND CLASSES OF PIPE.

To: Board of County Commissioners
From: Daryn S. Burgdorf, Purchasing
Date: Thursday, November 18, 1993
Re: Specification Approval for VC 9316

Attached, please find a copy of the proposed specifications concerning Bid Number VC 9316 for a 1994 FULL SIZE 3/4 TON SUPER CAB PICK UP TRUCK FOR THE VANDERBURGH COUNTY HIGHWAY DEPARTMENT. These specifications have been reviewed and approved by Mr. Bill Morphew.

At the Board meeting on Monday, November 22, 1993, I will be requesting to advertise for this bid on Friday, November 26 and Friday, December 3, 1993 with the bid opening date to be set for Monday, December 13, 1993.

If you have any questions, I may be reached at 426-5495.

cc: Mr. Rick Borries, President ✓
Mr. Pat Tuley, Vice President
Mr. Don Hunter, Member
File (2)

CITY OF EVANSVILLE/VANDERBURGH COUNTY
DEPARTMENT OF PUBLIC PURCHASE

SPECIFICATIONS

Bid No.: VC 9316

Opening Date: Monday, December 13, 1993 - 5:30 p.m.

Dates Advertised: November 26 & December 3, 1993

Bid Item(s): One 1994 Full Size 3/4 Ton Super Cab Pick Up Truck

Term of Bid: One Time Purchase

SCOPE: These specifications are intended to cover the furnishing and delivery of one 1994 Full Size 3/4 Ton Super Cab Pick Up Truck to the Vanderburgh County Highway Department.

GENERAL CONDITIONS:

1. Brand names of parts, assemblies, accessories, fittings and/or other items set forth in these specifications are not intended to be discriminatory, but are for the sole purpose of describing the quality, size, design and capacity of the items desired.
2. Estimated delivery time must be stated.
3. Any exceptions to the specifications hereinafter provided must be noted on a separate sheet entitled "Exceptions to Specifications." Failure to include an exception sheet means that the bidder shall comply 100% with the specifications set forth.
4. Manufacturer specifications and other relevant information must be included in the bid package submitted.
5. Where delivery is requested, separate delivery costs must be stated (e.g. per ton, per item, etc.)
6. Maintenance costs, where applicable, must be listed separately with any terms and conditions which are applicable.
7. Warranty information must be provided.
8. Include all specifications of proposed vehicle and applicable mileage information.
9. Bidders must provide information concerning warranty and location of service facility.
10. Any bid may be rejected if the bid price exceeds the amount the department has budgeted for this purchase.
12. Specify policy on loaned vehicles during the period of warranty service.
13. A representative from the County Highway Department shall be given the opportunity to inspect and test drive the vehicle. The vehicle may also be inspected by a mechanic of the department's choice.
14. During the warranty period, any bidder whose repair facilities are located more than ten (10) miles from Evansville shall be responsible for the pick up and delivery of the vehicle requiring service to the specified service location.
15. The Board of County Commissioners reserves the right to reject any and all bids.

MINIMUM REQUIREMENTS - One 1994 Full Size 3/4 Ton Super Cab Pick Up Truck

	Bidder Complies (yes/no)
Exterior color: White	_____
Engine: 5.8 L Eight (8) Cylinder	_____
3/4 Ton Pick Up	_____
Rear Step Bumper	_____
Tires: STD	_____
Transmission: Automatic	_____
No Spare Tire	_____
AM / FM Radio with Digital Clock	_____
Intermittent Windshield Wipers	_____
Rear Fold Down Seats	_____
Interior: Charcoal Color	_____
Vinyl Material	_____
Rubber Floor Mats	_____
Undercoating	_____
Standard Warranty: _____ years or _____ miles	
Powertrain warranty: _____ years or _____ miles	
Corrosion warranty: _____ years or _____ miles	
Emissions warranty: _____ years or _____ miles	
Please include the following information with bid:	
Manufacturer specifications	
Mileage information	
Warranty information	
Location of service facility: _____	

(Please return this page with your bid)

Policy on loaned vehicles during warranty service: _____

Estimated delivery: _____ days from receipt of Purchase Order

Proposed vehicle: _____

Vehicle Cost: _____

Delivery Cost: _____

TOTAL COST: _____

It is the intention of these specifications to cover the basic vehicle proposed. Please indicate the cost of any optional items that are included in your bid, but are not listed in the specifications.

<u>ITEM</u>		<u>COST</u>
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____

Please print or type the following information:

VENDOR

PHONE

ADDRESS

DATE

REPRESENTATIVE

SIGNED

(Please return this page with your bid)

To: Board of County Commissioners
From: Daryn S. Burgdorf, Purchasing
Date: Thursday, November 18, 1993
Re: Specification Approval for VC 9318

Attached, please find a copy of the proposed specifications concerning Bid Number VC 9318 for THE PRINTING OF THE 1994 TAX BILLS FOR VANDERURGH COUNTY. These specifications are the same as in the past years.

At the Board meeting on Monday, November 22, 1993, I will be requesting to advertise for this bid on Wednesday, November 24 and Wednesday, December 1, 1993 with the bid opening date to be set for Monday, December 13, 1993.

If you have any questions, I may be reached at 426-5495.

cc: Mr. Rick Borries, President
Mr. Pat Tuley, Vice President
Mr. Don Hunter, Member

BCC File (2) ✓

CITY OF EVANSVILLE/VANDERBURGH COUNTY
DEPARTMENT OF PUBLIC PURCHASE

SPECIFICATIONS

Bid No.: VC 9318

Opening Date: Monday, December 13, 1993 - 5:30 p.m.

Dates Advertised: November 24 & December 1, 1993

Bid Item(s): Vanderburgh County Tax Bill Printing

Term of Bid: One Time Purchase

SCOPE: These specifications are intended to cover the printing of the 1994 Tax Bills for the Vanderburgh County Treasurer. Tax bills will be prepared from magnetic media tape provided by the Data Processing Department. Tax bills are to be sorted for mailing.

GENERAL CONDITIONS:

1. Estimated delivery time must be stated.
2. Any miscellaneous or freight charges must be stated.
3. Any bid may be rejected if the bid price exceeds the amount the department has budgeted for this purchase.
4. Quantity has been estimated to the best of our ability, but is for bidding purposes only and is not binding.
5. No over/under runs of quantity ordered will be accepted.
6. The Board of County Commissioners reserves the right to reject any and all bids.

MINIMUM REQUIREMENTS - Sample on file in Purchasing Dept.

Basic Construction: The booklet style mailing piece is made up of multiple sheets of paper bound together in a perforated stub at both the top and bottom. Each component part of the booklet style mailing piece is printed on a web offset press, roll to roll. The litho printed rolls are then taken to a collator, where parts of the mailing piece are imaged, and then assembled to form the finished mail piece. The application of the variable imaging during the collating step assures that the variable information on each of the components parts match.

Vendor must be capable of providing variable MICR encoding.

QUANTITY: 75,000 (2,000 forms not printed)

FINISHED SIZE: 8 1/2 x 6 1/8

NUMBER OF PARTS: 6

PAPER: 24 pound

COMPONENTS: - Outgoing Face/Cover Sheet
- Summary Sheet, Two tax bills (spring & fall)
Information Sheet
- Envelope
- Envelope

Note: Summary Sheet and Two Tax Bills are together on a special one-piece "fold-out" page construction

PERFORATIONS: Each tax bill must have a full length and full width perforation so that they can be detached from page when remitting for processing.

VARIABLE IMAGING: This mailing product will utilize two variable imaging technologies or referred to as "hybrid" imaging, which are:

Ink Jet: The outgoing face and BRMs will be in ink jet imaging. This imaging process is available in a variety of font sizes and styles. All fonts image at either 70 or 80 dpi.

Midax: The page that contains the summary and tax bills will be in ion deposition "Midax" imaging technology utilizing the Delphax printhead. This unique electrostatic process must use the emission of ions to apply the charge to the surfaces. This electronic printing process must have sufficient resolution quality and system capability to print virtually any image directly from a digital source. This process will be used to image the bank MICR numbers (using a special MICR ink) and all other imaging on this page. Midax is a 300 x 300 D.P.I.

Misc: The BRES utilize "rewettable" glue for the envelope flap and are constructed by forming "pasted pockets".

TOTAL COST: _____ (include costs for printing and processing forms, sorting, freight, and related costs)

Guaranteed Delivery Date: _____ Price effective for _____ days

Please type or print the following information:

VENDOR

PHONE

ADDRESS


DATE

REPRESENTATIVE

(Please return this page with your bid)

CITY—COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

To: Board of County Commissioners
From: Daryn S. Burgdorf, Purchasing 
Date: Friday, November 19, 1993
Re: Specification Approval for VC 9319

Attached, please find a copy of the proposed specifications concerning the bid for TWO 1994 3/4 TON 8600 GVW PICK UP TRUCKS FOR THE VANDERBURGH COUNTY HIGHWAY DEPARTMENT for your review. These specifications have been reviewed and approved by Mr. Bill Morphey.

At the Board meeting on Monday, November 22, 1993, I will be requesting to advertise for this bid on Friday, November 26 and Friday, December 3, 1993 with the bid opening date to be set for Monday, December 13, 1993.

If you have any questions, I may be reached at 426-5495.

cc: Mr. Rick Borries, President ✓
Mr. Pat Tuley, Vice President
Mr. Don Hunter, Member
File (2)

CITY OF EVANSVILLE/VANDERBURGH COUNTY
DEPARTMENT OF PUBLIC PURCHASE

SPECIFICATIONS

BID NUMBER: VC 9319
OPENING DATE: MONDAY, DECEMBER 13, 1993 - 5:30 P.M.
DATES ADVERTISED: NOVEMBER 26 & DECEMBER 3, 1993
BID ITEM(S): TWO 1994 3/4 TON 8600 GVW PICK UP TRUCKS
TERM OF BID: ONE TIME PURCHASE

SCOPE: These specifications are intended to cover the furnishing and delivery of two 1994 3/4 ton 8600 GVW Pick Up Trucks to the Vanderburgh County Highway Department.

GENERAL CONDITIONS:

1. Brand names of parts, assemblies, accessories, fittings and/or other items set forth in these specifications are not intended to be discriminatory, but are for the sole purpose of describing the quality, size, design and capacity of the items desired.
2. Estimated delivery time must be stated.
3. Any exceptions to the specifications hereinafter provided must be noted on a separate sheet entitled "Exceptions to Specifications." Failure to include an exception sheet means that the bidder shall comply 100% with the specifications set forth.
4. Manufacturer specifications and other relevant information must be included in the bid package submitted.
5. Where delivery is requested, separate delivery costs must be stated (e.g. per ton, per item, etc.)
6. Maintenance costs, where applicable, must be listed separately with any terms and conditions which are applicable.
7. Warranty information must be provided.
8. Include all specifications of proposed vehicle and applicable mileage information.
9. Bidders must provide information concerning warranty and location of service facility.
10. Any bid may be rejected if the bid price exceeds the amount the department has budgeted for this purchase.
12. Specify policy on loaned vehicles during the period of warranty service.
13. A representative from the Highway Department shall be given the opportunity to inspect and test drive the vehicle. The vehicle may also be inspected by a mechanic of the department's choice.
14. During the warranty period, any bidder whose repair facilities are located more than ten (10) miles from Evansville shall be responsible for the pick up and delivery of the vehicle requiring service to the specified service location.
15. The Board of County Commissioners reserves the right to reject any and all bids.

MINIMUM REQUIREMENTS - Two 1994 3/4 Ton 8600 GVW Pick Up Trucks

	Bidder Complies (yes/no)
Exterior color: Fleet Orange (E 3347)	_____
Engine: 5.8L Electronic Fuel Injection V-8 Engine	_____
100 AMP Alternator	_____
Charcoal Grey Interior	_____
Intermittent Windshield Wipers	_____
Tinted Windows	_____
Undercoating	_____
Rear Step Bumper	_____
Tires: No Spare	_____
Transmission: Automatic	_____
Air Conditioning	_____
Power Steering	_____
Power Disc Brakes	_____
AM/FM Digital Clock Radio	_____
Standard Warranty: _____ years or _____ miles	
Powertrain warranty: _____ years or _____ miles	
Corrosion warranty: _____ years or _____ miles	
Emissions warranty: _____ years or _____ miles	
Please include the following information with bid:	
Manufacturer specifications	
Mileage information	
Warranty information	
Location of service facility: _____	

(Please return this page with your bid)

Policy on loaned vehicles during warranty service: _____

Estimated delivery: _____ days from receipt of Purchase Order

Proposed vehicle: _____

Vehicle Cost: _____

Delivery Cost: _____

TOTAL COST: _____

It is the intention of these specifications to cover the basic vehicle proposed. Please indicate the cost of any optional items that are included in your bid, but are not listed in the specifications.

<u>ITEM</u>		<u>COST</u>
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____

Please print or type the following information:

VENDOR

PHONE

ADDRESS

DATE

REPRESENTATIVE

SIGNED

(Please return this page with your bid)

CITY—COUNTY PURCHASING DEPARTMENT

RM. 323 CIVIC CENTER COMPLEX
1 N.W. MARTIN LUTHER KING, JR. BOULEVARD
EVANSVILLE, INDIANA 47708-1833
PHONE: (812) 426-5495
TDD/HEARING IMPAIRED (812) 426-5483

To: Board of County Commissioners
From: Daryn S. Burgdorf, Purchasing *D.S. Burgdorf*
Date: Friday, November 19, 1993
Re: Specification Approval for VC 9320

Attached, please find a copy of the proposed specifications concerning the bid for ONE 1994 FOUR WHEEL DRIVE FULL SIZE BRONCO/BLAZER TYPE VEHICLE FOR THE VANDERBURGH COUNTY HIGHWAY DEPARTMENT for your review. These specifications have been reviewed and approved by Mr. Bill Morphew.

At the Board meeting on Monday, November 22, 1993, I will be requesting to advertise for this bid on Friday, November 26 and Friday, December 3, 1993 with the bid opening date to be set for Monday, December 13, 1993.

If you have any questions, I may be reached at 426-5495.

cc: Mr. Rick Borries, President
Mr. Pat Tuley, Vice President
Mr. Don Hunter, Member

BCC File (2) ✓

CITY OF EVANSVILLE/VANDERBURGH COUNTY
DEPARTMENT OF PUBLIC PURCHASE

SPECIFICATIONS

BID NUMBER: VC 9320

OPENING DATE: MONDAY, DECEMBER 13, 1993 - 5:30 P.M.

DATES ADVERTISED: NOVEMBER 26 & DECEMBER 3, 1993

BID ITEM(S): ONE 1994 FOUR WHEEL DRIVE BRONCO/BLAZER TYPE VEHICLE
FOR THE VANDERBURGH COUNTY HIGHWAY DEPARTMENT

TERM OF BID: ONE TIME PURCHASE

SCOPE: These specifications are intended to cover the furnishing and delivery of one 1994 four wheel drive bronco/blazer type vehicle to the Vanderburgh County Highway Department.

GENERAL CONDITIONS:

1. Brand names of parts, assemblies, accessories, fittings and/or other items set forth in these specifications are not intended to be discriminatory, but are for the sole purpose of describing the quality, size, design and capacity of the items desired.
2. Estimated delivery time must be stated.
3. Any exceptions to the specifications hereinafter provided must be noted on a separate sheet entitled "Exceptions to Specifications." Failure to include an exception sheet means that the bidder shall comply 100% with the specifications set forth.
4. Manufacturer specifications and other relevant information must be included in the bid package submitted.
5. Where delivery is requested, separate delivery costs must be stated (e.g. per ton, per item, etc.)
6. Maintenance costs, where applicable, must be listed separately with any terms and conditions which are applicable.
7. Warranty information must be provided.
8. Include all specifications of proposed vehicle and applicable mileage information.
9. Bidders must provide information concerning warranty and location of service facility.
10. Any bid may be rejected if the bid price exceeds the amount the department has budgeted for this purchase.
12. Specify policy on loaned vehicles during the period of warranty service.
13. A representative from the Highway Department shall be given the opportunity to inspect and test drive the vehicle. The vehicle may also be inspected by a mechanic of the department's choice.
14. During the warranty period, any bidder whose repair facilities are located more than ten (10) miles from Evansville shall be responsible for the pick up and delivery of the vehicle requiring service to the specified service location.
15. The Board of County Commissioners reserves the right to reject any and all bids.

MINIMUM REQUIREMENTS - One 1994 Four Wheel Drive Full Size
Bronco/Blazer Type Vehicle

	Bidder Complies (yes/no)
Exterior color: White	_____
Engine: 5.8L Electronic Fuel Injection V-8 Engine	_____
Luxury Interior Group	_____
Intermittent Windshield Wipers	_____
Tires: No Spare	_____
Transmission: Automatic	_____
Air Conditioning	_____
AM/FM Digital Clock Radio	_____
Rear Window Defroster	_____
Standard Warranty: _____ years or _____ miles	
Powertrain warranty: _____ years or _____ miles	
Corrosion warranty: _____ years or _____ miles	
Emissions warranty: _____ years or _____ miles	
Please include the following information with bid:	
Manufacturer specifications	
Mileage information	
Warranty information	
Location of service facility: _____	

Policy on loaned vehicles during warranty service: _____	

(Please return this page with your bid)

Estimated delivery: _____ days from receipt of Purchase Order

Proposed vehicle: _____

Vehicle Cost: _____

Delivery Cost: _____

TOTAL COST: _____

It is the intention of these specifications to cover the basic vehicle proposed. Please indicate the cost of any optional items that are included in your bid, but are not listed in the specifications.

<u>ITEM</u>		<u>COST</u>
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____
_____	-	_____

Please print or type the following information:

VENDOR

PHONE

ADDRESS

DATE

REPRESENTATIVE

SIGNED

(Please return this page with your bid)



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603

Agenda for November 22, 1993

1. Title sheet for Franklin Street bridge plans — *Sign Plans* *PT/1*
2. Volkman Road bridge notice to bidders —
3. Brookview Heights Section VII Phase I street and storm sewer acceptance: *DH/PT*

Streets:

Knollview Drive	1343.0 LFT
Knollview Court	186.5 LFT
Knollbrook Court	208.7 LFT

Storm Sewers:

206 LFT of 12" R.C.P
45 LFT of 15" R.C.P.
145 LFT of 18" R.C.P.

Notice to Bidders

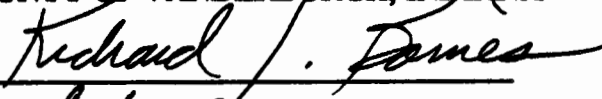

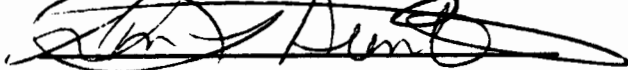
Sealed Proposals, or Bids, for contract number VC93-10-01 Volkman Road Bridge & Paving in Vanderburgh County, Indiana will be received at the office of the County Commissioners, Room 305, until 5:30 p.m. on December 13, 1993 local time, as prescribed by the Acts of the Indiana Legislature in Chapter 172, year 1957, at which time all bids will be publicly opened and read aloud in the County Commissioners Hearing Room 307.

- Any bids received after the designated time, for any reason, will be returned unopened.
- Contract documents are on file in the Office of the Vanderburgh County Engineer.
- Bids shall be delivered in a sealed envelope bearing the name and address of the bidder indicating identification of the project and the branch of the work on which is being bid.
- Bids shall be submitted on the Itemized Proposal Form included in the contract documents and on Indiana Form 96, revised in 1987, provided separately, with a non-collusion affidavit, also provided in the contract documents; all properly executed, signed and sealed. The non-collusion affidavit must also be properly notarized.
- Each bid shall be accompanied by a bid bond, certified check, cashier's check, bank treasurer's check or bank money order in the amount of five percent (5%) of the total bid submitted.
- No bid shall be withdrawn after the opening of the bids without the expressed consent of the Vanderburgh County Commission for a period of thirty (30) days after the scheduled time of the bid opening.
- The Contractor receiving the award will be required to furnish a performance bond, Indiana Form 86A revised in 1947, in the amount of one-hundred percent (100%) of the award amount, which is to remain in effect for twelve (12) months from the date of acceptance of the completed work.
- Attention is called to the fact that prevailing wage minimum salaries and wages are set forth in the Contract Documents. The Contractor shall list any subcontractors and the percentage of the contract to be performed by each subcontractor in the bid submittal.
- Construction and installation shall be in full accordance with the contract drawings, specifications, and special provisions. Construction and installation shall be in full accordance with the contract drawings, specifications, and special provisions. Applicable sections of the 1993 Edition of the Indiana Department of Transportation Standard Specifications and any current Supplemental Specifications to the 1993 Standard Specifications.

The Vanderburgh County Commissioners reserve the right to reject any and/or all Bids and waive any informality in the bidding.

DATED THIS 22TH DAY OF NOVEMBER 1993

VANDERBURGH COUNTY BOARD OF COUNTY COMMISSIONERS
COUNTY OF VANDERBURGH, INDIANA

ATTEST:


Vanderburgh County Auditor

RECOMMENDED:


Vanderburgh County Engineer

VANDERBURGH COUNTY ENGINEERING DEPARTMENT
Old Courthouse, Suite 307
201 N. W. Fourth Street
Evansville, IN 47708

DATE: NOVEMBER 18, 1993

Tel. (812) 424-9603

Vanderburgh County Board of Commissioners
Rm. 305 Civic Center Complex
Evansville, IN 47708

RE: Acceptance of Street Improvements in
BROOKVIEW HEIGHTS Sec. VII, Phase I

Dear Commissioners:

The undersigned have made an inspection of the subject Street Improvements on 11-18-93. These Street Improvements were constructed/finished on/by October 1993. All streets were constructed with Concrete in accordance with the approved plans.

The following is a summary of the length of the completed streets in the subject Subdivision:

STREET	WIDTH B/C TO THE B/C	ROW	LENGTH
Knollview Drive	29'	50'	1343.0 LFT
Knollview Court (w cul-de sac)	24'	40'	186.5 LFT
Knollbrook Court (w cul-de-sac)	24'	40'	208.7 LFT
		TOTAL	1738.2 LFT

We are enclosing a sketch of the Subdivision showing the completed streets.. It is recommended that these Street Improvements and storm drainage (included within the street right of ways) be accepted for maintenance. If you have any questions please call the Engineer's Office.

Respectfully,

Accepted for Maintenance by the
Board of County Commissioners

John Stell
Vanderburgh County Engineer

Richard L. Barnes
President

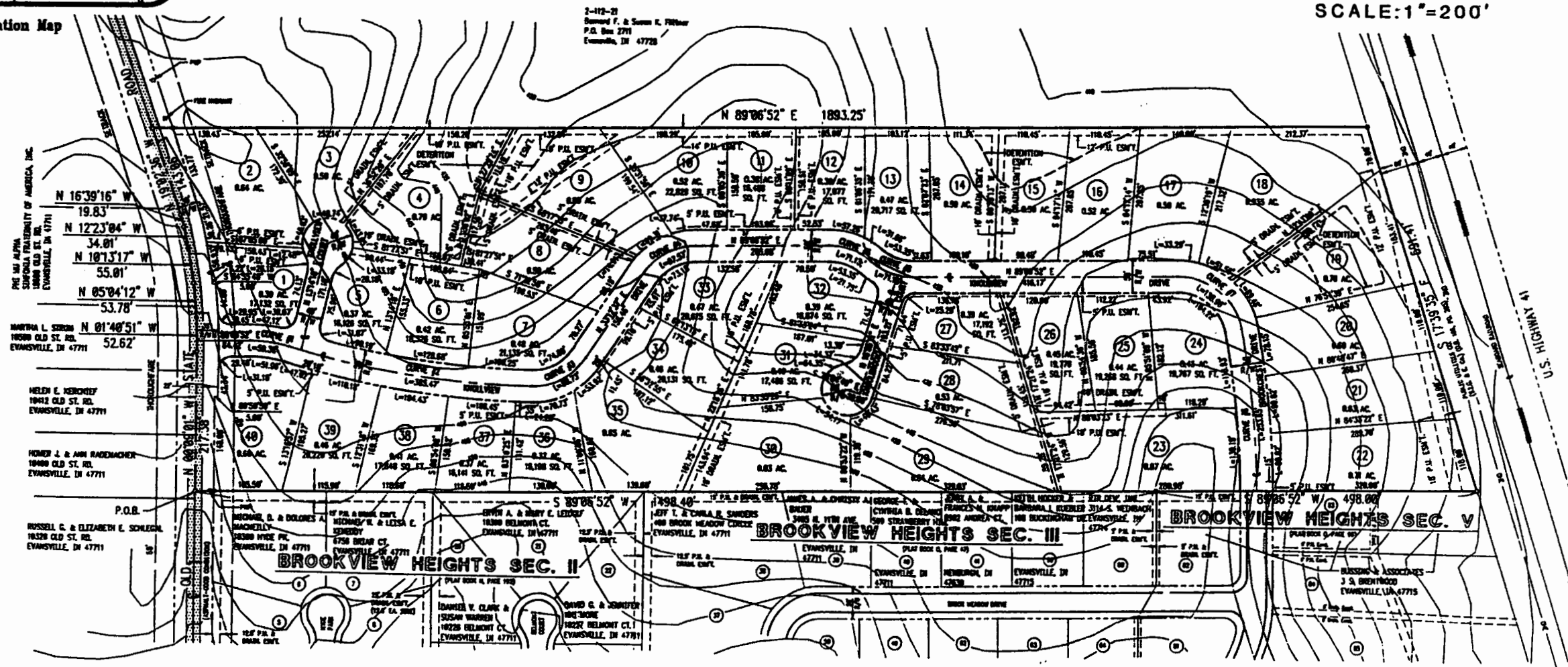
Patricia J. Jolley
Vice President

Alan J. Hunter
Member

cc: Developer
Design Engineer
Highway Department
INDOT
Road File



SCALE: 1"=200'



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

OLD COURT HOUSE, SUITE 307
201 N.W. FOURTH STREET
EVANSVILLE, INDIANA 47708

DATE: NOVEMBER 18, 1993

RE: Acceptance for Maintenance of Retention Basin(s) and
Storm Sewers under SECTION B of Subdivision Drainage
Ordinance for Vanderburgh County In:

BROOKVIEW HEIGHTS See VII, Phase I

Dear Commissioners:

The undersigned have made an inspection of the subject Retention Basins(s) and storm sewers (NOT within the street right of way) on November 18, 1993 All drainage construction was in accordance with the approved street and drainage plans. MAP ATTACHED SHOWING LOCATION(S) AND LOT # _____

The following is a summary of the length and fees of the completed drainage improvements in the subject subdivision:

SHORELINE OF RETENTION BASIN(S)	LFT	@ \$.50
STORM SEWERS (OUTSIDE COUNTY ROAD R/W)	396 LFT	@ .50 \$198.00
TOTAL	396 LFT	@ .50 \$198.00

Date of County Engineer Approval Letter November 18, 1993 (One year developer guarantee from this date)

It is recommended that these retention basin(s) and storm sewers (not within the street right of way) improvements be accepted for maintenance.

Respectfully,

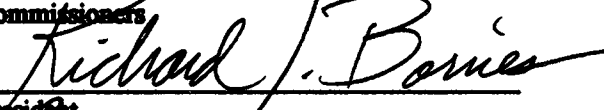

County Engineer

CC: Developer
Design Engineer
APC
Highway Department
Road File

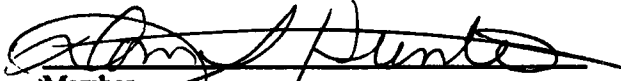
10/93

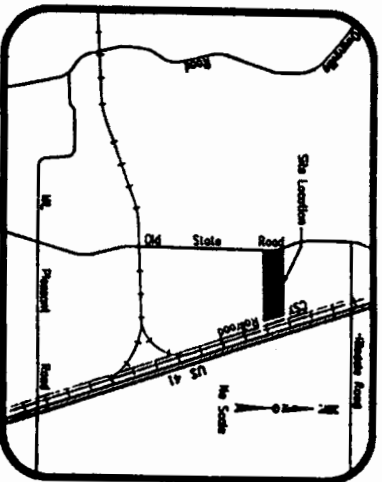
c:/bill/stmacc

Accepted for Maintenance by the Board of County
Commissioners


President


Vice President


Member



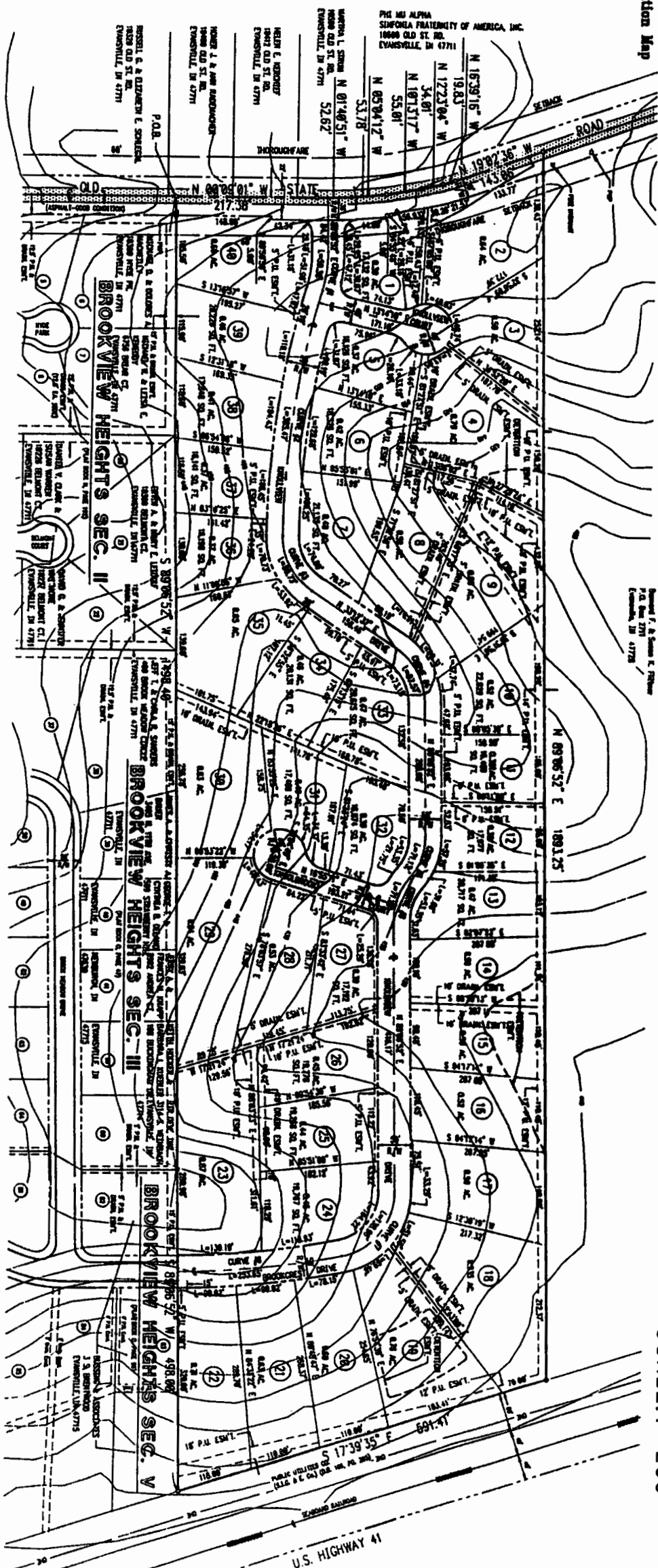
Brookview Heights

Section VII

Location Map

2-117-23
 Surveyed by R. S. S. & S. S. S.
 P.O. Box 1771
 Evansville, IN 47711

SCALE: 1"=200'



U.S. HIGHWAY 41



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

App^{1d.} 11/22/93
fm.

RICHARD J. BORRIE
DON L. HUNTER
PATRICK R. TULEY

AGENDA REQUEST

NAME OF REQUESTOR: Samuel T. Elder

REQUESTOR TITLE: Executive Director

DEPARTMENT: Health

REQUEST(S) BEING MADE:

Request to go on Council Call to discuss Transfer of Funds. (see attached)

DATE TO BE PLACED ON AGENDA: 11/22/93

ACTION _____ **CONSENT** _____ **OTHER** _____

REQUEST FOR TRANSFER OF FUNDS

DEPARTMENT Health DATE: 11/18/93

	ACCOUNT	LINE ITEM	AMOUNT
FROM:	213.0-000.0-1400	Secretary - Nursing Div.	419.00
	213.0-000.0-1410	Secretary - CD	188.00
	213.0-000.0-1460	Clinic Clerk	29.00
	213.0-000.0-1500	Health Educator	676.00
	213.0-000.0-1520	Nurse - HCP	790.00
	213.0-000.0-1900	F.I.C.A.	84.00
	213.0-000.0-1920	Health & Life Insurance	16,389.02
	213.0-000.0-3580	Vehicle Repair	1,000.00
		TOTAL	19,575.02
TO:	213.0-000.0-1170	PNP	.02
	213.0-000.0-2210	Gas	100.00
	213.0-000.0-2241	Institutional & Medical	500.00
	213.0-000.0-3130	Travel	200.00
	213.0-000.0-3410	Printing	350.00
	213.0-000.0-3930	Other Contractual	12,250.00
	213.0-000.0-4210	Office Furniture	300.00
	213.0-000.0-4220	Office Machines	4,900.00
	213.0-000.0-4250	Equipment	975.00
		TOTAL	19,575.02

EXPLANATION OF NEED FOR REQUEST

See Attached

DEPARTMENT HEAD

Sam Elder

EXPLANATION OF NEED FOR REQUEST

213.0-000.0-1170	Shortage in line item
213.0-000.0-2210	Underbudgeted
213.0-000.0-2241	Rising cost of drugs and vaccines. Purchase Hepatitis B vaccine.
213.0-000.0-3130	Care Coordinators Meeting
213.0-000.0-3410	Printing of Resource Guides
213.0-000.0-3930	Ventilation System in TB Clinic and surrounding area.
213.0-000.0-4210	Chair for MCH supervisor and 2 printer stands
213.0-000.0-4220	Two 486SX Computers which will allow the upgrade of three existing areas and computerize two new ones.
213.0-000.0-4250	Purchase 3 Wheelchairs

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT

FRIDAY, NOVEMBER 12, 1993 THRU THURSDAY, NOVEMBER 18, 1993

FRIDAY, NOVEMBER 12, 1993

HOLIDAY

MONDAY, NOVEMBER 15, 1993

Gradall and one crew ditched at 6608 Marx Road.
Gradall and one crew ditched Cypress Dale.
Two tree crews worked on Old Henderson Road.
Tiger mower and one crew worked on Heinlein, Baumgart and Heddon Road.
One crew repaired mailboxes.
One crew cleaned paver.
One crew spread rock in the bottoms.

TUESDAY, NOVEMBER 16, 1993

One crew went to Cincinatti to retrieve overpacks.
Paver, roller and five crews paved Woods Avenue.
Gradall and one crew placed culvert on Bassett Ave.
Tiger mower and one crew worked on Old Hwy 57 and Heckel Rd.
One crew ran barricades for high water.

WEDNESDAY, NOVEMBER 17, 1993

Three tree crews worked on Felstead, McDowell and Schillinger.
One crew spread rock in the bottoms.
One crew ran barricades for high water.
One crew cleaned drains in subdivisions.
Gradall and one crew worked on Cypress Dale.
One crew cleaned and stored containers at the garage.

THURSDAY, NOVEMBER 18, 1993

Paver, roller and seven crews paved Woods Ave.
Tiger Mower and one crew worked on Broadway & Lower Mt. Vernon.
One crew went to Jasper Engine.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, NOVEMBER 12, 1993 THRU THURSDAY, NOVEMBER 18, 1993

FRIDAY, NOVEMBER 12, 1993

HOLIDAY

MONDAY, NOVEMBER 15, 1993

Crew #1 - rip rap culvert on N. Green River & #3 School Road.
Crew #2 - remove vine and brush from Maryland St. Bridge.
Crew #3 - rip rap Seminary Road culvert, clean drains in subdivisions.

TUESDAY, NOVEMBER 16, 1993

Crew #1 - cut trees and brush at St. George & Pfeiffer Rd Bridges.
Crew #2 - cut trees and brush from Millerburg and Heckel Road Bridges.
Crew #3 - place rip rap at culvert ends on Korressel.

WEDNESDAY, NOVEMBER 17, 1993

Crew #1 - add rock on culverts on Schlensker and Green River.
Crew #2 - haul scrap to scrap yard.
Crew #3 - clean drains in subdivisions.

THURSDAY, NOVEMBER 18, 1993

Crew #1 - check size of culvert at 6415 St. Joe Road.
Crew #2 - stock guardrail, bust concrete up at yard.
Crew #3 - check culvert at 8101 Petersburg, cut weeds on Hogue Road bridge.

VANDEBURGH COUNTY, INDIANA

On Account of Appropriation for Eickhoff-Kolleser
University Parkway - Phase I 216-4741

[illegible]

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

T. R. P. S.

Thomas G. Bernardin, Secretary
Title

Date Nov. 11, 1993

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDEBURGH COUNTY, INDIANA

VENDOR NAME Environmental Consulting & Engineering Co. # 13826

On Account of Appropriation for

Invoice No.	Itemized Claim	Amount	
00034		14,122	96
00038		4,146	90
	Total	18,269	86

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Tim Bostere
Name

President

Title

Date 10-11, 1993

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME Koester contracting Corporation

027

On Account of Appropriation for Project No. VC 93-05-03

216-3930 CONTRACT

Invoice No.	Itemized Claim	Amount	
93-1082-2381	Bituminous for Patching 63.13 Tons @ \$40.00	\$2,525	20
	Change Order #1(Boonville New Harmony Rd)		
	A) Remobilization Due to Water Line Delay	2,125	00
	B) Pipe Culvert Extension & Re-installation	2,505	00
	C) Grated Rip Rap Installation	2,155	00
	Less: 10% Retainage	[931	02]
	Amount Due This Invoice	\$8,379	18

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Christina M. Huff

Christina M. HuffName

Assistant Secretary

Title

Date October 21, 19 93

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME Bernardin, Lochmueller & Assoc., Inc. # 985

On Account of Appropriation for Ohio Street Bridge #3C over Pigeon Creek 203-4345

Invoice No.	Itemized Claim	Amount	
91-068-1 (17)	Fee due for Preliminary Engineering for	7,226.	04
	Design of Ohio Street Bridge #3C over		
	Pigeon Creek & Ohio Street & Fulton Ave.		
	Intersection. INDOT Project No.: BRM-480()		
	October 1 -31, 1993.		

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

THOMAS G. BERNARDIN
Name

Thomas G. Bernardin, Secretary

Title

Date Nov. 11, 19 93

**MINUTES
COUNTY COMMISSIONERS MEETING
NOVEMBER 29, 1993
I N D E X**

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Approval of Minutes (November 22, 1993)	1
Authorization to Open Bids	1
1994 Timber Materials	
One Full Size Pickup Truck for County Health Dept.	
Ordinance to Amend Chapter 72, Schedule II of the County Code of Ordinances	1
Petition to Vacate Portion of Public Road Right-of-Way in Gabensee Acres	2
Petition to Vacate Public Utility Easement in Gabensee Acres	3
(Public Hearing Scheduled at 5:30 p.m. on December 20, 1993)	
Superintendent of County Buildings/Mark Abell	4
Relocation of Legal Aid Office	
Relocation of Veterans Services Office	
Relocation of Bad Check Division/Prosecutor's Office	
Installation of New Telephone System	
Request re Grant Application re Bike Path	
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Surplus Properties/Request to Make Necessary Modifications	
Employment Changes	
County Attorney/Alan M. Kissinger	4
Reading of Bids/1994 Timber Materials	
Reading of Bids/Full Size Pickup Truck for County Health Department	
Awarding of Bid/Post Frame Building for Sheriff's Department (Cissell Construction for \$15,400)	
Condemnation Case/Commissioners vs. Alfred Bauer, Sr. re Lynch Rd. (\$55,000)	
Surplus Properties/Request for Inventory by Loss Control Agent	
Negotiation of Lease Renewals with Various Residents of the County Recorder's Office	
Central Dispatch Joint Agreement (A. Kissinger will draft Resolution for next week's meeting)	
Request to Increase Amount of E-911 Fees (this has been referred to County Council)	
County Highway Garage/Bill Morpew	6
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County Engineer/John Stoll	7
Change Order/Lynch Rd. Project (\$18,257.40)	
Request for Sidewalk Waiver/Extension of Cross Pointe Boulevard (Denied)	
Consent Agenda	8
Old Business...(None)	8

New Business	8
Telephone System/County Garage	
Meeting Adjourned @ 6:35 p.m.	8

MINUTES
COUNTY COMMISSIONERS MEETING
NOVEMBER 29, 1993

The Vanderburgh County Board of Commissioners met in session at 5:59 p.m. on Monday, November 29, 1993 in the Commissioners Hearing Room, with Vice President Patrick Tuley presiding. Commissioner Borries was absent, due to illness.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

Commissioner Tuley called the meeting to order, apologized for the late start, welcomed the attendees, introduced members of the County Staff (Mark Abell/ Supt. of County Buildings, Attorney Alan Kissinger, himself, Commissioner Hunter, Chief Deputy Auditor Cindy Mayo and Joanne Matthews, the Official Recording Secretary). He then asked the group to stand for the Pledge of Allegiance.

Subsequently, Commissioner Tuley asked if there are any groups or individuals present who wish to address the Commission, but do not find their particular item of interest on the printed agenda. If so, he urged them to come forward at this time. There was no response.

RE: APPROVAL OF MINUTES

President Tuley entertained a motion to accept and approve the minutes of November 22, 1993.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: AUTHORIZATION TO OPEN BIDS

1994 Timber Materials: Mr. Tuley entertained a motion to authorize the County Attorney to open the subject bids.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

One Full Size Pickup Truck for the County Health Department: Mr. Daryn Burgdorf of the Purchasing Department had noted that while the agenda states this vehicle is for the County Highway Garage, it is actually for the County Health Department and Mr. Tuley subsequently entertained a motion.

Motion was made by Commissioner Hunter to authorize the County Attorney to open the subject bids, with a second from Commissioner Tuley. So ordered.

RE: ORDINANCE TO AMEND CHAPTER 72, SCHEDULE II OF THE COUNTY CODE OF ORDINANCES

Commissioner Tuley addressed Attorney Kissinger and noted the Second Reading was deferred from last week. It is his understanding that the Board can hold the Second and Final Reading today, is that correct?

Attorney Kissinger responded, "Yes. The reason it was deferred was to make a determination as to whether or not it had been properly advertised. Joanne has advised me that it was properly advertised. Therefore, the Board can have the Second and Final Readings this evening."

Mr. Tuley said this Ordinance was in reference to the Stop signs that had to be installed. He then asked if there are any remonstrants present who wish to speak to this Ordinance.

There being no response, Commissioner Tuley entertained a motion and said the motion should be as follows -- that the Ordinance be approved on Second and Final Reading, with President Borries signing the Ordinance upon his return, as President.

Motion to this effect was made by Commissioner Hunter and seconded by Commissioner Tuley.

Commissioner Tuley then asked for a roll call vote: Commissioner Hunter, yes; and Commissioner Tuley, yes. Mr. Tuley declared Ordinance approved by unanimous affirmative roll call vote.

RE: PETITION TO VACATE PORTION OF PUBLIC ROAD RIGHT-OF-WAY IN GABENSEE ACRES

It was noted by Commissioner Tuley that Item "E" is reflected on the agenda as a First Reading. It is not. This is a Public Hearing regarding this Petition. He believes Mr. William Bivins is present tonight to speak to this matter.

Mr. Bivins said prior to going forward, he would at this time make the Board aware that letters were sent to all four utilities, requesting a notice from them as to whether they consent or object to the vacation. He has received nothing in writing. He had a call from SIGECO, who said they were concerned about the right-of-way easements. TCI called him at 4:05 p.m. today and said they went out and looked at it and said it did not affect them -- but he does not yet have their letter. He has received all of the return receipts from the abutting property owners who were notified by certified mail.

Ms. Matthews asked if the Board has a report back from Area Plan. Copies were given to the APC and the County Engineer -- but she has seen nothing from either to be included in the Petition file.

County Engineer John Stoll stated he has a copy of the memo to the Commissioners from Barbara Cunningham dated November 1, 1993.

Both Commissioners Tuley and Hunter stated they have neither seen nor heard about this memo and requested Mr. Stoll to read same into the record.

Mr. Stoll read, as follows:

"Our report of plat states that this is private access road. We find no dedication of right-of-way."

Mr. Bivins said the County has never accepted the road and it is a private agreement to maintain it.

Commissioners Hunter and Tuley said they are wondering why it is before the Board if we have never accepted the road.

Attorney Kissinger stated, "At the very least, we do not have the authority to vacate it."

Mr. Hunter asked, "How can we vacate something we never accepted?"

Attorney Kissinger responded, "We can't. Do you have some evidence that it was, in fact, County property? Or was it dedicated roadway?"

Mr. Bivins replied, "The roadway easement was on the plat as being 30 ft. wide -- to be given to the County was the intent -- and when Mr. Head purchased the house he found his house sat in that portion

of the cul-de-sac. So we're just trying to clear this up."

Mr. Kissinger asked if this is a new subdivision?

Mr. Bivins said it is not -- he believes it was 1978.

Attorney Kissinger asked if is only an easement -- it was indicated to be an easement?

Mr. Bivins responded, "No, it was indicated to be a roadway. Normally, when the County accepts the plat, they are going to accept the easement for the roadway that goes with it. Then they either accept the road or they do not accept the road."

Attorney Kissinger stated, "And in this case, they never accepted the road is what you're telling me. Well, I think for your benefit we can make a record in tonight's Commission minutes that the Area Plan Commission has indicated that the County does not, in fact, own an easement or a right-of-way in this particular subdivision. And, therefore, should not be able to object to whatever legal use is made of the property. We certainly do not have the authority and consideration of that notice to grant a Petition to Vacate -- but it appears the Petition to Vacate is not necessary. And if someone comes after you, you can refer them back to these minutes."

RE: PETITION TO VACATE A PUBLIC EASEMENT IN GABENSEE ACRES

Mr. Tuley asked Ms. Matthews, "Now, what does that do to the new one he filed?"

Ms. Matthews replied, "He has a new Petition -- which is an added item to the Action agenda -- a Petition to Vacate a Public Easement, which was filed in the Auditor's office today."

Attorney Kissinger asked Mr. Bivins if the Public Utility Easement is of record?"

Mr. Bivins replied, "Just as recorded with the plat."

Attorney Kissinger asked Mr. Bivins if he has made contact with the public utilities involved?

Mr. Bivins responded affirmatively.

Attorney Kissinger asked if they indicated any objection?

Mr. Bivins said they did not.

Attorney Kissinger asked if they have sent a letter indicating no objection?

Mr. Bivins said they have not.

Commissioner Tuley said this was just filed today. He guesses the reason he asked the question now is to make sure that we should go ahead and set a Public Hearing -- in view of what we just found out on the other one.

Attorney Kissinger said, "I think we should, in consideration of the fact that the utility company may have attended to business and recorded their easement."

Commissioner Tuley said Ms. Matthews has recommended the Board consider setting the Public Hearing at 5:30 p.m. on December 20, 1993, which will allow sufficient time for advertising, mailing of necessary notices, etc.

Attorney Kissinger indicated the suggested hearing date would allow sufficient time. Mr. Kissinger told Mr. Bivins he doesn't

know what his experience is in this, but suggested he might want to contact the utilities involved and tell them a letter to the County Commissioners will suffice for this purpose.

Commissioner Tuley entertained a motion.

Motion was made by Commissioner Hunter that the Public Hearing be set at 5:30 p.m. on Monday, December 20, 1993 to consider the Petition to Vacate a Public Utility Easement in Gabensee Acres. Seconded by Commissioner Tuley. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Relocation of Legal Aid: Mr. Abell reported that the Legal Aid office started their move today from the second floor to the space formerly occupied by the Veterans Services office on the first floor. This move should be finished by the end of this week.

Relocation of Veterans Services Office: In response to query from Commissioner Tuley, Mr. Abell reported this office relocation in the Old Courthouse was completed effective last Monday (November 22nd).

Relocation of Bad Check Division/Prosecutor's Office: Mr. Abell noted this division will be relocating to the old Legal Aid office.

Installation of New Phone System: It was also noted by Mr. Abell that by next Monday (December 6) we should have the new phone system in place.

Request re Grant Application re Bike Path: Mr. Abell requested permission to get the County Council's input regarding a Grant Application for a bike path.

Commissioners Hunter and Tuley so agreed.

Request to Attend Seminar: Mr. Abell said he is also requesting to attend a seminar on December 7th at the Radisson Inn. This is a Telecommunications Seminar regarding Disaster Recovery -- prior, during and post actions -- from a telecommunications standpoint. There are no fees required or anything like that.

Commissioners Hunter and Tuley approved his attending this seminar.

Surplus Properties: With regard to the recently acquired surplus properties, Mr. Abell said that some of these need to be modified for safety purposes -- such as boarding up some windows, cleaning up of the lot and things of that nature -- and he is asking the Board's permission to take care of this.

Commissioners Hunter and Tuley so agreed.

Employment Changes: Mr. Abell said he also has some employment changes that arrived too late to get on the Consent Agenda. He would submit same to Commissioner Tuley at this time.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Reading of Bids/1994 Timber Materials: Attorney Kissinger reported there was only on (1) bidder, that being American Timber Bridge & Culvert, Inc. Everything is unit priced. He supposes this should be referred to the Purchasing Department for their review and a recommendation.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Full Size Pickup Truck for County Health Department: Attorney Kissinger reported the following three (3) bids:

- | | |
|--------------------------------------|-------------|
| 1) Hendrickson Enterprises, Inc. | \$16,235.10 |
| 2) Cooke Chevrolet Geo Company, Inc. | \$12,611.99 |
| 3) Expressway Dodge, Inc. | \$16,980.40 |

Commissioner Hunter asked if these bids were based on identical specifications.

Attorney Kissinger said they were -- but different trucks. Two of them firms bid Dodges and one bid a Chevrolet.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, the bids were referred to the Purchasing Department for review and a recommendation.

Awarding of Bid/Post Frame Buildings for Sheriff's Department: Mr. Burgdorf apologized for not getting this item on tonight's agenda due to time constraints which proved difficult. However, as can be seen from the detailed sheet he handed the Commissioners a few moments ago containing the bids received last week on this project, Cissel Construction performed the construction on the last building (basically the same type structure) and they were again the low bidder. All the proper forms were enclosed and he would recommend the Board accept this bid.

Motion to award the contract for the Post Frame Building to Cissel Construction for the price of \$15,400 was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Authority to Make Offer of Settlement/Condemnation Case/Commissioners vs. Alfred Bauer, Sr./Lynch Rd.: Attorney Kissinger said he previously discussed this case with the County Commissioners and is requesting authority to make an offer of settlement of that case for the total amount of \$55,000.

Motion to this effect was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Surplus Properties/Request for Inventory: Attorney Kissinger said that, once again, in reference to the newly acquired county properties, he is requesting authorization of the County Commissioners for our Insurance Loss Control Agent to make an inventory of those properties, in order to advise us as to the necessary safety steps to be taken.

So moved by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Negotiation of Lease Renewals with Various Residents of the County Recorder's Office: Attorney Kissinger said the final item on his agenda concerns a request for the Superintendent of County Buildings to negotiate leases with the various residents of the County Recorder's Office. We have title companies, etc., who have actually leased space. Those leases haven't been re-negotiated or even renewed. As a matter of fact, we find some of them are on a verbal lease as opposed to anything written. For the benefit of the Lessees as well as the Lessors, we need to re-negotiate those leases and actually enter into formal leases with all of those people who now have existing leases and we need to revise the lease price. Therefore, he is requesting authorization for the Superintendent of County Buildings to engage in lease renewal negotiations.

Motion to this effect was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Commissioner Hunter suggested that Mr. Abell might want to contact St. Joe County and Allen County to see what they are charging -- so we can be fair and equitable in whatever we come up with.

Commissioner Tuley agreed.

Central Dispatch Joint Agreement: Attorney Kissinger said there have been two Ordinances passed by the Evansville City Council regarding the Joint Agreement with Vanderburgh County concerning Central Dispatch. One of those Ordinances was to authorize the Mayor to designate an individual to appear for him at the Central Dispatch Board meetings and also to allow the County Commissioners to designate an appointee to appear for them in case they were unable to attend.

The next agreement was in reference to the establishment and the makeup -- it was an Amendment -- of the Central Dispatch Board. Both of those Ordinances -- in order for them to be effective for the City in consideration of the fact that Central Dispatch is under Joint Agreement -- need to be approved by the County Commissioners. He has reviewed these and would recommend the County Commissioners approve both of these amendments. He will prepare a Resolution to that effect for execution by the Board next week, if the Commissioners so desire.

Request to Increase Amount of E-911 Fees: Attorney Kissinger said the next matter is an inquiry by the City Controller in reference to increasing the amount of E-911 fees that were used to reduce the City's and County's burden for Central Dispatching expenditures. That was directed to County Auditor Sam Humphrey, who referred it to him. He thinks the Commissioners ultimately asked him to look into this to see if that could be done. He thinks perhaps it can be done, but the E-911 Ordinance was an ordinance that was adopted by the Vanderburgh County Council -- because it involves a fee charged by the telephone company to the users for the E-911 Service. Therefore, this would most appropriately be referred back to the County Council. He told Leslie Blenner in the Controller's office that the County Commissioners probably don't have any specific authority to object or not object to this, because it is a County Council function and he is just reporting to the Commissioners that he has referred this back to the County Council. If the County Council should bounce it back again, we need to bounce it back to them.

Attorney Kissinger said he has nothing further to report.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: It was noted that Mr. Morphey has submitted his Weekly Progress Report for period of November 19 thru November 24, 1993.....report received and filed.

Dead Deer on County Roads: In response to comment by Commissioner Tuley, Mr. Morphey said they had five dead deer in various locations -- one at Baseline & Old State Rd.; one on South Weinbach; one on River Rd; one on Old Henderson Road; one on the new Tekoppel Overpass and then one on Buente Rd. This is the season; they move around a lot.

Paving Program: In reply to query from Mr. Tuley, Mr. Morphey reported the County Highway Department has finished their paving program as of November 19th. They finished Rosenberger Avenue and then patched the intersection of Upper Mt. Vernon and Tupman Rd. -- where some work had been done with regard to widening the intersection. They are going to put Tupman Rd. on next year's resurfacing list.

In response to query from Commissioner Hunter as to whether we have any contract paving which needs to be finished, Mr. Morphey said he does not know.

Mr. Hunter said it's been a few days since he's been through there, but he doesn't believe they've put the final coat on Boonville-New

Harmony Rd. between Highway 57 and Old Petersburg Rd.

Mr. Morpew said they have put surface on this area and it has also been striped.

Removal of Downed Trees & Ice on Bridges/Roads: In response to query from the Commissioners, Mr. Morpew said they had downed trees Saturday night due to the high winds and early Sunday morning they had bridges which had iced up, and some of the roads were iced up on the shady side of the road. In response to query from Commissioner Hunter, Mr. Morpew said it usually takes about four to six hours to run through all the bridges in the County. They generally have six (6) crews out. Again, in response to comment from Commissioner Hunter, Mr. Morpew said we have close to 200 bridges and box culverts in the County. In the shady areas of some of these hills there are stretches 400 ft. to 500 ft. long that ice up and they also have to get these areas.

RE: COUNTY ENGINEER - JOHN STOLL

Change Order/Lynch Rd. Project: Mr. Stoll submitted a Change Order in the amount of \$18,257.40 re the Lynch Rd. project. This came about because there was a item for expansion joints in this project that was omitted from the contract. It was in the design plans, but not in the contract. It was just an error and should have been there. It has to be in the bridges. He guesses the only thing is we just have to pay 20% of the \$18,257.40. In response to query from Commissioner Hunter, he said this is for the bridge over Pigeon Creek. It is his recommendation that the Commissioners approve this change order.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Request for Sidewalk Waiver/Extension of Cross Pointe Boulevard: Mr. Stoll said he just gave the Commissioners a copy of the letter he received this afternoon, requesting the waiver be granted for this project. As it stands now, the way the covenants are written for the Cross Pointe development, sidewalks are required. Jim McKinney, the developer of Cross Pointe, said that he doesn't have a problem with the waiver. He said it was a County requirement that sidewalks be included in the subdivision. The developments that have gone in at Cross Pointe so far all have sidewalks -- since no waivers have been granted. Before the meeting this evening, Barbara Cunningham called B.J. and said that the sidewalks should be a condition of the development and sidewalks are required in Eaglecrest, the other development out there -- where there are similar conditions -- a lot of vacant ground and a lot of the area still to be developed. He also has a site plan of Cross Pointe if the Commissioners would like to see it.

Commissioner Hunter said he could certainly understand Builder's Square's thinking on this - that most of their clients are not going to come walking in. But, as he recalls, there are still several hundred acres out there to be developed. If no one else has received a sidewalk waiver, he can say very quickly that he will vote against granting this waiver.

Mr. Tuley said that is basically what he was going to say. After talking to Messrs. Hunter and Stoll tonight and realizing what else is going to be out there, if you let them go you will have to do it for everybody else out there. He thinks this is one time the Board is going to deny the request. He then entertained a motion.

Motion to approve the waiver of sidewalks was made by Commissioner Tuley, with a second to approve from Commissioner Hunter.

Commissioner Tuley asked for a roll call vote: Commissioner Hunter, no; and Commissioner Tuley, no. Request denied by a

unanimous negative roll call vote. So ordered.

RE: CONSENT AGENDA

Following brief comments between the two Commissioners concerning the Consent Agenda, a motion was entertained.

Motion to approve the Consent Agenda, including the added employment status changes submitted by Mr. Abell, was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: OLD BUSINESS

Mr. Tuley entertained matters of Old Business to come before the Board. There were none.

RE: NEW BUSINESS

Telephone System/County Garage: Mr. Abell said he had reported to the Commissioners that the County Highway Garage would only need six (6) new phones. As it has turned out, they will actually have eleven (11) phones. With the newly remodeled space, the foremen no longer have to work out of their trucks as an office. Previously they had one desk between them. They actually have real offices and phones now. Eleven phones is not all that unusual. It sounds like a lot, but it really isn't for the space they have out there.

Mr. Hunter said he remembers when the snow route plan was a map in the glove department of the truck - so we are making progress.

Mr. Tuley entertained further matters of business to come before the Board. There being none, a motion was entertained to adjourn. Motion to adjourn was made by Commissioner Hunter at 6:35 p.m., with a second from Commissioner Tuley. So ordered.

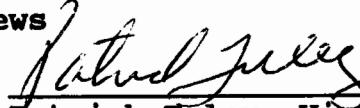
Commissioner Hunter humorously noted he believes the Board gets through earlier when Commissioner Borries is not present and Mr. Tuley said they also kept sidewalks. When Mr. Abell said he believes these two comments made it into the official record, the two Commissioners responded by saying this should hasten Commissioner Borries' return.

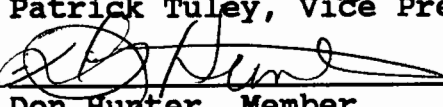
PRESENT:

Patrick Tuley
Don Hunter
Alan M. Kissinger/County Attorney
Cindy Mayo/Chief Deputy Auditor
Mark Abell/Supt. of County Buildings
John Stoll/County Engineer
Bill Morpew/County Highway Supt.
Jack Waldroup/United Consulting Engineers
Eric Williams/Deputy Sheriff
Bill Bivins/Accu Surveying
Daryn Burgdorf/Purchasing Dept.
News Media

ABSENT: Richard J. Borries

SECRETARY: Joanne A. Matthews



Patrick Tuley, Vice President


Don Hunter, Member



**BOARD of
COMMISSIONERS**
of the County of Vanderburgh

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

November 29, 1993

5:30 P.M.

1. **CALL TO ORDER** ✓
2. **INTRODUCTIONS** ✓
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Approval of Minutes (11/22)
 - B. Any group/individual wishing to address the commission — *None*
 - C. Bid Openings
 - (1) Timber Materials
 - (1) One Full Size Pick-Up for County Highway *Heater Dept.*
 - D. Ordinance to Amend Chapter 72 Schedule II, of the Code of Ordinances/*Second Reading (Deferred from 11/22/93) — *DM/PT*
 - E. Petition to Vacate/Gabensee Acres
re: ~~First Reading~~ *Public Hearing* *5:30 pm. 12/20/93*

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney
Mark Abell ----- Superintendent of County Buildings
Bill Morphew ----- County Garage
John Stoll ----- County Engineer(See attached requests)

6. CONSENT ITEMS

A. Travel/Education Requests:

- * Coroner (1)
- * Travel will be in 1994

B. Employment Changes:

- * see attached

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED — 6:35 pm.

COUNTY ENGINEER'S
CONSENT AGENDA
NOVEMBER 29, 1993

1. **CLAIMS:**

U.S.I. & SR 62 430 BOND

Ashland Oil-Pipeline Div. (Inv. #42M-000003)

\$2,306.70

December 1993

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1335 / 30 3:30pm County Council	2336 / 29	3337 / 28	4338 / 27
5339 / 26	6340 / 25 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners	7341 / 24 5:30pm AIC	8342 / 23	9343 / 22 INDOT Hearing	10344 / 21 Pay Day	11345 / 20
12346 / 19	13347 / 18 4:30pm Solid Waste 5:30pm County Commissioners	14348 / 17 9:00am Co. Insurance Comm.	15349 / 16	16350 / 15 9:00am Co. Steering Comm. 5:00pm Pigeon Creek	17351 / 14	18352 / 13
19353 / 12	20354 / 11 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Rezoning	21355 / 10	22356 / 9	23357 / 8	24358 / 7 Christmas Eve Pay Day	25359 / 6 Christmas
26360 / 5	27361 / 4 Christmas	28362 / 3 4:30pm Exec. Session 5:30pm County Commissioners Drainage Board	29363 / 2 3:30pm Personnel & Finance	30364 / 1	31365 / 0 New Year's Eve	

November 1993						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

January 1994						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Board of Commissioners

of the
County of Vanderburgh
305 ADMINISTRATION BUILDING
CMC CENTER COMPLEX
EVANSVILLE, INDIANA 47708



CAROLYN McCLINTOCK
DON L. HUNTER
RICHARD J. "RICK" BORRIES



TEL. (812) 426-5241

AGENDA REQUEST

NAME OF REQUESTOR:

DAVIN S. BURZDORF

REQUESTOR TITLE:

BUYER

DEPARTMENT:

PURCHASING

REQUEST(S) BEING MADE:

Open VC 9403 - Timber Materials

Open VC 9315 - Pick Up Truck
for Vand. Co.
Health Dept

DATE TO BE PLACED ON AGENDA:

11/29/93

ACTION

CONSENT

OTHER

NOTICE OF PUBLIC
HEARINGS
ORDINANCE TO AMEND
CHAPTER 72
SCHEDULE II, OF THE CODE
OF ORDINANCES OF VAN-
DERBURGH COUNTY
Notice is hereby given that
the Board of Commissioners
of Vanderburgh County, Indi-
ana has scheduled Public
Hearings in Room 307 Civic
Center Complex Evansville
Indiana, as follows with re-
gard to the following
Ordinance:
Second Reading: 5:30 P.M.,
Monday, November 22,
1993
Final Reading: 5:30 P.M.,
Monday November 29,
1993

ORDINANCE TO AMEND
CHAPTER 72
SCHEDULE II, OF THE CODE
OF ORDINANCES OF VAN-
DERBURGH COUNTY
WHEREAS, traffic engineer-
ing studies have verified that
traffic control signs are nec-
essary at certain additional
intersections within Vander-
burgh County.

BE IT ORDAINED BY THE
BOARD OF COMMISSION-
ERS OF VANDERBURGH
COUNTY, INDIANA, AS
FOLLOWS:
(A) Chapter 72, Schedule II
(Stop Intersections), of the
Code of Ordinances of Van-
derburgh County, Indiana, is
hereby amended to include
the following locations as
designated stop intersec-
tions. All vehicles are re-
quired to stop at one or more
entrances to these intersec-
tions, as indicated below.

ROAD NAME
Castle Brook Road
Royal Avenue
Lincoln Pointe Blvd.
Kloves Circle
Country Side Lane
ROAD THAT INTERSECTS
Schlensker Road
Virginia Street
Shoshoni Drive
Shoshoni Drive
Boonville New Harmony Rd.
ROAD THAT STOPS
Castle Brook Road
Royal Avenue
Lincoln Pointe Blvd.
Kloves Circle
Country Side Lane

(B) The designation of all oth-
er stop intersections listed in
Chapter 72, schedule II, of
the Code of Ordinances of
Vanderburgh County shall re-
main in full force and effect,
as previously adopted or
amended.

(C) This ordinance shall be in
effect after it has been signed
by the President of the Board
of Commissioners of Vander-
burgh County and after all
necessary signs giving notice
of the foregoing stop inter-
sections have been posted in
accordance with I.C. 8-21-3
and I.C. 8-21-4.

(D) Any violation of this traffic
schedule shall be punishable
pursuant to the applicable
section of Title 9 of the Indi-
ana Code.

Date:
Richard J. Borries, President
Board of Commissioners of
Vanderburgh County
ATTEST:
Samuel Humphrey
Vanderburgh County Auditor
APPROVED AS TO FORM:
Alan M. Kissinger,
Vanderburgh County
Attorney
(Courier & Press Nov. 8 and
Nov. 18, 1993)

NOTICE OF MEETINGS
BOARD OF COMMISSION-
ERS OF
VANDERBURGH COUNTY,
INDIANA
EXECUTIVE SESSION
MONDAY, NOVEMBER 22,
1993
MONDAY, NOVEMBER 29,
1993
4:30 P.M.

NOTICE IS HEREBY GIVEN
that the Board of Commis-
sioners of Vanderburgh
County, Indiana will hold Ex-
ecutive Sessions at 4:30 p.m.
on Monday, November 22,
1993 and Monday, Novem-
ber 29, 1993 in Room 307,
Civic Center Complex, Evan-
sville, Indiana.

PURPOSE OF SAID MEET-
INGS is to discuss Pending
Litigation and Personnel
Matters.

BOARD OF COMMISSION-
ERS OF
VANDERBURGH COUNTY,
INDIANA
Richard J. Borries
Pat Tuley
Don Hunter
Sam Humphrey
County Auditor
Alan M. Kissinger
County Attorney
(Courier & Press November
18, 1993)

NOTICE TO BIDDERS
NOTICE IS HEREBY GIVEN
THAT THE DEPARTMENT OF
PUBLIC PURCHASE ACTING
FOR AND ON BEHALF OF THE
BOARD OF COUNTY COM-
MISSIONERS WILL UNTIL
MONDAY, NOVEMBER 29,
1993 AT 5:30 P.M. RECEIVE
AND PUBLICLY OPEN AND
READ SEALED BIDS FOR THE
FURNISHING AND DELIVERY
OF THE FOLLOWING:
1994 TIMBER MATERIALS
REQUIREMENTS

1. Each bid must be in full
compliance with the speci-
fications and executed by the
bidder on Standard Bid Form
#86, wherein the Non-Collu-
sion Affidavit must be com-
pleted in accordance with the
Indiana State Board of
Accounts.

2. All bids must be accompa-
nied by a Bid Bond or Cer-
tified Check payable to the
Board of County Commis-
sioners of Vanderburgh
County in an amount not less
than five-percent (5%) of the

total bid amount as evidence
of good faith of the bidder
and such deposit shall be
subject to forfeiture in the
event the bidder fails to exe-
cute his contract in accor-
dance with his bid.

3. Consideration of applica-
ble taxes shall be observed as
covered in the specifications
and Bid Forms. In no in-
stance, however, will Federal
Taxes or Indiana Sales Taxes
be applicable.

4. The Board of County Com-
missioners of Vanderburgh
County reserves the right to
award separate contracts for
each item and/or the right to
reject any and all bids if con-
sidered in the best interest of
the Vanderburgh County.

DATED THIS 4TH DAY OF
NOVEMBER, 1993

THE BOARD OF COUNTY
COMMISSIONERS
VANDERBURGH COUNTY,
INDIANA

Richard Borries, President
Patrick Tuley, Vice-President
Don Hunter, Member
Attest: Sam Humphrey,
Auditor

(COURIER AND PRESS: No-
vember 10, 1993
November 17, 1993)

STATE OF INDIANA
COUNTY OF VANDERBURGH
SS: BEFORE THE BOARD OF
COMMISSIONERS
OF VANDERBURGH COUN-
TY, INDIANA
VACATION NO.
IN THE MATTER OF THE PETI-
TION TO VACATE A PORTION
OF PUBLIC ROAD RIGHT-OF-
WAY IN GABENSEE ACRES,
VANDERBURGH COUNTY,
INDIANA

A petition has been filed to
vacate a portion of a public
road right-of-way in Gaben-
see Acres as per plat record-
ed in Plat File L, page 36 in
the Office of the Recorder of
Vanderburgh County,
Indiana.

The hearing on said petition
will be heard by the VANDER-
BURGH COUNTY COMMISSIONERS
on November 29,
1993 at 5:30 p.m. in Room
307, Civic Center, Evansville,
Indiana.

Dated: November 18, 1993
Sam Humphrey, Auditor
Board of Commissioners of
Vanderburgh County,
Indiana
(Courier & Press Nov. 17,
1993)

BID RECAP SHEET

PROJECT #VC9403

PROJECT: 1994 TIMBER MATERIALS

BID OPENING DATE: NOVEMBER 29, 1993

✿ ✿ ✿ ✿ ✿ ✿

[illegible]

COMMENTS:

ACTION TAKEN: _____

BID RECAP SHEET

PROJECT: PROJECT #VC9315 *HEALTHY DEPT.*
ONE FULL SIZE PICKUP TRUCK FOR COUNTY HIGHWAY

BID OPENING DATE: NOVEMBER 29, 1993

* * * * *

[illegible]

COMMENTS:

ACTION TAKEN: _____

ORDINANCE TO AMEND CHAPTER 72,
SCHEDULE II, OF THE CODE OF
ORDINANCES OF VANDERBURGH COUNTY

WHEREAS, traffic engineering studies have verified that traffic control signs are necessary at certain additional intersections within Vanderburgh County,

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, AS FOLLOWS:

(A) Chapter 72, Schedule II (Stop Intersections), of the Code of Ordinances of Vanderburgh County, Indiana, is hereby amended to include the following locations as designated stop intersections. All vehicles are required to stop at one or more entrances to these intersections, as indicated below.

<u>ROAD NAME</u>	<u>ROAD THAT INTERSECTS</u>	<u>ROAD THAT STOPS</u>
Castle Brook Road	Schlensker Road	Castle Brook Road
Royal Avenue	Virginia Street	Royal Avenue
Lincoln Pointe Blvd.	Shoshoni Drive	Lincoln Pointe Blvd.
Kiowa Circle	Shoshoni Drive	Kiowa Circle
Country Side Lane	Boonville New Harmony Rd.	Country Side Lane

(B) The designation of all other stop intersections listed in Chapter 72, schedule II, of the Code of Ordinances of Vanderburgh County shall remain in full force and effect, as previously adopted or amended.

(C) This ordinance shall be in effect after it has been signed by the President of the Board of Commissioners of Vanderburgh County and after all necessary signs giving notice of the foregoing stop intersections have been posted in accordance with I.C. 9-21-3 and I.C. 9-21-4.

(D) Any violation of this traffic schedule shall be punishable pursuant to the applicable section of Title 9 of the Indiana Code.

Date: _____

Richard J. Porries, President
Board of Commissioners of
Vanderburgh County



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

201 Northwest Fourth Street · Suite 307
Old Vanderburgh County Courthouse
Evansville, Indiana 47708 · Tel. (812) 424-9603

Agenda for November 29, 1993

1. Change order for Lynch Road for \$18,257.40 - *OK/PT*
2. Sidewalk waiver request for Cross Pointe Boulevard - *Denial 2-0 vote*

Project No. STP-E185(4) Contract No. R-20843

Change Order No. 01.....

Whereas, the Standard Specifications for this contract provides for such work to be performed, the following change is recommended. (Give location, description and reason)

The Purpose of this change order is to establish a new item of "Expansion Joint SS", as per IndOT specification 617.02.186.3' of this joint is shown on the Bridge Plans sheet #17. No item was set up to pay for this work in the Contracts Itemized Proposal.

ITEM NO.	DESCRIPTION OF ITEM	UNIT PRICE	INCREASE		DECREASE		% CHANGE	
			QUANTITY	AMOUNT	QUANTITY	AMOUNT	THIS C.O.	TO DATE
95	Expansion joint SS	98 ⁰⁰ /LH	186.3'	18,257 ⁴⁰ / ₁₀₀			100%	100%
PLACE "EW" FOR EXTRA WORK ITEMS PLACE "FA" FOR FORCE ACCOUNT ITEMS			TOTALS		18,257 ⁴⁰ / ₁₀₀			
			NET	INCREASED DECREASED	ESTIMATED COST \$ 18,257 ⁴⁰ / ₁₀₀			

It is the intent of the parties that this change order is full and complete compensation for the work described above. Notification and consent to this change in plans is hereby acknowledged.

Contractor Blankenhager Bros. By Daniel M. Blankenhager Date 11/23/93

Submitted For Consideration	
PE/S <i>D.F.</i>	D.E.
AE	CONST. ENGR.
DCE	CHIEF DIV.

Robert J. King
G. Hume

Approved for Indiana Department of Highways

(SIGNATURE)

(TITLE)

(DATE)

CDC
REAL ESTATE CORPORATION
3911 TURTLE CREEK, SUITE 700
DALLAS, TEXAS 75219-4419
(214) 443-0900
FAX (214) 443-0908

November 29, 1993

VIA FAX (812)425-3526

Mr. John Stoll
Vanderburgh County Engineering Dept.
201 N.W. 4th Street, #307
Evansville, IN 47708

RE: Builders Square #1017
Cross Points
Evansville, Indiana

Dear John:

This letter is to hereby request the County Commissioners grant a waiver of sidewalks for the above project.

Please call me if you have any questions.

Thank you for your help.

Very truly yours,


John Callahan

JC:gr

cc: Mike Clark

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT

FRIDAY, NOVEMBER 19, 1993 THRU WEDNESDAY, NOVEMBER 24, 1993

FRIDAY, NOVEMBER 19, 1993

Paver, roller, and four crews paved Rosenberger.
Gradall and one crew installed culvert on Bassett Ave.
Gradall and one crew cleaned ditch line at 2900 Allens Lane.
Tiger mower and one crew worked on Lower Mt. Vernon.

MONDAY, NOVEMBER 22, 1993

Paver, roller and four crews paved Rosenberger.
Trash crews ran regular routes.

TUESDAY, NOVEMBER 23, 1993

One crew moved equipment and cleaned paver.
Gradall and one crew buried numerous dead deer.
Pay loader and four crews rocked shoulders on Allens Lane,
Wimberg, Barton and Staub Lane.
Trash crew worked on Newman Road.

WEDNESDAY, NOVEMBER 24, 1993

One crew mounted spreaders and plows on #5 and #36, and cleaned
paver.
Two tree crews worked on Wright Road.
Two patch crews worked on Water Works Road.
Tree crew worked on Little Schaeffer.
One crew cleaned distributor and spread rock on Hillside and
Outer Darmstadt.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, NOVEMBER 19, 1993 THRU WEDNESDAY, NOVEMBER 24, 1993

FRIDAY, NOVEMBER 19, 1993

Crew #1 - cut weeds on Korressel, Marx and St. Joe Road bridges.
Crew #2 - cut weeds on Mesker Park, #3 & #6 School and Slate Road bridges.
Crew #3 - cut weeds on Owensville, Baseline and Martin Station Road bridges.

MONDAY, NOVEMBER 22, 1993

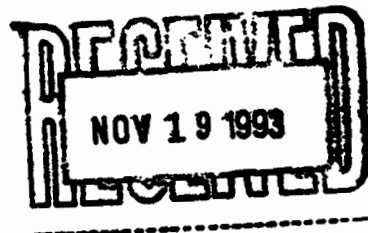
Crew #1 - cut weeds on Korressel, Marx and St. Joe Road bridges.
Crew #2 - cut weeds on Mesker Park, #3 & #6 School and Slate Road Bridges.
Crew #3 - cut weeds on Owensville, Baseline, and Martin Station Road bridges.

TUESDAY, NOVEMBER 23, 1993

Crew #1 - lower guard rail on Mill Road, clean out culvert ends at 4440 Bromm Road.
Crew #2 - line ditch bank with rip rap on Vogel Road.

WEDNESDAY, NOVEMBER 24, 1993

Crew #1 - clean up yard in back.
Crew #2 - cut weeds away from bridges on east side.
Crew #3 - cut weeds away from bridges on west side.



VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

pl

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	CHANNING R. HAYDEN		GRND. CREW (MECHANIC)	6 25	12-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	CHANNING R. HAYDEN		GRND. CREW (MECHANIC)	5 00	12-1-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Mark T. Tuley

DATE

11-29-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

PROSECUTOR

108

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1980	Sue Steele	Superior Court Reporter		Other Pay	11-24-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Stanley M. Lusco

DATE

11-14-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Health/IAP

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
213.8-112	Kelly Admire		Imm Clerk	14,950 -	12/6/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
213.8-112	Kelly Admire		Imm Clerk	14,263. -	12/6/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

P. Jones for SE

DATE

11/24/93