

**MINUTES
COUNTY COMMISSIONERS MEETING
DECEMBER 6, 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, December 6, 1993 in the Commissioners Hearing Room with President Rick Borries presiding. Commissioner Borries apologized for the late start but, as previously advertised, an Executive Session was held by this Board for purposes of discussing pending litigation and personnel matters. We seem to have a lot of both from time to time.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Attorney Alan Kissinger, Commissioner Pat Tuley, himself, Commissioner Don Hunter, Chief Deputy Auditor Cindy Mayo, and Joanne Matthews, Official Recording Secretary). He subsequently asked the group to stand for the Pledge of Allegiance.

Mr. Borries asked if there are any 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 were none.

RE: APPROVAL OF MINUTES

President Borries said he was absent last week, but would ask his fellow Commissioners to move to approve the minutes of last week's meeting.

Motion to this effect made by Commissioner Tuley and seconded by Commissioner Hunter. So ordered.

RE: PURCHASING DEPARTMENT - DARYN BURGDORF

Awarding of Bid/VC9403/Timber Materials for 1994: Mr. Borries said Mr. Burgdorf is here with regard to awarding this bid, as well as opening of other bids. He then recognized Mr. Burgdorf, asking him to explain VC9315 (the additional bid received) since no indication is given on the agenda as to what this item is.

Mr. Burgdorf said only one (1) bid was received last week for timber materials, that bid being from American Timber Bridge & Culvert. As can be seen from his memo, these prices are in line with last year's prices. Therefore, it is his recommendation that the Board award this bid to American Timber Bridge & Culvert.

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

VC9317/Grader for County Highway: Mr. Burgdorf requested authorization for the County Attorney to open these bids.

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

VC9315/Pick-Up Truck for County Health Department: Mr. Burgdorf said this bid is for a pick-up truck for the Health Department. There was an error made by his office last week. There was an additional bid received before the bid opening deadline. However, it was misfiled and did not make it to the meeting. Thus, only three (3) bids were opened, when there were actually four (4) bids. He has held off making any determination with regard to his recommendation pending opening of the additional bid. In response

to query from Commissioner Borries, Mr. Burgdorf again verified the bid was received prior to the deadline and was overlooked as a result of an error by his staff.

Mr. Borries entertained a motion to authorize the County Attorney to open the bid.

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

Mr. Burgdorf said he does have one more item. He has reviewed the three bids received last week and Cooke Chevrolet's bid appears to be the low bid at \$12,611.99. The bid from Hendrickson & Sons came in at \$16,235.10 and Expressway Dodge had a bid of \$16,980.40. At the time the bids were read, he remembers Commissioner Hunter said something about the price range difference. The difference was, as he remembers, a 1/2 ton pick-up was requested. Both Hendrickson & Sons and Expressway Dodge bid a 3/4 ton pick-up. That very well may account for the difference in the bid prices. Cooke Chevrolet did bid the 1/2 ton pick-up and hence came in about \$3,000 to \$4,000 lower. The specs called for a 1/2 ton pick-up.

The Commissioners said they wondered how this happened.

Mr. Burgdorf said it really is up to the Commission. When the Attorney opens this bid, if it is in order and for a 1/2 ton pick-up and is higher than the bid from Cooke Chevrolet, he would recommend going with Cooke Chevrolet -- if we can do that.

Attorney Kissinger said we need to defer any recommendation to the Commissioners until next week, because this bid needs to receive the same consideration as the others.

Mr. Borries asked, "There was no confusion with regard to the bid specs, as to why Hendrickson & Sons and Expressway Dodge would put a 3/4 ton pick-up in the bid rather than a 1/2 ton pick-up?"

Mr. Burgdorf said he has no idea. There was a part that asked for a maximum payload capacity of 2,000 lbs. From what he can gather, the 1/2 tons that they had, for one reason or another, had more than a 2,000 payload. He believes that is why they bid the 3/4 ton.

Mr. Hunter asked, "And there was no explanation as to why they bid the 3/4 ton model?"

Mr. Burgdorf said there was not. He tried to get in touch with both firms, but hasn't been able to as of yet.

The Commissioners requested that he do this and report back to the Board next week.

RE: BUILDING CODE ORDINANCES - ROGER LEHMAN

President Borries noted Mr. Roger Lehman is not here, but he has sent the following communication, "Proposed Ordinances amending the Building Code" and enclosed same. City Council held hearings through November. He then asked Joanne Matthews if these have been published.

Ms. Matthews replied that she had not seen the Ordinance prior to receiving her packet for tonight's meeting -- so she has not published it.

Mr. Abell interrupted, saying that Mr. Lehman is presently in City Council. He will try to be here as soon as possible and asked if the Commissioners could defer this item until a little later in the meeting and he will be here to give a presentation. If he doesn't make it, then he asked this matter be deferred until next week.

RE: AGREEMENT RE SUNBEAM RAIL SIDING PROJECT - DMD

Commissioner Borries said Ms. Matthews has advised no one from DMD will be here tonight with regard to this agreement, but they have submitted the agreements for the Commissioners' signatures. He said what this is, is an Economic Development Agreement between the County and the State of Indiana Department of Commerce, and it is a grant that covers a portion of the cost of the Sunbeam Plastics Rail Site Project. He would entertain a motion for approval.

Messrs. Hunter and Tuley said there was a huge discrepancy with regard to the amount. The next lowest bid was \$20,000 or something like that.

Mr. Borries said the amount they are talking about here is \$11,945.

There was no further discussion and a motion was entertained.

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

President Borries noted that Attorney Kissinger also has to sign a voucher card, which is attached to the front of the agreement.

RE: WEIGHTS & MEASURES/ORDINANCE - LORETTA TOWNSEND & KEITH ROUNDER

Attorney Kissinger noted that Attorney Keith Rounder is here with Loretta Townsend from Weights & Measures, and he believes their presentation will be short and sweet.

Ms. Townsend said the Commissioners have a copy of the Ordinance that, for the most part (90% of it) is nothing new from what we already have. There are some changes such changing it from the Board of Health to the Department of Health -- which has been over a year ago -- so it was time to change that. There are some additions. This sets out fines which we have not had before. The reason for the need for this is that the State has adopted their own civil fines. We are the only county in the State of Indiana that has an ordinance that allows us to do our own violations, our own prosecutions and this type of thing and if we do not copy what the State has, then if we find a violation what would happen is that we would have to rely on the State to come down and take over for us. -- and we might as well forget it. We are really adopting what the State has. The way it is set up, if we do not have this -- all the other counties in Indiana when it comes to prosecution -- and I am going to readily admit I don't know of any of them that will go that far in the State of Indiana, but we do. We have an ordinance which allows us to do what we have been doing, like with the Pantry -- to cite our own violations and take care of them. But we need the fines they have in order to do this. We have adopted what the State has, so we can do it locally rather than waiting for the State to come down and do it for us. And this is with the approval of the State, too, because they have had a copy of this for a good long while, with their approval.

Attorney Kissinger said he believes this ordinance also contains all the statutory citations for our authority, etc.

Ms. Townsend confirmed this is correct.

Commissioner Hunter asked if Attorney Rounder is comfortable with the ordinance and Ms. Townsend said he is.

Commissioner Kissinger said this does contain penalty provisions and will need to be published twice in its entirety.

Mr. Borries thanked Attorney Rounder and Ms. Townsend for their work on this and said he will refer the ordinance to Joanne Matthews, who will set up advertising and hearing dates.

Ms. Townsend said she would like to have included in the County Personnel Policy the requirements in effect for sanitation requirements for food preparation establishments -- for the simple reason being that the State Board of Health requires from these people who are dealing with food preparation -- meat markets and this type of thing -- to follow certain sanitary rules. They have to do this. Now, to ask any less of our people who are going in there to do this -- she means, we can't have an inspector (she doesn't want it to sound like we have problems -- but she doesn't want problems). If they don't allow certain things -- certain hygiene things to go on, i.e., at the Old Fashioned Meat Shop, for instance -- then our inspectors should not go in there practicing these things -- grubby fingernails, dirty uniforms and this type of thing. It needs to be in writing - these are the things that should be done. She is getting a new inspector the first of the year and this would be a good time to put it in writing. On the safety regulations, this came directly out of what they call an examination procedure (Pamphlet #12). When we're messing with chemicals and we're messing with fuel and this type of thing, there should be written safety regulations as what to do and what not to do. This should be a part of their department policy. It will not affect any other department in the County, but it will affect them.

Commissioner Hunter said he thinks this is a good idea.

Commissioner Borries asked if Ms. Townsend has talked with Attorney Rounder about this.

Ms. Townsend said that she has.

Mr. Borries said that in order to have this -- we might be able to do this as an addendum of some sort to the Personnel Policy -- that it is applicable to the Weights & Measures Department. There may have to be some procedure the Board has to take in order to adopt these.

Mr. Borries asked Attorney Kissinger that if the procedures are written, then they should be attached some way as an Addendum to our County Personnel policy as applicable to just Weights & Measures?

Attorney Kissinger said he sees Mr. Borries' point. Yes, they should be. They should become a part of the Vanderburgh County Code of Ordinances, specifically referenced to the Department of Weights & Measures.

Commissioner Hunter said he thinks they definitely should be included and also applicable to any other department that would be dealing with hazardous materials, such as gasoline.

With regard to the sanitation rules, he asked for further clarification from Ms. Townsend.

Ms. Townsend said it needs to be in writing. If someone comes in her office with their knees hanging out of their pants or something, what are you going to say? It should be something that says, "Hey, here are the procedures for the department." And, as she brought up at the Department Meeting, general things such as, "No maintenance is to be performed by the inspector on devices belonging to the regulated business" -- because you'll be buying a gas station, which she doesn't think the County will want to do. Then you have things like you had up in Warrick County. For example, also included should be something like "No employee may use their position to secure any special advantage, privilege, or exemption". Where is that in writing? They're going in and

regulating businesses. They cannot afford to get any favor from some fellow where they're about to regulate his gas station. If nothing else, it looks bad. These rules are not written anywhere. Again, it isn't that she's having any problems -- but she never wants to have a problem. She wants them to see it in writing -- "This is something you should not do."

Commissioner Borries said that is fair enough. He asked if Attorney Rounder has seen these, and Ms. Townsend responded affirmatively.

Attorney Rounder said he guesses his question to Attorney Kissinger is, "Would you like for us to submit this in a subsequent meeting in another form?"

Attorney Kissinger replied, "Yes, I think so. It is really going to constitute a County Personnel Policy, even though it is going to apply only to certain County employees. So, in short -- yes."

Ms. Townsend said they should look at these to determine if some of these should be included in the general personnel policy, because she has read it over and over and could not come up with anything she could apply to these.

Attorney Kissinger said that coincidentally the County Personnel Policy is now under consideration for amendment, so we will probably consider that.

Request to Travel: Ms. Townsend requested permission to travel next month -- to get their equipment checked in Indianapolis, which they do every year anyway. The Commissioners indicated their approval.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Reading of Bids/VC9315/Pick-Up Truck for County Health Department: Attorney Kissinger reported that the omitted bid was from Kenny Kent Chevrolet Company, Inc. in the amount of \$14,655.41.

VC9317/Grader for County Highway Department: Mr. Kissinger said the following bids were received:

- | | |
|--------------------------------------------|--------------|
| 1) Wayne Supply Company | \$105,912.00 |
| 2) Brandeis Machinery & Supply Corporation | \$ 91,820.25 |
| 3) K&W Equipment | \$ 88,700.00 |
| 4) Rudd Equipment Company | \$ 79,653.00 |
| 5) Carlisle Equipment Company, Inc. | \$ 83,769.00 |

Motion was made by Commissioner Hunter and seconded by Commissioner Tuley that the forgoing bids be taken under advisement. So ordered.

Resolution re Central Dispatch: Attorney Kissinger said he will be introducing next week one Resolution in reference to the make-up of the Central Dispatch Board. The City Council has already passed an Ordinance directly affecting the make-up of the Central Dispatch Board. Basically that ordinance will not go into effect until it has been approved by the County Commissioners. He will introduce it in Resolution form next week for the Board's approval.

Resolution re Central Dispatch: He will also have another Resolution to introduce with regard to the Central Dispatch Board, which will deal with allowing alternates to serve -- he believes, for the Mayor and for the County Commissioners.

Resolution re Transfer of Law Enforcement Vehicle from Town of Darmstadt to Vanderburgh County for Use by Sheriff's Department: Attorney Kissinger said he has received the necessary request and other information from the Sheriff's Department in reference to

this matter. He will be introducing a Resolution next week to approve this transfer.

Disposition of County Real Estate: Attorney Kissinger said he has researched the question in reference to the disposition of County real estate. There was a question as to whether or not after the County had attempted to sell real estate at tax sales and had been unsuccessful if the one (1) year period from the tax sale to the time that the County actually takes a deed to this property, whether or not the County could assign their lien interest in the real estate during that period of time. The answer to that question is, "No, the County stands in the same position as the purchaser at a tax sale -- must hold that real estate for the owner of the property and give that owner the opportunity to come in and redeem before that one (1) year passes.

Payment to An Employee/County Clerk's Office & The Election Office:

Attorney Kissinger said the last matter he was asked to research was the subject matter. He has determined that not approving the claim for payment for additional time worked by that employee during the most recent referendum election for the riverboat gambling issue would not deprive that employee of any money that she ordinarily would have made. He has tried to put some kind of label on this payment -- if the Commissioners choose to approve it. It will be in the form of a bonus or a gift. He has determined specifically that overtime payment cannot be made, because under the County employee standards and guidelines this particular employee is considered to be an exempt employee -- so overtime payment cannot be made. He can find no authority for a gift. And specific language in State Statutes indicates that County employees -- municipal employees -- cannot be paid bonuses. He cannot find any legal authority for this payment. He has nothing further to report.

President Borries said, "Okay. Thank you, Alan." Addressing several gentlemen in the audience, Mr. Borries asked if they are present with regard to the bids on the grader for the County Highway Department. They acknowledged they are. Mr. Borries advised no action will be taken tonight -- it will be next week. He then thanked them for coming. He then asked, "Are there any questions of Mr. Kissinger at this time?"

There being none, he said, "The question is whether or not any action should be taken. I guess if there is no action taken -- that is an alternative -- a do nothing alternative. I guess in my limited experience as parliamentarian or in parliamentary procedure, most of the time we make motions in the affirmative. So with the absence -- unless there is a motion on the floor, then it just dies."

Commissioner Hunter said, "Based on the comments of Legal Counsel, I am not sure any action is necessary."

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Travel Request & Quietused Check: Mr. Abell said he has two items which were received too late to get on the printed agenda: A travel request from Auditor Sam Humphrey and one check which had been quitused.

Mr. Borries said Mr. Humphrey's request concerned an A.I.C. meeting and the Commissioners Conference. He also has a request from Mr. Bill Morpew concerning the Commissioners Conference. The check is from T.C.I. Great Lakes in the amount of \$47,792.260 (which, incidentally, should help the General Fund). This came last week and he wanted to enter this into the record. Commissioner Borries then entertained a motion to add these two travel requests and acceptance of the check to today's Consent Agenda.

New Telephone System: Mr. Abell said the telephone change is completed. There have been several complaint calls, but 90% or 95% were simple questions. They did have some major things. But anytime you make a major phone change as we did with over 400 phones and many offices off site, there were some things that happened that he doesn't think anyone could explain -- but they got fixed. The guys were in the building with walkie-talkies and running all over the place. They knew what they were doing and they got the job done. It's probably not one hundred percent -- but they will be in the building another couple of days until it is. That was a major project that is glad to say is just about completed.

Mr. Borries said they appreciate Mr. Abell's work on this. As a matter of follow-up, for the record -- the 435 prefix is a new prefix in the State of Indiana. There are some businesses and some off sites switches that may be having problems. They have to re-program their memories and their phone systems to get this 435 prefix. That may be causing some of the problems. All of the new numbers will be in the new phone book. That is one of the reasons we did this conversion. It also coincided with Ameritech's upgrade. This is where you've been reading where you can get these call identifications, etc., to see who is calling -- all the upgrades that Ameritech made are coinciding with this conversion. And finally, as he thinks Mr. Abell pointed out, everybody is for change as long as it is somebody else. We knew there were going to be some glitches in this -- but it also converted the School Corporation's numbers. For him, it was an historical first. For the first time he could dial across the street to the Auditorium on a four digit number. He's not been able to do that since 1981. He could also dial Burdette Park on a four digit number today for the first time. So he thinks we've made some progress. We're also estimating we'll be able to save about \$1/4 million on this conversion over a period. The phone sets are also hearing compatible with persons who might have hearing problems -- so we feel we've made some big strides with this -- if we can learn how to use them. These phones can really do a lot.

RE: COUNTY HIGHWAY GARAGE - BILL MORPHEW

Weekly Progress Report: Mr. Borries said Mr. Morphew has submitted his Weekly Progress Report for period of November 24 - December 2, 1993.....report received and filed. Again, it shows work being done pretty much in all sections of the county.

Paving: Commissioner Borries asked Mr. Morphew if we're still paving.

Mr. Morphew said we are not. We've ceased the paving operation. He's working on a list of all roads paved, getting the mileage down and the amount of money spent on materials -- and he would like to turn that report in at the next Commissioners' meeting.

County Garage Roof: In response to query from Commissioner Borries concerning the status of the new roof, Mr. Morphew said they're about 60% complete with the new roof. There have been several bad days of rain where they couldn't get up there and work.

Mr. Borries asked if someone is monitoring this.

Mr. Morphew said he has a watchdog on the roof all the time they are there. He stays right on the roof with them. If the weather holds up, they can be done in another week or so.

Use of County Vehicle: Mr. Morphew said the Board has his travel request re the Commissioners' Conference. He also is requesting permission to use the County vehicle.

Mr. Borries said he is sure there won't be a problem and the

Commissioners will just take his travel request under the Consent Agenda.

RE: COUNTY ENGINEER - JOHN STOLL

Street Plans/The Villas Subdivision: Mr. Stoll said this is the first item on his agenda. It is a curb and gutter section, which will either be concrete or asphalt. If it is a concrete street, lugs will be placed in designated area.

Mr. Borries asked if Mr. Stoll thinks this will address any kind of slippage?

Mr. Stoll said he does. The steeper grades are toward the cul-de-sac in designated area. But the plans appear to be satisfactory and he recommends approval.

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

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

Request for Partial Waiver of Sidewalks/The Villas: Mr. Stoll said he received the letter this evening requesting partial waiver of sidewalks. (The developer plans to put sidewalks in the area highlighted in pink on the map he passed out earlier. Mr. Calvin Dentino is here concerning his request for the sidewalk waiver, should the Board have questions.

Commissioner Borries said he believes the Board will have questions and he recognized Commissioner Hunter.

Commissioner Hunter asked if Mr. Dentino can give the Board the rationale behind the request for the partial waiver.

Mr. Dentino said he picked up the map from Morley's this afternoon. He'd asked them to give them a proposal as to what they thought would be acceptable in so far as the sidewalks were concerned. Part of the reason is that, first, it does provide more green space. Secondly, you put all the sidewalks within that entire subdivision and with all the contractors moving in and out-- most of the sidewalks would be broken up anyway. Thirdly, he has been advised that several subdivisions on the north side of town have been submitted with waiver on some of the sidewalks and have been approved. He really was guided by what the engineers were submitting to him, but he is open to any recommendations or comments. He is sure the Commissioners' reaction will be the same as his; there is more blue on the map than there is pink. The pink is in the center and goes around a heart-shaped segment. The other consideration is the dimensions on the street. There are a lot of people in subdivisions who have subdivisions with this number of lots that have no sidewalks at all. He knows the Commissioners have requested that the developers have some sidewalks.

Commissioner Hunter asked, "The driveways are not going to be curb cuts off Eissler Rd.? They're going to be on the inside.?"

Mr. Dentino said that is correct. He thinks the request for waiver there is a misapplication of pencil -- because the lots really front on Pepperidge Lane, rather than on Eissler Rd.

Mr. Borries said he was going to ask about that, too.

Mr. Hunter asked if a school bus will be able to come into the subdivision off Eissler Rd., negotiate the turn and do a circle through Pepperidge Lane?

Mr. Dentino replied that he has been advised they can -- anywhere

within that subdivision. Those streets are 50 ft. wide, if his recollection serves him (he can hardly read it in the small print). There will be an accel/decel lane off Eissler, then the road tapers.

In response to query from Commissioner Borries as to whether this is a mile outside City Limits, Mr. Stoll said he is not sure. The way the ordinance reads, the mile really doesn't matter. It says something along the lines that sidewalks are required, unless waived. Why the statement of the mile is in there, he really doesn't know.

Mr. Borries said there is also a 10 ft. public utility easement.

Mr. Stoll said Deputy Eric Williams just informed him that the City Limits are at Campground Rd.

In response to query from Commissioner Hunter concerning the price range of the homes, Mr. Dentino said the price will be somewhere between \$90,000 and \$103,000. A few of them might be a little less than that. To again give a kind of historical review, there is a retention basin right in the center (kind of a lake) and there is also a retention basin over on the left as you go in. This is the complete subdivision. This will not have access into Deerfield. This is a totally stand alone. None of these dead-end streets will ever go through.

Mr. Hunter asked if the retention basin is already in place.

Mr. Dentino said it is not -- it is to be dug. They haven't started at all.

Mr. Hunter said when they approved the drainage plans, they asked Jim Morley to make sure the retention basins went in before anything else.

Mr. Dentino said he was talking with Mr. Morley the other day. They are going to do that. The two retention basins are going to be done and then all of the storm sewer work toward the entrance will be done so that if there is any water coming off any of the area that is not done up in the top section, once it does get done it will still capture all the water down at the end.

Mr. Borries said he knows Commissioner Hunter's concerns on sidewalks. He thinks this does address -- the inner ring, so to speak, is really where the traffic is going to go.

Mr. Hunter said he is a little more comfortable with this set-up than he is some of them - since it is enclosed. Even though it is high density, you're not going to have a lot of traffic. And we're sure nobody is going to come back next year and say they'd like to extend those cul-de-sacs on through?

Mr. Dentino said the price range of homes in designated area will be about \$200,000 and up -- there is one cul-de-sac right up at the top and there are six lots that stand alone -- or they stand as a connection to Deerfield. So none of this subdivision will connect to anything else around it.

There being no further discussion, motion was made by Commissioner Tuley to approve the request for the partial waiver, with a second from Commissioner Hunter. So ordered.

Request to Take County Car to Vincennes/David Franklin: Mr. Stoll said he is requesting permission for David Franklin to take the County car to Vincennes while he is preparing the final construction records for the Orchard Rd. Bridge. It is a kind of hit-and-miss basis on when he needs to go up there to get some things clarified, but usually it is without any notice. He knows

he needs to get the Board's approval. Is there any way to get blanket approval for him to go -- or whatever.

Commissioner Hunter said he sees no problem at all.

Commissioner Borries said the Board trusts Mr. Stoll's good leadership, so whatever is needed.

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

Public Hearing re Eickhoff-Koressel Rd.: Mr. Stoll said there is a Public Hearing scheduled re the Eickhoff-Koressel Rd. project on December 9th at 4:00 p.m. and another at 7:00 p.m. The Commissioners noted they will not be at that hearing, as they will be in Indianapolis.

There was brief discussion among the Commissioners concerning this project and in response to query from Commissioner Hunter, Mr. Stoll said he believes it was in EUTS' long range plan in 1978.

Mr. Borries said he is glad Mr. Stoll brought this up, because the long range plan was done in 1978, and John was about the only one who knew enough about it in EUTS to be able to continue to work on it -- and it hasn't been re-done since. So when you start talking about the future and you start talking about situations where you start talking about planning some roads, that long range plan needs to be updated.

Mr. Stoll said there was a draft; he's not sure what status it is in now -- and he and Blaine Oliver were both working on it at the time.

Mr. Borries reiterated it needs to be updated and it certainly takes some technical skills to do it. But people need to be aware of that plan so when they're going to build a house or something -- there is some potential there to say 'not to' -- because we don't always have the money. It's taken us a long time to get started on Lynch Rd. But people need to be aware where those projects might go. The long range plan with USI -- when you look at it, this is the fastest growing university in the State of Indiana and when you start looking at north-south entrances getting into there, the school now has a student body of 800 and they're continuing to grow. Where are they going to go -- St. Joe Avenue? If you look at it, you have to go almost all the way back to St. Joe to get any kind of road north-south in there, short of Red Bank Rd. -- and you can really get lost on Red Bank Rd. So there really is a need for a north-south road on the west side. And that is what the Eickhoff-Koressel project addresses. Now, as to exactly where it is going to go and when it is going to go is the sixty-four thousand dollar question.

Mr. Stoll said Section 1 is pretty well set since the location hearing. There could be some changes here and there, but nothing that would change the whole route. But the other one -- he guesses there's a recommended alternative and there are also other options. So it's still up in the air.

Multi-County Meeting/December 7th: Mr. Hunter asked if the multi-county meeting for tomorrow night is still on and Mr. Borries said he also was going to ask about this. Mr. Stoll said he received a notice in the mail and the meeting is at 5:30 p.m. Mr. Hunter said he moved his U.E. class from 6:00 p.m. to 6:30 p.m., so he can be here for part of the meeting. Mr. Borries asked if Rick Cockrum is going to be here and Mr. Stoll said he was the one who called and was setting up the meeting. Mr. Borries said he received a call from Congressman McCloskey's office, so he thinks he was aware of it and he may have some information about funding -- as it is coming through on the highways. Or, someone may have contacted his

office. Apparently the meeting is still on for 5:30 p.m. here tomorrow. Mr. Stoll said they sent him a survey a couple of months ago concerning current dollar amount of construction we have going on and what we had five years ago. There is no one in his office now that was here five years ago, so they didn't have access to this information without sorting through the Auditor's records. But they said that was one of the things they were going to do, bring up the dollar amount of construction going on in various locations throughout the State. Mr. Borries said we may have a lot going on, but we have a lot to do, too -- particularly this Lynch Rd. is one that is going to be a first-class struggle. Again, the meeting is on for tomorrow night and everyone should show up.

RE: CONSENT AGENDA

Commissioner Borries entertained a motion to approve the Consent Agenda, as amended.

Motion to this effect 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.

RE: NEW BUSINESS

Commissioner Borries entertained matters of New Business to come before the Board.

RE: POSSIBLE ESTABLISHMENT OF COORDINATING COUNCIL

Mr. Borries said the Chamber of Commerce Transportation Committee called him and he met with them a few weeks ago. What they want to do is to try to set up to see if there is some way the Commissioners could have a coordinating body composed of the County Highway, the County Engineer, the City Engineer, the Utilities -- so when roads are planned -- it seems that somebody will pave a road and then somebody else does something and they cut the road and everything. Apparently the State of Kentucky has some kind of Coordinating Council -- everybody that is involved in the construction of public easements, utilities, right-of-way and stuff like that - they meet once a month to share information and keep track as to where these cuts might be, what kind of construction is going on. He knows it is hard to get people to do that -- but just a planning body. If the Commissioners think this is a good idea, then we need to write something up.

Commissioner Hunter said the idea is good, but it could serve only as a stop gap -- because if we ever get GIS (geographic information systems) on line, all of that information could be put in a data base and that could be pulled up. This information could be put into the system routinely and there would be no need for a committee like this. But until such time, he thinks it's a great idea.

Commissioner Tuley said he agrees.

President Borries said he will try to write something up and get it to the Commissioners for their perusal. But it does make sense to try to coordinate some of these things to void some snafus and perhaps unnecessary delays.

RE: BUILDING COMMISSION/PROPOSED AMENDED ORDINANCE

Commissioner Tuley requested that this matter be deferred until next week, since Mr. Roger Lehman is unable to be here this evening.

Mr. Borries said this matter will be preferred.

RE: SCHEDULED MEETINGS

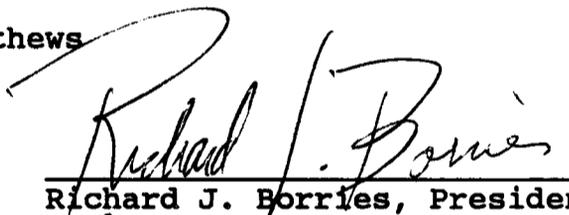
President Borries said a calendar of Scheduled Meetings is attached to the agenda.

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

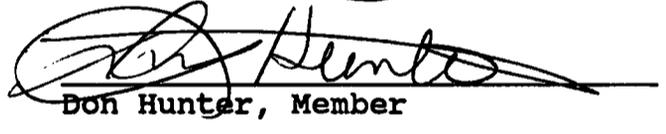
PRESENT:

Richard J. Borries
Patrick Tuley
Don Hunter
Alan M. Kissinger/County Attorney
Cindy Mayo/Chief Deputy Auditor
Mark Abell/Supt. County Buildings
John Stoll/County Engineer
Bill Morphew/Supt. County Highway Garage
Daryn Burgdorf/Purchasing Department
Keith Rounder/Asst. County Attorney
Loretta Townsend/Weights & Measures
K. A. Montgomery/Carlisle Equipment
Calvin Dentino/Developer
Eric Williams/Deputy Sheriff
Lennie Underwood/Rudd Equipment Co.
Mack Burris/Rudd Equipment Co.
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

Jan

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

December 6, 1993

5:30 P.M.

- 1. CALL TO ORDER
- 2. INTRODUCTIONS
- 3. PLEDGE OF ALLEGIANCE
- 4. ACTION ITEMS

FINAL

- A. Approval of Minutes *PT/SH*
- B. Any group/individual wishing to address the commission - *None*
- C. Daryn Burgdorf/Purchasing
 - (1) Award Bid # VC 9403 - Timber Materials - *DH/PT*
 - (2) Open Bid # VC 9317 - Grader for Vanderburgh County
 - (3) Open Additional Bid for # VC 9315 - *Pick up Truck/Health Dept.*
 - (4) *7. Bids for Lab work*
- D. Roger Lehman, Building Commissioner - *Dyerma*
re: Proposed Ordinance Amending Building Code - *No Action*
- E. Grant Agreement for Sunbeam Railing Sight Project
~~* to be presented by a representative from DMD~~

5. DEPARTMENT HEADS

Alan Kissinger -----	County Attorney ✓
Mark Abell -----	Superintendent of County Buildings ✓
Bill Morphew -----	County Garage ✓
John Stoll -----	County Engineer (See attached requests)
Loretta Townsend -----	Weights & Measures ✓

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.01362-1990	ED GREENFIELD		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-93
505.01362-1990	JOHN PAYNE		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-12-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.01362-1990	ED GREENFIELD		PART-TIME CORRECTION OFFICER	\$5.00	HR	12-11-93
505.01362-1990	JOHN PAYNE		PART-TIME CORRECTION OFFICER	\$5.00	HR	12-11-93
505.01362-1990	CAREY HUDSON		PART-TIME CORRECTION OFFICER	\$7.00	HR	12-4-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 12/3/93

JUDGE, CIRCUIT COURT

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
10501750	Daren Harmon		Clothing Allow Other	1000	00	10-26-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE Dec. 3, 1993

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1990	TANISHA R. SMITH		TYPIST	\$4.75 HR	11-29-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1160	GILBERT CHILDERS		VERIFICATION OFFICER	20,168 AN	12-31-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

[Signature]

DATE

12/2/93

JUDGE, CIRCUIT COURT

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z-1190	WILLIAM MARTIN		CORRECTION OFFICER	19,685 AN	12-11-93
505.0136Z-1230	JOHN VOIGHT		ADM. ASST. SPECIALIST	20,523 AN	12-12-93
505.0136Y 1170	CHARLES LOCKE		COMMUNITY SERVICE OFFICER	22,984 AN	12-12-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Y 1170	WILLIAM MARTIN		COMMUNITY SERVICE OFFICER	22,984 AN	12-10-93
505.0136Y 1300	WILLIAM MARTIN		COMMUNITY SERVICE OFFICER SUPP.	1,850 AN	12-10-93
136.1-1210	JOHN VOIGHT		CORRECTION OFFICER	20,219 AN	12-11-93
505.0136Z-1230	CHARLES LOCKE		ADM. ASST. SPECIALIST	17,800 AN	12-11-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

[Signature]

DATE

12/2/93

JUDGE, CIRCUIT COURT

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT *pl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1140	MARY KINSTLER		SECRETARY	18,664	AN	12-11-93
136.1-1350	BOB WEAKLEY		FULL-TIME CORRECTION OFFICER	18,584	AN	12-11-93
136.1-1210	TRAVIS AUSLAND		FULL-TIME CORRECTION OFFICER	17,699	AN	12-12-93
136.1-1310	ROGER ROBINSON		FULL-TIME CORRECTION OFFICER	18,584	AN	12-12-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1140	DEANA DUNKEL		SECRETARY	19,571	AN	12-10-93
136.1-1350	MARY KINSTLER		CORRECTION OFFICER	18,584	AN	12-10-93
505.01362- 1190	BOB WEAKLEY		CORRECTION OFFICER	18,584	AN	12-10-93
136.1-1310	ROGER ROBINSON		CORRECTION OFFICER	17,699	AN	12-11-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

[Signature]
JUDGE, CIRCUIT COURT

DATE

12/2/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT *pl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1990	MARGARET E. TRAPP		TYPIST	\$4.75	HR	11-15-93 ✓
136.1-1140	DEANA DUNKEL		SECRETARY	\$19,571	AN	12-10-93
		(STILL PAID 12/1/93)				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

[Signature]
JUDGE, CIRCUIT COURT

DATE

DEC 1, 93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department health/ASSIST

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
215.0-111	Jill Sinclair	6521 Greencove Ave Evansville, IN 47715	Assist Coordinator	20,736.	12-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Sam Elster

DATE 11-29-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1990	RICHARD SMITH		PART-TIME CORRECTION OFFICER	\$5.00 HR	11-16-93 ✓
505.0136Z 1990	VICTORIANO BERGONIA		PART-TIME CORRECTION OFFICER	\$7.00 HR	11-14-93 ✓
505.0136Z 1990	SAMUEL J. ALDERSON		PART-TIME CORRECTION OFFICER	\$5.00 HR	11-19-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1990	VICTORIANO BERGONIA		PART-TIME CORRECTION OFFICER	\$5.00 HR	11-13-93 ✓
505.0136Z 1990	JEFF KENDALL		PART-TIME CORRECTION OFFICER	\$5.00 HR	10-24-93 ✓
505.0136Z 1990	PHYLLIS CHRISTIAN		PART-TIME CORRECTION OFFICER	\$7.00 HR	11-7-93 ✓
136.1-1990	GLAMER TAYLOR <i>dx</i>		PART-TIME CORRECTION OFFICER	\$7.00 HR	11-9-93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature]
JUDGE, CIRCUIT COURT

DATE 12/1/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER TOWNSHIP ASSESSOR

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 DEPUTY	HOUR 7 00	11/5/93 ✓
249011101990	JOHN DIXON	5815 ASHBROOKE	PART TIME FIELD DEPUTY	HOUR 7 00	11/5/93 ✓
249011101990	MARGARET C. HINGLE	7939 COVENTRY CT APTB	PART TIME FIELD DEPUTY	HOUR 7 00	11/5/93 ✓
249011101990	DEANNA WILSON	500 PLEASANT VIEW DR	PART TIME FIELD DEPUTY	HOUR 7 00	11/5/93 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE 12-2-93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER TOWNSHIP ASSESSOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249011101990	STEVEN P. PRITCHETT	201 S. ST. JAMES BLVD (STILL PAID ON 12/10/93 PR)	PART TIME FIELD DEPUTY	HOUR 7 00	11-29-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE 11-29-93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

(CORRECTED PINK SLIP)

Department VANDERBURGH SUPERIOR COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701803	Karen A. Flittner		Court Reporter	Other pay 1,340.00	11/21/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701310	Elmer Ray Skelton		Bailiff/Trans Officer	11,795.00	12/24/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY W. D. Dietrich DATE 12/2/93

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 249011701110

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	John R. Bernard	5200 Duesner Rd.	Township Assessor	162.00 (lump sum pay)	11/29/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249	John R. Bernard	5200 Duesner Rd.	Township Assessor	162.00	11/29/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY John R. Bernard DATE 11-24-93

ATTN: PAULA NANCE

FAX LEGAL AD TRANSMISSION

FROM: Joanne Matthews, c/o County Auditor's Office, Room 208, Civic Center
Evansville, IN 47708

NO. OF PAGES INCLUDING COVER: 7

LEGAL AD RUN SCHEDULE: Courier & Press on Tuesday, December 14, 1993
and Tuesday, December 21, 1993

EXTRA PROOFS OF PUBLICATION NEEDED AND TO WHOM: -

SPECIAL REQUESTS FOR SETTING STYLE: Per attached

COPY OF LAST TIME LEGAL RAN ATTACHED:

VANDERBURGH COUNTY AUDITOR.....FAX NO. 426-5344

Paula, I'll need large copy of this toproof.

Thanks!

Joanne

**NOTICE OF PUBLIC HEARINGS
ORDINANCE TO AMEND CHAPTER 32 OF THE
CODE OF ORDINANCES OF VANDERBURGH COUNTY**

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County., Indiana has set hearing dates with regard to an Ordinance to Amend Chapter 32 of the Code of Ordinances of Vanderburgh County, Indiana, at 5:30 p.m. in Room 307, Civic Center Complex, Evansville, Indiana, as follows:

**SECOND READING - Monday, December 27, 1993
FINAL READING - Tuesday, January 4, 1993**

The Ordinance reads, as follows:

(INSERT ATTACHED ORDINANCE HERE)

**PUBLICATION DATES: Tuesday - December 14, 1993
Tuesday - December 21, 1993**

**PUBLICATIONS: The Evansville Courier &
The Evansville Press**

ORDINANCE TO AMEND CHAPTER 32 OF
CODE OF ORDINANCES OF VANDERBURGH COUNTY

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY,
INDIANA, AS FOLLOWS:

1. That the following sections are adopted as an Ordinance of Vanderburgh County, State of Indiana replacing Sections 32.78 and 32.79 of the existing Vanderburgh County Code of Ordinances and adding Section 32.80:

§ 32.78 COUNTY INSPECTOR.

(A) The "County Inspector" shall be the person or persons duly authorized to inspect weighing or measuring instruments in the county.

(B) The County Inspector is a Deputy Inspector under the direction of the State Administrator of Weights and Measures. The County Inspector shall take charge of, and safely keep the county standards. The County Inspector shall have the power to inspect, test, try and ascertain the accuracy of all instruments, tools, appliances or accessories connected with any or all instruments used or employed within the county by any proprietor, agent, lessee or employee in determining the size, quantity, extent or measurement of quantities, things, produce, and articles for distribution or consumption offered or submitted by such person or persons for sale, hire or award. The County Inspector shall, as often as he/she deems necessary, or as required by law, see that the instruments and apparatus used in the county comply with state law and regulations.

(C) The County Inspector shall have such other duties, powers, and authority as granted by this Ordinance, the Vanderburgh County Code of Ordinances, the Municipal Code, the State Administrator of Weights and Measures, and the laws of the State of Indiana. ('62 Code, Art. 2, Ch. 22, §2) (Ord. G-82-22, passed 4-5-82)

Statutory reference:

Weights, measures and labeling, see I.C. 24-6-1-1 et seq. through 24-6-9-1 et seq.
Inspectors, see I.C. 24-6-3-1 et seq.

General authority of counties to regulate public health, safety and welfare; businesses; weights and measures, see I.C. 36-1-3-4(B), 36-8-2-4, 36-8-2-10, and 36-8-2-12.

§32.79 RULES AND REGULATIONS

(A) Mobile Instruments.

(1) An "Instrument" shall be any scale, weight, beam, measure or weighing or measuring device of every kind, or instrument or parts thereof subject to regulation by the Division of Weights and Measures of the State Department of Health. ('62 Code, Art. 2, Ch. 22, §1) (Ord. G-82-22, passed 4-5-82)

(2) If an instrument is mobile or otherwise operated at more than one location and is not made available to be inspected by the County Inspector at a permanent business location during regular business hours of the county, the County Inspector shall have the authority to order the owner or operator to present the instrument for inspection by the County Inspector at a time and location designated by the County Inspector.

(3) It shall be a violation of this subchapter for any person to fail to comply with the orders of the County Inspector as provided in subpart (A) of this section.

(4) If any person fails to present an instrument for inspection, the County Inspector may issue a citation, condemn the instrument or otherwise render the instrument inoperable by utilizing the same procedures he/she would use if the instrument were found to be false or fraudulent, or utilize any other procedure or remedy available by law or granted in this county code. ('62 Code, Art. 2, Ch. 22, §3) (Ord. G-82-22, passed 4-5-82) Penalty, see § 32.80

(B) Instrument repair and installation.

(1) Any person engaged in the business of repairing or installing instruments shall have all testing equipment inspected and certified by the Division of Weights and Measures of the State Department of Health before engaging in said business, and shall have all such testing equipment recertified at least once each year thereafter. However, weights of more than 50 pounds are required to be certified by the Division of Weights and Measures of the State Department of Health only once each two years. A copy of the certification shall be filed with the County Inspector.,

(2) Any person engaged in the business of repairing or installing instruments shall have a current knowledge of the state rules and regulations concerning tolerances and standards for instruments and install or repair all instruments so that said instruments comply with state rules

and regulations.

(3) All owners or operators of instruments shall inform the County Inspector that an instrument has been installed and provide the County Inspector with the location of said instrument prior to that instrument being placed into service. ('62 Code, Art. 2, Ch. 22, §4) (Ord. G-82-22, passed 4-5-82; Am. Ord. G-83-9, passed 4-4-83) Penalty, see § 32.80.

(C) Numbering of instruments.

Any person who owns or operators more than one instrument of a particular type at a business location shall serially number each instrument in such a manner that each instrument may be readily distinguished from all other such instruments of that type present at that location. ('62 Code, Art. 2, Ch. 22, §5) (Ord. G-82-22, passed 4-5-82) Penalty, see § 32.80

(D) Compliance with state standards required.

No person engaged in the business of selling, buying, exchanging goods or commodities by weight, measurement or volume shall use an instrument in his business operations for such purpose if such instrument does not meet the standards established by the State of Indiana or the Division of Weights and Measures of the State Department of Health. ('62 Code, Art. 2, Ch. 22, § 6) (Ord. G-82-22, passed 4-5-82) Penalty, see § 32.80

Statutory reference:

Weights, measures and labeling, see I.C. 24-6-1-1 et seq. through 24-6-9-1 et seq. See also 410 IAC 12-1-1

(E) Security seals.

(1) When a weighing or measuring device is security sealed by a County Inspector, such security seal shall not be cut, severed or removed without permission of a County Inspector. Any weighing or measuring device designed to be security sealed shall be sealed by a County Inspector.

(2) Repairmen whose equipment is certified under § 32.79(B) may remove a security seal for the purpose of making repairs without prior approval of a County Inspector. Repairmen who cut, sever or remove a security seal shall immediately notify the County Inspector.

(3) No security seal shall be valid in the county except a seal issued by the County Inspector.

(4) No weighing or measuring device which has been security sealed by the county Inspector shall be used in the business of selling, buying, bartering or exchanging of goods or commodities if the security seal has been cut, severed or removed until it is resealed by the County Inspector or permission is given by the County Inspector if immediate resealing is impractical.

(F) Commodity regulations.

(1) All persons engaged in the selling, buying, bartering or exchanging goods or commodities must sell, buy, barter or exchange the goods or commodities using the legal method of selling, buying, bartering or exchanging such goods or commodities as required by the National Conference on Weights and Measures Method of Sale of Commodities Regulation.

(2) All commodities and goods when offered for sale in package or containers shall meet all labeling requirements of the National Conference on Weights and Measures Packaging and Labeling Regulations.

(3) All commodities when required to be sold by weight must be sold by net weight and all commodities required to be sold by measure or count shall be accurate as required.

(G) Violations procedures.

The County Inspector shall have the power to determine if the violation or violator warrants any one (1) or more of the following:

(A) The County Inspector may issue to the violator a citation which shall be written on a citation ticket and kept on file in the Weights and Measures office.

(B) The County Inspector may provide the violator with the opportunity to pay a pre-set fine as set forth in §117.999 of this chapter, plus court costs if conditions of violation are correction within ten (10) days of the issuance of a citation or such other time as the County Inspector shall, in his/her discretion, determine as appropriate. The person receiving the citation must have permission from the County Inspector to pre-pay the fine, which permission shall be required in order to assure that the violation has been corrected before pre-pay fine is accepted. This shall be noted on the violation ticket and the white and cardboard copy is attached to a claim and filed at the County Clerk's Office. The County Clerk shall assign a court date and a summons shall be sent 10-15 days if Sheriff service, 30 days if registered mail is required. If pre-pay is received at the County Clerk's office, said monies shall be placed into the County

General Fund as required by Indiana State Board of Accounts. If there is no response to the pre-pay with a reasonable time, the County Attorney shall be informed and the case shall be prepared for trial.

(C) The County Inspector may in his/her discretion, decline to provide the violator with the opportunity to prepay and may proceed with civil action against the violator under this Ordinance.

§ 32.80 PENALTIES.

(A) Any person violating any provision of this chapter shall be subject to the relevant penalties as set forth below. However, it shall be a defense that the violation constitutes a misdemeanor or infraction under the laws of the State of Indiana. ('62 Code, Art. 2, Ch. 22, §8) (Ord. G-82-22, passed 4-5-82; Am. Ord. G-87-36, passed 12-14-87)

1. Mobile instruments

\$0 - \$200.00 per day for each device from the time of violation until compliance.

2. Instrument repair and installation

(a) Certification of equipment:
\$0 - \$500.00 each installation or repair using uncertified equipment.

(b) Knowledge of State rules and regulations:
\$0 - \$100.00 each installation or repair.

(c) Duty to inform concerning new installed equipment:
\$0 - \$1,000.00 per day for each device from time to time installation until the County Inspector is informed as required.

3. Numbering of instruments

\$0 - \$200.00 each device

4. Compliance with state standards

(a) \$0 - \$2,500.00 per day for each device of operation from time of inspection.

(b) \$0 - \$500.00 per day for each device on account of the removal of any tags, stickers, etc. placed on an instrument by the County Inspector.

5. Security seals

- A. \$0 - \$1,000.00 each device
- B. \$0 - \$1,000.00 each device
- C. \$0 - \$1,000.00 each device
- D. \$0 - \$2,000.00 each device for each day of operation

6. Commodities

- A. \$0 - \$200.00 each commodity
- B. \$0 - \$200.00 each commodity
- C. \$0 - \$1,000.00 each commodity

(B) The defendant in any civil action brought by the county through its Department of Weights and Measures pursuant to the provisions of this Ordinance shall pay all court costs incurred by the county in the prosecution of said action in the event said defendant is found to have violated any one (1) or more of the provisions of this Ordinance.

2. This Ordinance shall be in effect after it has been properly adopted by the Board of Commissioners of Vanderburgh County, and signed by its President, and after it has been approved by the City Counsel of Evansville, Indiana.

ADOPTED this ____ day of _____, 1993.

BOARD OF COMMISSIONER OF
VANDERBURGH COUNTY

By: _____
Richard J. Borries, President

ATTEST:

Samuel Humphrey
Vanderburgh County Auditor

APPROVED AS TO FORM:

Alan M. Kissinger,
Vanderburgh County Attorney

BID RECAP SHEET

PROJECT: PROJECT #VC9317
 ONE GRADER FOR COUNTY HIGHWAY DEPT.

BID OPENING DATE: NOVEMBER 29, 1993

* * * * *

<u>Bidder Name</u>	<u>Amount</u>
<u>WHAYNE SUPPLY Co.</u>	<u>\$105,912.00</u>
<u>BRANDEIS MACHINERY & SUPPLY Co.</u>	<u>\$91,820.25</u>
<u>A&W EQUIPMENT</u>	<u>\$88,700.00</u>
<u>RUDD EQUIPMENT COMPANY</u>	<u>\$79,653.00</u>
<u>CARLISLE EQUIPMENT Co., INC.</u>	<u>\$83,769.00</u>
_____	_____
_____	_____
_____	_____
_____	_____

COMMENTS:

ACTION TAKEN:

BID RECAP SHEET

PROJECT: #VC 9315

4-WHEEL DRIVE TRUCK FOR COUNTY HEALTH DEPT.

BID OPENING DATE: OMITTED

BIDDER NAME

AMOUNT

Kenny Kent Chevrolet Co., Inc.

\$14,655.41



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Acenda for December 6, 1993

1. Street plan approval for the Villas Subdivision - *DH/PT*
2. Request for David Franklin to use County vehicle to travel to Vincennes for the Orchard Rd. bridge construction records

App'd.
12/6/93

CALVIN C. DENTINO

7200 E. Sycamore

Evansville, IN 47715

(812) 477-9459

November 9, 1993

Vanderburgh County Commissioners
Room 305
Civic Center Complex
Evansville, IN 47708

**RE: THE VILLAS, A RESIDENTIAL SUBDIVISION
PARTIAL WAIVER OF SIDEWALKS
MORLEY AND ASSOCIATES, PROJECT #**

Dear Commission Members:

As one of the developers of The Villas subdivision, a 49 lot residential subdivision off of Eissler Road on the north side of Evansville, I am requesting a partial waiver for the construction of sidewalks within this development.

Enclosed is a preliminary copy of the plat of this development which will be constructed in two phases.

By way of this letter, I am requesting approval to construct sidewalks only along the interior section of the subdivision. The area where I request your approval for sidewalks is that portion on the plat which is identified with highlighting.

I am requesting waiver of sidewalks on the exterior lots of the primary street and exclusion of sidewalks into any cul-de-sac.

If you have any questions, please contact me at (812) 428-2887 or (812) 477-9459.

Sincerely,


Calvin C. Dentino

CCD/pgm

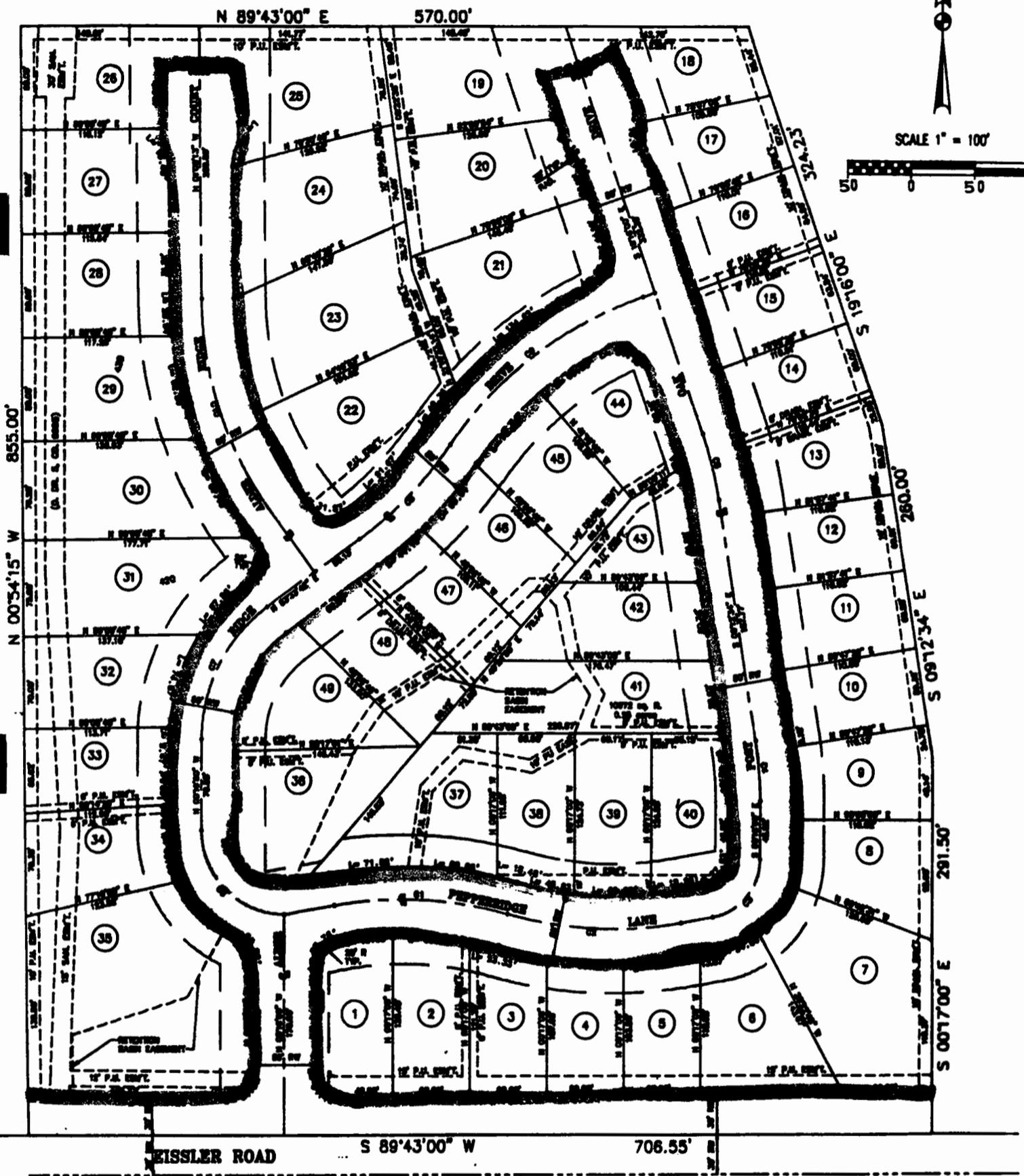
Enclosures

cc: Morley & Associates, Inc.
Mr. John Stoll, Vanderburgh County Engineer

The Villas



SCALE 1" = 100'



BEISSLER ROAD

S 89°43'00" W 706.55'

280.00'

S 09°12'34" E 291.50'

SIDEWALK CDNST.

SIDEWALK CDNST. WAIVED

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT

FRIDAY, NOVEMBER 24 , 1993 THRU THURSDAY, DECEMBER 2 , 1993

FRIDAY, NOVEMBER 24, 1993

HOLIDAY

SATURDAY, NOVEMBER 25, 1993

One Crew salted and sanded bridges, box culverts, and slick spots.

MONDAY, NOVEMBER 29, 1993

Gradall and one crew ditched on Wimberg Road.
Two tree crews worked on Petersburg Rd.
Two tree crews worked on Mill Rd and Fisher Rd.
Trash crew worked on the east side and in Union Township.
Grader and one crew rocked various roads in the bottoms.

TUESDAY, NOVEMBER 30, 1993

Gradall and one crew ditched on Wimberg Road.
Four crews rocked shoulders on Old Boonville Hwy.
Two crews patched/repared the road on Number 6 School Road.
Two Tree Crews worked on Buente Rd and Motz Roads.

WEDNESDAY, DECEMBER 1 , 1993

Grader and 4 crews rocked shoulders on County Line East, Boonville-New Harmony Rd., and Old State Road.
Gradall and crew replaced 2 driveway culverts.
The patch crew worked on New Harmony Rd.
The mower crew worked on St Wendel Road.

THURSDAY, DECEMBER 2, 1993

Grader and crew rocked and graded Motz Lane and Hillside Rd.
Gradall and crew ditched on South Weinbach Ave.
Two crews rocked various roads .
The trash crew worked on Trapp Road and other roads in the Northwest.

VANDERBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, NOVEMBER 26, 1993 THRU THURSDAY, DECEMBER 2, 1993

FRIDAY, NOVEMBER 26, 1993

HOLIDAY

MONDAY, NOVEMBER 29, 1993

Crew #1 - Cleaned Yard
Crew #2 - Installed Drop Box at St George and Oak Hill Roads.
Crew #3 - Cut weeds on all bridges and box culverts.

TUESDAY, NOVEMBER 30, 1993

Breakup and repair concrete at 5807 Twickingham Drive.

WEDNESDAY, DECEMBER 1, 1993

Crew #1 - Install Rip Rap at new bridge on Vogel Road.
Crew #2 - Install guard rail at new bridge on Vogel Road.

THURSDAY, DECEMBER 2, 1993

Crew #1 - Install guard rail at new bridge on Vogel Road.
Crew #2 - Clean off Bridges on Eastside.
Crew #3 - Clean off Bridges on Westside.

ADM

**AUTHORIZED SIGNATURE CARD
FOR PAYMENT OF CLAIM-VOUCHERS**

<p>Line of Credit Issued in Favor of (Recipient)</p> <p>Vanderburgh County</p>	<p>Issued by (State Agency)</p> <p>Ind. Department of Commerce</p>
<p>Typed Name and Signature</p> <p><u>RICHARD BORRIES</u> <u>PRES. VANDERBURGH CO. COMM.</u> <i>Richard J. Borries</i></p>	<p>Typed Name and Signature</p> <p><u>SAM HUMPHREY</u> <u>COUNTY AUDITOR</u> <i>Sam Humphrey</i></p>
<p>I CERTIFY THAT THE SIGNATURES ARE OF THE INDIVIDUALS AUTHORIZED TO REQUEST PAYMENT.</p> <p><i>[Signature]</i> Date and Signature of Legal Counsel</p>	<p>APPROVED:</p> <p>Date and Signature of DOC Official</p>

INDUSTRIAL DEVELOPMENT GRANT AGREEMENT

THIS AGREEMENT is made and entered into by and between the State of Indiana, acting by and through the Department of Commerce (the "State") and Vanderburgh County (the "Grantee"), an eligible entity as defined in Indiana Code 4-4-12-1, for the purposes and subject to the terms and conditions agreed to herein.

1. PURPOSE OF AGREEMENT: The purpose of this Agreement is to enable the State to make a grant of up to \$11,945 to the Grantee named above, to be used exclusively in accordance with the provisions contained in this Agreement and in Indiana Code 4-4-12-1 establishing the Industrial Development Grant Fund, as well as any rules adopted thereunder.
2. USE OF GRANT BY GRANTEE: The \$11,945 grant received by the Grantee pursuant to this Agreement shall only be used to institute an approved industrial development program permitted by Indiana Code 4-4-12-1, which program (or project) is described fully in Exhibit A, to be attached hereto, made a part hereof and incorporated by reference as part of this Agreement.
3. COMPLIANCE WITH APPLICABLE LAWS: The Grantee named above expressly agrees to be solely responsible to insure that the use of monies received under this Agreement are in compliance with all federal, state and local statutes, rules and other laws affecting the use of said monies, including but not limited to all laws relating to performance or payment bonds.
4. DESIGN AND CONSTRUCTION OF PROJECT: The Grantee shall be solely responsible for the proper design and construction of the industrial development program described in Exhibit A. Although not expressly attached to this Agreement, the Grantee agrees to complete construction of said program in accordance with the plans and specifications contained in its application. Modification of its application shall require approval of the State.
5. APPROVAL OF PROGRAM BUDGET AND LATER CHANGES: The Grantee shall

submit a detailed budget in its application. The budget shall become part of this Agreement as Exhibit B and incorporated by reference herein. The Grantee shall not spend more than the amount for each line item, as described in Exhibit B, without the prior written consent of the State; nor shall the project costs funded by the grant and those funded by the local share be amended without the prior written consent of the State.

6. PAYMENT SCHEDULE OF GRANT: The payment of this grant by the State to the Grantee shall be made in accordance with the following schedule and conditions:

(A) All payments will be made in arrears only upon presentation of proper claims for payment.

(B) The first payment of up to \$9,556 shall be made approximately thirty (30) days after the execution of this contract by the required parties.

(C) The State may require satisfactory evidence furnished by the Grantee that substantial progress has been made toward completion of the program described in Exhibit A prior to making the first payment under this Agreement. Prior to making any subsequent payments beyond the first one, the Grantee will be required to submit quarterly progress reports each calendar quarter on the activities of the affected industry as described in Exhibit A. These reports must detail progress made toward meeting job creation and investment goals. No further payments will be made until the required quarterly reports have been received.

(D) The second payment of up to \$0 shall be made approximately forty-five (45) days after execution of this contract by the required parties.

(E) The third payment up to the balance of the grant amount shall be made thirty (30) days after the receipt by the State of the following documents:

- (1) An audit report prepared and signed by a certified public accountant stating how the funds have been spent on the program (or project) described in Exhibit A. The report should document:

(a) what has actually been spent to date for each line item of the project budget as described in Exhibit B, separated by that paid from the grant and that paid from the local share, and (b) the dollar amount of project costs yet to be paid for each line item as of the date of the audit report. In preparing the report, the auditor should take into account any changes among line items for which written consent has been given and the actual invoiced costs.

(2) A letter written by the affected industry, in which it shall indicate whether the construction conforms with the program as submitted by the Grantee to the State. This letter is subject to paragraph 7 of this Agreement.

(F) All payments are subject to the State's determination that the construction conforms with the program as approved and contained in EXHIBIT A, notwithstanding any other provision of this Agreement.

(G) Also notwithstanding any other provision of this Agreement, the Grantee expressly agrees that the monies provided herein by the State as limited to \$11,945.

7. FINAL INDUSTRY REVIEW: Upon completion of the program as described in Exhibit A, the Grantee shall notify the State and the affected industry of this fact by simultaneous letters sent certified mail, return receipt requested. Upon receipt of said letter, the affected industry shall inspect the construction and send a letter to the State within fifteen (15) days containing its opinion as to whether the construction complies with the program as described in Exhibit A.

8. PENALTIES/INTEREST/ATTORNEY'S FEES: The State will in good faith perform its required obligations hereunder and does not agree to pay any penalties, liquidated damages, interest or attorney's fees, except as authorized by Indiana Law, in part, I.C. 34-2-22-1 et. seq. and I.C. 34-4-16-1

et. seq.

9. **HOLD HARMLESS CLAUSE:** The Grantee shall indemnify and hold harmless the State of Indiana, its agencies, officers and employees from all claims and suits for loss of or damage to property, including the loss of use thereof, and injuries to or death of persons, including the property of, or officers, agencies or employees of the Grantee and or its respective agents, servants and employees.

10. **TERM OF AGREEMENT:** The term of this Agreement shall be from the date of final execution by all the parties hereto until December 31, 1994, unless sooner terminated as described in this contract (the "Expiration Date"). In no event shall payments be made for work done or service performed after the Expiration Date.. All payments under this Agreement must be completed within one (1) year after completion of work performed. The Grantee may request in writing that the Expiration Date only of this Agreement be extended. A duly authorized representative of the Indiana Department of Commerce may approve such request in writing to extend the Expiration Date by one year or less. If the Expiration Date is extended, all other provisions of this Agreement shall remain in full force and effect.

11. **TERMINATION OF AGREEMENT:** This Agreement may be terminated without cause, by either party before its Expiration Date by sending the other party written notice via certified mail, return receipt requested, at least thirty (30) days prior to the date of termination. Upon receipt of this notice from the State to the Contractor, no new or additional liabilities payable by the State shall be incurred without the prior written approval of the State. Contractor shall continue to be responsible and liable for the proper performance of its obligations to the date of termination.

12. **MULTI-TERM FUNDING CLAUSE:** When the Director of the State Budget Agency makes a written determination that funds are not appropriated or otherwise available to support continuation of performance of this contract, the

contract shall be canceled. A determination by the Budget Director that funds are not appropriated or otherwise available to support continuation of performance shall be final and conclusive.

13. **NOTICE TO PARTIES:** Any notice, statement or other communication shall be sent to the following address, unless otherwise specified by the recipient:

(A) Notices to the State shall be sent to:

Indiana Department of Commerce
Administrative Services
One North Capitol Avenue, Suite 700
Indianapolis, Indiana 46204-2288

(B) Notices to the Grantee shall be sent to:

Richard Borries, President
Vanderburgh County Commissioners
C/O Dept. of Metropolitan Development
1 N.W. Martin Luther King, Blvd., Room 306
Evansville, IN 47708-1869

(C) Notices to the affected industry shall be sent to:

Larry Drennan
Vice-President of Finance
Sunbeam Plastics
3245 Kansas Road
Evansville, IN 47711

14. **STATUTORY AUTHORITY OF GRANTEE:** If the grantee in this agreement is a corporation or district under the Indiana Code 4-4-12-1, it expressly warrants to the State that is statutorily eligible to receive monies from the Industrial Development Grant Fund, and it expressly agrees to repay all monies paid to it under this Agreement should a legal determination of its ineligibility be made by any court of competent jurisdiction.

15. **AUTHORITY TO BIND:** Notwithstanding anything in this Agreement to the contrary, the signatory for the Grantee represents that he/she has been duly sworn and authorized to execute contracts on behalf of the Grantee.

16. **NON-DISCRIMINATION CLAUSE:** Pursuant to Indiana Code 22-9-1-10, the

Grantee and its subcontractors, if any, shall not discriminate against any employee or applicant for employment, to be employed in the performance of this Agreement, with respect to his hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of his race, color, religion, sex, handicap, national origin or ancestry. Breach of this covenant may be regarded as a material breach of contract.

17. INDEPENDENT CONTRACTOR: Both parties hereto, in the performance of this Agreement are acting in an individual capacity and not as agents, employees, partners, joint ventures or associates of one another. The employees or agents of one party shall not be deemed or construed to be the employees or agents, of the other party for any purposes whatsoever. Neither party will assume any liability for any injury (including death) to any persons, or any damage to property arising out of the acts or omissions of the agents, employees, or subcontractors of the party.

18. MAINTAINING A DRUG-FREE WORKPLACE (EXECUTIVE ORDER NO. 90-5):

a) Grantee hereby covenants and agrees to make a good faith effort to provide and maintain during the term of this Agreement a drug-free workplace, and that it will give written notice to the Indiana Department of Commerce and the Indiana Department of Administration within ten (10) days after receiving actual notice that an employee of Grantee has been convicted of a criminal drug violation occurring in Grantee's workplace.

b) In addition to the provisions of subparagraph a) above, if the total contract amount set forth in this Agreement is in excess of \$25,000.00, Grantee hereby further agrees that this Agreement is expressly subject to the terms, conditions and representations contained in the Drug-Free Workplace certification executed by Grantee in conjunction with this Agreement and which is appended as Attachment hereto.

c) It is further expressly agreed that the failure of Grantee to in good faith comply with the terms of subparagraph a) above, or falsifying or

otherwise violating the terms of the certification referenced in subparagraph b) above shall constitute a material breach of this Agreement, and shall entitle the State to impose sanctions against the Grantee including, but not limited to, suspension of contract payments, termination of this Agreement and/or debarment of the Grantee from doing further business with the State for up to three (3) years.

19. GOVERNING LAWS/INTERPRETATION

This contract shall be construed in accordance with and governed by the laws of the State of Indiana and suit, if any, must be brought in the State of Indiana.

IN WITNESS WHEREOF, the parties have hereunto executed this

Agreement on the dates entered below:

GRANTEE:

STATE:

BY: Richard J. Borries

FRANK O'BANNON
LIEUTENANT GOVERNOR

NAME: Richard J. Borries

DATE: _____

TITLE: President, Board of
County Commissioners

DATE: December 3, 1993

ATTEST:

BY: Sam Humphrey cm

NAME: Sam Humphrey

TITLE: Auditor

DATE: December 3, 1993

APPROVED

BY: _____
Katherine Humphreys, Commissioner
Department of Administration

Dated: _____

APPROVED

BY: _____
Jean S. Blackwell, State Budget Director
State Budget Agency

Dated: _____

APPROVED AS TO FORM AND LEGALITY

BY: _____
Pamela Carter,
Attorney General of the
State of Indiana

Dated: _____

EXHIBIT A

The Department of Commerce will assist Vanderburgh County with an Industrial Development Infrastructure Fund (IDGF) grant for \$ 11,945 to assist with infrastructure improvements to facilitate the construction of a plant expansion by Sunbeam Plastics in Evansville. The infrastructure improvements will include the upgrading of an existing railroad spur. This involves the removal of 600 ft. of track and 300 worn cross ties; the installation of 100 tons of track ballast; the installation of 300 new cross ties; and the surfacing, lining and dressing of 600 feet of new track which services the plant site.

Sunbeam Plastics will invest \$ 18 million in capital investment for the expansion of their current facility and create 100 new, full-time jobs within the next two years.

EXHIBIT B

Line Items	State Funds	Local Funds	Private Funds	Total
1. Administrative Expenses	\$	\$	\$	\$
2. Land, Structures, Right of Way	\$	\$	\$	\$
3. Professional/Engineering Fees	\$	\$	\$	\$
4. Demolition and Removal	\$	\$	\$	\$
5. Construction and Project Improvements	\$11,445	\$	\$11,445	\$22,890
6. Contingencies	\$	\$	\$	\$
7. Audit	\$ 500	\$	\$	\$ 500
<hr/>				
Total Project Costs	\$11,945	\$	\$11,445	\$23,390

**STATE OF INDIANA
DRUG-FREE WORKPLACE CERTIFICATION**

This certification is required by Executive Order No. 90-5, April 12, 1990, issued by the Governor of Indiana. Pursuant to its delegated authority, the Indiana Department of Administration is requiring the inclusion of this certification in all contracts with and grants from the State of Indiana in excess of \$25,000. No award of a contract or grant shall be made, and no contract, purchase order or agreement, the total amount of which exceeds \$25,000, shall be valid unless and until this certification has been fully executed by the Contractor or Grantee and attached to the contract or agreement as part of the contract documents. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract payments, termination of the contract or agreement and/or debarment of contracting opportunities with the State for up to three (3) years.

The Contractor/Grantee certifies and agrees that it will provide a drug-free workplace by:

(a) Publishing and providing to all of its employees a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition; and

(b) Establishing a drug-free awareness program to inform employees about (1) the dangers of drug abuse in the workplace; (2) the Contractor's policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon an employee for drug abuse violations occurring in the workplace:

(c) Notifying all employees in the statement required by subparagraph (a) above that as a condition of continued employment the employee will (1) abide by the terms of the statement; and (2) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;

(d) Notifying in writing the contracting State Agency and the Indiana Department of Administration within ten (10) days after receiving notice from an employee under subdivision (c) (2) above, or otherwise receiving actual notice of such conviction;

(e) Within thirty (30) days after receiving notice under subdivision (c) (2) above of a conviction, imposing the following sanctions or remedial measures on any employee who is convicted of drug abuse violations occurring in the workplace: (1) take appropriate personnel action against the employee, up to and including termination; or (2) require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency; and

(f) Making a good faith effort to maintain a drug-free workplace through the implementation of subparagraphs (a) through (e) above.

THE UNDERSIGNED AFFIRMS, UNDER PENALTIES OF PERJURY, THAT HE OR SHE IS AUTHORIZED TO EXECUTE THIS CERTIFICATION ON BEHALF OF THE DESIGNATED ORGANIZATION.

Vanderburgh County
Printed Name of Organization

Richard J. Borries
Signature of Authorized Representative

Richard J. Borries, President
Printed Name and Title
Board of County Commissioners

IDGF-93-284
Requisition/Contract/Grant ID Number
Dec. 6, 1993
Date



NON-COLLUSION AFFIDAVIT
State Form 4381

STATE OF INDIANA

COUNTY OF Vanderburgh

} ss:

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, employee, 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 contract other than that which appears upon the face of the contract.

Signature	<i>Richard J. Borries</i>
Printed Name	Richard J. Borries
Title	President, Board of County Commissioners
Company	Vanderburgh County, Indiana

Before me, a Notary Public in and for said County and State personally appeared, Richard J. Borries

who acknowledged the truth of the statements in the foregoing affidavit on this 6 day of December, 19 93

County of Residence		Commission Expiration Date		Notary Signature
<u>Vanderburgh</u>				<i>Joanne A. Matthews</i>
		JOANNE A. MATTHEWS NOTARY PUBLIC STATE OF INDIANA		Notary's Name (Print or Type)
		VANDERBURGH COUNTY MY COMMISSION EXPIRES		<u>Joanne A. Matthews</u>

COPY

TRAVEL REQUEST FORM FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: Nov. 22, 1993 DEPARTMENT: Pigeon Township Assessor

EMPLOYEE(S): David L. Fox, Assessor

James McIntyre, Chief Deputy

Kraig Nance, Real Estate Deputy

DATE(S) OF TRAVEL: Jan. 23, 1994 Return Jan. 26, 1994

DESTINATION: Indianapolis, IN

PURPOSE: State Board of Tax Commissioners Annual Conference.

(See attached letter)

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: _____

MEANS
OF
TRAVEL

COUNTY VEHICLE NUMBER: _____

OTHER: Private Vehicle

REIMBURSEMENT CLAIMED

Mileage

Parking

Per diem

Registration

Air fare

Other

APPROVED: _____

David L. Fox
Department Head

APPROVED: _____

Office Holder

APPROVED BY:

VANDERBURGH COUNTY COMMISSIONERS this 6th day of December, 1993

Richard J. Borries

RICHARD J. BORRIES, PRESIDENT

Patrick Tuley

PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter

DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 11/29/93 DEPARTMENT: VANDEBURGH CO. ASSESSOR

EMPLOYEE(S): JAMES L. ANGERMEIER
EVELYN LANNERT
DOROTHY JOEST

DATE(S) OF TRAVEL: DECEMBER 14, 1993

DESTINATION: VINCENNES, IN

PURPOSE: TO ATTEND DISTRICT 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. (ALL RIDING IN ONE CAR)

REIMBURSEMENT CLAIMED	<u>Y</u> Mileage	_____ Parking
	<u>Y</u> Per diem	_____ Registration
	_____ Air fare	_____ Other

APPROVED: _____
Department Head
APPROVED: James L Angermeyer (E)
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 6th day of December, 1993

Richard J. Bokries
RICHARD J. BOKRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 12/6/93 DEPARTMENT: Auditor

EMPLOYEE(S): Sam Humphrey

DATE(S) OF TRAVEL: Wednesday - 12/8/93 thru 12/10/93

DESTINATION: Indianapolis, IN

PURPOSE: To attend AIC Board Meeting on 12/8/93 and the
Commissioners Conference on 12/8/93 - 12/10/93

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: 2 Nights

MEANS OF TRAVEL: Personal Auto
COUNTY VEHICLE NUMBER: _____
OTHER: _____

REIMBURSEMENT CLAIMED

<input checked="" type="checkbox"/> Mileage	<input checked="" type="checkbox"/> Parking
<input checked="" type="checkbox"/> Per diem	<input checked="" type="checkbox"/> Registration
<input type="checkbox"/> Air fare	<input type="checkbox"/> Other

APPROVED: _____
Department Head

APPROVED: Sam Humphrey
Office Holder

APPROVED BY: _____
VANDERBURGH COUNTY COMMISSIONERS this 6th day of December, 1993

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 12/1/93 DEPARTMENT: CENTER ASSESSOR
EMPLOYEE(S): ALVIN E. STUCKI ASSESSOR
REBECCA A. GALEY CHIEF DEPUTY
DON COBB . . .
DATE(S) OF TRAVEL: JANUARY 23,24,25,26, 1994
DESTINATION: ASSESSOR'S CONFERENCE INDIANAPOLIS
PURPOSE: ASSESSOR'S WORK CONFERENCE

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: JANUARY 23,24,25 1994 WESTIN HOTEL

MEANS OF TRAVEL COUNTY VEHICLE NUMBER: _____
OTHER: PERSONAL VEHICLE

REIMBURSEMENT CLAIMED

<u>XX</u> Mileage	<u>XX</u> Parking
<u>XX</u> Per diem	Registration
Air fare	Other

APPROVED: _____
Department Head
APPROVED: *Alvin E. Stucki*
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 6th day of December, 1993

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT
Patrick Tulley
PATRICK TULEY, VICE-PRESIDENT
Don L. Hunter
DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 12-3-93 DEPARTMENT: COUNTY HWY DEPT.

EMPLOYEE(S): WILLIAM F. MORPHEW

DATE(S) OF TRAVEL: 12-7 / 12-8 / 12-9 / 12-10-93

DESTINATION: INDIANAPOLIS IN

PURPOSE: COUNTY COMMISSIONERS CONFERENCE

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: YES, 3 NIGHTS

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: 1
OTHER: _____

REIMBURSEMENT CLAIMED	_____ Mileage	_____ Parking
	_____ Per diem	_____ Registration
	_____ Air fare	_____ Other

APPROVED: William F. Morphey
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 6th day of December, 1993

Patrice Tuley
Caroleyn McIntosh, President
PATRICE TULEY

Don Hunter
Don Hunter, Vice President

Richard J. Borries
Richard J. Borries, Member



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

RICHARD J.
DON L. HUI
PATRICK R.

AGENDA REQUEST

NAME OF REQUESTOR: Betty Knight Smith

REQUESTOR TITLE: County Clerk

DEPARTMENT: Election Office

REQUEST(S) BEING MADE:

Election Administrator's Seminar. Two (2) nights, January 11, and 12, 1993.
\$82.00 per day.

*Hotel Parking & Fuel
\$1,90.40*

RECEIVED

NOV 29 1993

Vanderburgh County Commissioners

DATE TO BE PLACED ON AGENDA: 12-6-93

ACTION _____ **CONSENT** _____ **OTHER** _____

TRAVEL REQUEST FORM

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 12/2/93 DEPARTMENT: Weights and Measures

EMPLOYEE(S): Loretta Townsend

Don Qualls

New Inspector

DATE(S) OF TRAVEL: 1/9, 10 and 11/94

DESTINATION: Indiana Department of Health Metrology Laboratory

PURPOSE: Testing and certification of department's test equipment

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: 2 night for 3 people

MEANS OF TRAVEL COUNTY VEHICLE NUMBER: 449
OTHER: _____

REIMBURSEMENT CLAIMED

_____ Mileage	_____ Parking
<input checked="" type="checkbox"/> Per diem	_____ Registration
_____ Air fare	_____ Other

APPROVED: *Loretta Townsend*
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this _____ day of _____, 1991

Carolyn McGinnis
~~Carolyn McGinnis, President~~
~~PATRICK TULEY~~

Don Hunter
Don Hunter, Vice President

Richard J. Boyries
Richard J. Boyries, Member

SUMMARIZATION OF COLLECTIONS
RECEIVED OCT 1, 1993 TO NOV 2, 1993

AMBULANCE

<u>DATE</u>	<u>NAME</u>	<u>PAYMENT</u>	<u>AMOUNT TO BRYANT</u>
10-01-93	Pearl Brewer	\$ 5.00	\$ 2.50
10-04-93	Merl Johnson	30.00	4.35
10-05-93	Franklin Frederick	50.00	5.98
10-03-93	Brenda Barnett	21.87	10.93
10-07-93	Harold Peach	40.00	20.00
10-19-93	Franklin Frederick	50.00	5.98
10-15-93	Thy Nugyen	10.00	-0-
10-20-93	Mae Arnold	50.00	25.00
10-25-93	Larry Fischer	20.00	-0-
10-22-93	Robt Proctor	148.00	36.50
10-22-93	Leila Winstead	25.00	-0-
10-22-93	L.E. Harper	20.00	10.00
10-21-93	Stanley Day	234.31	79.65
10-22-93	Donna Weller	193.07	59.03
10-28-93	Joe Market	7.00	-0-
11-05-93	James Mayes	33.69	16.84
11-01-93	Kim Nguyen	20.00	-0-
11-01-93	Tom Ferrari	10.00	5.00
11-01-93	Harold Peach	40.00	20.00
Total Payments Received		\$1,007.94	301.76

VANDEBURGH TREASURER

10-13-93	Cedarwood Farms	\$100.00	\$ 50.00
11-01-93	Cedarwood Farms	100.00	50.00
TOTAL PAYMENTS RECEIVED (TREASURER)		\$200.00	\$ 100.00

RECAPITULATION

COLLECTIONS RECEIVED (AMBULANCE & TREASURER)	\$1,207.94	\$ 401.76
CASES ACCEPTED (AMBULANCE)	9@ \$75.00 each	\$ 675.00
	0@ \$37.50 each	\$ 0.00

TOTAL DUE BRYANT..... \$1,076.76

WEIGHTS AND MEASURES POLICY AND PROCEDURES:

1. All employees must work a full scheduled work day. All time off the job must be approved by the department head.
2. Scheduled time off must be approved in advance and notification of all unscheduled absence must be given no later than the beginning of the work day.
3. Only one deputy inspector can be on a scheduled vacation, etc. at a time due to the work load.
4. Employees are responsible to protect themselves, their co-workers and the public from injury and to adhere to all safety instructions, rules and regulations. Neglect and carelessness in regard to safety are subject to disciplinary action.
5. All injuries which occur on the job must be reported immediately to the department head. Proper injury reports must be filed with the county commissioners.
6. Accidents which involve county equipment and result to damage or injury to the public or business must be reported immediately to the department head and care should be taken to avoid any statements which could later result in legal action against the county.
7. Accidents chargeable to an employee's negligence, carelessness or willful misconduct will be dealt with accordingly by the county commissioners.
8. All inspections and such pertaining to the department will be handled through the department office. All paper work will be kept in the office.
9. Any material or information of a confidential nature pertaining to inspections of businesses will not be released from the office unless the request is within the Indiana Open Information Laws. Such requests should be made in writing if possible.
10. No employee may use their position to secure any special advantage, privilege or exemption.
11. Employees are prohibited from soliciting or accepting any gratuities from any person whose interest may be affected by the actions of the employee.
12. No financial interest or other official responsibilities can be maintained that can be considered a conflict of interest.
13. No maintenance is to be performed by the inspector on the devices belonging to the regulated business.
14. County vehicles are not to be driven home at night and keys are to be removed when the vehicle is not in use. Vehicles must be locked when the inspectors are not in the vehicle or near it.
15. No alcoholic beverages shall be in the county vehicles.
16. All county vehicles must be driven safely, courteously and all traffic rules observed.
17. Employees are expected to deal with the public honestly and courteously in all verbal, telephone and written communication. Inquiries and complaints must be taken and handled in an equitable manner.

18. If a conflict arises between the inspector or employees and the general public, all efforts must be made to calm the situation. If entry is refused to an inspection site, the inspector shall contact the department head or the proper authority before proceeding. Employees shall not engage in any abusive or physical contact with any member of the public while on duty.
19. No news releases or interviews may be given except by the department head. All requests and inquiries from the media must first be relayed and approved by the department head.
20. It is suggested that no alcohol be consumed while the employees are in uniform. Although they may be off duty, the public could assume they are drinking while on duty and cause the employee and the county unnecessary problems.
21. Inspectors will wear the uniforms furnished by the county except when other attire is necessary and determined by the department head.
22. All inspection reports must be thoroughly completed in a legible manner and signed by the manager or whomever may be in charge at the time. All such signatures must be legible.
23. All regulation and rules of the Vanderburgh County Personnel Policy, Sanitary Requirements and Safety Procedures must be followed.
24. All employees shall share equally in the housekeeping duties of the department and make every effort to present our office favorably to the general public.
25. The job descriptions for Chief Inspector, Deputy Inspectors and Secretary shall be followed.

PREFACE TO REGULATIONS

The importance of safety in the Weights and Measures Department cannot be overemphasized and must be foremost in the inspectors mind. The inspector is not only responsible for their own safety, but the safety of the individuals in and around the inspection area and the business location as well. If the following regulations are not followed serious or fatal injury could occur to the inspector and the general public and cause damage to the property and equipment.

The following regulations, as set forth in National Conference of Weights and Measures Publication 12, Examination Procedure do not completely cover all hazardous situations so the inspectors must be constantly aware of any other potential dangerous situations as they are doing the inspections.

SAFETY REGULATIONS FOR TESTING WEIGHING DEVICES :

1. Safety shoes must be worn to prevent personal injury to the foot from falling weights or equipment and also to provide protection from slippage and static discharge.
2. When necessary, ear plugs and safety glasses must be worn.
3. Use caution when wearing loose clothing or jewelry around devices where these could become intangled.
4. Wear a hard hat when any overhead hazards or activity are present.
5. All additional safety rules of the inspection site as set down by the business must be followed.
6. Be aware of any obstructions in the area such as objects on the floor, in the path to and from the device, steep or narrow stairways or any exits blocked.
7. Be aware of potential electrical hazards when testing electronic devices such as frayed or worn electrical cords or standing on wet surfaces unless the equipment is insulated and grounded.
8. If any hazardous materials are involved at the inspection location, the proper handling and safety measures (as with fuel) must be followed.
9. Use every effort to properly lift weights and use the weight carts if possible to transfer from vehicle to scale, scale to scale, etc. Always use the lift belts when necessary.
10. Be certain that the installation is adequate to support the scale, test weights to the capacity and any carts or chains, etc. that will be necessary to do the inspection.
11. If there are any unsafe conditions that can't be corrected at the test site by informing the person in charge, discontinue the test.
12. Do not carry more weight than practical at one time. It is better to make more trips than to be injured.

**SAFETY REGULATIONS WHEN TESTING PETROLEUM
PRODUCTS, CHEMICALS OR HAZARDOUS MATERIALS**

1. All weights and Measures Vehicles must have appropriate fire extinguishers easily accessible, but firmly attached.
2. All vehicles must have an appropriate First Aid Kit.
3. Absorbant for covering spills must be in all vehicles.
4. If there are any unsafe conditions at an inspection sight, the inspection will be discontinued until the conditions are corrected. Such hazards include, but not limited to:
 - (A) Obstructions on the ground which could cause the inspector to slip.
 - (B) Slippery, unsafe conditions
 - (C) Any leaking on the hose or device.
 - (D) Any loose, frayed, worn or exposed wiring on or in the device.
 - (E) Any open flames or smoking.
 - (F) Construction which could cause a source of ignition (welding, metal on metal contact, etc)
5. Orange safety cones will be placed between the inspector and any traffic.
6. Orange safety cones will be placed at underground storage with no smoking signs inserted immediately after opening the storage.
7. Any vehicles parked by the storage which may be moved before inspection is completed, should be moved before opening storage.
8. If the inspection is delayed before completing the inspection, the lids must be placed back on the storage until the time the inspections resumed.
9. Both sides of the dispenser must be open during the inspection to dissipate fumes and expose any leaks.
10. Synthetic clothes should not be worn so as to help eliminate static charge.
11. Rubber sole safety shoes must be worn.
12. Use only approved funnels to return product to storage. Do not use safety cones.
13. No inspectors are to climb upon storage tanks, this is the responsibility of the operator or owner.
14. No fuel shall be put on the concrete, ground or under the pump. All excess in hoses, etc. shall be placed in a prover.
15. Any spill will be immediately covered with absorbent and then disposed of properly.
16. The dispenser nozzle must be grounded against the prover. Do not tap the nozzle against the prover.
17. If during an inspection safety hazards are observed that have a potential danger to the general public, the device will be locked and red tagged until the danger has been corrected.
18. On large volume devices such as delivery truck meters, in addition:
 - (A) the prover and the truck tested must be grounded to bare metal surfaces, not painted or plastic.
 - (B) the prover must be on solid, level ground and legs must be down for stability.
19. On terminal dock meters where the fuels and fumes are excessive, radio pagers will not be in operation.
20. At a location where a choice of Diesel, Kerosene and gasoline are offered, all Diesel and Kerosene will be tested first. Same applies when wholesale meters are inspected.
21. If underground storage is not properly identified, no testing is to take place.
22. If an amount of fuel is spilled on an inspector which is excessive, the inspector must change their uniform and remove the fuel from their skin as soon as possible.
23. If gloves are worn they should not be made of synthetic material.
24. During transportation of the fuel testing devices, the equipment must be properly secured in an area away from the inspectors and vented.

SANITATION REQUIREMENTS FOR FOOD PREPARATION ESTABLISHMENTS INSPECTIONS

Re: INDIANA STATE BOARD OF HEALTH - 410 IAC7-15.1. Section 8

The Indiana Department of Health, the U.S.D.A. and the Vanderburgh County Food Inspectors require certain regulations be met at establishments where food preparation is taking place. Some such businesses as Groceries, Wholesale, Deli's, etc. also fall in the jurisdiction of Weights and Measures in the inspection of weighing devices and commodities regulations. It is essential that the inspectors abide by the same sanitary codes in the area also.

1. All testing equipment such as weights, kit cases, folders, etc. must be kept clean and not placed on any surface, such as cutting boards, where food will be placed.
2. Inspectors must wash their hands before starting the inspection and as often as necessary during the inspection.
3. Hair restraints (caps, etc.) must be worn and hair kept trimmed and neat.
4. A well-trimmed mustach is acceptable but it is recommended that there be no beards.
5. The outer clothing of the inspector must be kept clean. In some cases it may be appropriate to wear the white coat. The white coat also must be kept clean.
6. At no time can an inspection of fuel or other chemicals or the devices used to dispense them be followed by an inspection of a food establishment or preparation business.
7. Inspectors shall maintain a high degree of personal cleanliness and conform to good hygienic practices during all working periods in the food establishments.

As you are aware, the inspectors are not always welcome by the establishments and if these rules that they must follow are not abided by the inspector , they may refuse entry into these areas which are necessary for the inspections.

**MINUTES
COUNTY COMMISSIONERS MEETING
DECEMBER 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
APPROVAL OF MINUTES (11/15 AND 12/6)	1
Bid Openings & Awards	1
VC-9316 Pick-Up for County Highway (Bids taken under advisement for one week)	
VC-93-10-01 Volkman Rd. Bridge (Bids taken under advisement for one week)	
Printing of Tax Bills (Awarded to Moore Business Communications in amount of \$27,907.50)	
VC-9315/Pick Up for Health Department (Awarded to Cooke Chevy GEO in amount of \$12,611.99)	
Building Commission/Proposed Amended Building Code Ordinance .. (Deferred).....	2
Complaint re Gang Activity in Howell Area & Roxie's Pool Hall - Dale Johnson	2
Election Office/Overtime Pay/Alberta Matlock	4
(Board will continue to look at this matter)	
Veteran's Services/Contract with Community Jobs Club re Cleaning Services	8
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Reading of Bids/Pick-Up Truck for County Highway	
Reading of Bids/Volkman Rd. Bridge Project	
Reading of Bid/Printing of Tax 1994 Bills	
Resolutions (2) re Joint Department of Central Dispatch	
Resolution re Transfer of Law Enforcement Vehicle from Town of Darmstadt	
Reassessment/Results of Meeting with Township Assessors & County Assessor on Software	
Superintendent of County Buildings/Mark Abell	12
Claim/Preferred Construction Services (\$38,304.86 re County Garage Roof	
County Engineer's Office/Telephone System	
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Weekly Progress Report	
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County Engineer/John Stoll	15
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Consent Agenda (Approved)	16
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Formation of Coordinating Council/Transportation Cuts	
Meeting Adjourned @ 7:05 p.m.	16

MINUTES
COUNTY COMMISSIONERS MEETING
DECEMBER 13, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, December 13, 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., County Attorney Alan Kissinger, Commissioner Pat Tuley, himself, Commissioner Don Hunter, Chief Deputy Auditor Cindy Mayo, and Joanne Matthews, Official Recording Secretary). Mr. Borries subsequently asked the group to stand for the Pledge of Allegiance.

It was noted by President Borries that copies of the printed agenda for tonight's meeting are available on the table by the door. He then asked if there are individuals/groups here this evening who wish to address the Commission but do not see their particular item of interest on the agenda. There was no response from the audience and Commissioner Borries proceeded with the meeting agenda.

RE: APPROVAL OF MINUTES

President Borries said there are two sets of minutes for approval tonight -- December 6th and November 15th (the latter being a very lengthy meeting). The Recording Secretary was on vacation. A motion was entertained. Motion to approve both sets of minutes, as submitted, was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: BID OPENING & AWARDS - DARYN BURGDORF/PURCHASING DEPT.

VC-9316/Full Size 3/4 Ton Super Cab Pick-Up for County Highway Dept.: President Borries recognized Mr. Daryn Burgdorf of the Purchasing Department, who indicated the subject bids are scheduled for opening today. Mr. Borries entertained a motion to authorize the County Attorney to open the subject bids.

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

Bid Opening/Printing of Tax Bills: Mr. Burgdorf said he believes only one (1) bid was received and he would like that bid opened at this time.

Motion to authorize the County Attorney to open the said bid was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

VC-93-10-01/Volkman Rd. Bridge Paving: Mr. Burgdorf said he is not familiar with this item, but would request that bids on this project be opened.

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

VC-9315/Full Size 1/2 Ton Pick-Up Truck for Health Department: Mr. Burgdorf said that as the Commissioners may recall, four (4) bids were received on this and have been reviewed by George Thompson and himself. Of the four bids, two bidders complied with the

specifications, being Cooke Chevy GEO and Kenny Kent Chevrolet. As can be seen from the memo addressed to the Commissioners earlier in the week, the low bid on this was from Cooke Chevy GEO -- a bid of \$12,611.99. Since these were the only two bids that met specs, he sees no reason why the Board cannot award to Cooke Chevy GEO at the low price.

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

Motion to award the bid to Cooke Chevy GEO in the amount of \$12,611.99, as recommended, was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: BUILDING COMMISSION/BUILDING CODE ORDINANCE

President Borries noted this item has been deferred to next week.

RE: COMPLAINT RE GANG ACTIVITY IN HOWELL AREA & ROXIE'S POOL HALL - DALE JOHNSON

Mr. Dale Johnson, who had asked to speak to the Commission this evening, was recognized, identified himself, stated he resides at 1610 Cumberland Avenue and said he comes from a neighborhood on the west side called Howell. "The reason I am here is because I've lived in my neighborhood 27 years and whether you all know it or not, we have a street gang problem out there. The Police Department seemed to help out a little but, but the other day there was a 12 year old kid walking down the street and three carloads of people pulled over, jumped out and beat him up real bad. We've had kids being shot at and maced in the face, car windows getting broken out -- and they seem to be gathering at a place called Roxie's Pool Hall -- and I'm down here to see if we can get some help to get it out of the neighborhood. In response to query from Commissioner Tuley, Mr. Johnson said Roxie's is located on South Barker Avenue, south of Broadway -- in between the Old Dixie and Apollo Liquors. There's a lot of drugs running in and out of there and a lot of teenagers who don't even live in our neighborhood. She's been there about two months and there's been nothing but trouble all through the neighborhood. People have had car stereos stolen, gas stolen; I've had a truck window broken out, tools stolen out of my truck; gang fights, shootings, you know -- and I've got six children at home and I'm trying to speak for my whole neighborhood. Something has to be done about it, you know, and I'd appreciate it if you could give us a hand."

Commissioner Hunter asked, "Dale, was there something previously, or is this something kind of new in the area?"

Mr. Johnson responded, 'Sir, I owned a pool hall that was down there -- it was over two years ago that I closed mine down. Other than that, there was no pool hall there."

Mr. Hunter asked, "There was not a pool hall where Roxie's is now?"

Mr. Johnson replied, "No. It was a tire shop and the guy who lives there committed suicide inside the tire shop and his family moved them out. She is just renting the building from the guy. It was one big building and now they've divided it into two; he runs a mechanic shop on one side and she runs a front for a pool hall on the other side. She has two pool tables and for or five video games and that's it. She doesn't let you go in and out the front door at all. You have to park around back where it is dark. I've had kids come to me -- well, my next door neighbor's little girl had to have her eyes cleaned out at the hospital because she'd been maced. She walked in there and when she walked out three or four guys jumped her and maced her and this girl isn't but twelve years old. We went to her (Roxie) and talked to her and she said, 'I try to stop it, but there's nothing I can do.' But there's got to be

something done. I keep my kids away from there. But now it's getting to where -- my kids have friends a block or so over and the gang members out of there are coming through our neighborhood in cars and stuff and my children can't walk the streets because of it. My little girl got chased home a little less than a week ago by two carloads and she's not but ten years old. I don't know what else to do or where else to turn. By the time we dial 911 and they get out there, everybody's gone. They've already got the word the police are on the way and they're already gone. We thought about getting a petition up and called an attorney. The attorney said it wouldn't do any good -- to come talk to the Commissioners about it." In response to query from Commissioner Borries, Mr. Johnson said it is in the City limits.

Mr. Hunter said the Commissioners could check with Area Plan on the zoning -- that is one possibility. They could also check code violations on the building.

Commissioner Tuley said, "We can do not a whole lot, I guess. But we can check to see that it is zoned properly. If they're all zoned properly and can legally be there from that standpoint, if we have reason to believe there are code violations in terms of the building, the construction and what have you, we can send the Building Commission out there to cite them. The only reason I'm saying this is there was one not too far from me and that is how it got shut down."

Commissioner Hunter noted they have to have so many parking spaces, etc.

Mr. Johnson said they have room for four cars at the back -- and that's it.

Mr. Tuley continued, "Don, you know more about this being on the Area Plan Commission. But there has to be a certain number of parking spaces depending on what kind of business is in there. We can talk to the City Councilman from that area to see if perhaps we can get increased police patrols or something to see if that will help."

Mr. Hunter asked if Mr. Johnson has an address on Roxie's Pool Hall.

Mr. Johnson said it is 1300 something -- probably 1317 S. Barker. She has two windows -- one on each side of the door; one says Pool and the other says Hall -- but it says front door locked -- go to back door. And there is only one way in and one way out. The front door is locked at all times -- dead bolted. There is no way you could get out at all if a fire broke out in the back of the building

The Commissioners said this probably violates fire and safety codes.

Mr. Borries queried Mr. Johnson concerning the approximate area of his neighborhood.

Mr. Johnson said he is talking about from South Barker to Tekoppel, from Claremont to the railroad tracks.

Commissioner Borries said he wants to commend Mr. Johnson. He thinks it takes a lot of courage to come up here and talk to a bunch of strange people. So he commends Mr. Johnson and his group for coming to the Commissioners. As Commissioner Tuley pointed out, one of the reasons the Board is a little hesitant, they have jurisdiction in the County -- particularly all over and inside the City limits with bridges and things of that nature. They cannot duplicate what the City of Evansville does, but they can help to do the things talked about here -- to check these things -- and as a

couple of suggestions, have they now formed a Neighborhood Association or are they in the process of doing that?

Mr. Johnson replied, "Yes, we have. We have 58 people strong. We do patrol our neighborhood at nights. We usually have four grown-ups walking the streets, two on one street and two on the other. We also have two persons per car in two cars per night. We had a clothing drive and a toy drive scheduled at Christmas for the homeless and unfortunate. Being this is going on, we had to cancel it. We did do a Thanksgiving Food Drive for our neighborhood and we passed out 28 baskets. Being this is going on, I'm not going to send my children out to collect toys or clothes."

Mr. Borries asked if they have an official Neighborhood Association -- because there could be some funding they might qualify for when the City Council has their hearings every year. Also, he thinks if they work with Chief Gann, he is very neighborhood oriented. It's very hard for them with the limited amount of resources. He is sure they would work with him and the Commissioners will pass along his concerns to see if the Police can get increased patrols in that area.

Mr. Johnson said he appreciates this very much.

President Borries again said the Commissioners appreciate his coming to the Commissioners and they will see if they can help.

RE: ELECTION OFFICE/OVERTIME PAY - ALBERTA MATLOCK

The meeting continued with Ms. Alberta Matlock of the Election Office being recognized.

Ms. Matlock said, "Good evening. I thank you gentlemen for seeing me. I know you really don't want to, but I feel like this is something I have to do. I realize and I know very well that I am a PAT employee and that I do not receive overtime pay. I've worked for the County for five years and have never asked for any. When this Special Election came along -- this is like a once in a lifetime thing. It's never been done before and we done the best thing that we could with the budget -- especially with knowing that the Gaming Commission is going to decide what happens to this money that is left over, whether Vanderburgh County gets to keep it or whether it will go back to the investors. We tried to as best we could with a guesstimate. We made out a budget and in this budget we made sure -- or we thought -- we had every base covered. My entire salary, my FICA, my insurance, my PERF, my unemployment -- everything for my services was paid for by Gold Strike Resorts. We also looked at the Co-Managers (Jon Hill and Suzie Kirk's) \$3,000, the \$1,500 apiece they get for election that is in their budget. We also put that money in and repealed it back into the County General Fund so that Vanderburgh County would be reimbursed for them. All the money -- we put over \$2,000 in the General Fund for the postage, which comes out of you Commissioners' budget. The thing is, at the time it is like I was contracted out to Gold Strike Resorts and Vanderburgh County was paid for my services. And this budget was approved by the Vanderburgh County Election Board. It was approved by the County Council. Maybe the words "Overtime" is an inappropriate word. Maybe the words should have been "Extra Services Rendered". But there was \$1,400 put in here for the extra hours that they knew I would have to spend. I did not ask for that. I did not pad it whatsoever. In fact, I took off. Out of the whole time I was there I took three (3) lunch hours and that can be verified. I worked through my lunches. I normally have four men working in the back room. I did the extra work with only two men. As for the women who worked out front, I normally have six and I did it with four -- hoping that all the extra money we get will get to stay in Vanderburgh County. I don't feel that I'm asking for anything that is not rightly mine -- and I know you all have tried to research it and figure out a way as to

why you should let me have this money that has already been approved. But really, I mean, why shouldn't you? I mean I'm well aware that any other election I do not get compensated. I have not asked for it. I would just like to have what I think is fair and just."

Commissioner Borries said, "Well, you're right, Alberta, I think a lot of you, but I didn't want to see you this evening -- because this is hard. It is hard"

Ms. Matlock interjected, "It's hard for me to do this, too, but it's a matter of principle."

Mr. Borries continued, "I know. It's principle for us, too."

Ms. Matlock again interrupted, "I mean, the \$700 is not going to make me or break me. But one thing -- if you could explain it to me -- is the Auditor's office - Sam Humphrey has got an eagle eye. He lets no check be written -- nothing be done -- I even talked to the State Board of Accounts and they said that as long as the County Council approved this, there was nothing wrong with it - and the Election Board and everything -- yet, the secretary to the County Council pulls the pink slip and starts this. The check is written; it has to be voided. Yet, Mrs. Deig took it upon herself to cause an issue over this when there shouldn't be an issue."

President Borries said, "Well, I don't know. You guys want to ask questions -- I'm not going to get into personalities on that. We can only tell you what we know, based on the research."

Commissioner Tuley said, "I think the Board of Accounts' position was strictly an audit position. I don't think that was a legal opinion or anything else -- just from the standpoint that if there is money in this in this account and it is spend out of that account then they don't have a problem with it. I think that was their only opinion -- from an audit standpoint. I don't want to do this, but were you paid by the County? You implied a minute ago that you weren't an employee of the County, you were contracted out to...."

Ms. Matlock interrupted, "My salary, and here's a copy of it -- my salary, every penny I made (my PERF, my FICA, my everything) was repealed. It was taken back and Gold Strike Resorts paid every bit of it."

Mr. Tuley said, "It was repealed back to the County. But, did you personally receive a paycheck? Your paycheck did not change?"

Ms. Matlock replied, "No, my paycheck did not change. The money was put in the budget to give back to Vanderburgh County, which it has been done. It has been taken out and been repealed. Everything we could possible give back to Vanderburgh County, we did."

Mr. Tuley said, "See, that is the problem. But the bottom line is you were compensated by Vanderburgh County, even though the money may have been refunded through the Clerk's office -- you, personally, were paid for services rendered. Is that correct?"

Ms. Matlock replied, "Yes, sir, I was paid my regular salary."

Mr. Tuley continued, "I mean, that's the whole basis for our reason for having to deny this. Otherwise, there is no sense having an exempt status on certain employees."

Ms. Matlock asked, "You mean you're telling me that the budget that the County Council approved means absolutely nothing? That even though it was put in there and approved?"

Mr. Borries said, "The only way that could have worked is if they would have backed your salary out and said that Gold Strike themselves had to pay you."

Mr. Matlock asked, "Then would you have a problem if you're not going to do this, if Gold Strike Resorts does it? If the money has been repealed back -- and from a legal standpoint if the money that is taken out of this budget has been repealed back and put in the County General Fund -- why can't the money due me be repealed back to Gold Strike Resorts and them pay me?"

Mr. Borries said, "It is not a matter in my mind as to who paid you. We didn't want you to have to make any less than you do any other year, but there has been no reduction in your salary from the check, right?"

Ms. Matlock replied, "None."

Mr. Borries continued, "So, in other words it went right straight through in 1993. Now, if you're paid so called extra -- for example, Mark Abell, who would be right in roughly the same category, he doesn't get anything extra for sitting here and going through these exciting meetings every week."

Ms. Matlock countered, "Neither do I, at any other time."

Mr. Borries said, "That is what I am saying. So we would have trouble paying you for work that has already been done -- regardless of whose money it is. See what I mean? You could be an employee of Gold Strike. If you're an employee of Gold Strike, you couldn't then work for the County, because you would have had to have taken a leave of absence or -- or go under a private contract with them."

Ms. Matlock said, "In a sense, that is true."

Commissioner Borries continued, "The only way that I understood that Gold Strike paid the money was representing these other gaming groups that came in here -- and that the County had not budgeted for an election last year to handle the precincts and stuff like that. In your situation, if it affected you by allowing you to make less money -- you see, I didn't know how you were paid either. For example, in 1993 when you normally don't have an election -- if you got paid less money."

Ms. Matlock stated, "No, I do not."

Mr. Borries said, "That is where we're having trouble with it, Alberta, because it doesn't affect you as a person at all. It affects the position."

Ms. Matlock said, "This is not the way it was told going in though. I mean, when the budget was made out, we knew that I would have to be there working and that I would have to work the extra hours and that Gold Strike Resorts was paying for this. If Vanderburgh County is not going to donate my time which was taken away from the County Clerk's office, why should I have to donate my time to Gold Strike Resorts?"

Mr. Borries asked, "What is going to be your time in 1994?"

Ms. Matlock replied, "That is Vanderburgh County's time. I've never said one word about working."

Mr. Borries said, "I know, but you're going to get paid for it."

Ms. Matlock said, "But I won't get any overtime pay nor do I expect any."

Mr. Borries said, "And that is why I wouldn't want you to make any less than you would any other year. See, that is the whole point. This coming year -- how many different items are you going to have -- this is absolutely the longest ballot we'll have -- 1994. So you're going to have far more responsibilities and duties than you did with a simple referendum that involved just one thing. My understanding of the whole situation is that because County Council had not budgeted and put in x amount to pay for the countless numbers of precincts that have to run, the printing of the ballots, etc. that these people were going to come in here and pay that because there was no x amount budgeted. And so as far as employees go, it seems to me that if you take that money, then there has to be a difference in terms of taking back the money that the County would have paid you because you would have been on the payroll anyway. You see what I mean?"

Ms. Matlock replied, "But I would have been working in the Vanderburgh County Clerk's office, I wouldn't have been in the Election Office. I just had to state my feelings."

Mr. Borries said, "I understand -- you know, we can look at this..."

Ms. Matlock interjected, "And I tell you I really don't think it's right. I mean, you wouldn't want to donate -- and that's exactly the way I feel, is that I have donated this time."

Mr. Borries said, "You see, I would have to beg to differ with you. I don't think you've donated anything if you've been paid for it. You've been paid. And it's the same here. If this meeting lasts -- and who knows how long, we never set a time limit -- sometimes we pray to God we get out of here at a reasonable hour. But you do it until you get done -- in terms of an exempt status."

Ms. Matlock said, "In terms of a regular election I agree with you wholeheartedly."

Mr. Borries said, "And, Ms. Matlock, that applies to every person who is in your position -- in the County Clerk's office, in this office, and every other Chief Deputy in the whole County. That is where we have to come from. We've got to look at it from a little different perspective than you do -- or a whole lot different perspective than you do. We proceeded at first on this and tried to take some time to see if you made any less money than you do any other year, see? So I don't know. Do you guys have anything to add on this?"

Commissioner Hunter said, "I guess the only thing I would ask, Alberta, is there was no chance that you were on vacation or some kind of leave during this time period we're talking about?"

Ms. Matlock responded, "No. I fill in wherever I'm needed in the Clerks's office for people who are on vacations, or on sick leave and I do the work over there for these people when I'm not in the Election office."

Commissioner Hunter said, "If you were on vacation during that time period -- and you were being paid for vacation -- then whatever you do with that time is your own business -- and I would have no problem with that. But apparently that isn't the case. I'm sitting here trying to figure some way to work this out."

Ms. Matlock said, "Well, I thank you for listening to me anyway."

Commissioner Borries said, "We'd have listened to you anyway. You're very outspoken..."

Ms. Matlock said, "I hope I wasn't too bad."

Mr. Borries said, "And I hope I wasn't either -- because we're not here to hurt your feelings; we're trying to do what we think is the right thing."

Ms. Matlock stated, "If you were in this position, you'd feel the same way. It's something that maybe happens once in a lifetime."

Mr. Borries said, "Well, I don't want to get on a soap box here. I don't know if it's a once in a lifetime thing or not. We want to be fair to you and fair to every other person who is in your position in the County. And it does open up a can of worms for us in the situation, as I say, Mark has to sit here and other Chief Deputies have to do their job until hell freezes over and not get paid for it -- not by the clock -- and it happens with other department heads; the County Garage, the County Engineer. I know they'd rather be other places tonight -- and it's just part of the job and they understand it. I don't know -- we'll look this thing over. But our reason last week was just to say that if you were getting paid any less, we certainly wanted to make that up -- to make sure that your salary wasn't affected by the work done during this particular election. We'll keep looking at this. Well, the point of clarification last week was we did not sign the claim. For the record here and the benefit of those in the audience this evening, we have employment changes that come to us. These are part of the official record and included in the minutes, and forwarded to the Auditor for payment. If we don't sign the claim, it has generally been the legal interpretation through our County Attorney and others that people are not going to get paid. Obviously, it is part of our job to question things when they come up. So that is what we have done."

RE: VETERAN'S SERVICES/CONTRACT WITH COMMUNITY JOBS CLUB, INC - CLEANING SERVICES AT OLD COURT HOUSE

President Borries said that Mark Acker, the Veteran's Service Officer, has written a memo saying they have moved to the Old Courthouse. One of the things we've tried to do is work with the Community Jobs Club, Inc., which is a group of people who basically do an outstanding job at a very reasonable price. They work through the auspices of the Southwest Indiana Mental Health Association and they do cleaning. Their fee is very reasonable. County Engineer John Stoll would verify they do an outstanding job -- but he's left the meeting temporarily. If the Board agrees, Mr. Acker is requesting the same arrangement for cleaning services as that for the County Engineer's office at the Old Courthouse.

Commissioner Hunter said he thinks this is great. We're putting this money back into the community to a group that is certainly deserving. Unless there are further questions, he will move for approval of the contract. Seconded by Commissioner Tuley. So ordered.

Mr. Borries explained this came about, because the Building Authority in this building has a regular cleaning staff. When the Engineer's office -- and now Veteran's Services -- moved to the Old Courthouse, those services are not there.

RE: MANATRON/CONTRACT ADDENDUM FOR COMPUTER HARDWARE

Borries: The next item for action is a contract addendum for computer hardware. This is computer hardware -- well, the money has been budgeted. It will move forward a situation that we hope is going to now progress smoothly, which will be the upcoming reassessment. What this is, if you agree, is an agreement from Manatron, Inc. This equipment will be housed and put in the Vanderburgh County Assessor's office. So that is what this is all about. When this equipment

gets in, probably one of the next steps that we're going to have to do, I think the County Attorney has met with the County Assessor and also the Township Assessors. We still have a software package that we have to get worked into this whole situation. That will create a network between the Township Assessors and the County Assessor and the reassessment. And we're all going to hold our breath on this.

- Kissinger: We hope it is going to move forward.
- Borries: So that is the best I can do to explain this next item.
- Hunter: Do I assume that Mr. Angermeier is pleased with this?
- Borries: Yes, at this point.
- Tuley: This is for the hardware only.
- Hunter: For his office -- and this has his blessing?
- Borries: Right. Yes.
- Kissinger: Right. Yes.
- Tuley: I move for approval.
- Hunter: I second.
- Borries: Okay. So ordered.

President Borries said Attorney Kissinger may want to talk about this during his report but, again, this is one small step for this county and we hope that things will move forward at this point.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Reading of Bids/VC-9316 - 3/4 Ton Super Cab Pick-Up Truck for the County Highway Department: Mr. Kissinger read bids as follows:

- | | |
|-------------------------------|-------------|
| 1) Broerman Chevrolet Company | \$16,882.37 |
| 2) D Patrick Ford | \$16,590.00 |
| 3) Cooke Chevrolet GEO | \$16,501.19 |

President Borries entertained a motion to refer the foregoing bids to Daryn Burgdorf for review and a recommendation next week.

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

Reading of Bids/VC-93-10-01/Volkman Rd. Bridge Paving: Attorney Kissinger said that ten (10) Bids were received, as follows:

- | | |
|-------------------------------------|--------------|
| 1) CCC of Evansville, Inc. | \$147,676.91 |
| 2) J. H. Rudolph & Co. | \$193,926.10 |
| 3) Concrete Pavers, Inc. | \$187,741.05 |
| 4) CLR, Inc. | \$191,194.34 |
| 5) Ray Stradtner Excavating, Inc. | \$197,773.20 |
| 6) Deig Bros. Lumber & Construction | \$171,524.52 |
| 7) Sam Oxley & Company, Inc. | \$220,639.59 |
| 8) Raegle, Inc. | \$187,994.10 |
| 9) Southwest Engineering, Inc. | \$210,864.65 |
| 10) Phoenix Construction Co., Inc. | \$154,953.80 |

President Borries entertained a motion to refer the above bids to

the County Engineer for his review and a recommendation.

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

Reading of Bid/VC-9318/Printing of 1994 Tax Bills: Attorney Kissinger said there was only one (1) bidder, that being Moore Business Communications Services in the amount of \$27,907.50. He asked Commissioner Tuley for guidance in this matter.

Commissioner Tuley, former County Treasurer, said the Board might as well move forward with the one bid. Moore has done this project for the last several years and they do quality work. Their prices have been fair. They are always in the \$26,000 to \$27,000 price range. There's been a little increase over last year, but not much. He talked to Jane Berry-Bland tonight, and she wanted to make sure if there were additional bids she had an opportunity to review same. But if this was the only bid received, she said the Board could go ahead and award the contract as far as she was concerned. Mr. Tuley noted this is a local office; the forms themselves are printed in Kansas or somewhere else.

Commissioner Hunter said he has no problem with this.

Motion to award the bid be awarded to Moore Business Communications Services in the amount of \$27,907.50 was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Joint Department of Central Dispatch/Resolutions (2): Attorney Kissinger said he told the Commissioners last week that he would be preparing Resolutions to specifically get us up to date with the City on the Joint Department of Central Dispatch. The first Resolution prepared for the consideration of the Commissioners is a Resolution approving Evansville City Ordinance #G-91-17 and the purpose of that Amendment, which actually amended the original Ordinance, was to add an eighth and ninth member to what used to be the seven member Central Dispatch Board. These two members would be non-voting members. The eighth member would be a person designated by the Advance Life Support Consortium and the ninth member would be a person designated by the Suburban Fire Chief's Association. These ordinances were passed by the City of Evansville. This is kind of housekeeping. They sent these to us in October and asked that we get on the same page as them, so that is basically what this resolution is about. He thinks we've been operating with these two members since around 1991. He would recommend the Board consider adopting this Resolution.

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

Attorney Kissinger said the next Resolution does exactly what the previous Resolution did, to approve the City of Evansville Ordinance #G-92-6. The effect of that ordinance was to basically allow the Mayor to designate an individual to attend those meetings in his stead if he was not able to attend. It also allowed the County Commissioners to designate an individual to appear in their stead if the appointed Commissioner was unable to attend. Once again, this just basically gets us on the same page with the City and he would recommend this Resolution also be adopted.

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

Resolution re Law Enforcement Vehicle from Town of Darmstadt: Attorney Kissinger said the third Resolution he has this evening is in regard to the 1988 Ford Motor vehicle, which was used as a law enforcement vehicle in the Town of Darmstadt. As the Commissioners are aware, Vanderburgh County has entered into an agreement with

the Town of Darmstadt to provide them with law enforcement services and those services will be provided by the Vanderburgh County Sheriff. Part of that agreement was that they would turn over that law enforcement vehicle to the Sheriff's Department. He has a copy of the minutes of the Darmstadt Town Board's meeting at which they approved the vehicle being turned over/donated to Vanderburgh County. He has a letter from the Vanderburgh County Sheriff indicating that he did, in fact, receive the vehicle, that he would like to use it for law enforcement purposes within the Vanderburgh County Sheriff's Department and, basically, that is what this Resolution will allow him to do. Attorney Kissinger said that since we are already in possession of the vehicle, he recommends that the Commissioners consider adopting this Resolution. Incidentally, it is required by statute that if there is to be a donation from one government unit to another, that both government units adopt a resolution and the Town of Darmstadt has already done so.

President Borries entertained a motion.

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

Reassessment/Meeting w/Township Assessors & County Assessor:
President Borries said he does not want to put Attorney Kissinger on the spot -- but we are to the point now where all the hardware will be in place and he understands we want to look at the software and maybe several different options on same.

Attorney Kissinger said that he really went into that meeting without a total understanding of what the problems were. And, quite frankly, the problems were, he thinks, a lack of communication between the parties and they really just needed an intermediary to assess the situation for them and help them communicate. He was lucky enough to be in that position at that time. All of the Township Assessors and the County Assessor and Evelyn Lannert (who actually has been the one who caught most of the flack in this situation -- because everybody shoots at her and it ricochets back at the other parties basically) really voiced her concern that something be done and that something be done soon. So there was an agreement reached between all parties that there would be input by the Township Assessors and the County Assessor as to the software providers who could provide the type of software that we require. They will identify those software providers and he knows of only two (2) at the present time, although there may be one or two more. They will invite them in simultaneously, if possible, to display their software, its functions and actually ask the other software providers to critique and comment on their competition's software. Then, he sincerely believes in consideration of the tone of the meeting, that they are going to reach an agreement as to who the software provider should be. There is no time table for that, but everyone understands and he thinks Evelyn Lannert tried to impress on them that they need to do something quickly, because they are coming onto a time table that they are going to have to comply with -- although they have been given a reprieve. The original deadline they had has been set back again by the State, so they did get a reprieve as far as timing is concerned. So, hopefully, it looks like they are going to be successful in solving their software problems.

Commissioner Hunter asked if the amount is over \$10,000. Will it still be put out for bid?

Attorney Kissinger said, "There is an unusual situation with computer software products. There are some statutory provisions that don't require you to bid certain software products and he thinks in this particular case that is going to be the situation we have, because it is recognized that you may have software that can do certain things, but certain counties are going to be required to

use software that does -- well, Vanderburgh County is going to need a bigger software package than other counties."

Mr. Hunter asked, "So what you're saying is we can do this, and once they have reached an agreement on what they want we can endorse it and still be legal?"

Attorney Kissinger replied, "That is my understanding and, of course, I will double check that with Daryn, but I think with the software situation we don't have to bid it."

Commissioner Tuley said, "If we can get them to agree, I think that is about as close to perfect as we're going to get."

Ms. Mayo asked, "How many software companies have been approved by the State and are certified?"

Attorney Kissinger replied, "Four or five -- and one of them has been decertified -- so probably four. Of the two primary companies we're looking at, the State is using the software from one of them and we're presently using the software from the other. One of those two, it appears their software is going to be the best suited to our needs."

Mr. Borries said it is moving and that is the good thing. He thinks we're making some progress at this point. This software is what they call almost like an art form, where it essentially is lack of service. The hardware anymore is kind of a generic thing that you have to bid -- there are certain specs -- but it would be very hard to write specs for software, because it relies on creativity, it's a service and it's very difficult..."

Mr. Hunter interrupted, "It's kind of custom-tailored to fit your needs."

Attorney Kissinger noted, "Once they have sold us the basic package they will come in and work with Vanderburgh County to structure it to our needs."

President Borries again said that, hopefully, we are going to move forward on this. He also thanked Attorney Kissinger for his work on this matter.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Claim/County Garage Roof: Mr. Abell said he is submitting a claim for the new roof at the County Highway Garage. It is 95% complete and that is projected at \$42,506.95, keeping 10% retainage of \$4,256.09. Preferred Construction Services has submitted a bill in the amount of \$38,304.86. The good news is that they are coming in considerably under our estimate.

Mr. Morphew said it does not have a wood decking; it has a light weight concrete decking, so there was no bad decking. We did have to run a new vent for the new furnace installed in the new offices. When they cut the six inch hole for this, they found out exactly what the roof is. It is a 1/2 inch gypsum board, with three inches of poured concrete throughout the top and it has the tar mixture on top of all that. They're doing a good job and it is 95% complete right now.

Mr. Borries said at one time we were talking about holes we could actually see through up there. Have these things, in fact, been remedied?

Mr. Morphew said they have been sealed. It was holes in the gypsum. If the rubber roof they put on ever leaks, that means the roof has failed. This roof has a five year warranty. It would be relatively easy to seal that roof being that it is rubber. He

thinks it will always be expensive. At the pre-construction meeting they asked if there was any possible way of putting a layer or something on top of this roof so we could extend the warranty and they shot us a price today on that -- but it would not extend the warranty on it. It would basically reduce the heat on the building from 140 degrees to 90 degrees, because it would be a white rubberized paint on top of the roof -- but it would not extend the warranty, so he did not feel we would be getting anything for our money.

Mr. Borries asked, "And you've had people observing this work to verify that everything has gone correctly?"

Mr. Morphey responded affirmatively.

Mr. Borries said one thing he would like to see later so that we know the weight scales and everything are in proper order -- we've had no change orders?

Mr. Morphey said we have not. In fact, there is a \$14,000 reduction. The roof came in at approximately \$60,000 and after everything is said and done the total bill for this job is going to be approximately \$47,000. In our estimate we had figured on replacing decking and there was no decking -- it's a light weight concrete.

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

County Engineer's Office/Telephones: Mr. Abell said we had a problem with the telephones in the County Engineer's office. They went along with us on the Centrex move, but they also have a switch in their office that is called a Tadiran System and without being real technical, he will put it as simply as he can. Their Tadiran System needed to be added to but it found it is expensive and it is also outdated and they're not making it anymore, which will make purchase of parts in the future next to impossible. That, combined with the expense -- the thought that with the Board's approval it would be a good idea to bring the County Engineer's office into the same hardware as we using in this building, which would be the Meridian sets. In other words, get them off their Tadiran System and go to what we're using here. There is a cost savings there that can justify it. This is a good time to get away from the old system and into the new system we have in this building.

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

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted copies of his Weekly Progress Report for period December 3, 1993 thru December 9, 1993....report received and filed.

Mr. Borries noted the report covers work done in all sections of the County. He then entertained questions of Mr. Morphey. There were none.

Paving Summary: Mr. Morphey said last week he told the Commissioners he would have a Paving Summary ready this week. He apologized, saying he does not have same. The fellow who was preparing this summary had taken a couple of sick days off. He will have this ready for the next meeting.

Road Maintenance: Mr. Tuley asked how his recent trip to the AIC Meeting was.

Mr. Morphey said it was fine -- but he really learned some things

he didn't want to know -- through EPA and OSHA. There are some new guidelines coming up that we're going to have to conform to and it's going to take some work.

Mr. Borries said he thinks, as we're so often reminded, that changes are indeed a part of life and there are always regulations. It's like a broken record - not only are there regulations, but most of them are unfunded. So when they begin to cost money there is insufficient funding to meet some of these changes and that is something we're always concerned about. He doesn't have the time, but he knows that tomorrow the Association of Indiana Counties is going to begin a fly around, looking specifically at roads and bridges. There will be a Press Conference. He thinks Stu Rhodes is going to take the southern half of the State, with someone else taking the northern half of the State -- but again calling attention to the fact that, for instance, the Federal Government passed a four cent tax on gasoline, of which we received zilch -- nothing -- on. So Local units, as well as the State, are going to be hard pressed to keep their roads and bridges up to standards. Were it not for the active program we've had here in Vanderburgh County, we could be going what some other counties are doing. He attended a meeting last Tuesday of the Build Indiana Group and some of the local contractors -- and there are some counties are talking about kind of scarifying the roads and turning them back into gravel. They are not going to have the money to pave and their bridges are going to continue to deteriorate. So this is all going to be around before the Legislative Session is over -- to begin to look at some funding, because that will affect you in your operation. And I know John is wrestling with the budget, because we've got to get a couple of bridges done quickly, particularly Franklin Street, to meet some deadlines that are going to happen to the State bridge when it goes on Pigeon Creek. So he just wanted to let Mr. Morpew know this.

Mr. Hunter said they actually will land someplace.

Mr. Borries said he thinks they will go out to Tri-State Aero sometime tomorrow -- but he doesn't know what time.

Mr. Stoll said it will be at 2:00 p.m. tomorrow.

Mr. Morpew said he is going to have to get with John and his people about chip and seal before a road is paved. The State has done some chip and seal with some new materials. It did Highway 65 -- where the Moto Mart is -- north from there into Gibson County. And they did Highway 64 north. They did this two years ago and the road still looks like it's new. What he was going to look at was doing this. From what he gathered from one of the seminars he attended at the AIC meetings, it would prolong the life of the road for 20% of the cost of paving. If we can extend the life of the road five years we can save a lot of money.

Mr. Borries said he is willing to look at it. And, again, there may be some new technology and some new ideas out there. He remembers some mixed results with chip and seal, but he is willing to look at everything.

Mr. Morpew said in the past he never liked chip and seal, because the road comes apart within two years. But this new method...

Mr. Borries interrupted that he experienced some real bad experiences in terms of paving and a year later it cracked up and a year later we were back to square one -- so that is where he thinks we have to look at it pretty carefully. But things change.

Mr. Hunter asked if we've made any progress with putting the road maintenance on a computer so we know what we've done and where we've done it and the whole bit?

Mr. Morphew said we have purchased the Road Support Program, which covers the equipment, the roads and the various conditions they're in, bridges, culverts. We have that on both computers now and are currently putting the data in. We had to break the county down into groups and we're currently putting all that information into the computer. She can bring up the entire inventory of everything the County Highway Department owns now, down to a can of deicer. So we're getting there.

Mr. Hunter said he's received a lot of positive comments about the paving done -- just in the north end of the county this year. It's nice to finally be able to know how many years we can buy out of that.

Mr. Morphew said that is one of the things the Commissioners will see on the summary that is being prepared. It will show the amount of primer used on every road, the footage paved, the amount of base material and surface material, the length and width of the road, and dollars and cents it cost to pave that road. We've paved approximately 22 miles of road this year for less than \$400,000, which is very good.

It was noted by Commissioner Borries that the Advisory received by Kyle Foster with regard to the flyover tomorrow says it is at 2:00 p.m. at the Vanderburgh County Civic Center/Commissioners Chambers to discuss local roads and bridges, particularly the poor condition of Indiana's roads and bridges.

RE: COUNTY ENGINEER - JOHN STOLL

Construction Engineering Agreement/Franklin Street Bridge: Mr. Stoll said this is the only item he has. This agreement is with United Consulting Engineers in the amount of \$242,777.72. Based on what Bill Hall of United Consulting has told him, the Franklin Street Bridge would be able to be on a letting by February 1994 with INDOT, so it's just a matter of our getting the funding issues resolved. In the meantime, we need to have this agreement executed in order to be ready once we get the funding issues straightened out. He hasn't received anything official from INDOT as far as the Federal funds we have left, but he believes it is about \$1 million. So we need to come up with about \$1-1/4 million in local funds. Through some transfers and juggling around of monies it looks like we will be able to do it. It will just push a couple of projects off for a couple of years or eliminate them totally -- if that's the case. In the meantime, these agreements will provide for the inspection and construction engineering for the bridge job.

Mr. Hunter said that with a February letting, we can move very quickly on getting it done before the Fall Festival.

Mr. Stoll said it wouldn't be finished, but it wouldn't be totally shut down. It would be done two lanes at a time, so traffic could always cross the bridge -- because only two lanes would be worked on at a time.

Mr. Borries there is no way he would have been able to support a complete closure.

Mr. Hunter asked if there is any way of having it finished by October 1st.

Mr. Stoll said he'd like to, but he doesn't think there is any way to have the project completed by that date -- even with complete closure which would be faster construction, judging from the number of construction days the consultant was estimating, the project would not make it by that date. They'd still have to work on it through October.

Mr. Borries said once they have this one rehabbed, we'll be in good

shape. They did a nice job on Columbia-Delaware. At some point we will want to look and see where we are with the Ohio Street Bridge project. If we get that one ready, we'll be in pretty good shape to meet the challenge.

Mr. Stoll said that financially we'll run into the same problems on Ohio Street Bridge project that we did on Franklin and INDOT's policy of not letting us use Federal bridge funds in the urban area.

Mr. Borries asked what the deal is on that? Is that a change in terms....

Mr. Stoll interrupted, saying he is not sure how long that policy has been in effect. But for the urban areas it sure makes it tough to build some of these expensive bridges we have.

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

RE: CONSENT AGENDA

Commissioner Borries entertained comments or questions concerning the items on the Consent Agenda. Comments or questions were entertained.

Commissioner Hunter said he notes that it says Andy Wade was to return to work today, but a another pink slip will be submitted.

Mr. Borries said perhaps Bill Morpew can speak to this.

Mr. Morpew said that was pending a release from his doctor. They did get the release from the doctor today and Andy returned to work today. There is a pink slip, but they did not have it processed for today's meeting.

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

RE: OLD BUSINESS

Mr. Borries entertained matters of Old Business to come before the Board.

Mr. Tuley said he needs permission to sign the FA-2 form.

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

RE: NEW BUSINESS

Mr. Borries emphasized the flyover tomorrow.

Formation of Coordinating Council/Transportation Cuts: Mr. Borries said he has a letter to be circulated concerning this matter.

Rezoning: Rezoning Petitions are scheduled for next week.

There being no further business to come before the Board at this time, President Borries declared the meeting adjourned at 7:05 p.m.

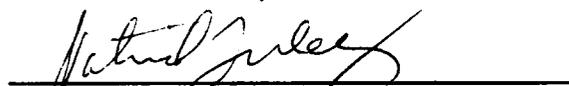
PRESENT:

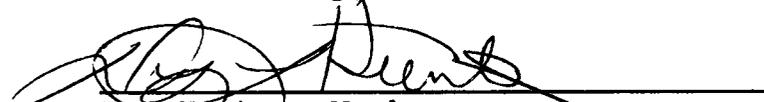
Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member

Alan M. Kissinger, County Attorney
Cindy Mayo, Chief Deputy Auditor
Mark Abell, Supt./County Bldgs.
John Stoll/County Engineer
Bill Morphew, Supt./County Highway Garage
Dale Johnson/Citizen (Howell area)
Alberta Matlock/Election Office
Daryn Burgdorf/Purchasing Dept.
Ray Nix/Concrete Pavers, Inc.
Pat Stradtner/Stradtner Excavating, Inc.
Bette A. Cook/CCC of Evansville
Gerald Parkinson/Phoenix Construction, Inc.
Ronald L. Patton/Broerman Chevrolet
Janet Watkins/UWSA-Indiana
Pat Goad/J. H. Rudolph & Co.
Bud Reitmeyer/CCR, Inc. (Vincennes)

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

December 13, 1993

5:30 P.M.

FINAL

1. **CALL TO ORDER** — 5:30 P.M.
2. **INTRODUCTIONS** ✓
3. **PLEDGE OF ALLEGIANCE** ✓
4. **ACTION ITEMS**
 - A. **Approval of Minutes** 12/6/93 ✓ 11/20/93 (P.T./DN)
 - B. **Any group/individual wishing to address the commission**
 - C. **Daryn Burgdorf/Purchasing** ✓
 - 1) **Open VC 9316/Full Size 3/4 Ton Super Cab Pick-Up for County Highway Department**
 - 2) **Open VC 9318/Printing of 1994 County Tax Bills**
 - 3) **Open VC93-10-01/Volkman Road Bridge/Paving**
 - 4) **Award VC 9315/Full Size 1/2 Ton Pick-Up for Health Dept. — ^{Cooker} 12,611.90**
 - D. **Roger Lehman, Building Commissioner**
re: **Proposed Ordinance Amending Building Code (deferred 12/20/93)**
 - ✓E. **Dale Johnson**
re: **see attached**
 - ✓F. **Alberta Matlock/Assistant Chief Deputy of Elections**
re: **overtime**

PT/DH

G. Contract with Community Jobs Club, Inc.
re: cleaning services for Veterans Office/needs signatures

H. Contract Addendum for Computer Hardware — *PT/DH*
re: needs signatures

5. DEPARTMENT HEADS

Alan Kissinger -----	County Attorney ✓
Mark Abell -----	Superintendent of County Buildings ✓
Bill Morpew -----	County Garage
John Stoll -----	County Engineer(See attached requests) ✓

6. CONSENT ITEMS ✓

A. Travel/Education Requests:
Health (5)

B. Employment Changes:
* see attached

C. Council Call:
1) Health Department/transfer of funds
2) County Commissioners/transfer of funds

D. Claim for payment:
1) Given & Spindler.....4,110.15
*Management Fee
2) Given & Spindler.....9,206.49
*Expense reimbursements

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

COUNTY ENGINEER'S
CONSENT AGENDA
DECEMBER 13, 1993

1. **CLAIMS:**

U.S.I. & SR 62 430 BOND Blankenberger Brothers (Est #9) VR-20697	\$ 28,981.04
GREEN RIVER ROAD NORTH 216-4910 Indiana Dept. of Trans. (WX94000294)	\$311,000.00
CONTRACTUAL SERVICES 203-3930 Community Jobs Club (Inv. #3)	\$ 60.00

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101068 ANDREW S. WADE	3318 BAYARD PK. DR.	GAS MAN	11 25 ^{HR}	12-3-93
ANDY WADE IS ON MEDICAL LEAVE OF ABSENCE, LAST DAY WORKED WAS ON DEC. 1, 1993. HAS MEDICAL RELEASE TO RETURN ON DEC. 13, 1993.				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Wm. J. Morpheus - 9 DATE 12-10-93

Andy Wade returned to work on Dec 13, 1993. Another piece slip will be submitted shortly



December 1993

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 335 / 30 3:30pm County Council	2 336 / 29	3 337 / 28	4 338 / 27
5 339 / 26	6 340 / 25 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners	7 341 / 24 5:30pm AIC	8 342 / 23	9 343 / 22 INDOT Hearing	10 344 / 21 Pay Day	11 345 / 20
12 346 / 19	13 347 / 18 4:30pm Solid Waste 5:30pm County Commissioners	14 348 / 17 9:00am Co. Insurance Comm.	15 349 / 16	16 350 / 15 9:00am Co Steering Comm. 5:00pm Pigeon Creek	17 351 / 14	18 352 / 13
19 353 / 12	20 354 / 11 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Rezoning	21 355 / 10	22 356 / 9	23 357 / 8	24 358 / 7 Christmas Eve Pay Day	25 359 / 6 Christmas
26 360 / 5	27 361 / 4 Christmas	28 362 / 3 4:30pm Exec. Session 5:30pm County Commissioners Drainage Board	29 363 / 2 3:30pm Personnel & Finance	30 364 / 1	31 365 / 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					

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.*
Date: December 10, 1993
Re: Award of Bid Number VC 9315

Attached, please find the bid analysis of Bid Number VC 9315 for a half ton full size pickup for the Vanderburgh County Health Department.

All bids were in order and did contain all required forms. Out of the four bids received, only two vendors, Cooke Chevrolet-Geo and Kenny Kent Chevrolet met the proposed specifications.

The low bidder was Cooke Chevrolet-Geo with a bid of \$12,611.99. These bids have been reviewed by Mr. George Thompson of the Health Department and we agree that the recommendation for award should go to Cooke Chevrolet-Geo.

If you have any questions, please contact me.

cc: Awarding Board ✓
Bid File

VC 9315 - ONE FULL SIZE PICKUP TRUCK FOR VANDERBURGH COUNTY HIGHWAY DEPT
 OPENED MONDAY, NOVEMBER 29, 1993

ITEM	COOKE CHEVROLET-GEO	HENDRICKSON ENTERPRISES	EXPRESSWAY DODGE	KENNY KENT CHEVROLET
BID PROPOSAL FORM	YES	YES	YES	YES
STATE BID FORM	YES	YES	YES	YES
EEO FORM	YES	YES	YES	YES
BID DEPOSIT	YES	YES	YES	YES
COMPLIES W/SPECS	YES	NO	NO	YES
DELIVERY IN	30 - 60 DAYS	60 DAYS	90 - 120 DAYS	60 DAYS
TOTAL BID PRICE	\$12,611.99	\$16,235.10	\$16,930.40	\$14,655.41



AGENDA REQUEST

NAME OF REQUESTOR: Dale Johnson

REQUESTOR TITLE: N/A

DEPARTMENT: N/A Resident of Vanderburgh County

REQUEST(S) BEING MADE:

My name is Dale Johnson, I'm the Pres. of
(The Vigilantes) A group of people in our
Neighbor Hood That want's to clean up our
Neighbor Hoods. I am writing to you hoping
that you will put us on your agenda so
we can talk about getting HELP we can
do it alone. (we would like to talk about)

1. Getting a gang infested Pool full out of
our neighbor hoods.
2. Getting funds appropriate to us so we
can paint over the graffiti on the wall "
Haybecker Parkway
3. To let People know what we are about.

Thank you Dale Johnson

DATE TO BE PLACED ON AGENDA: 12/13/93

ACTION x **CONSENT** **OTHER**

RESOLUTION OF THE BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY REGARDING THE EXCHANGE
OF A MOTOR VEHICLE WITH THE TOWN OF
DARMSTADT, INDIANA

Whereas, the Town of Darmstadt, Indiana, and Vanderburgh County, Indiana, have entered into an agreement whereby Vanderburgh County will provide law enforcement services to the Town of Darmstadt;

Whereas, the Town of Darmstadt has agreed to compensate Vanderburgh County for the provision of said services by paying a specific amount annually to Vanderburgh County and by transferring to Vanderburgh County a certain law enforcement motor vehicle and communications equipment contained in the vehicle, with the exception of one (1) hand-held radio which has been retained by the Town of Darmstadt;

Whereas, the Vanderburgh County Sheriff has accepted possession of said vehicle and has agreed to use said vehicle for law enforcement purposes within Vanderburgh County; and,

Whereas, the Town of Darmstadt did, on September 14, 1993, adopt a resolution substantially identical to this resolution;

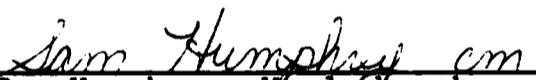
BE IT HEREBY RESOLVED that Vanderburgh County accepts the transfer from the Town of Darmstadt of one (1) 1988 blue Ford motor vehicle, VIN 2FABP72G5JX131179, and that said vehicle shall be titled in the name of Vanderburgh County, and that said vehicle is hereby assigned to the Vanderburgh County Sheriff's Department, and that said vehicle is to be used for law enforcement purposes.

This ordinance shall become effective after it has been adopted by the Board of Commissioners of Vanderburgh County and signed by its President.

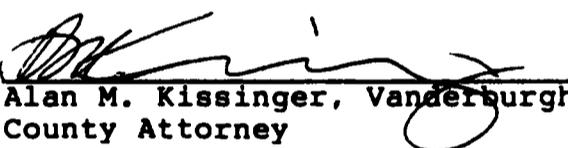
Date: December 13, 1993


Richard Borries, President
Board of Commissioners of
Vanderburgh County

ATTEST:


Sam Humphrey, Vanderburgh
County Auditor

APPROVED AS TO LEGAL FORM:


Alan M. Kissinger, Vanderburgh
County Attorney

SCHEDULE A - Addendum #1

Equipment for:

VANDERBURGH COUNTY, IN (County Assessor's Office)

I. HARDWARE ADDENDUM

Agreement #LC112492als386 (shown in upper left corner of agreement), approved by Vanderburgh County on 12-14-92 and by Manatron on 12-21-92, is hereby being amended. This addendum when approved, will substitute the hardware outlined in the original agreement, with the hardware listed below. This addendum supersedes the hardware and terms outlined in Schedule A of agreement #LC112492als386.

Qty	Description	Price	Annual Maint.
1	File Server: 80486DX2-66MHz Micro Processor 4MB Memory, 3.5" 1.44MB Floppy, Mouse, Keyboard DOS Operating System 1.2GB SCSI Disk Drive SCSI Disk Controller (2) 8MB Memory Expansion Super VGA Color Display Ethernet LAN Interface Board Reflects trade-in credit of \$1,550 toward BTOS Server (XE520 System*)	\$ 4,876	\$ 359
1	MicroFocus OSX COBOL XM/Run	250	0
1	2GB DAT Tape Drive w/ArcServe Software	3,620	281
1	Appraisal Workstation: 80486DX-33MHz Micro Processor 4MB Memory, 3.5" 1.44MB Floppy, Mouse, Keyboard, 120MB Disk Drive, DOS Operating System Super VGA Color Display Ethernet LAN Interface Board	2,351	185
1	Terminator Kit	100	0
1	Novell Netware 3.11 (50 User License)	4,995	825
1	M.O.M.S. (Manatron On-line Maintenance Service) Remote Diagnostic Software (Modem S/N 685485 from BTOS System to be retained)	300	100

Continued on the Following Page

SCHEDULE A - Addendum #1

Equipment for:

VANDERBURGH COUNTY, IN (County Assessor's Office)

L. HARDWARE - continued			
1	Remote Communications Server: 80486SX-25MHz Micro Processor 4MB Memory, 3.5" 1.44MB Floppy, Mouse, Keyboard, 120MB Disk Drive, DOS Operating System Super VGA Color Display Ethernet LAN Interface Board	\$ 1,868	\$ 165
1	DCA Remote LAN Node Adapter/Software (8 Port Package)	3,795	625
1	80486SLC-25MHz Notemaster 2MB Memory, LCD Display, 3.5" 1.44MB Floppy, 120MB Disk Drive, DOS Operating System 2MB Memory Expansion	2,678	175
TOTAL HARDWARE		\$24,833	\$2,715

* This addendum includes return of the XE520 system which includes:

- (1) XE520 System w/71MB Disk Drive, 1/4" Tape Backup S/N 106 902 950
- (1) 256KB File Processor S/N 3160 8466
- (1) 256KB Cluster Processor S/N 3159 8279
- (1) 256KB Storage Processor S/N 040 2201
- (1) Terminal Processor S/N 050 3582
- (1) 512KB Memory Expansion S/N 0709 090
- (1) SMD Controller S/N 3700 7150
- (1) 269MB Disk Drive S/N 332 924 026
- (1) 135MB Disk Drive S/N 222057-M140

II. ADDITIONAL COSTS

The only additional costs that will be incurred with the above are for delivery, Novell configuration, hardware installation and supplies. Delivery is estimated to be \$250. Novell configuration will be \$1,680 and includes loading and testing of Novell software and setup of PCs, peripherals and printers in the software. Hardware installation will include unpacking and setup of PCs and connection of peripherals and printers. One day should be planned for hardware installation which is billed as used at the rate in effect at time of service, currently \$70 per hour. Supplies will include daily backup media at a cost of \$190.00. Additional costs are billed as incurred at the actual expense.

SCHEDULE A - Addendum #1

Equipment for:

VANDERBURGH COUNTY, IN (County Assessor's Office)

III. HARDWARE MAINTENANCE

PC Hardware (server, workstation, disk drives, tape backup, notemaster) includes a one-year "return to manufacturer/depot" warranty. System Software (Novell, MOMS, DCA LAN) does not have a warranty period because these are software products.

Manatron extends this maintenance coverage to include on-site maintenance or swap-out/replacement hardware (full maintenance) while maintenance services are provided. Pricing shown provides the County with full maintenance for the first year period (\$1,165 maintenance; \$1,550 system software support). Thereafter, if maintenance is desired, the annual amount will increase to \$2,279 for hardware maintenance and \$1,550 system software support. To discontinue maintenance services after the first year period, Manatron must be advised in writing at least 30 days prior to the end of the first year. Hardware maintenance fees are subject to annual cost of living increases as determined necessary. Increases, when applied, will not be more than the U.S. Consumer Price Index in a given year.

While the County has the option of discontinuing maintenance, Software Support for the Novell, DCA LAN and MOMS, must remain in effect. This fee is \$1,550 per year.

IV. HARDWARE CONSIDERATIONS

- a) The configuration proposed requires use of an Uninterruptible Power Supply unit for the server. It is our understanding that the County currently has a UPS which can be used on the new system. If not available, purchase of a UPS unit would be required and is \$599 for a 600 watt model.
- b) Manatron makes no representation that other PC hardware components can be connected to the system proposed. Upon request of the County, Manatron can provide on-site assistance to the Township offices to connect their PC hardware to the network/server proposed. Any such on-site assistance will be billed at Manatron's then current hourly rates.
- c) The configuration proposed does not make any assumptions with regards to connectivity of workstations to the above listed Server. Cabling is not included in this agreement, and will have to be contracted for separately.

V. RECAPITULATION

Cost Summary	
Hardware	\$24,833.00
Novell Configuration	1,680.00
Hardware Installation (Estimated one day)	560.00
Supplies (Starter Kit Only)	190.00
Delivery (Estimate)	250.00
Total Costs	\$27,513.00

SCHEDULE A - Addendum #1

Equipment for:

VANDERBURGH COUNTY, IN (County Assessor's Office)

VI. PAYMENT TERMS

Hardware, Software and Novell configuration will be invoiced on shipment. Delivery, Installation, and Supplies will be invoiced as incurred, at the actual cost. Hardware Maintenance and Software Support will be invoiced annually in advance, commencing with shipment. All invoices are due within 45 days.

Recurring costs will be limited to hardware maintenance (\$1,165 for Year 1; \$2,279 for Year 2) and System Software Support (\$1,550 per year). These costs are subject to annual cost of living increases as determined necessary. Increases, when applied, are based on the U.S. Consumer Price Index and will not exceed this Index in a given year.

It should be noted that Contract #386 was approved in the amount of \$27,851 (Hardware - \$23,101; Delivery - \$200; Supplies - \$18; Installation - \$1,120; and first year maintenance - \$3,412). This is in comparison to the new total of this addendum (\$27,513.00). It should be noted that maintenance fees do not need to be included in the total amount, as they are funded through a separate budget line item.

GENERAL TERMS AND CONDITIONS

ACCEPTANCE

MANATRON, INC. and customer,
VANDERBURGH COUNTY, IN (County Assessor's Office)

by signature below, acknowledge that they have read this Agreement, including the schedules detailed below, understand it and agree to all its terms and conditions. This Agreement constitutes the entire Agreement, between the parties and supersedes all prior communications, proposals, or agreements relative to the hardware, software or services outlined herein.

Schedules that are a part of this Agreement, include:

Schedule A - Addendum #1 - Equipment

Accepted:

MANATRON, INC.

By _____

President

Title _____

Witness _____

Date _____

Accepted:
VANDERBURGH COUNTY, IN

By Richard J. Bennis

President, Board of Commissioners of
Vanderburgh County, Indiana

Title _____

Witness Joan A. Matthews

Date December 13, 1993

SCHEDULE A - Addendum #1

Equipment for:

VANDERBURGH COUNTY, IN (County Assessor's Office)

I. HARDWARE ADDENDUM

Agreement #LC112492als384 (shown in upper left corner of agreement), approved by Vanderburgh County on 12-14-92 and by Manatron on 12-21-92, is hereby being amended. This addendum, when approved, will substitute the hardware outlined in the original agreement, with the hardware listed below. This addendum supersedes the hardware and terms outlined in Schedule A of agreement #LC112492als384.

Qty	Description	Price	Annual Maint.
4	Appraisal Workstations: 80486DX-33MHz Micro Processor 4MB Memory, 3.5" 1.44MB Floppy, Mouse, Keyboard, 120MB Disk Drive, DOS Operating System Super VGA Color Display Ethernet LAN Interface Board Reflects trade-in credit of \$1,440 toward BTOS hardware returns**	\$ 7,964	\$ 740
1	10' DOS Parallel Cable (for CI800 printer)	50	0
1	300CPS Multi-function Matrix Printer w/Cable and Tractor Feed	699	79
0	Staple Protector (can be retained from current BTOS system)	0	0
TOTAL HARDWARE		\$ 8,713	\$ 819

** This addendum includes return of existing BTOS equipment as listed on the following page.

SCHEDULE A - Addendum #1

Equipment for:

VANDERBURGH COUNTY, IN (County Assessor's Office)

I. HARDWARE ADDENDUM - continued

This addendum includes return of the BTOS equipment listed below:

- (4) B25 GRA Graphics Module S/N 342065273, 342180262, 350500450, 344155718
- (5) 2400 Baud Smartmodem S/N H23800173099, H23800173414, H19800173775,
H18100173631, H19800173783
- (1) B25-CPU 80186-256KB Processor S/N 342101904
- (3) 256KB Memory Upgrade S/N 100000065, 000100400, 000100700
- (2) B38-MCP 386/287-1MB Processor S/N 397589292, 379181985
- (3) B25-K1 Keyboard S/N 332206739, 332238245, 332188671
- (3) B25-CD3 Color Display S/N 332345834, 332081207, 346492325
- (4) B25-PS Power Supply & Line Cord S/N 130017031, 140032760, 331635540, 130018320
- (1) B25-M1 Dual Floppy Drive S/N 326276896
- (1) Okidata 84 Printer S/N 263 415

II. ADDITIONAL COSTS

The only additional costs that will be incurred with the hardware outlined are for delivery, hardware installation and supplies. Delivery is estimated to be \$250. Hardware installation will include unpacking and setup of PCs. One day should be planned for hardware installation which is billed as used at the rate in effect at time of service, currently \$70 per hour. Supplies will include one box of printer ribbons at a total cost of \$45.60. Additional costs are billed as incurred at the actual expense.

III. HARDWARE MAINTENANCE

PC Hardware (workstations) includes a one-year "return to manufacturer/depot" warranty. The Printer includes a 90 day warranty. Manatron extends this maintenance coverage to include on-site maintenance or swap-out/replacement hardware (full maintenance) while maintenance services are provided. Pricing shown provides the County with full maintenance for the first year period. After that, if maintenance is desired, the annual amount will increase to \$1,585 per year. To discontinue maintenance services after the first year period, Manatron must be advised in writing at least 30 days prior to the end of the first year. Hardware maintenance fees are subject to annual cost of living increases as determined necessary. Increases, when applied, will not be more than the U.S. Consumer Price Index in a given year.

IV. HARDWARE CONSIDERATIONS

The configuration proposed does not make any assumptions with regards to connectivity of these workstations to the Server. Cabling is not included in this agreement, and will have to be contracted for separately.

SCHEDULE A - Addendum #1

Equipment for:

VANDERBURGH COUNTY, IN (County Assessor's Office)

V. RECAPITULATION

Cost Summary	
Hardware	\$ 8,713.00
Hardware Installation (Estimated one day)	560.00
Supplies (Starter Kit Only)	45.60
Delivery (Estimate)	250.00
Total Costs	\$ 9,568.60

VI. PAYMENT TERMS

Hardware will be invoiced on shipment. Delivery, Installation, and Supplies will be invoiced as incurred, at the actual cost. Hardware Maintenance will be invoiced annually in advance, commencing with shipment. All invoices are due within 45 days.

Recurring costs will be limited to hardware maintenance (\$819 for first year; \$1,585 annually thereafter). These costs are subject to annual cost of living increases as determined necessary. Increases, when applied, are based on the U.S. Consumer Price Index and will not exceed this Index in a given year. Maintenance can be cancelled with thirty days written notice.

It should be noted that Contract #384 was approved in the amount of \$9,616 (Hardware - \$9,500; Delivery - \$80; Supplies - \$36). This is in comparison to the new total of this addendum (\$9,568.60). It should be noted that maintenance fees do not need to be included in the total amount, as they are funded through a separate budget line item.

GENERAL TERMS AND CONDITIONS

ACCEPTANCE

MANATRON, INC. and customer,

VANDERBURGH COUNTY, IN (County Assessor's Office)

by signature below, acknowledge that they have read this Agreement, including the schedules detailed below, understand it and agree to all its terms and conditions. This Agreement constitutes the entire Agreement, between the parties and supersedes all prior communications, proposals, or agreements relative to the hardware, software or services outlined herein.

Schedules that are a part of this Agreement, include:

Schedule A - Addendum #1 - Equipment

Accepted:

MANATRON, INC.

By _____

Title President

Witness _____

Date _____

Accepted:

VANDERBURGH COUNTY, IN

By Richard J. Bonnis

Title President, Board of Commissioners of Vanderburgh County, Indiana

Witness Joanna A. [Signature]

Date December 13, 1993

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 Veterans Service Office, hereinafter referred to as V.S.O., executed this tenth day of December, 1993.

Section I:

The Jobs Club agrees to:

- a. Provide trained Club employees to perform cleaning services for V.S.O. (Old Courthouse - Suite 302, 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, 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.S.O. 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.S.O. representative is Mark Acker (435-5239)

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.

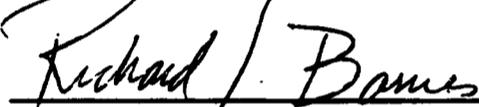
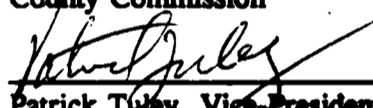
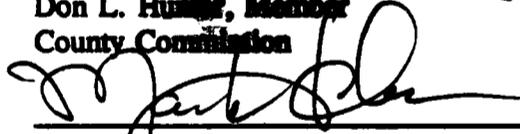
Section IV:

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

- a. The Jobs Club and V.S.O. agree to comply with all State and Federal laws protecting the confidentiality of member records.
- b. The Jobs Club and V.S.O. 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 December 10, 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	<u>Dec 13, 1993</u> Date
 _____ Patrick Tuley, Vice-President County Commission	<u>12/13/93</u> Date
 _____ Don L. Hunter, Member County Commission	<u>12/13/93</u> Date
 _____ Mark Acker Vanderburgh County Veterans Service Officer	<u>12-10-93</u> Date
 _____ John K. Browning, Board President	<u>December 9, 1993</u> Date



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

app'd.

Agenda for December 13, 1993

1. Construction engineering agreement with United Consulting for the Franklin Street bridge in the amount of \$242,777.72 (D.H./P.T.)

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT

FRIDAY, DECEMBER 3 1993 THRU THURSDAY DECEMBER 9, 1993

FRIDAY, DECEMBER 3, 1993

Gradall and one crew cleaned ditch line on Baseline Rd.
Gradall and one crew fixed sinkhole on Deshields Ave.
Three crews rocked shoulders on Boonville-New Harmony Rd., and Old State Rd.

MONDAY, DECEMBER 6, 1993

Gradall and one crew ditched on Baehl Rd.
Gradall and one crew ditched on Cypress Dale and Seminary Rds.
Four crews worked on rocking shoulders on Boonville-New Harmony Rd., and Old State Rd.
Trash crew worked routes.
Tree crew worked on Mossberg Rd. and Kleitz Rd.

TUESDAY, DECEMBER 7, 1993

Gradall and two crews set new gates on Waterworks Road.
Gradall and two crews worked on Schlensker Rd. and on N. Green River Roads.
Grader and two crews graded and rocked Sensmeier Rd., and on Acre Dr.
One Tree Crew worked on Schissler Rd.

WEDNESDAY, DECEMBER 8, 1993

Grader and 2 crews rocked roads on Massberg, Schissler, and Roth Rds.
Gradall and crew installed pipe on Baseline Rd.
The patch crew worked on Koressel Rd
The tree crew worked on Schissler Rd.
The Gradall ditched on Folz Rd.
One crew ran high water barricades.

THURSDAY, DECEMBER 9, 1993

Grader and crew rocked and graded River Rd.
Gradall and crew ditched on Schlensker Rd., and Green River Rd.
Gradall Crew installed a culvert on Schissler Rd.
Tree crew worked on Lower Mt. Vernon Rd.
The patch crew worked on Schlensker Rd., and Green River Rd.
One Crew ran Barricades to various roads which were flooding.

VANDERBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, DECEMBER 3, 1993 THRU THURSDAY, DECEMBER 9, 1993

FRIDAY, DECEMBER 3, 1993

Crew #1 - Installed rip-rap and guard rail on Vogel Rd. Bridge
Crew #2 - Repair sinkholes on Deshields Rd.
Crew #3 - Cut road for culvert removal on Baseline Rd.

MONDAY, DECEMBER 6, 1993

Crew #1 - Installed rip-rap and guard rail on Vogel Rd Bridge.
Crew #2 - Installed culvert and drop box on Cypressdale Rd.

TUESDAY, DECEMBER 7, 1993

Crew #1 - Repair Oakhill Rd. Bridge.
Crew #2 - Cut road on Seminary Rd. and Schissler Rd for culvert removal.

WEDNESDAY, DECEMBER 8, 1993

Crew #1 - Install culvert on Baseline Rd.
Crew #2 - Install guard rail on Darmstadt Rd, St. George Rd.;
clean ditch on Old State and Sunrise.

THURSDAY, DECEMBER 9, 1993

Crew #1 - Install culvert on Schissler Rd.
Crew #2 - Repair drain and pipe on Folz Road; clean flappers on
bridges on Darmstadt Rd. and Old Princeton Rd.
Crew #3 - Saw boring Road for culvert installation; check washout
on Hillsdale and Browning Rds.; clean yard.

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.

Warrick County, Indiana

Invoice#XW9400294
Provider#10202

To Indiana Department of Transportation 1114 Dr.

On Account of Appropriation For Project MAM-E340(006), Contract R-19511 216-491.0

19....	Order Number	ITEMIZED CLAIM	DOLLARS Cts.
		Increase to Project MAM-E340(006), Contract R-19511 due to Change Orders "Z" items, Computed as follows:	
		Amount Increased	\$311,000.00
		Less: Federal Participation @0%	0
		County's Share	\$311,000.00
		Location: Green River Road	
		Total Amount Due INDOT	\$311,000.00

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

400-816-901; PH50; 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 December 3 19 93

Don Kelly
Assistant Accounts Receivable Supervisor
Title

Tepner
Officer at (317)232-5103.

Sincerely,

Alan A. Hancock
Alan A. Hancock
Accounts Receivable Supervisor

AAH/mr
Enclosures
cc:Tepner
Boyle
File

REQUEST FOR TRANSFER OF FUNDS

DEPARTMENT: County Commissioners DATE: 12/2/93

	<u>ACCOUNT</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>
FROM:	<u>130-3760</u>	<u>Occu-Med</u>	<u>235.00</u>
TO:	<u>130-3210</u>	<u>EMA</u>	<u>235.00</u>

EXPLANATION OF NEED FOR REQUEST

To offset the shortage of paying last received invoice

BALANCE OF ACCOUNTS:

<u>ACCT. #</u>	<u>BUDGET</u>	<u>DISBURSE.</u>	<u>BALANCE</u>	<u>BALANCE AFTER TRANSFER</u>
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VANDERBURGH COUNTY

REC'D

DEPT. HEAD:

Richard J. Bonica

DEC 3 1993

Sam Thompson
AUDITOR

17

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

I N D E X

Subject	Page No.
Meeting Opened @ 5:45 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes	1
Petition to Vacate Drainage Easement/Oak View Place II	1
Building Commission/Proposed Ordinance Amending the Building code	9
Purchasing Department/Daryn Burgdorf	18
Awarding of Bid/VC-9316/3/4 Ton Super Cab Pick-Up for County Highway Department (D Patrick Ford in amount of \$16,590)	
Awarding of Bid/VC-9317/Motor Grader for County Highway (Rudd Equipment in amount of \$86,450)	
Petition to Vacate Public Utility Easement/Gabensee Acres.....	21
Ordinance Amending Chapter 153/Zoning Code/First Reading.....	21
Buildings Built on Easements	22
County Attorney/Alan M. Kissinger	23
Poor Relief Hearing/James A. Riley	
Superintendent of County Buildings/Mark Abell	23
Acceptance of Checks (Koester Contracting - \$200; Darmstadt Town Board, \$2,083.30 -- prorated from August 1, 1993 thru December 31, 1993 for Law Enforcement Services	
County Highway/Bill Morphey	23
Weekly Progress Report County Highway Garage Roof Project	
County Engineer/John Stoll	24
Road Closing/Burkhardt Rd. & Hirsch Rd. Intersection Acceptance of Vogel Rd. Easements & Rights-of-Way Awarding of Contract/Volkman Rd. Bridge & Culvert (CCC of Evansville in amount of \$147,676.91) Request to go on Council Call for transfer of funds to Franklin Street Bridge account	
Consent Agenda	25
Scheduled Meetings	25
Commissioners meet on December 28th and January 4th due to December 27th and January 3rd holidays Executive Sessions approved for January 4th and January 18th	
Old Business ..(None).....	26
New Business ..(None).....	26
Rezoning Petitions	26
VC-18-93/Alfred H. Bauer/3rd Reading (Approved) VC-19-93/Sylvester J. Elpers/1st Reading (Approved) VC-17-93/Gregory A. Kirves/3rd Reading (Approved)	
Meeting Adjourned @ 8:10 p.m.	27

MINUTES
COUNTY COMMISSIONERS MEETING
DECEMBER 20, 1993

The Vanderburgh County Board of Commissioners met in session at 5:45 p.m on Monday, December 20, 1993 in the Commissioners Hearing Room with President Richard J. Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

Commissioner Borries apologized for the late start, stating the Board held an Executive Session concerning Pending Litigation and certain Personnel Matters. Unfortunately, for all of the taxpayers, the County sometimes has their plate full on both matters.

Mr. Borries proceeded to introduce members of the County Staff (Mark Abell, Supt. of County Buildings), County Attorney Alan Kissinger, Commissioner Pat Tuley, himself, Commissioner Don Hunter, Chief Deputy Auditor Cindy Mayo and Joanne Matthews, the Official Recording Secretary). He subsequently asked the group to stand for the Pledge of Allegiance.

RE: APPROVAL OF MINUTES

Commissioner Borries said there are no minutes for approval by the Board tonight. The hard working secretary who transcribes all of the Board's minutes verbatim was on a well deserved vacation last week.

It was noted by Commissioner Borries that a printed agenda is available at the front of the room. If there are individuals/groups present who wish to address the Commission but do not find their particular item of interest on this evening' agenda, he would ask they speak at this time.

RE: PETITION TO VACATE DRAINAGE EASEMENT/OAK VIEW PLACE II

Mr. Glenn Wood was recognized and stated he resides at 2949 Acorn Court here in Evansville. He is here this evening to present a Petition for the Vacation of a Drainage Easement, which we spoke to approximately a month to a month and a half ago. He has copies for the Commissioners and asked to whom the Original should go?

Attorney Kissinger asked if he has actually filed the Petition?

Mr. Wood said he has not.

Commissioner Borries said this is probably going to have to go to the Drainage Board if it is a drainage easement. For the record, he would also note that he had the opportunity of meeting today -- he guesses he is most concerned about his reputation as a businessman -- the person who built Mr. Wood's home, Mr. Jim Fuquay. If he is correct -- of course, Mr. Fuquay has a different story and he thinks that was his concern, that he had not had the opportunity to tell his side -- if this is a legal matter in court, or if it is pending in court - - the Board had better take this under advisement, because he is not sure exactly what Mr. Wood wants the Commissioners to do if there is some difference of opinion between Mr. Wood and Mr. Fuquay as to exactly the whole aspect of the property.

Mr. Wood said the only way he can answer the question is to respond to it. "What I am asking you people for this evening I don't think has any bearing upon Mr. Fuquay's and

my relationship in a legal situation. I am simply asking for a vacation of a portion of the easement, which does not involve Mr. Fuquay legally or illegally."

Mr. Borries asked if Mr. Stoll, the County Engineer, has had an opportunity to review this?

Mr. Wood stated that he has.

Mr. Stoll said that when he discussed this with Alan Kissinger in the past, he had decided that since it is an easement that has to be vacated, it needed to be done through the Commissioner's meeting rather than through the Drainage Board.

Attorney Kissinger interjected, "We had discussed it previously and in consideration of the fact it does vacate an easement it does have to be done through the Commissioners."

Mr. Wood asked if he should continue.

Mr. Borries stated, "That's fine. I guess the one thing that I learned from this meeting that does concern me a bit is the way builders often set up -- how should I way this? -- often set up not a structure but, for example, building on an area that can be used as an easement. There was discussion today that there is a good deal of this that goes on. I was not aware of this. For example, that a driveway could be extended into an easement. Is this a common practice, or do you see builders doing this at all? In other words, the way Mr. Woods' driveway, for example, was put into an easement. Not a house, but a driveway."

Mr. Stoll replied, "I've seen that occur in other situations, but usually it is -- at least from my involvement -- it's been when the owner of that property wants the encroachment where, in this case, this was an unknown encroachment and not something that Mr. Wood had desired."

Commissioner Hunter said, "Let me ask another question along those same lines. If it's a practice, Mr. Wood will have a problem if he wants to sell that home. If this is a common practice, then do other people also have difficulty in selling their homes and getting title insurance or whatever it is that they need?"

Mr. Stoll said he has not seen it in residential areas. Mr. Fuquay told him about that also. He said it is very common. Mr. Stoll said he has seen it in commercial developments, but not on residential developments.

Mr. Borries said, "I think we've given variances to easements, but I guess I had some concerns about the code or through the Area Plan Commission, as well, if this is somewhat an established practice, for example, as lots have grown smaller -- again property being the way it is, houses are built and we are not talking about the house being in the easement but, for example, a driveway being in an easement -- that type of thing. Man, I would want some research on that -- because, I guess I've been aware, for example, of easements being given along a drainage thing to relax where the easement comes from -- but if this is a practice that is routinely done, I just would be interested in knowing. So if we could get some information from the Area Plan Commission I would surely want to know more about this."

Mr. Stoll said, "I'm not sure how we could track that though, because we don't issue any kind of encroachment permits for such situations. So I don't know of any way of tracking it. Like this one, it wasn't found until the neighbor had his lot surveyed. So they may exist, but I don't know of any way off hand of finding out how."

Commissioner Hunter said, "What we're really trying to do here is clear up a problem that would permit him to sell his home later, when he wants to -- isn't that the whole purpose

of this?"

Mr. Wood replied, "Right. As I mentioned earlier, we're not wanting to sell our home. That's not the purpose. But realizing that opportunity could arise in ten years or whenever, the problem arises from my research in the next owner being able to get true clear title insurance. We have title insurance, but we got it on a vacant piece of property. According to the Title Insurance people, the driveway -- and it's not just the driveway, it's a portion of the driveway and a sidewalk going from the driveway to the side door of the garage -- is in a 6 ft. drainage easement. That's the problem. It's for future sale and being able to get title insurance, not my immediate problem."

Mr. Stoll said, "You had asked whether or not this is permitted, the plat for Oak View Place says no structures are to be erected or maintained upon said strips of land in reference to easements. So I don't know what a legal definition of a structure would be, but according to this it wouldn't be permitted."

Mr. Borries said, "That is my question. Is a structure a driveway?"

Attorney Kissinger asked, "It says structure or structure improvement, does it not?"

Mr. Borries said, "In talking to Mr. Fuquay today he mentioned there was a basketball goal put in there."

Mr. Wood said, "That is correct."

Mr. Borries continued, "So I'm just a little bit confused here about the definition of a structure."

Attorney Kissinger said, "I think the definition of a structure obviously would be any kind of a permanent improvement on the land that has to be maintained."

Mr. Wood asked, "And a basketball goal would not be a permanent improvement would it?"

Attorney Kissinger said, "I don't think a basketball goal would be, but I think a basketball court would be."

Mr. Borries asked, "What about a driveway or a sidewalk?"

Attorney Kissinger replied, "I think both a concrete driveway or a concrete sidewalk could be considered structures and permanent improvements."

Mr. Wood said, "Since this problem was identified -- being in the easement and should not be -- most recently I've had a tree moved, an underground moved -- it was in the area of landscaping -- and the only thing I've placed, as a homeowner, in that easement would be the basketball goal -- and that's easily removable if it needed to be moved."

Mr. Borries said, "I've always proceeded along the line that unless someone comes up and says they are going to relax an easement -- and I can recall certain things there (maybe we get the Surveyor's opinion or the opinion of the County Engineer or whoever -- to say that was justified -- that those could come up and in some cases they've been granted. But it concerned me the way this conversation went today that this was just somewhat of a practice that is routinely done -- a driveway could be put into an easement. To me, it seems if that is going on, then I question what the whole need for an easement is to begin with if it's just on paper. If we're going to build something in it, then why have it?"

Commissioner Hunter said, "I don't see how it could be a practice if he's having problems getting by with it. I mean, it can't be a practice."

Attorney Kissinger said, "It also depends on the purpose of the easement. I know we do have easements for the maintenance of sewer lines, etc., which allow the owner of the real estate to continue to use the real estate -- even to use the surface -- just so they don't use it in a manner that interferes with the purpose of the easement. This is a drainage easement and I guess what we need to know is if we vacated this easement, or will the structures that he's put on the easement interfere with the purpose of the easement? Can you answer that, John?"

Mr. Stoll replied, "The easement exists for storm sewer. I don't believe there is really much surface water drainage that is going through it -- so the driveway, itself, wouldn't be interfering. The storm sewer is not centered in the easement -- it is 3 ft. off the property line into his neighbor's property. So I don't think you could maintain that pipe regardless, without him encroaching on somebody else's property, just by the way it is sitting."

Attorney Kissinger asked, "So the storm sewer is improperly placed, is that correct?"

Mr. Stoll replied, "I don't know that there is anything that prevents its being where it is, but it does create some problem by being where it is."

Attorney Kissinger asked, "So the easement is for the purpose of maintaining the storm sewer?"

Mr. Stoll replied, "Right. And there is supposed to be a Homeowner's Association established to maintain that storm sewer -- but there is no Homeowner's Association and the County was not paid 50 cents per foot to take over the maintenance of the storm sewer."

Attorney Kissinger interrupted, "So, one way or the other, the County is **not** going to maintain the storm sewer?"

Mr. Stoll replied, "Right. It would be the Homeowner's Association, if anyone."

Attorney Kissinger, "So the easement really is of no force or effect as far as the storm sewer, itself, is concerned?"

Mr. Stoll replied, "Well, it would give whoever the right to get in there and do something - - repair the pipe if necessary -- but it wouldn't be the County and there isn't a Homeowner's Association, so I don't know who would do it."

Commissioner Tuley commented, "It seems like the first time Mr. Wood came before the Commissioners that, as you know oftentimes there is mention of these neighborhood associations or whatever but they never come about. If that doesn't happen -- if this pipe were to collapse or whatever, and we're responsible, how are we going to get to it? Is there room if we grant him his vacation request?"

Mr. Stoll replied, "There is not any room without encroaching on his neighbor's property and it is 3 ft. off the property, so..."

Attorney Kissinger asked, "Even if we don't vacate the easement there is not sufficient room?"

Mr. Stoll replied, "Right. I don't think so -- you'd have some tight quarters to be working in."

Commissioner Hunter directed a question to Roger Lehman, Building Commissioner, "Roger, let us ask you. Do you find that the builders encroach the easements 25% of the time, or one out of every four homes built encroach the easement? This is basically what Mr. Fuquay is saying."

Mr. Lehman answered, "What we find routinely is that people do things in easements that probably technically are not permitted, such as fences..."

Mr. Hunter said, "But that's the owner, not the builder."

Mr. Lehman continued, "The majority of the time what happens is the result of what the owner does as opposed to the original builder, that is correct."

Commissioner Hunter said, "What we're asking here is, do you find that one out of very four homes that is constructed – the builder has built on the easement?"

Mr. Lehman replied, "No. And when you say built I assume..."

Mr. Borries said, "I'm talking about driveways."

Mr. Lehman responded, "There is no permit required for driveways on the property. There is a driveway cut required by the County if it's on a County road. Inside a subdivision I don't even think there is a driveway permit required for the driveway. But there is no driveway permit required by the County or the City or anybody else for a driveway within a subdivision or a driveway that is outside the right-of-way. Even in the County, if part of the driveway is outside the right-of-way, there is no permit required."

Mr. Hunter said, "We're not talking about permits. I just wanted to know if one out of every four homes has an encroachment of some kind on the easement. This is basically what we were told."

Mr. Lehman replied, "I would say it would not be anywhere near that high. I would say there probably are some situations that reflect this type of installation. But we don't know about it because we don't permit it."

Mr. Borries asked, "But does the Area Plan Commission via the code permit..."

Mr. Lehman interrupted, "They don't permit a driveway either."

Mr. Borries asked, "So, in other words, it could be going on and you wouldn't know about it?"

Mr. Lehman said, "And we wouldn't know about it, because it is not permitted and we don't inspect it."

Mr. Borries asked, "Would it be prohibited?"

Mr. Stoll commented, "It is prevented by the language that is on the subdivision plat itself, where it says no structures within the easement."

Mr. Borries said, "Depending upon whether that structure is a garage – see, that is the issue."

Mr. Hunter said, "But he is saying that a structure would include driveway and/or sidewalk."

Mr. Lehman said, "It wouldn't to me. In the building code, if you have walls and a roof then that is a structure. Driveways and sidewalks are not anything."

Commissioner Borries said, "So, therefore, they could go in and you wouldn't know about it and we wouldn't know about it."

Mr. Lehman said, "Correct."

Mr. Wood said, "One point. Within the restrictions (of which I have a copy out in the car) it specifies driveways as not being allowed in an easement."

Mr. Borries asked, "Whose?"

Mr. Wood said, "That was Mr. Fuquay's for the subdivision. I have it in the car and I would be glad to get it. Per your conversation with Mr. Fuquay or any other builder, I guess my question is, is the homeowner involved aware of that? My wife and I became aware of this situation -- and I'm sure there probably are other builders in either the city or county who would have something like this, but possibly the homeowner isn't aware of it. But as it is, I am aware of it."

Mr. Borries said, "That is a very good possibility, because I wasn't aware of it either. I always felt I had a pretty clear understanding of what an easement was -- and that was something you didn't build in. But I learned something today that, as I say, it gets back to this definition of a structure."

Mr. Lehman said, "And you have to have the understanding that if you do do something in an easement, whoever's easement it is can come in and tear down what you've done and they don't have to put it back. In other words, if you build a fence across it (which is a major violator)

-- but if SIGECO needs to get in there and work on the power lines or whatever, they can rip your fence out and they don't have to put it back. They do have to put the ground back to where it is usable ground -- but they don't have to do anything beyond that."

Commissioner Hunter asked, "John, will you do us a favor? Will you call the Homebuilders tomorrow and ask them if they have any knowledge that 25% of the homes that are constructed in Vanderburgh County are built on an easement?"

Mr. Borries said, "Wait a minute. We're talking about driveways."

Mr. Hunter said, "But the driveway is still part of the home."

Mr. Bill Bivins of Accu Surveying (who was in the audience) commented, "We do about 150 mortgage surveys per month and if there is a side easement, probably 10% of them have a driveway or sidewalk in the utility easement -- not drainage easement, but the utility easement. That's a different story than drainage easements. So what we do on the public utility easements basically is state that, 'Yes, we are over the utility easement line, but we're not over the utilities' and the title companies let them go at that."

Mr. Borries asked, "Bill, say it was on a plat like that -- say, a structure -- is a structure, to you, a driveway or a sidewalk?"

Mr. Bivins replied, "No, buildings. That is what the title companies are actually concerned with -- the buildings."

Mr. Borries asked, "So you're saying that putting a concrete driveway in such an easement would not necessarily violate any code that has to do with the structure?"

Mr. Bivins responded, "No. But the homeowner should be aware that it is there."

Mr. Borries asked, "Do you think they are? I wasn't."

Mr. Bivins replied, "No, not unless they have it surveyed and see the drawing."

Mr. Hunter asked "Then why would they have a problem getting title insurance?"

Mr. Bivins said, "Well, they don't -- the people I deal with -- if I state it is not over the

utility. But if the utility is underneath the concrete, then there is a problem."

Mr. Wood said he talked to Jack Schroeder and he said it could present a problem.

Attorney Kissinger asked, "Are you saying, Mr. Wood, that the concrete you have poured in your driveway or whatever actually does go over the drain itself -- the sewer?"

Mr. Wood responded. "No sir, it does not."

Mr. Borries said, "In fact, it doesn't look like it is on your property."

Mr. Wood said, "No. In fact, legitimately, the edge of our concrete is on the people next door. I'm not addressing that problem. First things first. I'll cover that with them. But in the drawing, you will notice the driveway comes up to the line. In answer to your question, Mr. Kissinger, the driveway does not go over the pipe. If the pipe were laid per the approved plans, it would. But it was not -- it was off center, on my neighbor's property. I'm hedging on my words."

Attorney Kissinger said, "I understand what you are saying."

Commissioner Borries said, "Alan, I guess I'm asking for your advice to get this thing moving along. I don't know if this matter is subject to any kind of litigation. I don't know if it covers then a structure -- or if we have a difference of opinion or some variation of what a structure is -- if it's a driveway. Is it all right if we approve this request from Mr. Wood?"

Attorney Kissinger replied, "The only problem we have is, if we approve the request to vacate a portion of the easement and that particular section of pipe has to be worked on, then we're going to have a considerable problem. Someone is going to have to come in and actually get permission from the landowner to come in and perform any maintenance on that storm sewer."

Mr. Wood said, "As I understand the situation with this pipe, any maintenance -- unstuffing or whatever that might occur until such time as a Homeowner's Association is formed (which could be never) it is the responsibility of all landowners whose property is sending water to that (basically his next door neighbor, himself and everyone upstream)."

Attorney Kissinger said, "I don't see any problem with approving the Petition to vacate the easement. I would say, Mr. Wood, however, that when this Homeowner's Association is formed, if I were you I would take it upon myself to notify them of this particular problem and put something in your Homeowner's agreement in reference to the maintenance of the storm sewer. And that would be the only remedy to the problem."

Mr. Wood said, "I would agree."

Mr. Borries said, "So, based on our Attorney's advice we can approve this request?"

Mr. Wood asked, "Can I go back to my original question? Should the Original Petition go to you?"

Attorney Kissinger said, "That should be filed with the County Commissioners."

Mr. Borries noted there is an Ordinance -- it has to be advertised.

Mr. Wood said the first two pages are the Petition. The legal description was arrived at by David Savage Engineering. The third page (Exhibit A) defines that area that he is requesting to be vacated, which will correct the driveway/sidewalk in the area of the easement and make it known there is only party adjacent to him that is involved -- it's not

a series of 25 or 30 people. There is only one family involved -- Bert & Janet Gingerich, his next door neighbors. And the last two pages are the Ordinance. He then entertained questions.

Commissioner Borries said if this is an Ordinance it will have to be advertised. He will defer to Ms. Matthews to set up advertising dates.

Attorney Kissinger interrupted, "Mr. Borries, I would like to recommend, based on the recommendations of the County Engineer, that an Addendum be included in the Ordinance to indicate that until the Homeowner's Association is formed for the purpose of providing such maintenance, it will be the responsibility of the two adjoining property owners to maintain this particular storm."

Mr. Borries asked if this is agreeable to Mr. Wood.

Mr. Wood said Attorney Kissinger mentioned two property owners. He can't speak for his neighbor, but he doesn't think he would want the responsibility for that storm sewer that is not on his property. He did not install it.

Attorney Kissinger said, "I understand. But if an Addendum could be put into the Ordinance for that purpose and advertised as such, he thinks that would certainly clarify the situation and protect everyone."

Mr. Wood said, "I can only speak for myself and my wife that we would not be opposed to someone coming onto our property to maintain that or to assume maintenance. There are two different items here."

Attorney Kissinger said, "But you would not object to someone coming on. You would be responsible for giving someone permission to come onto the property to maintain. And if you refuse that permission, then you would be responsible for maintenance."

Mr. Wood said, "I understood you to say assume maintenance. I have no problem with giving permission."

Attorney Kissinger said, "If you could make an Addendum to that effect to your Ordinance, it can be advertised as such."

Mr. Borries asked if Attorney Kissinger could write this out and he agreed to do so.

Chief Deputy Mayo said Ms. Matthews stated Mr. Wood needs to get with her prior to filing the Petition, as he will also need to submit checks for advertising and recording of the Ordinance.

Attorney Kissinger confirmed this is correct. Mr. Woods will need to get with Ms. Matthews.

Commissioner Tuley said his only question is whether we could be granted permission if we have to get on there to get to the storm sewer.

Mr. Wood said he has no problem with that. If the storm sewer stops up, then he has a major problem in his house -- so he would not be opposed to that.

President Borries said, "So all we're going to do is give approval to advertise and also accept the Addendum prepared by Attorney Kissinger."

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

RE: PROPOSED ORDINANCE AMENDING BUILDING CODE - ROGER LEHMAN

Mr. Lehman stated, "With the Commissioners' approval, I would like to run through this real quickly. There, obviously are quite a number of things in here. We have dealt with this in three nights of hearings before City Council and have before you basically what was approved by the City Council on December 6th. What I've done is taken the City Ordinance numbers and changed them to the County numbers. There were some areas modified in the City Ordinance that don't exist in the County Ordinance, so this isn't identical to what is in the City -- but everything that the County deals with is the same as what the City deals with. But there are a few things the City deals with that are not in the County Ordinance. The City's version of this was 34 pages long and the County Ordinance is 24 pages long. I can either say if you have any questions I will be glad to answer them, or I could go through and hit the highlights in ten to twenty minutes. Whatever your pleasure."

President Borries entertained questions from the Commissioners.

Commissioner Hunter said he is a little confused and has two or three questions. "I noticed you are going to increase the bonding cost, right?"

Mr. Lehman said it varies from \$50 to \$100. Some companies have a \$100 minimum.

Mr. Hunter asked, "And do I understand that on December 6th that the City increased the \$50 to \$150?"

Mr. Lehman replied, "The City increased the bond amount from \$5,000 to \$15,000 and the general cost will be \$50 for a \$15,000 bond, yes. Some people are already paying \$50, some \$75, some \$100."

Mr. Hunter asked, "How long was this \$50 in effect? Has it been a while since that was increased?"

Mr. Lehman replied, "The bond has been the same since at least 1981, I believe. So it's been a long time. It was \$1,000 up to that point."

Commissioner Hunter said, "Now, you talked about -- and I think it's an excellent idea -- a Continuing Education Program for contractors. What kind of flexibility will you have in that?"

Mr. Lehman replied, "Well, what we are proposing and, basically, I did propose also a Recovery and Education Fund, which was eliminated by the City -- so that is not in here -- in lieu of the bond. And that is a half hour discussion, if you want to get into that. But I was proposing somewhat of a self-insurance program that the City and County would administer and the City basically kicked that out. So I didn't want to have it in the County and not in the City -- so we left that out."

Mr. Hunter asked, "So you're not going to have the Continuing Ed classes?"

Mr. Lehman said, "Yes, there is now a section that requires the License Board for the applicable trade to develop guidelines and requirements for Continuing Education, which will be license renewal for 1995 will be dependent upon attendance in mandatory education classes. They can either attend classes we're going to put on or they can submit other classes they may have attended relative to their trade to the examining board for their trade license and they can approve it or disapprove it. But the Licensing Board basically has to set up the number of hours and type of training that is going to be approved. That is going

to happen."

Commissioner Hunter asked, "But they will be evening or Saturday classes these people could attend? They won't have to take off from work in the middle of the day?"

Mr. Lehman confirmed this is correct.

Mr. Hunter said, "I think that's a good idea. Another thing I was wondering here, will everybody -- I guess some of the firms are incorporated -- will everybody in that firm be required to attend these sessions, or will it be a representative or how will we do that?"

Mr. Lehman responded, "Just the license holder. The license now -- we are just bonded, we're licensed -- a license goes to a person So there won't be a corporation license per se, but an individual will be licensed to be the master electrician for a certain corporation or the master general contractor for a corporation, etc. So the license will be in the individual's name, doing business as whatever the business is."

Commissioner Hunter asked, "What about the cost of the classes?"

Mr. Lehman said the cost of the classes will be strictly cost. We're probably looking at \$10.00 or \$15.00 per class. We've run classes over the past several years and charged \$5.00 or \$10.00 and come out okay.

Mr. Hunter asked, "Let's talk a bit more about the licensing. I'm a little confused on this. Did I understand you to say that the licenses will not be given to a corporation -- but only to an individual in a corporation?"

Mr. Lehman responded, "Correct. Because, starting January 1st there will be a test required to get a license and a person takes the test. The license is not transferrable or if the guy who has the license dies it doesn't revert to the next guy in line or anything else. The license test has been -- in the areas we've tested (electrical, HVAC and refrigeration and steamfitting for many, many years) has worked that way and has worked well. So the individual has the license."

Mr. Hunter asked, "So if this person were a building contractor, a roofer or residential contractor of some kind -- he'd have to hold three licenses?"

Mr. Lehman said that is correct.

Mr. Hunter asked, "And everybody in that company will have to hold three licenses?"

Mr. Lehman replied, "No. Only one person in the company is required to have the license to obtain the permits. Nobody else in the company has to be licensed in building contracting or roofing contracting or residential contracting -- because we don't have a journeyman level or an apprentice level in this. This is just the contractor who takes out the permits. So one guy for a corporation of thousands, as long as he is the guy who takes out permits. Now, if two or three guys in the corporation think that some day they may want to get their own license, then at this time they have the option of going ahead under the existing grandfathering clause to get a license individually for two or three different people out of one company. We have decided to do that. And the down side of that is that you would have to pay the fees for two or three. And after you pay the fees the first year, we have what's called the withdrawal procedure where you can put them on withdrawal for up to three years at a time up to two times for a total of six years. So you pick them up this year to get them into the system and then you put them on withdrawal for six years and not pay anything."

Commissioner Hunter asked, "And you say the bonds currently run from \$50 to \$100?"

Mr. Lehman replied, "Yes."

Commissioner Hunter asked, "And what do the licenses run?"

Mr. Lehman said, "Right now there is no general contractor's license. They registered their bond with us and that made them a general contractor. We feel that is not in the citizen's best interest."

Mr. Hunter asked, "Are there licenses required for...."

Mr. Lehman interjected, "Roofing -- we have a license now. It never was tested but required a roofing license. It will also be tested starting the first of the year. We've always licensed electricians and sheet metal heating/air conditioning installers, refrigeration and steamfitters and the plumbers, of course, have a state license. We don't license the latter, we just register them. The state licenses them."

Mr. Hunter asked, "Now, will each person in the company have to be bonded or will....?"

Mr. Lehman interjected, "No, just the person who has the license. And he becomes responsible for all the work that company does, even down to the lowest laborer or individual who works for the company. If he messes something up, the guy who takes out the permits is responsible."

Commissioner Borries queried Mr. Lehman concerning Section 8 amending Section 150.056 at the bottom of Page 3, which reads as follows:

"No portion of any building nor any accessory thereto shall project over the public street, sidewalk or alley, without first having obtained an encroachment permit from the Board of County Commissioners, and shall meet the requirements of the Indiana Building code."

Mr. Borries asked if this gets back a little bit to what Mr. Wood has?

Mr. Lehman replied, "Probably. This would be an accessory to the building -- and I apologize. The version that I've turned in to the secretary of the Board is a little different from what you've got in that we found a couple of other sections we had to modify. So the page numbers don't line up. So if you will give me the Section number -- I can respond. I would say that the stuff about the clocks and cloth and banner signs and those types of things, those are basically editorial changes because it referred to getting permission from the Board of Public Safety that now requires Board of Public Works and in the County may require the County Commissioners. So a lot of that stuff is editorial -- just clean-up operation, if you would. The drainage stuff in Section 13 on drainage and flood restrictions is basically a clean-up according to the state rules. We have to have 2 ft. above the 100 year elevation. For some reason the City and County Ordinance never said 2 ft. above, it just said at or above the flood elevation -- so that is the only change in there -- the 2 ft. That is what we've been requiring all the time because that is what the state requires, but we've just changed the Ordinance to reflect what we've been doing and also what the state requires."

Moving to Section 14 with regard to Fixed Fees, Mr. Lehman said about the only change there (and this is a wrecking contractor who reasons his license can be taken away) we just added the words 'or the improper disposal of demolition debris". This was done at the request of one of the City Council persons due to the fact there s illegal dumping, even among licensed contractors. So we added that in there to say if you dump illegally as a wrecking contractor, you may lose your license -- and that makes good sense.

Ms. Matthews said she has a question concerning the verbiage under Section B in Section

16 on Page 9 of the copy she received. It now reads:

"All persons who have successfully passed the required master's test for a licensed category may utilize the word "Master" shall be added to the license."

Mr. Lehman said this is a bad sentence. It should read "...Master and shall be added to the license". What we're doing, since we're grandfathering a whole bunch of people into a system where we're going to start requiring people to be tested beginning the first of the year, we want to provide at least some minor incentive for those who are grandfathered in to take the test also. So what we are doing is saying that before you can utilize the word "Master" in describing your trade (in other words, if you want to be a Master Residential Contractor instead of just a Residential Contractor) you have to take -- and pass -- the test.

Commissioner Borries suggested just saying this in there. That is good plain English. The way it is written now is a little confusing.

Mr. Lehman laughingly said this was typed by the City Attorney's office and maybe Alan can understand it. But he is asking that Alan also go through this.

Commissioner Hunter said that Mr. Lehman is talking about grandfathering, could he explain that.

Mr. Lehman explained, "Basically, anyone who currently has a contractor's bond on file with us will be able to grandfather or get a residential and/or building license without taking a test. They will be required to obtain the Continuing Education next year in order to renew for 1995. But they won't have to take the test. Anyone applying for that license after January 1st and who did not have a bond on file with us before now will have to take the test to get the license."

Commissioner Hunter asked, "So the folks who have been around for a long time doing this are not going to be greatly inconvenienced, other than they will have to take the Continuing Ed program?"

Mr. Lehman replied, "They will have to take the Continuing Ed program and, also, if they want to use the word Master they will have to take a test."

Mr. Hunter asked, "And their bonding fee will increase?"

Mr. Lehman said that is correct -- and they are sending out about 1,500 letters to general contractors and about 750 to other contractors.

Mr. Hunter asked, "How do you contact these people? Do you have a file or do you depend on inquiries from somebody or..."

Mr. Lehman interrupted, "No, everybody who has a bond on file we have a method of generating a mailing label for them. We do it in house and we, you know, type up the information that affects each trade and send them that information. Everybody gets the general information and the electricians have different information that affects them than the general contractors do. He would also add that anyone who had a roofing license under the old system would be able to grandfather into either limited or unlimited contractor under the new system. If you have the unlimited you don't need the limited. The limited is basically shingles and the unlimited is everything -- shingles and flat roof."

Mr. Hunter asked, "So anybody who has a bond with your office will get whatever information? They don't have to belong to a Homeowner's or somebody else to get that information?"

Mr. Lehman replied, "No. Now, when we sent the Ordinance out, that is basically how we did it. We sent it out to the Associations. We also sent it out to about 100 others whom we consider to be major builders -- maybe commercial who didn't belong to those organizations. So I think we hit most of the affected ones. But this will go to every single person who has a bond on file."

Mr. Lehman continued, "The only change in permit fees is we simplified those a bit. We didn't increase too much. We did increase the minimum fee. Some minimums were \$15.00 and some were \$17.50. We calculated it cost us about \$29.00 to make one inspection, so we did raise the minimum fees to \$20.00, which still doesn't cover our cost, but it's a little bit closer and will justify our paperwork a little bit better."

Mr. Hunter said he guesses he does have one other question. The draft does look good; it looks like Roger has kind of plugged up a lot of holes. Will Mr. Lehman be able to police this with his current staff?

Mr. Lehman said, "The official answer is 'yes'. The thing that will help us more than anything is the Continuing Education, because that will be mandatory and you will not be able to renew your license in 1995 unless you've taken your Continuing Education. So we're going to have one time that we're going to talk to everybody and that will help us. And the other thing is we are requiring that the contractors put their name and their trade area and their license number on their vehicles they use for that work. That was a little controversial and we had some discussions on that. But basically, if you drive down Walnut Street on any given day you see 84 white vans parked in people's driveways. With this requirement, any of those guys doing work that requires permits will have to have their name, license number and trade area marked on the van -- and that will help my guys, who will call on the radio to say they see Joe Smith's van parked in the drive at 3600 Bayard Park Drive; can you check to see if he has permit on the job? What happens now is that we go from Job "A" to Job "B" on a scheduled inspection and we don't really have time to stop and check all this stuff out. Once we have the information on the vehicle, we will know who it is and where they are and we just make a radio call and get it checked out."

Commissioner Hunter asked, "Why was there a question about that or a concern?"

Mr. Lehman replied, "Well, there was a question that the non-union contractors would be harassed by the union contractors if they saw such and such in a commercial area as opposed to a residential area."

Mr. Hunter asked, "Is that possible?"

Mr. Lehman said it happens now to a degree. He doesn't want to say harass. Anybody has opportunity to see who is working at places; but some organizations take more extreme steps to find out where people are working and finding out what is going on than others might -- and that is about the only negative thing that was said, other than one guy said it is going to cost him \$500 to letter all his trucks.

Mr. Hunter asked, "Are we creating a problem for the non-union people from what you are saying though?"

Mr. Lehman responded, "I think the benefits far outweigh the negatives. We could be contributing to the problem from a philosophy that you shouldn't know where everybody is working. I don't have that philosophy. I think everybody should know where everybody is working -- because we need to know where everybody is working -- that is why we put it in there."

Commissioner Borries noted, "The whole purpose behind it is probably not to harass anybody, but merely to determine if there are some unlicensed..."

Commissioner Hunter said, "I think it's a good deal."

Mr. Lehman stated, "You know, it is not all roses, but most of it is roses. However, there are a few cups of vinegar in there too. But from our standpoint, if we're going to try to step up our enforcement and do a good job of it, we've got to know where people work. I mean, that's just the bottom line and this is the way we can do that. As I said, there were only one or two people who had much to say against that at all -- and the Council listened to them as well as listened to others who were in favor of it. And they basically listened to me, who proposed it for the right reasons. And, as I said, the right reasons sometimes have consequences that you don't really want to happen. But I think in this case it outweighs the problems."

Commissioner Hunter said, "I think your point is well taken. But I guess I would hate to see people have an increase in vandalism on their equipment because their name and various information appears on it. Is there any way of monitoring that?"

Mr. Lehman said, "I'm sure if it happens too often that we will hear about it. And, of course, I am anticipating that this won't happen -- but it's possible. If it does, I definitely don't think we caused the problem."

In continuing, Mr. Lehman said there was one other thing he wanted to bring up. In Section 10, his secretary mistakenly put in what was in the City Ordinance and, in fact, 078 of the County code is only one section. It does not have (A), (B), and (C) in there -- and he will have her re-type that. The City Ordinance has (A), (B), (C) and (D) and a few other paragraphs. In the County Ordinance it is all one paragraph -- a long paragraph -- but it is just one paragraph. He will get an accurate copy of this to the Board before they sign the Ordinance.

Commissioner Borries asked that Mr. Lehman double check; he finds things here and there. In Section 12 on Page 5, for example, on the copy he has -- has Board of Public Works at the bottom and City of Evansville at the bottom. In other words, he thinks more of this needs to be cleaned up. He knows it's hard to catch all of these. And like Joanne Matthews pointed out in one section, no offense, but we need clearer writing there. If he will just insert what he said, that should take care of it. And, there could be some others that he hasn't caught.

Mr. Lehman said they will go over it again before submitting it to the Commissioners for signing. If anybody sees anything out of whack, please let him know.

President Borries asked if Mr. Lehman needs anything from the Board this evening.

Mr. Lehman said, "All I would ask is maybe your intention, so perhaps I can proceed on that assumption. This goes into effect January 1st. What I'd like to do is send the final copy down next week for you to sign, without me actually being here, if I know that is what you are going to do."

Commissioner Borries asked, "When it refers, for example, to Municipal Code, wouldn't that also be the City of Evansville or not?"

Mr. Lehman said, "We use that generically -- and I don't know if that's proper. Shall we change that to something else?"

Attorney Kissinger said we have the City code and the County Code -- so 'Municipal' code would cover both.

Mr. Hunter asked, "Are you comfortable with 'municipal', because I had thought about the same thing."

In response to query from Attorney Kissinger, Mr. Lehman said he doesn't think this will cause confusion. There are places now where the County Code says 'City of Evansville' in it. To him, 'Municipal' can apply to either one and it's going to be located within the body of the County Code, so he doesn't think there is any problem with context.

President Borries directed Mr. Lehman's attention to Page 12, Section 22, Sub-section 150.136 (Display of License) where it talks about issued by the Department of Buildings. Is that now Mr. Lehman's title? It's no longer the Building Commission?

Mr. Lehman responded, "Yes. Well, to be honest with you, we have about three different titles. We are the **Department of Buildings**; we're the **Building Inspection section of the Department of Code Enforcement by City Ordinance**. In the City Ordinance I put **Department of Buildings** in there, too. And the **Building Commission** - we use those interchangeably."

Mr. Borries said, "Well, I mean, it just confused me. I guess as a suggestion I feel you ought to be consistent. If you want to call it **Department of Buildings**, that is fine with me."

Mr. Lehman said he thinks they've used this almost throughout all of this. As he said, he wanted to stay away from the **Building Inspection Section of the Department of Code Enforcement** for obvious reasons.

Commissioner Borries said he thinks the Commissioners have given suggestions here this evening and Mr. Lehman can bring it back and get final approval on it next week.

Mr. Lehman said, "Again, if it's possible, if the Board's intention to approve the Amended Ordinance with these editorial changes and modifications, I'd be glad to do that and send it down for the rubber stamp approval. Are there further changes? Under Section 33 which requires egress window, he will add that in there. This doesn't have major impact on the County because we don't have that many rental houses in the County. But this did have a major effect in the City. When I first started working here almost 20 years ago there was a housing standard that said you had to have an egress window in each bedroom and somehow that got taken out - so I put it back in. But that is worded crazy, too - so the secretary must have left out part of a sentence. However, I would like to thank my secretary who has had a tremendous burden. We tried to get this done starting last year and it ended up we were trying to get it done before July and then before the end of the year. As it turned out, with the schedules of the City Council and the City Attorney we didn't get it all approved until December 6th. So we're in the process of sending out 2,000 letters to 2,000 people and we have to have seven or so different letters with different information. So she's in the process of doing that and typing the changes in the Ordinance - so she's done a lot. I'll go through and proof this whole thing one more time, because I honestly haven't done that. Since she was copying out of the City, I mainly made the number changes."

Commissioner Borries asked if the Mayor makes all the appointments in Section 31?

Mr. Lehman responded, "Under the current agreement between the City and the County, the Mayor makes all the appointments to these Boards and that's how it's always been. I'm not saying that is how it has to be. This is like the Electrical Code Interpretation Board and the Licensing Board..."

Commissioner Tuley said, "This is like we pay half the bill and no representation...."

Mr. Hunter echoed Mr. Tuley's comment.

Mr. Lehman continued, "As I said, under the current set-up this is how it works. I'm not saying that is the way it should be, I'm just saying that is the way it has been and for

simplicity's sake that is the way I worded it."

Commissioner Hunter asked the other Commissioners if they think it is time to make a change.

Mr. Lehman asked if he can make a suggestion. Maybe the Attorney will have a comment. If, in the contract with the City the Board would put in there that the Commissioners would have fifty percent (50%) of the appointments

Mr. Hunter asked, "Is this makeup of the Board of Building Appeals something that comes from the state that we have adopted?"

Mr. Lehman replied, "No, this is something -- the Board of Building Appeals exists today, but not in this format. It exists today as an insurance person, a general contractor, a realtor, a member of the public at large...."

Mr. Hunter asked, "So you're saying that this Board, as listed here, doesn't exist?"

Mr. Lehman replied, "The Board exists, but not in this format. The other thing is that this Board hasn't met in eighteen (18) years -- since I've been here. But if I could say just one more thing. This was going to be the Board that was going to administer the Education Recovery, which doesn't exist anymore. So this Board basically has very little function -- it's actual function by ordinance. No, it has a function by ordinance. The Board of Building Appeals' function, as its name indicates, if the Building Department makes a ruling that you have to do something this way and you believe this is not right, you can file a written appeal to the Board of Building Appeals and they have the authority to override what I say. Like I say, in eighteen (18) years nobody has ever filed an appeal against a ruling that the Building Department has made. But that is their function. It's an appellate process."

Commissioner Hunter asked, "But the Board of Building Appeals is not made up of the people you have listed here? It's a different group of people?"

Mr. Lehman said that is correct.

Mr. Hunter asked, "And who appoints them?"

Mr. Lehman responded, "The Mayor."

Commissioner Hunter asked, "Then why was it changed to this?"

Mr. Lehman said, "Well, again this could have been taken out, because they took out the Recovery Fund. It's just in a different section and it didn't specifically refer to the Recovery Fund -- so it didn't get taken out by the computer -- because we asked for any references to the Recovery Fund."

President Borries asked, "Who is the real decision-making body then -- or recommending body? If we wish to have some representation on this, what would you suggest?"

Mr. Lehman said, "I'd put it in the agreement or the contract; because that's where you're talking bucks and you've got some influence."

Commissioner Hunter said, "I think it's high time, guys. We're paying fifty percent (50%) of the bill."

Commissioner Tuley agreed.

Mr. Lehman said, "Like I said, this Board isn't necessarily one that makes a good example,

because it is not going to bethe Board that will have a major impact though is the one back in Section 26 (Board of Examiners of Construction & Roofing) On Page 14, Section 150.145. This will be a Board that is going to be formed – there is no such Board now. And this Board will be determining the education requirements for the continuing education for the licensing."

Commissioner Tuley noted there are eight (8) people on this Board and the Commissioners should get to appoint four (4) of them.

President Borries asked, "I guess we would want to write a letter if we were interested in making appointments then?"

Mr. Lehman responded, "Sure. As I said, I'm fully in favor of it, I just don't know how to do it."

Commissioner Hunter noted, "It seems a shame that if eight (8) people are going to be appointed all eight (8) are going to be appointed by the City and the County is not appointing anyone, yet we're paying fifty percent (50%) of the tab."

Mr. Lehman noted, "The two structure inspectors are my department, so there are really only six (6) appointments. My two guys are there by virtue of their office."

Mr. Tuley asked, "What are you? A City employee or a County employee?"

Mr. Lehman responded, "I am a City employee – of a joint department."

Mr. Borries asked, "Do we pay half of Area Plan?"

Ms. Cunningham responded but her response was inaudible.

Mr. Lehman said Ms. Cunningham said her involvement with the County is by State law. His is by contract between the City and the County.

President Borries noted the Board will certainly consider some revision in the case of the appointees to the Board of Examiners.

Mr. Lehman said that, as noted, that Board will have some impact. The other Board will probably not meet for another eighteen (18) years.

In making one last comment, Mr. Lehman noted they did submit the Recovery Fund proposal to Indianapolis and they are looking at it there. If they pass it, it may come back here and we can also pass it. He's talking about the one City Council deleted.

Commissioner Borries entertained comments.

Commissioner Tuley said if the Board is serious about having appointees on the Board of Examiners – there are too many of these Boards where we pay and have no input. He's been saying that all year.

Commissioner Hunter said as long as no one complains it will not change – so the Commissioners will just have to complain.

President Borries said this will be added and Mr. Lehman will make other modifications.

Commissioner Tuley said what he thinks the Commissioners need to do is approve it in theory, with the modifications. But a letter needs to be sent to the Mayor stating they want to make appointments to the Board of Examiners, etc.

Commissioner Hunter said, "I agree we approve this in theory, but sit down and go through this one more time."

President Borries asked if there is anyone else who wants to comment on this document.

There were no further comments and the meeting continued with the next item on the agenda.

RE: PURCHASING - DARYN BURGDORF

VC-9316 Awarding of Bid/Full Size 3/4 Ton Super Cab Pick-Up for County Highway:

Mr. Burgdorf said three (3) bids were received and subsequently reviewed by Bill Morphey and himself. Although Cooke Chevy GEO had the low bid of \$16,451.19, they submitted a list of standard specs, but nothing for the vehicle they were proposing and they were left in the dark as to what they were proposing. With that, he would request that the Board award to D Patrick Ford, with the second lowest bid of \$16,590.00. The vehicle they think Cooke was proposing had a 5.7 and we called for a 5.8 leader engine. However, the list they proposed was a list of standard specs which listed both that type of engine in an automatic and a standard. They did not specify what kind of truck they were proposing. It could have been a standard or an automatic. It could have had eight doors or two doors. So they really didn't meet the specs. We had a list within the specs that asked if they were complying with the specs set forward and they didn't fill out any of that. It is usually common practice that everybody fills that in.

Mr. Hunter moved to award the bid to D. Patrick, as recommended, with a second from Commissioner Tuley. So ordered.

VC-9317/Motor Grader: Mr. Burgdorf said he'd like to get some clarification from Alan Kissinger on this. In the instructions they submit with their specs, is a section on Alternate Bids. Under that it says not to submit Alternate Bids unless called for in the bid proposal. The bids we received (there were five) K&W Equipment submitted one bid for a 1994 Model machine and an Alternate Bid for a 1993 Model. The specs did call for pricing on either a 1993 new or a 1994 Model machine. Nothing was said in the specs about accepting Alternate Bids. The 1994 machine was bid and is also listed on the State Bid Form. However, there is a section in there that has the 1993 machine, which is the lowest priced machine. His understanding is that since the 1994 machine was bid on both the bid proposal form and listed on the State Bid Form that this would be the machine we would look at.

Attorney Kissinger stated, "That is the one you have to consider."

Mr. Burgdorf said he wanted to get that clarification first off. With that, there is a breakdown on the memo he has forwarded to the Commissioners. Looking at this we took into consideration the total bid price with respect to the trade-in allowance, the warranty cost, etc. Rudd Equipment was the low bidder with a bid of \$86,450.00. (The Commissioners had a different memo, and Mr. Burgdorf provided them with a revised memo and the correct bid price.)

Mr. J. D. Foster of K&W Equipment interrupted, saying he has a question. He said the question was brought up earlier. In our bid specs we asked for a 1993-1994 Motor. They bid a 1993 and a 1994 grader, because the 1993 is still a stock item. When the County bids, most of the time it might be two weeks or a month before they make the final decision. It's like if you look at a car and come back in two weeks the car might be gone. Well, the grader might be gone. So they bid both a 1993 and a 1994 and it is his understanding they are not going to accept the 1993 model? Is that correct?

Attorney Kissinger said that is basically what they've said, because it was bid as an Alternate.

Mr. Foster said, "We bid it on the original bid form and I had to put a 1994 in there, also, in case the 1993 model was gone."

Attorney Kissinger said, "I understand what you are saying, but what we're talking about here is basically technicalities."

Mr. Foster said, "Basically, you're going to spend an additional \$2,300 over technicalities."

Attorney Kissinger said he understands what he is saying and perhaps there is a remedy for that -- he doesn't know.

Mr. Foster said before it went any further he wanted to ask that question. Is the Board not going to look at the 1993 bid they bid originally on December 6th?

Attorney Kissinger said he is confused at this point and Commissioner Borries stated he is, too.

Mr. Burgdorf conferred with Attorney Kissinger, who asked, "Then in hind sight, would you say that if he had developed two forms basically?"

Mr. Burgdorf said, "Had he submitted two different bids."

Attorney Kissinger asked if Mr. Foster understands what Mr. Burgdorf is saying and Mr. Foster acknowledged that he does not.

Attorney Kissinger said he understands the confusion over this because of the difficulty in putting some of these bids together. But, most appropriately, since we didn't call for an Alternate Bid, then two (2) bids should have been submitted: One for the 1993 Model and one for the 1994 Model. We were not in a position to consider the 1993 Model because of the form of the bid.

Mr. Foster said he just didn't want it not to be considered, because it was bid according to what we asked for on December 6th -- and their bid would save over \$2,000.

Commissioner Borries said he is confused and asked if it is absolutely necessary to award this bid tonight. There must be a technicality here that he doesn't understand on the bid process itself. Either we bid a 1993 or a 1994 or we didn't -- and that is the decision the Board has to make.

Commissioner Tuley said he thinks he understands what is going on. Because he said the 1993 Model may not be available due to the length of time it takes from the time a bid is submitted until it is acted on; and he covered his ground by submitting another bid for 1994.

Commissioner Hunter said, "But he listed it as an Alternate Bid instead of a second separate bid."

Commissioner Borries said, "But if they would accept this as the low one and the unit was not available, then we're out of luck."

Mr. Foster said, "If you had come up here tonight saying you'd like to buy that machine for that price and I said the machine was sold, then you'd have to buy the 1994. That is why I said you could buy the 1993 or the 1994."

Attorney Kissinger said, "Our problem being that if you don't bid them separately we have to assume that only the one you did bid is available. You put the 1993 on the form as an Alternate Bid, which was not requested. Had you bid both of them, then we could have considered both of them."

Mr. Foster said, "The 1993 machine is still available as of right now."

Commissioner Tuley said he is assuming everyone else bid on 1994 model.

Attorney Kissinger stated, "I think under the circumstances and in consideration of what was called for as far as the bids were concerned, we can't consider the Alternate Bid. The only thing Mr. Foster bid that we can consider is the bid that came in on the State forms, as requested."

Mr. Hunter noted that were the 1993 machine be gone, there would be no Alternate Bid at all.

Attorney Kissinger said, "The only thing I can say for future reference if this situation should present itself again -- and you have a 1994 and a 1995 -- you will just have to submit separate bids on each one. Hold the 1994 machine as if it is sold until you know what the bid situation is going to be."

Mr. Foster said, "I even bid like I think you wanted it."

Attorney Kissinger said, "I understand -- only to the extent that I know it is bad, but I can't do anything about it."

Mr. Foster stated, "You could have saved over \$2,000."

Attorney Kissinger said, "I'm not certain that would be appropriate either, because now we have a forecast on the bids."

Mr. Foster said he just wanted it clear that this wasn't something he bid at a later date. This was his bid on December 6th, the bid opening date.

Commissioner Hunter said that if the 1993 had been sold, Mr. Foster wouldn't be here tonight talking about it.

Mr. Foster said he would be here trying to sell us the 1994 model.

Attorney Kissinger said we can't bid on the "to come". We have to know the equipment is there. So we have to assume that you gave us a bid on equipment that was going to be available at the time we awarded the bid. You can't hedge your bid, that is what I am saying."

Mr. Foster said, "That is the reason I listed it."

Attorney Kissinger reiterated, "But you didn't in a separate bid. It was an Alternate Bid that was not requested. And, once again I appreciate complying with the technicalities, because sometimes they can be mind boggling. But we have to do it."

Commissioner Tuley asked Mr. Burgdorf that, based on the legal opinion rendered, what is his recommendation.

Mr. Burgdorf said he would recommend accepting the bid of Rudd Equipment in the amount of \$86,450. Further, he does apologize for the technicality. From his standpoint he can say that in the future it will be one or the other so there will be no confusion.

Mr. Tuley moved to award to Rudd Equipment, with a second from Commissioner Hunter. So ordered.

Mr. Tom Marshall, a Sales Representative from Rudd Equipment, said they've had a few opportunities to bid to the County before and haven't been successful many times;

therefore, he appreciates this opportunity. They spent a lot of time trying to help the County determine what type of grader to spec out, what they had available in reference to the other competition. They had a lot of good competitors. They do have an excellent machine that is manufactured by a company that manufactures only graders – that is their specialty. We haven't had an opportunity to have a Champion grader before, but J. H. Rudolph has done a lot of work with a Champion Grader, so our people at the County Garage are very familiar with it and spent a lot of time pursuing this. He guesses over the course of time it has amounted to about five years worth of work – so it culminates in satisfaction from their standpoint and he wants to assure the Commissioners that they have told Bill Morphey and all the people that if there are any questions at all about the integrity behind this, they stand ready to service us. They know the sale is just the first part of the transaction. They have 24 hour service so the County is in good hands with Rudd Equipment. They have been victimized the same way. When you commit to something you have to lock it up. Mr. Marshall again thanked the County for their vote of confidence and said they appreciate it.

RE: PETITION TO VACATE PUBLIC UTILITY IN GABENSEE ACRES

President Borries noted Mr. William Bivins is present with regard to this matter.

Mr. Bivins said Ms. Matthews has the Petition, all the returned Certified Notice cards and the letters from the utilities indicating they have no objections to the vacation.

President Borries said Ms. Matthews has included all of the data in the Petition file and no objections make things a lot easier.

In response to query from Commissioner Tuley, Mr. Bivins said last month the Petition was to vacate the roadway – but it turned out the County didn't own it anyway. They are now requesting a vacation of the portion the house is sitting on and the utilities have agreed to vacate that.

President Borries said that, for the record, Joanne Matthews has informed him that Mr. Bivins appeared before he Commissioners on November 21, 1993 in regard to this matter and tonight was set as the Public Hearing date. All Certified Receipts have been returned and letters from the utilities included in the file indicate no objections. Today's hearing was advertised on December 3, 1993 in both newspapers. Mr. Borries then asked if there is any individual present who wishes to speak for or against this particular petition.

Mr. Gene Head, the property owner, stood up and stated he is in favor of the Petition.

Mr. Borries said Mr. Head is slightly biased; but that's all right. He's always said that 'remonstrate' means for or against. There being no further comments, Mr. Borries entertained a motion to approve the vacation.

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

Mr. Borries subsequently 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.

RE: ORDINANCE AMENDING CHAPTER 153 OF THE ZONING CODE

President Borries recognized Mrs. Barbara Cunningham and Ms. Bev Behme of the Area Plan Commission.

Mrs. Cunningham said this is really the First Reading of this Ordinance. It goes to the

Mrs. Cunningham said this is really the First Reading of this Ordinance. It goes to the Area Plan Commission on January 5th and she will subsequently be returning to the Commissioners. This concerns Bed and Breakfasts and they've been working with City Council on this. So this really needs to be referred to the APC.

Commissioner Borries entertained a motion.

Motion to forward the subject Ordinance to the APC was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: BUILDINGS BUILT ON EASEMENTS

Before Mrs. Cunningham leaves, Commissioner Hunter said he would ask whether 25% of the buildings built in Vanderburgh County are built on the easement?

Mrs. Cunningham responded, "Oh, no."

Mr. Borries interjected, "Well, not necessarily buildings. How about concrete driveways and sidewalks?"

Mrs. Cunningham replied, "You can have a drive or you can have parking lots today on easements, but you can't have buildings on easements."

Mr. Borries asked, "What is your opinion of a 'structure'?"

Mrs. Cunningham responded, "We have a definition in the code. In my opinion, a driveway or a sidewalk is not a 'structure'."

Mr. Borries said, "Okay."

Mr. Hunter asked, "So you're saying 25% of the driveways and sidewalks could be put on the easement?"

Mrs. Cunningham answered, "No, I couldn't tell you that figure because I have no idea."

Mr. Borries asked, "Are there any restrictions in the code?"

Mrs. Cunningham asked, "Are you talking about utility easements or drainage easements?"

Mr. Hunter said, "We're talking about drainage easements."

Mrs. Cunningham said, "A drainage easement should have nothing in it. They shouldn't have any concrete at all; they shouldn't have any fences; they shouldn't have anything."

Commissioner Borries asked, "What would happen if they had a buried pipe in it?"

Mrs. Cunningham replied, "That probably would be part of your drainage plan. That would be acceptable. But we had some things that said you couldn't even plant tomato plants in drainage easements."

Commissioner Hunter asked, "What if the driveway was built six feet (6 ft.) over the Drainage easement?"

Mrs. Cunningham replied, "You should not have a drive; you should not have concrete built in a drainage easement. The others I was talking about were utility easements."

Mr. Hunter said, "No, I'm talking about drainage and the fact of whether you find that one out of every four in Vanderburgh County is done that way."

Mrs. Cunningham said, "I haven't found that. I don't know that. I would be surprised if it was that much."

Mr. Borries asked, "But, conceivably, if it were a utility easement or..."

Mrs. Cunningham interrupted, "A utility easement could be."

Mr. Borries asked, "You could have driveways in there?"

Mrs. Cunningham replied, "They don't want to put concrete where there is a sewer. They don't want to have to dig through concrete for a sewer or to bury cable."

Ms. Behme interjected, "If it's above ground, I think they allow concrete. But if it is buried utilities, then no. We tell people to keep everything out of easements."

The Commissioners thanked Mrs. Cunningham and Ms. Behme for their comments.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Poor Relief Hearing: James A Riley: Attorney Kissinger said there was a Poor Relief Hearing requested by an individual by the name of James A. Riley. Poor Relief was denied by the Pigeon Township Trustee – they denied his request for funds with which to purchase insulin and the reason for their denial was that there is a \$50 deductible that has to be paid on Medicaid prior to the time that the Township Trustee is allowed to make a poor relief payment on this. And that is why it was denied. A hearing was scheduled for 3:30 p.m. Mr. Riley finally showed up around 4:25 p.m. Once the reason for the denial was explained to him, he agreed. He advised Mr. Riley he would recommend to the Commissioners that the appeal be denied and he is making that recommendation at this time.

Motion to accept the Attorney's recommendation was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Acceptance of Checks: Mr. Abell said he has two (2) checks to be quietused in: One is from Koester Contracting for the rent on their building in the amount of \$200. The other is a check for \$2,083.30 from the Town of Darmstadt. It is a prorated amount for the law enforcement agreement we struck with them where the Sheriff is basically going to cover Darmstadt. They prorated it at \$416.66 per month and that covers from August 1st through the end of the present year. He does need a signature on the white claim form to go to Darmstadt's Town Board.

Motion to accept the checks and sign the claim was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Borries said that Mr. Morphey has submitted his Weekly Progress Report for period of December 10, 1993 thru December 16, 1993....report received and filed.

President Borries entertained questions of Mr. Morphey concerning the report. There were none.

County Highway Garage Roof Project: Mr. Morphey said they are just about finished with this project. They have approximately eight hours work or a little more left. They have all of their snowplows and graders mounted and are ready for the snowfall.

Mr. Tuley said he is glad they are ready -- but hopes they won't have to go into action.

RE: COUNTY ENGINEER - JOHN STOLL

Road Closing/Burkhardt Rd. & Hirsch Rd. Intersection: Mr. Stoll said they had a gas leak and had to repair same. The road had to be closed and it should be open on Wednesday of this week. The work has already progressed. He just needs to get the signatures of the Commissioners on the permit to close the road.

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

Acceptance of Vogel Rd. Easements & Rights-of-Way: Mr. Stoll said he received a letter from Mr Joe Ream concerning the Vogel Rd. right-of-way. He is requesting that we accept all of the easements and rights-of-way that were dedicated in order to construct the road - accept them as the County-accepted right-of-way. He has all of the descriptions and drawings of the parcels and recommends that we accept the right-of-way so that once the contractor finalizes the job, then we can accept the County road.

Mr. Hunter asked if Mr. Ream's group has completed their section of the road and it is all finished?

Mr. Stoll said the road is complete. They just need to take a couple of pavement cores in a couple of areas and they need to do some striping out on Burkhardt Rd. and need to make provisions for a maintenance bond if the seeding doesn't hold until next year. And there is some final grading work to be done. However, for the most part it is done and we're just waiting to clear up these few minor items before it can be opened to traffic.

Motion to approve was made by Commissioner Tuley and seconded by Commissioner Hunter. So ordered.

Mr. Stoll said he might add that those were already recorded as dedicating the right-of-way to Vanderburgh County -- so this is just to make it official now that it gets the Commissioners' approval.

Awarding of Contract/Volkman Rd. Bridge & Culvert: Mr. Stoll said it is his recommendation that this project be awarded to CCC of Evansville in the amount of \$147,676.91.

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

Mr. Borries asked, "That will involve two structures, right? And, also, it will involve only a single pipe? Am I correct that the double pipe structure is going to come out of there?"

Mr. Stoll said that is correct.

Mr. Borries said, "Good."

Mr. Stoll continued, "And it will correct part of the alignment problem out there."

Mr. Borries asked, "There is no right-of-way for us to get, is there?"

Mr. Stoll responded, "Just temporary."

Request to go on Council Call: Mr. Stoll said he requesting permission to go on Council Call to request the transfer of \$375,000 from the Heckel Rd. Bridge to the Franklin Street Bridge and to appropriate \$425,000 from the Cumulative Bridge account to the Franklin

Street Bridge. With those two sums of money plus what we have currently in the Franklin Street line item plus an additional \$125,000 that he had appropriated for next year -- we come up with about \$2.5 million and, based on what INDOT has told him, we have about \$1 million left in minimum allocation money -- so if we combine those two sums we will be able to go ahead and start the Franklin Street Bridge project next year. The problem is, it just postpones any actions on the Heckel Rd. Bridge and it is basically taking away some money we could have used for other projects. But these plans are done and we need to get this bridge done in order to be ready for when the Lloyd Bridge is closed.

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

Commissioner Borries said that John Stoll is a financial whiz. "I tell you, we all are going to have to be."

With regard to the Heckel Rd. Bridge, Mr. Stoll said he is going ahead and send something out to the three Consultants we interviewed, saying no action will be taken on that bridge.

Mr. Borries asked if he will make sure -- who has our current bridge inspection?

Mr. Stoll said United Consulting Engineers has this.

Mr. Borries said he wants that one looked at very carefully. He wants another review so that we can make sure all road postings and everything are okay. If there are any things we could do short of a total reconstruction or something that would fit within our budget to prolong its life -- he'd like to have all of those suggestions made. Again, road postings are just critical. He wants to make sure. There aren't any buses or anything that go over that bridge?

Mr. Stoll said there are not.

RE: CONSENT AGENDA

President Borries entertained questions concerning the Consent Agenda.

The Commissioners questioned the employment status form on Alberta Matlock, noting perhaps Mrs. Mayo can explain this.

Mrs. Mayo said, "Since there was a pink slip appointing her for the special election and there was a check issued -- nothing was ever done with it -- but a check was written out of that and voided -- this is just to make sure that everything is followed through."

There being no further questions a motion was entertained.

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

RE: SCHEDULED MEETINGS

It was noted by Commissioner Borries that a list of scheduled meetings is attached to the agenda. December 27th will be considered a holiday for City and County offices and the County Commissioners will have a meeting on December 28th (hopefully, a short one). He then asked if the other Commissioners will be present for that meeting. Both acknowledged they will be present. The Commissioners also have a long Drainage Board Meeting that Monday.

Executive Sessions: Ms. Matthews said since we are getting into the holidays, would the Commissioners want to set the dates for Executive Sessions in January.

Commissioner Borries said Executive Sessions should be scheduled for Tuesday, January 4th and Tuesday, January 18th for purposes of discussing Pending Litigation and Personnel Matters.

Motion to this effect made by Commissioner Tuley and seconded by Commissioner Hunter. So ordered.

RE: OLD BUSINESS

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

RE: NEW BUSINESS

Commissioner Borries entertained matters of New Business to come before the Board. There were none.

With regard to rezoning petitions to be heard this evening, Mrs. Cunningham said there will not be a representative for Mr. Bauer present this evening. The Commissioners can either proceed or go ahead with hearing the Petition.

Commissioner Hunter said he would have no problem speaking to this, since that is in his neighborhood. He doesn't want to do the wrong thing -- but he would have no problem speaking in favor of this petition.

Mr. Borries said the only problem he always has on a situation like that, if there is somebody

Mrs. Cunningham interrupted, saying that Mr. Jim Morley was to be here -- but when they went next door to City Council, he was not there.

At 7:45 p.m., President Borries said the Board will take a brief recess to sign some documents from the Commission Meeting.

REZONINGS

Following a brief recess, at the Board reconvened at 7:55 p.m. to hear Rezoning Petitions.

VC-18-93/Petitioner, Alfred H. Bauer, Jr. (Third Reading): Mr. Borries said the common known address is 11700 Oak Meadow. Requested rezoning is from C-4 to R-4. He then recognized Attorney Mike Mitchell, who was representing Mr. Bauer.

Attorney Mitchell approached the podium and stated, "Mr. President and members of the County Commission, my name is Mike Mitchell and I will represent Mr. Bauer in this matter. This is an unusual type of zoning. As you know, it is a down zoning from a C-4 to an R-4 to allow a multi-family development. As you know, commercial zoning does not allow residential type uses and I think this is an upgrade for the Oak Meadow area and the adjacent property owners. I'll try and answer any questions you may have."

Mr. Borries said it certainly appears to be more compatible with the rest of the surrounding area and he thinks Attorney Mitchell has very clearly stated this request. The Board appreciates Mr. Mitchell's being here on very, very short notice. He then asked if there is anyone in the audience to remonstrate at this point.

Commissioner Hunter said he lives in Oak Meadow and he would strongly support this, as he thinks the residents of Oak Meadow would be very happy not to have an additional commercial venture out there. Many, many things have changed since the original comprehensive plan was developed and put into play. The site is very appropriate for the

condominiums Mr. Bauer is proposing to build so he would strongly recommend approval.

Commissioner Borries thanked Commissioner Hunter for his comments. There being no further comments, a motion was entertained.

Motion to approve VC-8-93 on Third Reading was made by Commissioner Tuley, with a second from Commissioner Hunter.

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

VC-19-93/Petitioner, Sylvester J. Elpers (First Reading): Mr. Borries said the common known address is 19600 Highway 41 North and requested rezoning is from Agricultural to C-4.

Motion to approve VC-19-93 on First Reading to be forwarded to the Area Plan Commission was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

In response to query from Commissioner Hunter, Ms. Behme noted they are working with Mr. Elpers on this, including a Use & Development Commitment, etc.

VC-17-93/Petitioner, Gregory A. Kirves (Third Reading): Mr. Borries said this is the final Petition before the Board this evening. Common known address is 4141 Old Henderson Rd. and the requested rezoning is from C-4 to Agricultural). He then recognized Mr. Kirves.

Mr. Kirves approached the podium and stated, "My name is Greg Kirves and, Mr. President, I am requesting rezoning from C-4 back to the original Agricultural zoning. We had a business there – an electrical contractor shop. We've closed that and are in the process of selling the home and the next buyer – the garage area had been zoned C-4 and they want to get that back to Agricultural for the owner."

Mr. Borries asked, "There won't be any structure on it then?"

Mr. Kirves said there already is an existing one-story garage."

Mr. Borries asked, "What happens when it goes back to Agricultural?"

Ms. Behme said, "Well, that's fine – because you can have large structures in an Agricultural zone. I think this is a requirement of the bank that it goes back. But you can have a big barn in an Ag zone and that is fine."

President Borries asked if there is anyone else present to speak either for or against this petition. There was no response and a motion was entertained.

Motion to approve VC-17-93 on Third Reading was made by Commissioner Hunter, with a second from Commissioner Tuley.

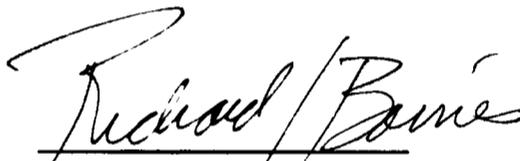
President Borries then asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. Ordinance approved by unanimous affirmative roll call vote. So ordered.

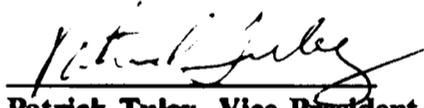
There being no further business to come before the Board at this time, at 8:10 p.m. Commissioner Borries declared the meeting adjourned.

PRESENT:

Richard J. Borries, President
Patrick Tuley, Vice President
Don Hunter, Member
Alan M. Kissinger, County Attorney
Cindy Mayo, Chief Deputy Auditor
mark Abell/Supt./County Buildings
John Stoll/County Engineer
Bill Morpew/County Highway
Barbara Cunningham/Area Plan Commission
Bev Behme/Area Plan Commission
Mike Mitchell/Attorney
Roger Lehman/Building Commission
Tom Marshall/Rudd Equipment Co.
Greg Head/Property Owner
Bill Bivins/Accu Surveying
Glenn Wood/Oak View Place II
J. B. Foster/K&W Equipment Co.
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


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

J.M.

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

December 20, 1993

5:30 P.M.

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
 - A. Approval of Minutes — *None*
 - B. Any group/individual wishing to address the commission. — *W. L. ...*
 - C. Roger Lehman, Building Commissioner
re: Proposed Ordinance Amending Building Code
 - D. Daryn Burgdorf/Purchasing
re: Bid Awards
 - (1) VC9316 One full size 3/4 ton Super Cab Pickup for Co. Hwy
 - (2) VC9317 One Motor Grader
 - E. Public Hearing: Petition to Vacate Public Utility/Gabensee Acres
 - F. Ordinance Amending Chapter 153 (Zoning Code)

FINAL

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney ✓
Mark Abell ----- Superintendent of County Buildings ✓
Bill Morpew ----- County Garage ✓
John Stoll ----- County Engineer(See attached requests)

6. CONSENT ITEMS

A. Travel/Education Requests:

Health (15) Perry Township Assessor (1)*
* Travel will be in 1994

B. Employment Changes:

* see attached

C. Council Call:

County Commissioners: 4,927.04(Waggoner Irwin Scheele & Assoc)
18,252.00(Garage Remediation)
Superintendent of County Buildings:
35,628.72(Electrician)

D. Claim(s) for payment:

(1) Ziemer Stayman Weitzel & Shoulders.....1,312.50
(2) Bowers Harrison Kent & Miller.....91.00

E. County Treasurer Monthly Report/acceptance

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

REZONINGS AT 7:00 PM

**COUNTY ENGINEER'S
CONSENT AGENDA
DECEMBER 20, 1993**

1. **CLAIMS:**

Darstadt Rd. Br. #214 203-4342 Sam Oxley & Co., Inc. (Inv. #10 Final/Retainage)	\$10,533.90
Eickhoff-Koressel Ext. 216-4741 Bernardin, Lochaueller (Inv. #90-040-1(27))	\$ 1,389.00
Green River Rd. 216-4910 Evansville Water & Sewer Utility (Inv. #2691) John & Wanda Koch (82DO3-9210-CP-1859)	\$ 1,669.96 \$ 2,500.00
Red Bank Road 216-4926 Indiana Dept. of Trans. (Inv. #IR94000303)	\$ 8,465.80

VAN DERBURGH COUNTY EMPLOYMENT CHANGES

Department

ELECTION OFFICE

APPOINTMENTS MADE

*To release employee 2
on pink slip 11/5/93*

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
12101300	Alberta Matlock	764 E Columbia St	Dep. Clerk	9.7045	12-17-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE *[Date]*

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Health 213.0

st

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1280	Barbara A. Sprinkle	6703 Kremer Road Evansville 47720	Child Health Clinic Nurse	\$ 26,718.00	12/27-12
	Medical Leave with insurance				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *James M. ...*
Director

DATE 12/13/13

21

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101068	ANDREW S. WADE	3318 BAYARD PK. DRIVE	GAS MAN	11 25	12-13-93
	RETURNED TO WORK ON DEC. 13, FROM MEDICAL LEAVE.				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Wm. J. Mumphrey* DATE *12-17-93*

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff Jail

21

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10511130032	Margaret Brady	57122 Pd on 12/24/93	Corr. Officer	20126 00	12-20-93
10511750	" "		Clothing Allow Other		12-20-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Ray Homan* DATE Dec. 17, 1993

N.E.B 3130

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Health 213.0

sh

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1280	Barbara A. Sp rinkle	6703 Kremer Road Evansville 47720	Child Health Clinic Nurse	\$ 26,748 ⁹ ₁₀	12/27- 12/31

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Sam Oldm
Director

DATE 12/13/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township Assessor

sh

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1130-1190	Eldon Hankins	8314 N. St. Joe Ave	Coordinator II	9,354.00	12/13/93
2490-1130-1120	Steven Folz	3600 Keck Ave.	Coordinator I	9,354.00	12/20/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1130-1120	Eldon Hankins	8314 N. St. Joe Ave	Coordinator I	9,354.00	12/13/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Shelley Rander
Being 12/15/93
Knight Township

DATE

12/15/93

December 1993

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 3:30pm County Council 335 / 30	2 336 / 29	3 337 / 28	4 338 / 27
5 339 / 26	6 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners 340 / 25	7 5:30pm AIC 341 / 24	8 342 / 23	9 INDOT Hearing 343 / 22	10 Pay Day 344 / 21	11 345 / 20
12 346 / 19	13 4:30pm Solid Waste 5:30pm County Commissioners 347 / 18	14 9:00am Co. Insurance Comm. 348 / 17	15 349 / 16	16 9:00am Co. Steering Comm. 5:00pm Pigeon Creek 350 / 15	17 351 / 14	18 352 / 13
19 353 / 12	20 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Rezoning 354 / 11	21 355 / 10	22 356 / 9	23 357 / 8	24 Christmas Eve Pay Day 358 / 7	25 Christmas 359 / 6
26 360 / 5	27 Christmas 361 / 4	28 4:30pm Exec. Session 5:30pm County Commissioners Drainage Board 362 / 3	29 3:30pm Personnel & Finance 363 / 2	30 364 / 1	31 New Year's Eve 365 / 0	

November 1993

S	M	T	W	T	F	S
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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
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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					

**EVANSVILLE-VANDERBURGH COUNTY
BUILDING COMMISSION**

Room 310 Civic Center Complex
1 NW M. L. King, Jr. Blvd.
Evansville, IN 47708
(812) 426-5463

RECEIVED

OCT 29 1993

DATE: October 29, 1993 Vanderburgh County Commissioners
TO: Board of County Commissioners
FROM: Building Commissioner, *Roger L. Lehman*, C.B.O.
SUBJECT: PROPOSED ORDINANCES AMENDING BUILDING CODE

Enclosed is a copy of an Ordinance amending the Building Code for the County of Vanderburgh for your review. The City Council has also been forwarded copies of the Ordinance amending the Building Code for the City of Evansville, and an Administrative Safety and Development (ASD) Committee meeting has been scheduled for **November 8, 1993, Monday, at 6:00 p.m. in Room 301.** The public will be given a chance to discuss any major issues in hearings at that time.

If necessary, there will be an ASD Committee meeting for further discussion on **November 11, 1993, Thursday,** beginning at **6:00 p.m.** The final vote by the City Council will likely be **November 15, 1993, Monday, at 7:30 p.m.**

If you have any questions, feel free to contact me.

RLL:kek

Encl.

Ordinance No. _____

Introduced by:
Committee:

**AN ORDINANCE AMENDING THE BUILDING
CODE OF THE COUNTY OF VANDERBURGH**

WHEREAS, the office of the Building Commissioner desires to update, clarify, and revise the building code of the County of Vanderburgh

NOW, THEREFORE, BE IT ORDAINED by the County Commissioners of the County of Vanderburgh, Indiana, as follows:

SECTION 1. REPEAL OF CERTAIN SECTIONS.

Subsection (C) of 150.116 and 150.157 of the Municipal Code are hereby repealed in their entirety.

SECTION 2. AMENDMENT OF SECTION 150.028.

Section 150.028 is hereby amended to read as follows:

150.028 Inspections: Condemned Work or Equipment.

(A) All work which requires a permit under Section 150.152(A) shall be inspected by the Building Inspection Division of the Department of Code Enforcement. Work which shall be covered shall be inspected prior to installing any material which would not allow a visible inspection. The contractor for the trade of the affected installation shall contact the Building Inspection Division and request an inspection prior to work being covered. Any contractor failing to request inspection and any contractor covering work before an inspection is in violation of this chapter and shall be subject to penalties of Section 150.999. If, in the opinion of the inspector, the covered work cannot otherwise be deemed safe and in compliance with applicable codes, the contractor responsible for covering work not inspected shall uncover any and all areas as directed by the inspector of the Building Inspection Division. The inspector shall inspect the installation as soon as possible after receiving the request but in no case shall it be more than sixteen (16) working hours from the time the call is received. If any inspection is not approved by the inspector, the contractor may request and shall be provided by the Department within eight (8) working hours the specific code, chapter and section that has been violated. This Section may be modified by the Building Commissioner under emergency conditions.

SECTION 3. AMENDMENT OF SECTION 150.029.

Section 150.029 of the Municipal Code is hereby amended by the deletion of the following sentence:

- (A) Section 150.029 is amended by deleting the work "electrical" from the text of Section 150.029.

SECTION 4. AMENDMENT OF SECTION 150.030.

Section 150.030 of the Municipal Code is hereby amended by deleting the word "electrical" from the text.

SECTION 5. AMENDMENT OF SECTION 150.011.

Section 150.011 of the Municipal Code is hereby amended by the addition of the following sentence to the end of the section:

"No structure utilizing temporary electrical service shall be occupied without written approval from the Building Commissioner."

SECTION 6. AMENDMENT OF SECTION 150.006 Subsection (A).

Section 150.006 Subsection A of the Municipal Code is hereby amended by the addition of the following sentence at the end of the Subsection:

"When such extension, alteration, or renewal is the result of fire or involves materially more than fifty percent (50%) of the system as determined by the Department of Buildings, the system shall be brought into conformance with the requirements for new installation."

SECTION 7. AMENDMENT OF SECTION 150.008.

Section 150.008 of the Municipal Code is hereby amended to read as follows:

Section 150.008 Regulations for Electrical Wires, Equipment or Devices

- (A) All electric wires, equipment, or devices shall be installed in strict accordance with Indiana Electrical Code.

(B) The following provisions of this subcategory shall apply to all electrical wiring equipment installed, used, or maintained in the City, except the wiring and equipment installed by a public or private utility in the exercise of its function as a serving utility for the generation, transmission, distribution, or metering of electrical energy, in the operation of signals or the transmission of intelligence. These provisions shall not apply to Federal and State property or wiring or equipment which properly comes under the jurisdiction of the Indiana Regulatory Commission:

(1) Fustats or Type S, Non-tamperable fuses of proper size, are to be installed in lieu of standard fuses at all service switches or service fuse panels to provide circuit protection. 20 Amp fuses are permitted only on appliance or special duty circuits or No. 12 AWG conductors are used.

(2) Where services are replaced, all old unused service pipe, boxes, etc. shall be removed.

(3) All existing residences that do not have a minimum of a 60 Amp service with at least a six (6) circuit panel board shall be upgraded to a minimum of 100 Amp 12 circuit panel board. All residences with one or two dwelling units shall have a minimum of 100 Amp service with at least twelve (12) circuit panel board. More than two dwelling units in one building shall have a minimum of a 60 Amp service per unit.

(4) Service change-outs or replacements require correction of hazards and improper wiring, including, but not limited to, brass sockets, extension cord wiring, and improper joints which shall be corrected prior to inspection approval.

SECTION 8. AMENDMENT OF SECTION 150.056.

Section 150.056 of the Municipal Code is hereby amended to read as follows:

No portion of any building nor any accessory thereto shall project over the public street, sidewalk or alley, without first having obtained an encroachment permit from the Board of County Commissioner, and shall meet the requirement of the Indiana Building Code.

SECTION 9. AMENDMENT OF SECTION 150.054(A).

Subsection (A) of Section 150.054 of the Municipal Code is hereby amended to read as follows:

(A) No person shall make or continue, or cause to be made or continued, any cellar, door, window, or areas, or shall dig or construct, or cause to be dug or constructed, any area or entrance thereto, around any cellar or basement story of any building so that it shall extend into the line of any street, alley, or public space, without first presenting a petition in detail and drawing to the Board of County Commissioners and obtaining its approval and thereafter obtaining the approval of and a permit from the Department of Buildings. An encroachment shall be approved only if said encroachment does not duly interfere with pedestrian or vehicular traffic or present a danger to any person. Any person maintaining an encroachment upon any street, public sidewalk, or right-of-way by maintaining or applying for such encroachment does hereby agree to indemnify and hold harmless the County of Vanderburgh, its agents and employees, from any injury to person or property or death of any person from the placement or maintenance of such encroachment.

SECTION 10. AMENDMENT OF SECTION 150.078.

(A) Subsection (A) of Section 150.078 of the Municipal Code is hereby amended by the addition of the following at the end of said subsection:

Applicants for Class A Sign Erector license shall provide a certificate as described in Subsection 150.126(D) from a Master Electrician who shall be responsible for the electrical portions of signs or shall possess a "Master" Sign Erectors License. All persons involved in the electrical portion of the installation of signs shall hold a Journeyman Sign Erectors license.

(B) The second-to-last sentence in Subsection (B) of Section 150.078 is hereby amended to read as follows:

The applicant shall pay to the Board of Examiners the test fee for each test, and the money shall be used to defray the expense of examining the applicant.

(C) The second sentence in Subsection (C) of Section 150.078 is hereby amended to read as follows:

The applicant shall present the certificate to the Building Commissioner and shall pay the fee as contained in section 150.130(F) and the Building Commissioner shall grant to the person a license for the period of one (1) year or the remainder of the calendar year after the date of the issuance of the license subject to requirements of 150.126.

(D) Subsection (D) of Section 150.078 is hereby amended by changing the bond amount from Five Thousand Dollars (\$5,000.00) to Ten Thousand Dollars (\$10,000.00).

(E) Add new Subsection (I) of Section 150.078 to read as follows:

Sign companies that wish to operate in the City on a temporary or "one time only" basis may take out a "Temporary Sign Erector License" that will allow them to perform one (1) installation. Temporary Sign Erectors must contract with a licensed Master Electrician to perform all final electrical hookups. All installation must be inspected by the Department of Buildings before the Temporary Sign Erector leaves the job site. Temporary Sign Erectors must call at least two (2) working days in advance to schedule inspections.

SECTION 11. AMENDMENT OF SECTION 150.079.

Section 150.079 of the Municipal Code is hereby amended by adding a new Subsection (D) which shall read as follows:

(D) All electrical signs shall meet the specifications of and be labeled with the Underwriters Laboratory (UL) listing mark in a place visible after installation.

SECTION 12. AMENDMENT OF SECTION 150.085.

Section 150.085 of the Municipal Code is hereby amended to read as follows:

Section 150.085. Cloth and Banner Signs.

No permit from the Department of Buildings shall be required for the erection of any cloth or banner sign. But the erector thereof shall notify the Commissioner of Buildings in writing prior to the erection of the signs giving the date of the erection, address of the installation, and name of the erector. The sign shall be subject to the approval of the Commissioner of Buildings. No person shall cause to be installed any cloth or banner sign over or upon any street, public sidewalk, or right-of-way without obtaining a permit therefor from the Board of County Commissioners. The applicant for such permit shall give the date of installation, location of the proposed sign, and the name and address of the person or persons who cause such a sign to be installed. Such a sign shall not be installed for more than sixty (60) days and shall not exceed two (2) feet in height and fifty (50) feet in length. When two (2) or more signs are erected on any building, the signs shall be separated vertically by the height of one (1) story less the width of the sign, or horizontally by distance of at least nine (9) feet. All signs shall be strongly constructed and securely attached flat against the building. The sign shall not obstruct any door, window, or fire escape, and shall be removed as soon as torn or damaged, and prior to the expiration of the time limit. A liability insurance certificate in the amount of One Million Dollars (\$1,000,000.00) shall be provided to the Board of Public Works prior to erecting any banner sign over a street or right-of-way. The insurance certificate shall name as the City of Evansville and its officials and employees as additional insureds.

SECTION 13. AMENDMENT OF 150.116.

Section 150.116 of the Municipal Code is hereby amended to read as follows:

Section 150.116. Drainage and Flood Restrictions.

(A) If the site for which a building permit is sought is not within the flood plain, no building permit shall be issued unless the first floor of the living space of a residential structure, or the first floor of a commercial or industrial structure, including basement, is constructed above the level of flooding during a one hundred (100) year flood, or the grading at its highest level adjoining the improvements as graded pursuant to Section 150.145 is above the level of flooding of a one hundred (100) year flood.

(B) If the site for which a building permit is sought is located in the flood plain, no building permit shall be issued unless the first floor of the living space of a residential structure, or the first floor of a commercial or industrial structure, including the basement, is constructed two (2) feet above the one hundred (100) year flood plain elevation established for the site by the flood plain map. For further requirements, see Chapter 154.

SECTION 14. ADDITION TO NEW SECTION 150.107.

Section 150.107 of the Municipal Code shall read as follows:

Section 150.107. Fixed Fees.

(A) The Board of Examiners of the Building Department by and through the Department of Buildings shall issue the license required by Section 150.095 to any person who is a citizen of the United States and who pays the fees provided by Section 150.029 and 150.130, however, the Building Commissioner, subject to review and appeal to the Board of Examiners, shall have the right to refuse to issue, revoke, or suspend the license upon satisfactory proof that the individual:

- (1) has violated local ordinances or State or Federal laws or regulations pertaining to his business operations or disposal of demolition debris;
- (2) is incompetent or engaged in misconduct in the practice of his business;
- (3) has engaged in deceit or fraud in obtaining the license; or
- (4) has insufficient knowledge, experience, equipment or storage facilities to properly conduct wrecking operations.

(B) Any person aggrieved by the decision of the Building Commissioner regarding the issuance, suspension or revocation of a license hereunder shall have the right to have said decision reviewed by the Board of Examiners by appealing said decision in writing within ten (10) days of written notice of the decision of the Building Commissioner. A hearing shall be conducted and the decision of the Board of Examiners shall be final.

SECTION 15. ADDITION OF NEW SECTION 150.105.

Section 150.107 of the Municipal Code shall read as follows:

Landfill receipts for wrecking operations, roofing tear-offs, etc. by the permit applicant shall be maintained for a period of one (1) calendar year and will be made available upon request by the Building Commissioner for each project for which a permit is required.

SECTION 16. AMENDMENT OF SECTION 150.125

(A) The following definitions shall be added to Section 150.125 of the Municipal Code and alphabetized with the other definitions:

"Building Contractor." A person, firm or corporation engaged in the business of or holding themselves out to the public as engaged in the business of constructing, installing, repairing, remodeling, or servicing any structural or non-structural portions of any multi-family residential, commercial, or industrial building.

"Residential Contractor." A person, firm or corporation engaged in the business of, or holding themselves out to the public as engaged in the business of constructing, installing, repairing, remodeling, or servicing any structural or non-structural portions of any one (1) or two (2) family dwelling and residential or agricultural building.

"Limited Roofing Contractor." A person, firm or corporation engaged in, or carrying out the business of, or holding themselves out to the public as engaged in the business of contracting to construct, install, repair, patch, replace or perform any work on residential steep roofs or roofing including composition shingles, shakes, slate, roll roofing, pre-formed metal roof panels, pre-formed gutters, and flashings on one (1) or two (2) family dwellings, residential and agricultural outbuildings.

"Unlimited Roofing Contractor." A person, firm or corporation engaged in, or carrying out the business of, or holding themselves out to the public as engaged in the business of contracting to construct, install, repair, patch, replace or perform any work on residential steep roofs or roofing, including but not limited to EPDM, hot mop, modified, pre-formed or standing seam metal roof coverings, curbs, flashings and architectural sheet metal.

"Fire Sprinkler Contractor." A person, firm, or corporation engaged in, or carrying out the business of, or holding themselves out to the public as engaged in the business of installing, altering, repairing, or extending fire sprinkler systems, including connections to water service outlet provided for fire sprinklers systems.

"Fire Alarm Contractor." A person, firm, or corporation engaged in, or carrying out the business of, or holding themselves out to the public as engaged in the business of installing, altering, repairing, or extending fire alarm systems (limited to low voltage circuits).

"Journeyman Sign Erector." A workman qualified and competent in the trade of sign construction, erection and wiring who is employed by a registered and licensed sign contractor.

"Master." The term "Master" may only be used in conjunction with any of the licensed categories herein when the applicant has passed the appropriate trade master level test administered by the Department of Buildings.

(B) The title "Journeyman Sheet Metal Installer" in Section 150.125 shall be changed to "Journeyman Heating, Ventilating and Air Conditioning Installer" (hereafter "HVAC").

(C) The title "Master Sheet Metal Installer" in Section 150.125 shall be changed to "Master Heating, Ventilating and Air Conditioning Installer" (hereafter "HVAC").

(D) The terminology following "Master HVAC Installer" in Section 150.125 shall be amended to read as follows: A person, firm, or corporation engaged in the business of, or holding themselves out to the public as being engaged in the business of installing, altering, repairing or servicing gravity or forced air heating systems, air conditioning systems, rated at 5 tons or less, when refrigeration piping is included, 15 tons or less if packaged unit, including the refrigerant cycle, ventilating systems, and duct work, sheet metal work and equipment in connection with fan heating systems in buildings or structures, and shall include major architectural sheet metal, but shall not include the business of the construction, installation, repair or servicing of boilers or piping, heating or cooling coils connected therewith, or any cooling, piping, or equipment in connection with which the heating is accomplished by means of a steam, vapor or hot water heating plant or in connection with a fan-heating system.

SECTION 16. AMENDMENT OF SECTION 150.127.

(A) The second sentence in Subsection (A) of Section 150.127 of the Municipal Code is hereby amended to read as follows:

The person is required to obtain a license and certificate pursuant to this provision and shall include, but not be limited to, all persons in or practicing the following trades or crafts: electrical, building moving, HVAC, steamfitting, refrigeration installing, sign erection, building wrecking, building construction, repair, remodel, alteration, roofing, masonry, sheet metal, steel erection, fire sprinkler installers or fire alarm installers.

(B) The following shall be added to the last sentence of Subsection (C) of Section 150.127 of the Municipal Code which shall read as follows:

but shall be subject to the continuing education requirement.

All persons who have successfully passed the required master's test for a licensed category may utilize the word "Master" shall be added to the license.

(C) Section 150.127 of the Municipal Code is hereby amended by the addition of a new Subsection (E) which shall read as follows:

SECTION 18. AMENDMENT OF SECTION 150.128(C)(2).

The last sentence in Subsection (C)(2) of Section 150.128 of the Municipal Code is hereby amended to read as follows:

Whenever any certificate is revoked, the Building Commissioner shall cancel and not issue any renewal license thereon until approved by the Board of License Examiners.

SECTION 19. AMENDMENT OF SECTION 150.128(D).

Section 150.128 of the Municipal Code is hereby amended by the addition of a new Subsection (D) which shall read as follows:

(D) The Board of Examiners shall, at least annually, determine and establish the fees for license testing, which shall include:

- (1) the cost of the test from a qualified testing company;
- (2) postage and handling of testing materials;
- (3) room rental (if applicable); and
- (4) proctor fees (if applicable).

SECTION 20. AMENDMENT OF SECTION 150.129(A)(4).

Sub-part 4 of Subsection (A) of Section 150.129 of the Municipal Code is hereby amended to read as follows:

- (4) Receipt showing payment of the fee, established by the Board of Examiners, for the examination and qualification of the applicant.

SECTION 21. AMENDMENT OF SECTION 150.127(G).

Section 150.127(G) is hereby amended to read as follows:

<u>LICENSE CLASSIFICATIONS:</u>	<u>FEES:</u>
Building Contractor* or Unlimited Roofing Contractor*:	
New	\$225.00
Renewal	\$ 75.00
Limited Roofing Contractor* or Residential Contractor*:	
New	\$125.00
Renewal	\$ 50.00

*Any person wishing to hold more than one (1) of these four (4) license classifications may obtain additional licenses for one-half (1/2) of full fee for each additional license.

Fire Sprinkler Contractor or Fire Alarm Contractor:	
New	\$125.00
Renewal	\$ 50.00
Master:	
New	\$225.00
Renewal	\$ 75.00

Journeyman:

New	\$ 25.00
Renewal	\$ 15.00

Apprentice:

1st Year	\$ 10.00
2nd Year	\$ 10.00
3rd Year	\$ 10.00
4th Year	\$ 10.00
5th Year	\$ 10.00
6th Year+	\$ 25.00

Limited Electrical	\$ 25.00
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Sign Erector:

Class A:

New	\$225.00
Renewal	\$ 75.00

Class B:

New	\$125.00
Renewal	\$ 50.00

Temporary Sign Erector	\$ 75.00
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Wrecker or Structural Mover:

New	\$100.00
Renewal	\$ 50.00

Registration of State Licenses:

Contractor	\$ 20.00
Journeyman	\$ 15.00
Apprentice	\$ 10.00

SECTION 22. AMENDMENT OF SECTION 150.136.

Section 150.136 of the Municipal Code is hereby amended to read as follows:

Section 150.136. Display of License.

Every person required to be licensed by this subsection shall display their License Certificate in a conspicuous place in their or employer's place of business. No license or renewal thereof granted under the provisions of this subchapter shall be assignable or transferable.

Every person required to be licensed by this subchapter shall carry upon their person or have readily available at the location they are working the license card issued by the Department of Buildings. Any vehicle used for transportation of materials or equipment for performance of any activity for which a license is required by this subsection shall be conspicuously and clearly marked with the company name, category of work permitted by license, and the license number. If the holder of the license shall cease to be part of the business utilizing that license, all rights of the firm or corporation or employees to perform work under that license shall cease and the firm or corporation shall be required to employ a properly licensed person prior to continuance of business activity.

SECTION 23. AMENDMENT OF SECTION 150.138.

Section 150.138 of the Municipal Code is hereby amended to read as follows:

Section 150.138. Temporary Homeowner Contractor.

A permit to perform work in or about his/her current residence and/or a new or remodeled one (1) or two (2) family residence in which he/she shall reside for a minimum of two (2) years after construction or repairs are made may be issued to the owner of the property or to the immediate family of the owner. Immediate family in this case shall mean father, mother, brother, sister, aunts, uncles, son, daughter or like relationships by marriage.

The owner, at the time of permit issuance shall attest by affidavit that either the owner or a member of the immediate family described above is to perform the work. In the case of an owner subcontracting footing, foundation, framing, or roofing to other than an immediate family, the contractor doing those installations shall be licensed and their names provided to the Department of Buildings at the time of permit application. In lieu of providing the names of the licensed contractors for the above installations, the owner shall answer basic questions relative to code requirements indicating the owner has sufficient knowledge to properly perform the work.

If the inspector is not satisfied that the owner or immediate family is capable of performing, or if the character of any work performed indicated the owner or immediate family members are not qualified or capable of doing the work, the inspector may require a portion or all of the work be installed, changed, altered, or repaired by a qualified licensed contractor.

If a permit has already been issued for the affected work, a twenty dollar (\$20.00) additional fee will be charged for additional inspections and entering information from licensed contractors on permit and inspection records.

SECTION 24. AMENDMENT OF SECTION 150.140.

Section 150.140 of the Municipal Code is hereby amended by changing the text to read as follows:

All persons holding a Master's License and employing apprentices shall satisfy the appropriate Board of Examiners that the apprentices are enrolled in a related training or vocational program. If apprentice level employees do not comply by being so enrolled, they shall register for and take the next regularly scheduled journeyman examination for the applicable trade. Failure to register or not take the exam will result in revocation of apprentice registration. This alternate-to-training provision is limited to one (1) year, after which the person must have passed the journeyman test or be enrolled in a related vocational or training program.

Apprentice level employees may not work alone on the practice of their trade, but must be accompanied by a licensed journeyman or master. No more than three (3) apprentice level employees may be supervised by each journeyman or master.

The registration shall state the name of the employer, the name, age and address of the apprentice, and either the training program in which the apprentice is enrolled or the date which the alternative-to-training time period will expire. This information will be verified by the Department of Buildings staff.

SECTION 25. AMENDMENT OF SECTION 150.142.

Section 150.142 of the Municipal Code is hereby amended as follows:

In the title and where ever in the text that the phrase "Board of Examiners of Sheet Metal Installers" is used, that term shall be changed to "HVAC Board of Examiners." Also, where ever the phrase "Master Sheet Metal Installer" is used, that phrase shall be changed to "Master HVAC Installer. Whenever the phrase "Journeyman Sheet Metal Installer" is used, that phrase shall be changed to "Journeyman HVAC Installer."

SECTION 26. AMENDMENT OF CHAPTER OF 150 BY THE ADDITION OF A NEW SECTION 150.145.

Chapter 150 of the Municipal Code is hereby amended by the addition of a new Section 150.145 which shall read as follows:

Section 150.145. Board of Examiners of Construction and Roofing.

(A) The Board of Examiners of Construction and Roofing shall consist of the following persons appointed by the Mayor:

- 2 Building Contractors at least one (1) of which shall be in good standing with a nationally recognized trade organization.
- 2 Residential Contractors at least one (1) of which shall be in good standing with a nationally recognized trade organization.
- 1 Unlimited Roofing Contractor in good standing with a nationally recognized roofing organization.
- 1 Limited Roofing Contractor in good standing with a nationally recognized roofing organization.
- 2 Structural Inspectors of the Department of Buildings.

(B) When an applicant applies for a license in the above stated categories, an examination is required. Unless the applicant is applying for a license under provisions of 150.126(E) Reciprocal Licenses. The Board of Examiners of Construction and Roofing shall certify the questions and answers or the requirements of 150.126(E) of the applicant with their findings to the Board of Examiners of the Department of Buildings, which may review the questions, answers and findings, and may adopt, modify or reverse the findings. The action of the Board of Examiners of the Department of Buildings shall be final and conclusive.

(C) This Board shall set standards for a continuing education program to which each Master or Contractor shall be required to attend in order to renew their Master or Contractor license each year. The number of hours and the content of the program shall be submitted to the Board of Examiners for approval.

SECTION 27. ADDITION OF NEW SECTION 150.146.

Section 150.146 of the Municipal Code shall read as follows:

Section 150.146. Journeyman.

No person shall be issued a journeyman license unless he establishes that he has had at least four (4) years experience in the applicable trade. No helper shall install any work regulated by this subchapter. No apprentice shall install any work regulated by this subchapter except under the supervision of a journeyman or master employed on the same job.

SECTION 28. AMENDMENT OF SECTION 150.152.

Section 150.152 of the Municipal Code is hereby amended as follows:

(A) Subsection (A) of Section 150.152 is hereby amended by the addition of the following sentence:

No Building Permit shall be issued until proper approvals have been obtained from the Area Planning Commission and the and Water and Sewer Utility Department.

(B) Subpart 5 of Subsection (D) of Section 150.152 is hereby amended to read as follows:

(5) The Commissioner of Buildings shall be notified in writing seven (7) days before the occupancy of any building constructed under the terms of this code, and a Certificate of Inspection may be issued by the Department of Buildings when construction of the building conforms to the provisions of this chapter.

(C) Subsection (E) of Section 150.152 of the Municipal Code is hereby repealed.

(D) Section 150.152 of the Municipal Code is hereby amended by the addition of a new Subsection (E) which shall read as follows:

In the event that the construction, reconstruction, alteration or remodeling work for which a permit is required involves or includes the construction, installation, reconstruction, or alteration of any process, fuel-burning or refuse-burning equipment, or control equipment pertaining there to, no person shall present an application for a building permit nor shall the application be accepted by the Commissioner until it is first approved by the Evansville Environmental Protection Agency.

(E) Subsection (F) of Section 150.152 is hereby amended to read as follows:

Under emergency conditions declared by the Mayor of the City of Evansville and/or The Board of County Commissioners, provisions of this Section may be modified to reduce procedural and economic impact on its citizens. These procedures may include, but not be limited to, on-site issuance of permits, reduction or elimination of fees in the case of natural disaster induced damage repairs, reduction of required inspections when work is performed by licensed contractors, reduction of scope of plans required for repairs and other procedural requirements. Under no circumstances will permanent repairs be approved, if not in compliance with applicable codes.

SECTION 29. AMENDMENT OF SECTION 150.153.

Section 150.153 of the Municipal Code is hereby amended to read as follows:

Section 150.153. Permit Fees and Expiration.

(A) No Building Permit shall be issued prior to paying of the fees, described in Section 150.158 for contemplated work. Governmental entities shall, when permits are required by this ordinance, no fee for the Structural Permit; subsequent permits for that location will be issued at no charge.

(B) Permits issued under this Subchapter will expire one (1) year from date of issuance, unless a written request is submitted by the applicant and approved by the Building Commissioner. Refunds of fees for permits not utilized shall not be made after one (1) year from date of issuance. All permits shall be void, if construction is not commenced within one (1) year of date of issuance. Where work requiring a permit is started before a permit is obtained, the fee shall be tripled, payment of which does not relieve any person from fully complying with the requirements of this code or from other penalties prescribed herein.

SECTION 30. AMENDMENT OF SECTION 150.158.

Section 150.158 of the Municipal Code is hereby amended to read as follows:

Section 150.158. Building and Construction Fee Schedule.

Fee for the issuance of the various permits provided for by this Subchapter shall be in the amounts delineated below:

(A) Building Permits and Inspection Fees:

(1) One (1) and two (2) Family Dwellings and Modular Homes including additions:

- (a) General Rate per square foot of gross floor area including each floor, basement floor area, habitable attic, covered porch, attached garage/carport, attached decks more than 30" above finished grade.
Minimum Fee \$.04
\$ 50.00
- (b) Detached garages/carports and residential or agricultural out-buildings, over 100 square feet.
Minimum Fee \$.04
\$ 20.00
- (c) Portable buildings without utilities, less than 100 square feet. \$ N/C
- (d) Swimming pools - (permanent) above or below grade per gross square feet.
Minimum Fee \$.04
\$ 20.00
- (e) Basement for moved house or existing house. \$ 50.00
- (f) Foundation for moved house. \$ 30.00

(2) Multi-Family Dwellings Including Modular:

- (a) General Rate -
Same as one (1) and two (2) Family Dwellings.
Minimum Fee \$120.00
- (b) All Other Fees and Minimums -
Same as one (1) and two (2) Family Dwellings.

- (3) **All Other New Construction and Additions:**
- (a) All "A" Occupancies as defined by Indiana Building Code, per gross square foot. \$.05
 - (b) All "B" Occupancies as defined by Indiana Building Code, per gross square foot. \$.03
 - (c) All "E" and "I" Occupancies as defined by Indiana Building Code, per gross square foot. \$.05
 - (d) All "H" Occupancies as defined by Indiana Building Code, per gross square foot. \$.04
 - (e) All "M" Occupancies as defined by Indiana Building Code, per gross cubic foot. \$.02
 - (f) Minimum Fees - for (a) thru (e). \$ 50.00
 - (g) Retaining walls and fences. \$ 20.00
 - (h) Towers over 30 feet tall. \$ 25.00
- (4) **Remodeling, Alterations, Repairs and Siding:**
(may be figured as "New Building, " if fee is less).
- (a) General Rate for value of work:
 - \$ 9.00 per \$1,000 for first \$10,000 value of work
 - \$ 5.00 per \$1,000 for second \$10,000 value of work
 - \$ 2.00 per \$1,000 thereafter.
 - (b) Minimum Fee \$ 20.00
- (5) **Roofing, Including New, Replacement and Repair:**
- (a) Commercial, per gross square. \$.20
 - (b) Residential, per building. \$ 20.00
- (6) **Foundation Permit - (Non-refundable)** \$ 20.00

(B) Electrical Permits and Inspection Fees:

(1) Services:

- (a) 400 Amp and less \$ 20.00**
- (b) Over 400 Amp \$ 40.00**

(2) Per Circuit, Per Building:

- (a) 100 Amp and less \$ 2.00**
- (b) Over 100 Amp \$ 3.00**

(3) Repair, Remodel (No New Circuits) \$ 20.00

(4) Load control devices owned by a utility installed in circuit wiring \$ 6.50

(5) Minimum Fee - Any Permit (except 4 above) \$ 20.00

(C) Plumbing Permits and Inspection Fees:

(1) Fixtures and Openings, (each) \$ 3.00

(2) Sanitary Sewer \$ 3.00

Water Service \$ 3.00

Water Heater \$ 3.00

Gas Piping \$ 3.00

Orifice Change \$ 3.00
(When installed with Item (1) above)

(3) Water Heater or Fixture Replacement \$ 10.00

(4) Minimum Fee \$20.00
(For Items (1) and (2) above)

(D) *HVAC Permit and Inspection Fees:
Based on BTU Input Rating of Each Building.
Heat Pump - Figured at 3,400 BTU per kilowatt.

- (1) **New Unit**
 - (a) 000,001 - 200,000 BTU \$ 20.00
 - (b) 200,001 - 500,000 BTU \$ 40.00
 - (c) 500,001+ \$1 per 10,000 BTU

- (2) **Repairs - Replacement** \$ 20.00
 - Orifice Change** \$ 20.00
 - Gas Piping** \$ 20.00
 - Factory Built Fireplaces** \$ 20.00
 - Residential Duct Work Only** \$ 20.00

- (3) **Minimum Fee (Any Permit)** \$ 20.00

(E) *Air Conditioning Permit and Inspection Fees:
Based on 12,000 BTU per ton.

- (1) **New Unit**
 - (a) 00,001 - 60,000 BTU \$ 30.00
 - (b) 60,001+ \$1 per 1,000 BTU

- (2) **Replacement, Add-on Unit** \$ 20.00

- (3) **Minimum Fee (Any Permit)** \$ 20.00

***If the heating and air conditioning are installed or replaced at the same time in a one (1) or two (2) family dwelling, a fee reduction of \$5.00 may be deducted from the total permit cost.**

(F) Steamfitting Permits and Inspection Fees:

(1) Boilers, Hot Water, Low and High Pressure Steam Systems:

(a) Hot Water - Less than 30 PSI	\$ 40.00
Steam System - Less than 15 PSI	\$ 40.00
(b) Hot Water - Greater than 30 PSI	\$ 60.00
Steam System - Greater than 15 PSI	\$ 60.00

(G) Commercial Refrigeration Permits and Inspection Fees:

(1) Installation:

(a) 001 - 60,000 BTU Output	\$ 40.00
(b) 60,001+ BTU Output	\$ 60.00

**(H) Sign Permits and Inspection Fees:
Per pole.**

(1) Single Face or Head Change	\$ 20.00
(2) Additional Faces	\$ 10.00

(I) Certificate of Occupancy or Inspection **\$ 20.00**

(J) Fees for Moving Buildings:

(1) Residential	\$ 20.00
(2) Commercial	\$ 50.00

(K) Fees for Wrecking Buildings:

- | | |
|-----------------|----------|
| (1) Residential | \$ 20.00 |
| (2) Commercial | \$ 50.00 |

(L) Reinspection Fees \$ 25.00

(M) Fire Sprinkler Systems:

- | | |
|------------------------------------------------------------------------------|----------|
| (1) Repair or relocation of up to 50 heads | \$ 20.00 |
| (2) Relocation of more than 50 heads,
addition of ten (10) or fewer heads | \$ 30.00 |
| (3) New installation or addition of more
than ten (10) heads | \$ 50.00 |

(N) Fire Alarm Systems:

- | | |
|-----------------------------------------------|----------|
| (1) Alteration or addition to existing system | \$ 20.00 |
| (2) New system | \$ 40.00 |

**(O) When local plan review is desired to speed up
State Construction Release Process:**

(1) Remodeling (by total value of project):

\$ 0 - \$ 50,000	\$100.00
\$ 50,001 - \$100,000	\$150.00
\$100,001+	\$200.00

**Square Foot method for new construction may be used, if fee is less
than for remodeling.**

(2) Additions:

\$.025/Square Foot \$ 50.00 Minimum

(3) New Construction:

\$.025/Square Foot \$100.00 Minimum

SECTION 31. AMENDMENT OF SECTION 150.167.

(A) Subsection (B) of Section 150.167 of the Municipal Code is hereby amended to read as follows:

The Mayor shall provide for the organization and maintenance of a Board of Building Appeals. The Board shall consist of the following persons:

- 1 Indiana Licensed Professional Engineer
- 1 Unlimited Roofing Contractor
- 1 Building Contractor
- 1 Master Electrician
- 1 Master HVAC Installer
- 1 Master Refrigeration Installer
- 1 Master Steamfitter
- 1 Residential Contractor
- 1 Representative of the Public At Large

The members shall be residents of Vanderburgh County and shall be appointed for terms of four (4) years. In the event of a vacancy on the Board, the Mayor shall, within thirty (30) days, appoint a new member who shall have the same qualifications of the member being replaced. The new member shall serve the balance of the unexpired term of the member replaced.

(B) Subsection (G) of Section 150.167 is hereby amended to read as follows:

(G) The Board shall affirm, modify, or reverse the decision of the Building Inspection Section of the Department of Code Enforcement by a vote of the majority of the members of a quorum. Every action of the Board shall be by resolution, and certified copies shall be furnished to the appellate and to the Building Inspection Section. The Building Inspection Section shall take immediate action in accordance with the decision of the Board.

SECTION 32. AMENDMENT OF SECTION 150.039.

(A) Section 150.039 of the Municipal Code is hereby amended by addition of the following:

No person shall cause or allow any structure under his control whether occupied or unoccupied to violate the provisions of (A), (B), (C), (H), (I), or (J) below.

(B) Section 150.039 of the Municipal Code is hereby amended by the addition of a new Subsection (J) which shall read as follows:

(J) Every structure constructed as a dwelling unit shall have adequate gutters and downspouts in sound condition maintained in good repair to divert normal rain water from the roof to available storm sewer or to other areas on the premises where dispersal of water will not adversely affect the foundation of any dwelling. If there is no storm sewer available, the downspouts shall terminate above grade with a diverter and a splash block to direct water away from the foundation of this and adjacent dwellings. The Housing Inspector shall have the authority to approve or disapprove the dispersal location of the roof water in conjunction with other regulations of this code. Approved altered drain system such as yard drains specifically designed to prevent water accumulation at foundation shall be considered an approved method of dispersal.

SECTION 33. AMENDMENT OF SECTION 150.038.

Section 150.038 of the Municipal Code is hereby amended by the addition of a new Subsection (I) which shall read as follows:

(I) Every sleeping room of every dwelling unit shall have at least one (1) operable window or exterior door for emergency egress or rescue. All egress windows must have a minimum of 4.75 square feet of clear operable (i.e. unobstructed) area and City code modification.

SECTION 34. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its passage by the Board of County Commissioners.

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: December 17, 1993
Re: Award of Bid Number VC 9316

Attached, please find the bid analysis of Bid Number VC 9316 for a FULL SIZE 3/4 TON SUPER CAB PICK UP TRUCK FOR THE VANDERBURGH COUNTY HIGHWAY DEPARTMENT.

All bids were in order and did contain all required forms. The low bidder was Cooke Chevrolet-Geo with a bid of \$16,451.19. However, the vehicle they were bidding offered a 5.7 liter V-8 engine and the County's specifications called for a 5.8 liter V-8 engine. These bids have been reviewed by Mr. Bill Morphew of the Highway Department and we agree that the recommendation for award should go to the next low bidder, D-Patrick Ford for a total bid price of \$16,590.00.

If you have any questions, please contact me.

cc: Mr. Rick Borries, President
Mr. Patrick Tuley, Vice-President ✓
Mr. Don Hunter, Member
Bid File

VC 9316 - ONE FULL SIZE 3/4 TON SUPER CAB PICK UP TRUCK FOR THE
 VANDERBURGH COUNTY HIGHWAY DEPT

OPENED - MONDAY, DECEMBER 13, 1993

DESCRIPTION	COOKE CHEVY GEO	D - PATRICK FORD	BROERMAN CHEVROLET
STATE BID FORM # 95	YES	YES	YES
EEO STATEMENT	YES	YES	YES
BID PROPOSAL FORM	YES	YES	YES
BID DEPOSIT	YES	YES	YES
TOTAL BID PRICE	\$16,451.19	\$16,590.00	\$16,823.57
MEET SPECIFICATIONS?	NO	YES	NO
DELIVERY	4-6 WEEKS	60-90 DAYS	90 DAYS

To: Board of County Commissioners
From: Daryn S. Burgdorf, Purchasing
Date: December 10, 1993
Re: Award of Bid Number VC 9317



Attached, please find the bid analysis of Bid Number VC 9317 for a MOTOR GRADER for the Vanderburgh County Highway Department.

All bids were in order and did contain all required forms. After all bids were examined carefully, the low bidder appears to be Rudd Equipment Company with a bid of \$86,450.00. These bids have been reviewed by Mr. Bill Morphew of the County Highway Department and we agree that the recommendation for award should go to Rudd Equipment Company.

If you have any questions, please contact me.

cc: Mr. Rick Borries, President
Mr. Patrick, Tuley, Vice-President
Mr. Don Hunter, Member
BCC Bid File ✓

New

VC 9317 - ONE MOTOR GRADER FOR VANDERBURGH COUNTY HWY DEPT
 OPENED MONDAY, DECEMBER 6, 1993

APPROPRIATED FOR PROJECT:

\$90,000.00

ITEM	CARLISLE EQUIPMENT	WHAYNE SUPPLY	BRANDEIS MACHINERY	K & W EQUIPMENT	RUDD EQUIPMENT
BID PROPOSAL FORM	YES	YES	YES	YES	YES
STATE BID FORM	YES	YES	YES	YES	YES
EEO FORM	YES	YES	YES	YES	YES
BID DEPOSIT	YES	YES	YES	YES	YES
COMPLIES W/SPECS	NO	NO	NO	YES	YES
DELIVERY IN	90 - 120 DAYS	70 DAYS	90 DAYS	20 - 65 DAYS	60 - 90 DAYS
TOTAL BID PRICE	\$83,769.00	\$105,912.00	\$91,820.25	\$88,700.00	\$89,653.00
TRADE IN ALLOWANCE	INCLUDED IN PRICE			\$8,000.00	\$10,000.00
WARRANTY	\$3,965.00			\$3,750.00	\$3,047.00
SCARIFIER				\$3,890.00	\$3,750.00
REVISED BID PRICE	\$87,734.00	\$105,912.00	\$91,820.25	\$88,340.00	\$86,450.00

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT

FRIDAY, DECEMBER 10, 1993 THRU THURSDAY DECEMBER 16, 1993

FRIDAY, DECEMBER 10, 1993

Gradall and one crew ditched on Folz Road.
Gradall and one crew installed culvert on Schissler, ditched Korressel.
Payloador and 2 crews rocked and graded Little Schmuck, River Road, and Ficas Road.
Tiger mower worked on Mohr Road.
Trash crew worked on Green River and Heckel.
Two crews worked on Burkhardt.
Garage - one crew cleaned paver and roller, one painted barricades.

MONDAY, DECEMBER 13, 1993

Gradall and one crew ditched on Folz Road.
Gradall and one crew installed culvert at 7943 #5 School Road, ditched Korressel/
Trash crew ran routes.
Payloador and two crews rocked Lyle Road.
One crew picked up barricades.
Two tree crews worked on St. Joe Ave.

TUESDAY, DECEMBER 14, 1993

Gradall and two crews ditched Rosenberger.
Two tree Crews worked on Diefenbach, Five Dollar, Old Henderson and Newman Road.
Trash crews ran routes.
Rock crews worked on Hillside.
One crew ran barricades.

WEDNESDAY, DECEMBER 15, 1993

Gradall and 2 crews ditched Rosenberger.
Trash crew worked on Korressel, Mill and Mesker Park.
Payloador and 3 crews rocked shoulders on Woods and Bergdolt.
Tree crew worked on Five Dollar Road.

THURSDAY, DECEMBER 16, 1993

Gradall and one crew ditched on St. Joe & Mohr, clean ditch at 901 Agathon.
Trash crew ran routes.
Payloador and 5 crews rocked shoulders on Woods Ave.
One crew ran barricades.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, DECEMBER 10, 1993 THRU THURSDAY, DECEMBER 16, 1993

FRIDAY, DECEMBER 10, 1993

Crew #1 - rip rap around pipe on Schissler Road.
Crew #2 - haul rip rap to Schissler, haul old pipe to scrap yard.
Crew #3 & Backhoe - install 4 posts on Vogel Road Bridge.

MONDAY, DECEMBER 13, 1993

Crew #1 - work on plates for Vogel Road Bridge, repair drop box on Folz Road.
Crew #2 - open pipe on St. Joe, install culvert at 7943 #6 School Road.

TUESDAY, DECEMBER 14, 1993

Crew #1 - install guard rail post on Vogel Road Bridge.
Crew #2 - clean drains on Oak Grove to Vogel, Evergreen Acres.

WEDNESDAY, DECEMBER 15, 1993

Crew #1 - repair guard rail on St. Wendel and St. George Road.
Crew #2 - work on pipe and drop box on Folz, rework drop box on Detroy.

THURSDAY, DECEMBER 16, 1993

Crew #1 - repair Folz Road drop box.
Crew #2 - work at 8419 Holly Court.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for December 20, 1993

1. Petition to vacate a portion of a drainage easement in Oak View Place subdivision by Mr. Glenn Wood
2. Request from Mr. Joe Ream for the acceptance of right of way for Vogel Road
3. Recommendation to award the Volkman Road project to CCC of Evansville, Inc. in the amount of \$147,676.91
4. Council call request to transfer \$375,000 from the Heckel Road bridge to the Franklin Street bridge and to appropriate \$425,000 from the Cumulative Bridge fund to the Franklin Street bridge

**D
E
C
E
M**

INVESTMENTS, INC.

P.O. Box 5447 • Evansville, Indiana 47716 • (812) 476-4407

December 14, 1993

Mr. John Stoll
Vanderburgh County Engineer
201 N.W. 4th Street Room 307
Evansville, IN 47708

Dear John:

Re: Acceptance of Vogel Road Right of Way

Please accept the attached legal descriptions as dedication of right of way to Vanderburgh County for the extension of Vogel Road. Upon acceptance of the right of way I will request that the County Commissioners accept the extension of Vogel Road for maintenance.

Thank you for your consideration.

Cordially,

DECEM Investments, Inc.


Joseph A. Ream
Executive Vice President

Approved

Land Developers and Builders

93-20878

WARRANTY DEED

THIS INDENTURE WITNESSETH that ALMA CORRESSELL, Grantor, of Vanderburgh County and State of Indiana, CONVEYS AND WARRANTS to LEON L. CORRESSELL, JOAN E. HEATH, ROSE M. ADLER, JUDITH A. SEAVER and ALAN R. CORRESSELL, as tenants in common, Grantees, of Vanderburgh County and State of Indiana, for the sum of One Dollar (\$1.00) and other good and valuable considerations, the following described real estate in Vanderburgh County in the State of Indiana, to-wit:

That part of the West Half of the Northeast Quarter of Section Twenty-four (24), Township Six (6) South, Range Ten (10) West in Vanderburgh County, Indiana, more particularly described as follows:

Beginning at a point which is located by commencing at the Northeast corner of said half quarter section, thence south 89 degrees, 50 minutes and 00 seconds West along the North line thereof for 325.17 feet; thence South 00 degrees, 51 minutes and 56 seconds West for 708.29 feet to the place of beginning; from said place of beginning continue South 00 degrees, 51 minutes and 56 seconds West for 1949.97 feet to a point on the South line of said half quarter section, which lays South 89 degrees, 40 minutes and 20 seconds West a distance of 336.75 feet from the South-east corner of said half quarter section; thence South 89 degrees, 40 minutes and 20 seconds West along the said South line for 336.75 feet; thence North 1 degree, 06 minutes and 52 seconds East for 2659.44 feet to a point on the North line of said half quarter section; thence North 89 degrees, 50 minutes and 00 seconds East along the said North line for 202.17 feet; thence South 00 degrees, 51 minutes and 56 seconds West for 708.29 feet; thence North 89 degrees, 50 minutes and 00 seconds East for 123.0 feet to the place of beginning and containing a gross area of 18.2 acres.

Twenty-five (25) feet is reserved off the North side of the above described real estate for Oak Grove Road.

Subject to a life estate in favor of the Grantor for the duration of her natural life.

Subject to all legal highways, easements, rights-of-way and restrictions of record.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal this 3rd day of Aug, 1993.

Alma Corressell (SEAL)
Alma Corressell

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ALMA CORRESSELL who acknowledged the execution of the foregoing Warranty Deed to be her voluntary act and deed.

RECEIVED
FOR RECORD

Aug 5 3 13 PM '93

NOTARY PUBLIC
VANDERBURGH COUNTY

Facsimile Cover Sheet

To: DAVID TITZER
Company: SIG&E CO.,
Phone:
Fax: 465-4181

From: John Stoll
Company: Vanderburgh County Engineering
Department
Phone: (812)435-5773
Fax: 435-5676

Date: 12/10/93
**Pages including this
cover page:** 6

Comments: PLEASE FAX OR MAIL FOR CLOSING OF
BURKHARDT ROAD SO WE CAN SUBMIT TO COUNTY
COMMISSIONERS AT MONDAY NIGHT'S MEETING (12-13)

Approved 12/20/93

SUBMIT THROUGH THE VANDERBURGH COUNTY PUBLIC WORKS DEPARTMENT.
PLEASE ATTACH (IF APPLICABLE) PLAN SHEET WITH CUT DIMENSIONS SHOWN
RELATIVE TO PAVEMENT, PLUS ALL RELEVANT DIMENSIONS.
APPLICANT SHALL BE BOUND BY ALL ADDITIONAL INSTRUCTIONS OF THIS FORM.

RECEIVED FOR REVIEW: _____ BY: _____
SITE INSPECTION: NONE NEEDED ATTACHED COMMENTS
ACTION NEEDED: _____

THE UNDERSIGNED STIPULATES THAT HE/SHE HAS READ AND UNDERSTANDS AND
FURTHERMORE AGREES TO FULLY COMPLY WITH THE CONDITIONS, STANDARDS, AND
GUIDELINES SET FORTH IN THE FIVE (5) PAGES OF THIS DOCUMENT AND HAS
THE AUTHORITY TO ENTER INTO THIS BINDING DOCUMENT.

COMPANY: SILCO ADDRESS: _____
BY: David Litz _____
TITLE: Supt. - Gas Const & Maint. _____

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

APPROVED: YES NO

Richard J. Barnes
Vanderburgh Co. Commissioner

THE APPLICANT AGREES TO ERECT AND MAINTAIN ALL NECESSARY BARRICADES, DETOUR SIGNS, WARNING LIGHTS, AND/OR ANY OTHER DEVICES REQUIRED TO SAFELY DIRECT TRAFFIC OVER OR AROUND THE WORK UNTILL ACCEPTABLE TO THE BOARD OF COUNTY COMMISSIONERS AND/OR THEIR DULY APPOINTED REPRESENTATIVE, AND IN ACCORDANCE WITH SECTION "D" OF THE "INDIANA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES."

THE APPLICANT AGREES ROADS WILL NOT BE BLOCKED FROM TRAFFIC, EXCEPT IN ACCORDANCE WITH AN ACCEPTABLE SCHEDULE OF TIMES AND DATES. THIS SCHEDULE SHALL BE SUBMITTED TO THE COUNTY COMMISSIONERS 48 HOURS OR MORE IN ADVANCE OF THE SCHEDULED BLOCKAGES.

THE APPLICANT FURTHER AGREES TO REMOVE ALL RESIDUE AND CONSTRUCTION MATERIAL, THAT MIGHT BE HAZARDOUS TO TRAFFIC, AT THE END OF EACH DAY.

THE APPLICANT AGREES TO ASSUME ALL LIABILITY FOR ANY INJURY OR DAMAGE TO PROPERTY RESULTING DIRECTLY OR INDIRECTLY FROM WORK PERMITTED AND/OR PERFORMED BY THIS APPLICANT.

THE APPLICANT AGREES THAT SAID WORK WILL NOT INTERFERE WITH ANY EXISTING STRUCTURE AND/OR UTILITY, ALONG OR ACROSS SAID ROADWAY, WITHOUT PERMISSION FROM THE OWNER OF SAID STRUCTURE OR UTILITY.

THE APPLICANT AGREES TO STOP WORK AT ANY TIME UPON DIRECTION BY THE VANDERBURGH COUNTY ENGINEER OR HIS DULY APPOINTED REPRESENTATIVE.

THE APPLICANT AGREES THAT A COPY OF THIS PERMIT WILL BE MAINTAINED ON THE SITE WHILE WORK IS IN PROGRESS.

THE APPLICANT AGREES TO GUARANTEE SAID CONSTRUCTION FOR A MINIMUM OF 365 DAYS FROM THE DATE OF COMPLETION.

ON ANY WORK TO INSTALL A PERMANENT UTILITY PLANT, OR OTHER STRUCTURE, SKETCHES WILL BE INCLUDED THAT DENOTE ALL BAFFLES, SHORING, OR BULKHEADS LEFT IN PLACE AND WITH DIMENSIONS RELATIVE TO EDGE OF ROADWAY.

FINISHED ROAD SUFACES WILL BE COMPATIBLE TO EXISTING SURFACES AND STRAIGHT TO A PLANE WITHIN 1/8" IN 10'.

ALL UTILITY LINES ARE TO BE INSTALLED IN A STRAIGHT LINE, AND WITHIN THE BOUNDARIES PRESCRIBED.

PARALLEL TO ROADBED (SHOULDER) CUTS

THE TRENCH SHALL BE COMPACTED WITH ORIGINAL EXCAVATED MATERIAL TO WITHIN 9" OF THE FINISHED SURFACE.

THE UPPERMOST 9" SHALL CONSIST OF COMPACTIBLE AGGREGATE OR ORIGINALLY EXCAVATED MATERIAL COMPACTED USING MECHANICAL (WACKER) METHODS OR HAND TAMPERS UNTIL SATISFACTORY COMPACTION IS OBTAINED. THE LOWER FILL MATERIAL SHALL BE PLACED IN MAXIMUM 12" LIFTS AND COMPACTED BY THE ABOVE METHODS.

NO EXCESSIVE MOUNDS OR DEPRESSIONS WILL BE ACCEPTED.

IN ROADBED CUTS

- BACKFILL MATERIAL:** COMPACTIBLE AGGREGATE IS PREFERRED BUT "B" BORROW IS ACCEPTABLE UNLESS OTHERWISE DIRECTED BY THE VANDERBURGH CO. ENGINEER OR HIS REPRESENTATIVE. ORIGINALLY EXCAVATED MATERIAL MAY BE SUBSTITUTED FOR FILL MATERIAL ONLY FOR GAS LINES.
- CONCRETE STREETS :** TOTAL CONCRETE DEPTH SHALL BE 9 1/4". CONCRETE STREETS SHALL BE SAW CUT A MINIMUM OF 1" PRIOR TO REMOVAL.
- H.A.C. STREETS :** H.A.C. SURFACE SHALL BE PLACED TO A DEPTH OF 1 3/4" AND TACKED ON TOP OF 7 1/2" OF H.A.C. BASE. THE BASE SHALL BE COMPACTED IN 2 DIFFERENT LIFTS.

DEDICATION OF ROADWAY

East Park Development, an Indiana general partnership (EAST PARK), and Stanley D. Unfried* and Sarah P. Unfried,* husband and wife, and Bonnie U. Murphy* (UNFRIED/MURPHY) for One Dollar (\$1.00) and other valuable consideration DO HEREBY DEDICATE to Vanderburgh County, Indiana and the general public, subject to the control and supervision of the County Commissioners of Vanderburgh County, Indiana, an easement for a roadway and right-of-way over, across, under and through that portion of the East half of the Northeast quarter of Section Twenty-four (24), Township Six (6) South, Range Ten (10) West, in Vanderburgh County, Indiana, more particularly described on the attached Exhibit A and as further supplemented by the survey showing the location of said easement for a roadway and right-of-way marked as Exhibit B, said easement for a roadway and right-of-way being for the purposes of constructing, installing, reconstructing, maintaining, repairing and removing a road, it being recognized that utilities (including but not being limited to a sanitary sewer) may be located within said easement.

EAST PARK and UNFRIED/MURPHY and their respective successors in title to said real estate now owned by EAST PARK and UNFRIED/MURPHY located both North of and adjacent to and South of and adjacent to said easement for a roadway and right-of-way shall be entitled to as many curb cuts as permitted by the following formula:

Each curb cut shall be located at least Fifty (50) feet from the Easterly and Westerly boundaries of said real estate now owned by EAST PARK and UNFRIED/MURPHY. The center line of each curb cut shall be at least One Hundred Ten (110) feet from the center line of any other curb cut that is located on the same side of Vogel Road. The right to use said curb cuts shall not be prevented or interfered with by reason of any easements, including but not being limited to public utilities and drainage easements that may be constructed in connection with the use of Vogel Road.

The source of title of said real estate is that deed recorded in Deed Drawer 7, card 8430, in the office of the Recorder of Vanderburgh County, Indiana.

IN WITNESS WHEREOF, EAST PARK has caused the execution of and UNFRIED/MURPHY have hereunto set their hands and seals this 22nd day of June, 1993.

EAST PARK DEVELOPMENT,
a general partnership
By: DECEM INVESTMENTS INC.,
General Partner

By Joseph A. Bean
Joseph A. Bean, Executive
Vice President

Stanley D. Unfried
By Joseph A. Bean
Attorney in Fact
Stanley D. Unfried

Sarah P. Unfried
By Joseph A. Bean
Attorney in Fact
Sarah P. Unfried

Bonnie U. Murphy
By Joseph A. Bean
Attorney in Fact
Bonnie U. Murphy

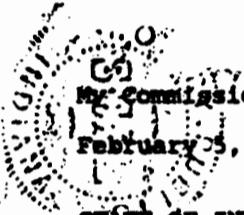
* pursuant to that certain Limited Power of Attorney dated May 10, 1993, and recorded June 22, 1993, in Miscellaneous Drawer 4, as Instrument NO. 93-16016 in the Office of the Recorder of Vanderburgh County, Indiana

RECEIVED
JUN 24 1993
VANDERBURGH COUNTY

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Joseph A. Ream, personally known to me to be the Executive Vice President of Decem Investments Inc, which corporation is the General Partner of East Park Development, the said Joseph A. Ream as such Executive President having acknowledged the execution of the foregoing instrument for and on behalf of Decem Investments Inc. as the General Partner of East Park Development.

WITNESS my hand and Notarial Seal this 22nd day of June, 1993.



My Commission Expires:
February 5, 1994

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

Signature W. Jack Schroeder
Printed W. Jack Schroeder
Notary Public residing in
Vanderburgh County, Indiana

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within Joseph A. Ream, who acknowledged the execution of the foregoing instrument to be his voluntary act and deed as attorney-in-fact for Stanley D. Unfried and Sarah P. Unfried, husband and wife, and as attorney-in-fact for Bonnie U. Murphy.

WITNESS my hand and Notarial Seal this 22nd day of June, 1993.



My Commission Expires:
February 5, 1994

This instrument prepared by W. Jack Schroeder, Attorney

Signature W. Jack Schroeder
Printed: W. Jack Schroeder
Notary Public residing in
Vanderburgh County, Indiana

Grant County Commissioners Civic Center Complex, Evansville, IN

DAILY ENTERED FOR TAXATION SUBJECT
TO FINAL ACCEPTANCE FOR TRANSFER.

JUN 28 1993

Sam Thompson
AUDITOR

DESCRIPTION OF PARCEL NO. 3

BOUNDARY DESCRIPTION

ROADWAY EASEMENT ACROSS EASTPARK DEVELOPMENT PROPERTY

A part of the East Half of the Northeast Quarter of Section 24, Township 6 South, Range 10 West of the Second Principal Meridian, Vanderburgh County, Indiana, described as follows:

Commencing at the southeast corner of the East Half of said quarter section; thence North 89 degrees 53 minutes 12 seconds West (assumed bearing) along the south line of said half quarter section 1349.34 feet to the southwest corner of the East Half of said quarter section, said corner also being the southwest corner of the Grantor's property; thence North 01 degree 04 minutes 02 seconds East along the west line of the Grantor's property 1341.28 feet to the POINT OF BEGINNING of this description; thence continue North 01 degree 04 minutes 02 seconds East along said west line 60.00 feet; thence South 89 degrees 04 minutes 44 seconds East 1251.86 feet; thence North 46 degrees 26 minutes 09 seconds East 72.42 feet to a point on the West Right of Way for Burkhardt Road; thence South 00 degrees 26 minutes 29 seconds West along said west Right of Way line 160.00 feet; thence North 46 degrees 11 minutes 00 seconds West 72.35 feet; thence North 89 degrees 04 minutes 44 seconds West 1252.12 feet; to the point of beginning and containing 1.857 acres, more or less.

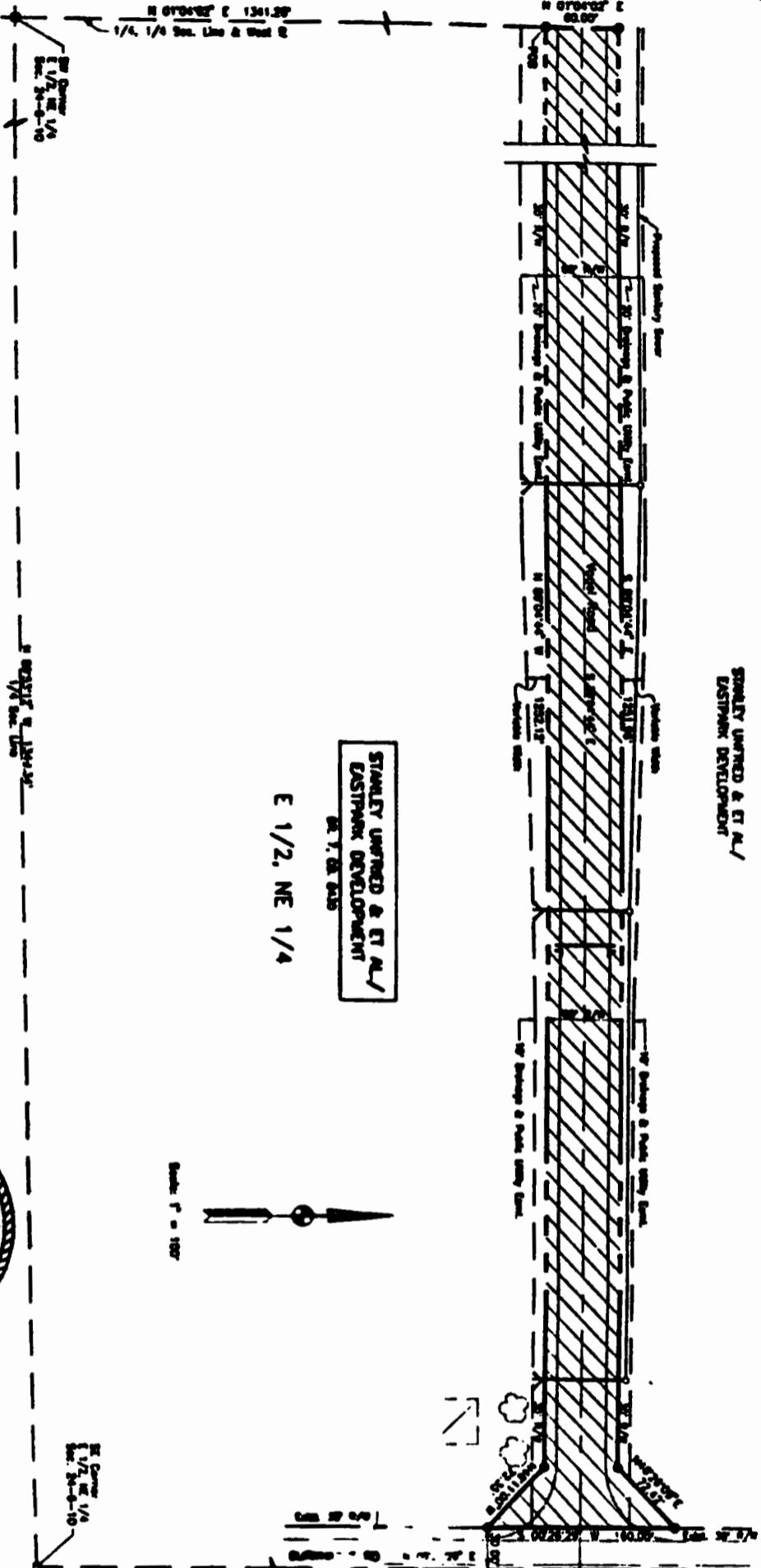
Exhibit A

STANLEY UNFRIED & ET AL/
EASTPARK DEVELOPMENT

STANLEY UNFRIED & ET AL/
EASTPARK DEVELOPMENT
DE 7, 8, 9, 10

E 1/2, NE 1/4

Scale: 1" = 100'



Stanley Unfried

EXHIBIT "A"
PARCEL NO. 3
STANLEY UNFRIED & ET AL/
EASTPARK DEVELOPMENT
STANLEY UNFRIED & ASSOC., INC.
1000 N. W. 10th St., Suite 1000
Fort Lauderdale, FL 33304

Exhibit B

93-16601

DEDICATION OF ROADWAY

Marcellus Hirsch (HIRSCH) for One Dollar (\$1.00) and other valuable consideration DOES HEREBY DEDICATE to Vanderburgh County, Indiana and the general public, subject to the control and supervision of the County Commissioners of Vanderburgh County, Indiana, an easement for a roadway and right-of-way over, across, under and through that portion of the West half of the Northeast quarter of Section Twenty-four (24), Township Six (6) South, Range Ten (10) West, in Vanderburgh County, Indiana, more particularly described on the attached HIRSCH EXHIBIT, said easement for a roadway and right-of-way being for the purposes of constructing, installing, reconstructing, maintaining, repairing and removing a road, it being recognized that utilities (including but not being limited to a sanitary sewer) may be located within said easement.

HIRSCH and HIRSCH'S successors in title to said real estate now owned by HIRSCH located both North of and adjacent to and South of and adjacent to said easement for a roadway and right-of-way shall have direct access to the roadway to be constructed within said easement for a roadway and right-of-way and shall be entitled to as many curb cuts as permitted by the following formula:

Each curb cut shall be located at least Fifty (50) feet from the Easterly and Westarly boundaries of said real estate now owned by HIRSCH. The center line of each curb cut shall be at least One Hundred Ten (110) feet from the center line of any other curb cut that is located on the same side of Vogel Road. The right to use said curb cuts shall not be prevented or interfered with by reason of any easements, including but not being limited to public utilities and drainage easements that may be constructed in connection with the use of Vogel Road.

The source of title of said real estate is that deed recorded in Deed Record 282, page 556, in the office of the Recorder of Vanderburgh County, Indiana.

IN WITNESS WHEREOF, HIRSCH has hereunto set his hand and seal this 15 day of June, 1993.

Marcellus Hirsch
Marcellus Hirsch

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Marcellus Hirsch, who acknowledged the execution of the foregoing Dedication of Roadway to be his voluntary act and deed.

RECEIVED FOR RECORD

WITNESS my hand and Notarial Seal this 15 day of June, 1993. Jan 28 4 22 PM '93

BETTY E. HANN
RECORDER OF
VANDERBURGH COUNTY

Signature Law Rodriguez

My Commission Expires

Printed Law Rodriguez

04-30-94

Notary Public residing in Vanderburgh County, Indiana

This instrument prepared by W. Jack Schroeder, Attorney

Grantee: County Commissioners Civic Center Complex, Evansville, IN

Part of the West Half of the Northeast Quarter of Section 24,
Township 6 South, Range 10 West in Vanderburgh County,
Indiana, more particularly described as follows:

Commencing at the southeast corner of the East Half of said
quarter section; thence north 89 degrees 53 minutes 12 seconds
west (assumed bearing) along the south line of said half
quarter section a distance of 1349.34 feet to the southeast
corner of the West Half of said quarter section, said corner
also being the southeast corner of Grantor's property; thence
north 01 degrees 04 minutes 02 seconds east along the east
line of Grantor's property a distance of 1342.06 feet to the
point of beginning; thence north 89 degrees 15 minutes 11
seconds west a distance of 330.85 feet to a point on the west
line of Grantor's property; thence north 01 degrees 19 minutes
00 seconds east along said west line a distance of 60.00 feet;
thence south 89 degrees 15 minutes 11 seconds east a distance
of 330.59 feet to a point on Grantor's east property line;
thence south 01 degrees 04 minutes 02 seconds east along said
east line a distance of 60.00 feet to the point of beginning,
containing 0.455 acres (19,843 square feet).

DULY ENTERED FOR TAXATION SUBJECT
TO FINAL ACCEPTANCE FOR TRANSFER.

3521 .1111 28 1993
AUG. 28 1993
AUG. 28 1993

HIRSCH EXHIBIT

4700 47
110 11

93-16600

DEDICATION

Alma M. Corressell (Corressell) for One Dollar (\$1.00) and other valuable consideration DOES HEREBY DEDICATE to Vanderburgh County, Indiana and the general public, subject to the control and supervision of the County Commissioners of Vanderburgh County, Indiana the following described real estate located in Vanderburgh County, Indiana:

Part of the West half of the Northeast quarter of Section Twenty-four (24), Township Six (6) South, Range Ten (10) West, in Vanderburgh County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the East half of said quarter section; thence North 89° 53' 12" West (assumed bearing) along the South line of said half quarter section One Thousand Three Hundred Forty-nine and Thirty-four Hundredths (1,349.34) feet to the Southeast corner of the West half of said quarter section; thence North 89° 53' 26" West along the South line of the West half of said quarter section Three Hundred Thirty-six and Eighty-seven Hundredths (336.87) feet to the Southeast corner of Corressell's property; thence North 01° 19' 21" East along the East line of Corressell's property One Thousand Three Hundred Forty-four and Eighty-five Hundredths (1,344.85) feet to the point of beginning; thence North 89° 17' 15" West Three Hundred Thirty and Eighty-two Hundredths (330.82) feet to a point on the West line of Corressell's property; thence North 01° 34' 38" East along said West line Sixty and One Hundredth (60.01) feet; thence South 89° 17' 15" East Three Hundred Thirty and Fifty-five Hundredths (330.55) feet to a point on Corressell's East property line; thence South 01° 19' 21" East along said East line Sixty (60) feet to the point of beginning,

as an easement and right-of-way over, across, under and through the above described real estate for the purpose of constructing, installing, reconstructing, maintaining, repairing and removing: (a) a roadway; (b) utilities, including but not being limited to gas, electric, water and sanitary sewer; and (c) drainage, including but not being limited to for surface water and storm water, which easement shall hereinafter be referred to as DEDICATED EASEMENT.

Corressell and Corressell's successors in title to the real estate now owned by Corressell located both North of and adjacent to and South of and adjacent to the DEDICATED EASEMENT shall have not less than two (2) curb cuts along the Northern boundary and not less than two (2) curb cuts along the Southern boundary of the roadway to be constructed pursuant to the DEDICATED EASEMENT so that Corressell and Corressell's successors in title to said real estate now owned by Corressell shall have direct access to the roadway to be constructed within the DEDICATED EASEMENT. In this regard, the use of the DEDICATED EASEMENT for utilities, drainage or otherwise shall in no way interfere with or prevent access to the roadway to be constructed within the DEDICATED EASEMENT both from the North and from the South as herein contemplated. Source of title is deed recorded in Deed Record 282, page 557, in the office of the Recorder of Vanderburgh County,

IN WITNESS WHEREOF, Alma M. Corressell has hereunto set her hand and seal this 24th day of September, 1991. Indiana.

Alma M. Corressell
Alma M. Corressell

RECEIVED
FOR RECORD
Jan 28 4 22 PM '93
RECORDED
VANDERBURGH COUNTY

VENDOR 040526 BOARD OF C 12/16/93

INVOICE DATE	INVOICE DESCRIPTION	GROSS AMOUNT	DISCOUNTS, RETENTIONS PAYMENTS TO DATE	NET AMOUNT THIS CHECK
12/12/93	RENT	200.00	.00	200.00

ER CONTRACTING CORP.
-WAY 41 NORTH
E. INDIANA 47711

GROSS AMOUNT	NET AMOUNT
200.00	200.00

DESTER
TRACTING CORP.
WAY 41 NORTH EVANSVILLE, INDIANA 47711

040526

CHECK DATE 12/16/93
CHECK NUMBER 040526

HUNDRED DOLLARS AND 00 CENTS

PAY THIS AMOUNT
*****200.00

BOARD OF COMMISSIONERS
305 ADMIN. BLDG.
EVANSVILLE, IN 47708

D. Robert Brown
AUTHORIZED SIGNATURE

NAL BANK
ND

NOT VALID WITHOUT TWO SIGNATURES OVER \$15000

⑆040526⑆ ⑆086300012⑆ ⑆41000074 4⑆

PRESCRIBED BY STATE BOARD OF ACCOUNTS COVER FORMS SYSTEMS, MUNCIE, IN.

FORM NO. 219 (REV. 1989)

APPR. No. 310 \$ 2,083.30

General FUND

No. 3696

Clerk-Treasurer Town of **Barnstادت, Indiana**
Dec. 16, 1993

THIS WARRANT VOID TWO (2) YEARS AFTER
DEC. 31 OF THE YEAR OF ISSUE

PAY TO THE ORDER OF Vanderburgh County \$ 2,083.30

Two Thousand Eighty Three and 30/100 ----- DOLLARS

OLD NATIONAL BANK
EVANSVILLE, INDIANA

SUBJECT TO ALL DELINQUENT TAX CHARGES AGAINST THE PAYEE

George Kestemeyer
CLERK-TREASURER

⑆086300012⑆ 41000025 6⑆

CLAIM

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.

TOWN OF Osawatimille, INDIANA
On Account of Appropriation for _____ To Vanderburgh County
Address _____

DATE 19	ORDER NO	ITEMIZED CLAIM	DOLLARS	CTS
12-17-93		Law Enforcement Agreement with Vand. County for period 8/1/93 to 12/31/93 @ 416.66/mo	2083	50

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953.
I hereby certify that the foregoing 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 _____ 19 _____
SIGNATURE Richard Bonies TITLE 12-20 93



REQUEST FOR APPROPRIATION

DEPARTMENT: County Commissioners DATE: 12/14/93

ACCOUNT	LINE ITEM	AMOUNT
130-3530	Contractual Services	18,252.00

EXPLANATION OF NEED FOR REQUEST

See attached invoice # 00042

VANDERBURGH COUNTY
REC'D

DEC 14 1993

Sam Thompson
AUDITOR

BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPR
130-3530	*No money was budgeted for this			

VCC-2

DEPARTMENT HEAD: *Richard J. P...*



Environmental
Consulting
& **Engineering**
Company, Inc.

Invoice # 00042

Order Date
Completion
Invoice Date 9/16/93
PO #
Job # E-93-0006

Attn: John Stoll
Vanderburgh County Highway Garage
5105 St. Joseph Ave.
Evansville, IN 47712

DATE	DESCRIPTION	AMOUNT
August	Analysis - 18 @ \$975	\$17,550.00
Sub Total		<u>\$17,550.00</u>
Insurance - 4% of total invoice		\$ 702.00
TOTAL AMOUNT DUE		<u>\$18,252.00</u>

REQUEST FOR APPROPRIATION

DEPARTMENT: County Commissioners

DATE: 12/15/93

EB

ACCOUNT	LINE ITEM	AMOUNT
130-3530	Contractual	4,827.04

EXPLANATION OF NEED FOR REQUEST

See attached bill

VANDEBURGH COUNTY
REC'D

DEC 15 1993

Leon Thompson
AUDITOR

BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPROP
130-3530		No money was budgeted for this		

VCC-2

DEPARTMENT HEAD: Richard F. Corrie
mf



STATEMENT OF CHARGES

December 7, 1993

To: County of Vanderburgh, Indiana
From: Waggoner, Irwin, Scheele & Associates
RE: Fees for Professional Consulting Services
per contractual agreement authorized by
County Commissioners on March 15, 1993:

ADA Elected official/supervisor training:

10 Consultant hours @ \$40.00 per hour \$ 400.00
6 Principal hours @ \$85.00 per hour \$ 680.00

Prepare new job descriptions County Highway, Sheriff,
Burdette Park, Auditorium, Legal Aid, Weights & Measures:

74 Consultant hours @ \$40.00 per hour \$2,960.00

Plus Expenses: October 13, 1993

Lodging	81.32
2-Per Diem	48.00
Mileage 544 @ .28	<u>152.32</u>
	281.64

November 16, 1993

Lodging	82.32
2-Per Diem	48.00
Mileage 544 @ .28	<u>152.32</u>
	282.64

December 2, 1993

Lodging	46.44
1-Per Diem	24.00
Mileage 544 @ .28	<u>152.32</u>
	222.76

TOTAL DUE \$4,827.04

THANK YOU

TO: REZONINGS FOR DECEMBER 20, 1993

REZONING PETITIONS

FIRST READINGS:

VC-19-93 - Petitioner/Sylvester J. Elpers
19600 Highway 41 North
(Agricultural to C-4)

THIRD READINGS:

VC-17-93 - Petitioner/Greggory A. Kirves
4141 Old Henderson Rd.
(C-4 to Agricultural)

VC-18-93 - Petitioner/Alfred H. Bauer, Jr.
11700 Oak Meadow
(C-4 to R-4)

Note: No Rezoning were listed on the DRAFT OR FINAL Meeting Agenda. I called Area Plan and this is what they gave me for the December 20th meeting.

Joanne

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

nderburgh County, Indiana

Invoice#IR9400303

Provider#10202

To Indiana Department of Transportation..... Dr.

Account of Appropriation For Project RRP-E160(001)..... 216-492L Red Bank

Order Number	ITEMIZED CLAIM	DOLLARS	Cts.
	Railroad initial payment for Project RRP-E160(001) in accordance with the agreement dated October 1, 1992, computed as follows:		
	Total Estimated Cost	\$84,658.00	
	Less: Federal Participation @90%	(76,192.20)	
	County's Portion of Estimated Costs	\$8,465.80	
	Location: Red Bank Road near Evansville		
	Total Amount Due INDOT	\$8,465.80	

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953, 400-816-901; PH60; N

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

December 8, 1993

Alan A. Hancock
Accounts Receivable Supervisor
Title

Shaw

contact Jeffrey Woods at (317) 444-1111

Sincerely,

Alan A. Hancock
Alan A. Hancock
Accounts Receivable Supervisor

AAH/mr
Enclosure
cc: Mr. Shaw
Mr. Boyle
File

FILED

DEC 10 1993

STATE OF INDIANA)
COUNTY OF VANDERBURGH)

SS:

Betty Knight Smith
CLERK

IN THE VANDERBURGH SUPERIOR COURT

BOARD OF COMMISSIONERS OF)
VANDERBURGH COUNTY)

vs.)

CAUSE NO. 82DO3-9210-CP-1859

JOHN F. W. KOCH)
WANDA L. KOCH)
UNION FEDERAL SAVINGS BANK)

FINDINGS AND JUDGEMENT

Comes now the plaintiff, Board of Commissioners of Vanderburgh County, by counsel, Alan M. Kissinger, and come now the defendants, John and Wanda Koch, by counsel, Leslie C. Shively, and withdraw their requests for jury trial, and this cause is now submitted to the Court on the issues formed by the pleadings and exceptions heretofore filed by the parties, and the Court, being duly and fully advised, now finds and orders as follows:

1. That plaintiff filed its complaint for the appropriation of the fee simple title to defendants' real estate on October 5, 1992, which complaint is in the following words and figures:

(H. I.)

Defendants were properly served with notice, as provided by the applicable statutes, prior to the hearing in this cause;

2. That on February 5, 1993, an Order of Appropriation was entered on the record of the Vanderburgh Superior Court, by Judge Scott R. Bowers, ordering that fee simple title to defendants' real estate be condemned for the uses and purposes described in plaintiff's complaint, and granting a temporary easement to plaintiff in and to defendants' real estate for the temporary uses and purposes described in the complaint;

3. That by said Order of Appropriation the Court also appointed three (3) disinterested freeholders of Vanderburgh County to assess any damages and benefits to defendants caused by the appropriation;

4. That on February 24, 1993, the Court-appointed appraisers returned their report to the Court, assessing total damages in the amount of Three Thousand Two Hundred Dollars (\$3,200.00), which sum the plaintiff deposited with the Vanderburgh County Clerk, together with the Court-appointed appraisers' fees in the amount of One Thousand Three Hundred Fifty Dollars (\$1,350.00);

5. That thereafter both plaintiff and defendants timely filed exceptions to the Court-appointed appraisers' report;

6. That the total value of the fee simple title to defendants' real estate and the temporary easement appropriated by plaintiff is in the amount of Five Thousand Seven Hundred Dollars (\$5,700.00), which amount includes any interest to which defendants may be entitled, and defendants should recover from the plaintiff total damages in the amount of Five Thousand Seven Hundred Dollars (\$5,700.00).

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Order of Appropriation filed herein on February 5, 1993, is hereby confirmed, together with fee simple title to defendants' real estate and the grant of a temporary easement which are described in Exhibit "A", which is attached hereto and made a part of this judgement.

IT IS FURTHER ORDERED that defendants have and recover from plaintiff, as final and total damages, the sum of Five Thousand Seven Hundred Dollars (\$5,700.00) which amount includes any

interest to which defendants may be entitled.

IT IS FURTHER ORDERED that the Vanderburgh County Clerk release the sum of Three Thousand Two Hundred Dollars (\$3,200.00) to defendants or their legal counsel, Leslie C. Shively.

IT IS FURTHER ORDERED that the Vanderburgh County Clerk promptly transmit a certified copy of this judgement to the Recorder of Vanderburgh County, and said Recorder is hereby ordered to record the transfer of defendants' real estate and the temporary easement, pursuant to this judgement, the legal descriptions of which appear in Exhibit "A", appropriated by the Board of Commissioners of Vanderburgh County; and, pursuant to I.C. 8-13-2-12.3 and I.C. 8-13-22-1, said recording is to be made without fee.

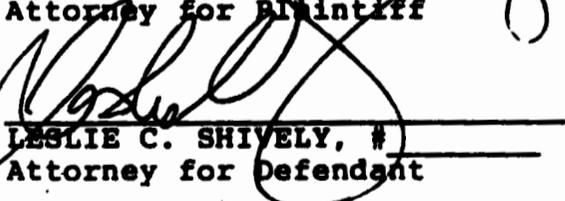
IT IS FURTHER ORDERED that the Recorder of Vanderburgh County submit evidence of the recording of said transfer of real estate and grant of temporary easement to the Board of Commissioners of Vanderburgh County.

DATED this 10th day of December, 1993.


HONORABLE SCOTT R. POWERS
JUDGE, VANDERBURGH SUPERIOR COURT

APPROVED:


ALAN M. KISSINGER, #5229-82
Attorney for Plaintiff


LESLIE C. SHIVELY, #
Attorney for Defendant

A part of the East Half of the Northeast Quarter of Section 11, Township 6 South, Range 10 West and a part of Lot 1 in Green Manor, a Subdivision of part of the East One-Half of the Northeast Quarter of Section 11, Township 6 South, Range 10 West, in Vanderburgh County, Indiana, as per plat thereof, recorded in Plat Book I, page 269, in the office of the Recorder of Vanderburgh County, Indiana, described as follows: Commencing at the southeast corner of said quarter section; thence North 0 degrees 28 minutes 39 seconds West 278.22 feet along the east line of said section to the prolonged south line of the owners' land; thence South 89 degrees 55 minutes 58 seconds West 40.00 feet along said prolonged south line to the southeast corner of Lot 1 and the point of beginning of this description; thence South 89 degrees 55 minutes 58 seconds West 28.94 feet along the south line of the owners' land; thence North 13 degrees 57 minutes 21 seconds East 96.04 feet; thence North 89 degrees 31 minutes 21 seconds East 5.00 feet to the east line of said Lot 1; thence South 0 degrees 28 minutes 39 seconds East 93.22 feet along the east line of said Lot 1 to the point of beginning and containing 0.036 acres, more or less.

An easement in and to the following-described real estate, to-wit: A part of Lots 1 and 2 in Green Manor, a Subdivision of part of the East One-half of the Northeast quarter of Section 11, Township 6 South, Range 10 West, in Vanderburgh County, Indiana, as per plat thereof, recorded in Plat Book I, page 269, in the office of the Recorder of Vanderburgh County, Indiana, described as follows: Beginning on the east line of Lot 1, North 0 degrees 28 minutes 39 seconds West 93.22 feet from the Southeast corner of said Lot 1, thence South 89 degrees 31 minutes 21 seconds West 5.00 feet; thence North 0 degrees 28 minutes 39 seconds West 35.00 feet; thence South 89 degrees 31 minutes 21 seconds West 15.00 feet; thence North 0 degrees 28 minutes 39 seconds West 40.00 feet; thence North 89 degrees 31 minutes 21 seconds East 15.00 feet; thence North 0 degrees 28 minutes 39 seconds West 43.60 feet to the north line of the owners' land; thence South 80 degrees 59 minutes 00 seconds East 5.07 feet to the northeast corner of said Lot 1; thence South 0 degrees 28 minutes 39 seconds East 117.76 feet along the east line of said Lot 1 to the point of beginning and containing 1,191 square feet, more or less, for the purpose of constructing a driveway for service to the owners' private property and for the purpose of lawn grading which easement will revert to the owners upon the completion of the above-designated project.

EXHIBIT "A"

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

Vanderburgh County, Indiana

Invoice#IR9400303
Provider#10202

To Indiana Department of Transportation..... Dr.

On Account of Appropriation For Project RRP-E160(001)..... 216-492L Red Bank

19....	Order Number	ITEMIZED CLAIM	DOLLARS	Cts.
		Railroad initial payment for Project RRP-E160(001) in accordance with the agreement dated October 1, 1992, computed as follows:		
		Total Estimated Cost	\$84,658.00	
		Less: Federal Participation @90%	(76,192.20)	
		County's Portion of Estimated Costs	\$8,465.80	
		Location: Red Bank Road near Evansville		
		Total Amount Due INDOT	\$8,465.80	

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953, 400-816-901; PH60; 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... December 8....., 19 93....

Alan A. Hancock
Accounts Receivable Supervisor
Title

Shaw

contact Jeffrey Woods at (317)232-6778.

Sincerely,

Alan A. Hancock
Alan A. Hancock
Accounts Receivable Supervisor

AAH/mr
Enclosure
cc: Mr. Shaw
Mr. Boyle
File

TO: REZONINGS FOR DECEMBER 20, 1993

REZONING PETITIONS

FIRST READINGS:

VC-19-93 - Petitioner/Sylvester J. Elpers
19600 Highway 41 North
(Agricultural to C-4)

THIRD READINGS:

VC-17-93 - Petitioner/Greggory A. Kirves
4141 Old Henderson Rd.
(C-4 to Agricultural)

VC-18-93 - Petitioner/Alfred H. Bauer, Jr.
11700 Oak Meadow
(C-4 to R-4)

Note: No Rezoning were listed on the DRAFT OR FINAL Meeting Agenda. I called Area Plan and this is what they gave me for the December 20th meeting.

Joanne

**MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 4, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 6:00 p.m.	1
Introductions & Pledge of Allegiance	1
Reorganization of the Board of Commissioners	1
Evansville Housing Authority/Katheryn Snodgrass/Request re Surplus Properties	1
Koester Environmental Services/Rick Niehaus re Drainage Board Meeting	3
Building Commission/Proposed Amended Ordinance	3
Purchasing Department/Daryn Burgdorf	3
Bid Opening/3/4 Ton Trucks for County Highway	
Bid Opening/4-Wheel Drive Vehicle for County Highway Garage	
Ordinance Amending Chapter 153 (Zoning Code)..Deferred....	4
Addendum to Lease Agreement/Weights & Measures	4
Petition to Vacate Drainage Easement/Glenn Wood	4
(Public Hearing Scheduled 1/24/94 @ 5:30 p.m.)	
Ordinance to Amend Chapter 32 (Weights & Measures)	5
Approved on Second Reading; Final Reading Scheduled 1/10/94; needs to be re-advertised	
Board Appointments for 1994	5
Acceptance of County Employees for 1994	5
County Attorney/Alan M. Kissinger	6
Reading of Bids - 3/4 Ton Trucks	
Reading of Bids - 4 Wheel Drive Vehicles	
*All bids taken under advisement	
Superintendent of County Buildings/Mark Abell	6
Treasurer's Report	
United Way Campaign	
Coliseum/Mortar Problems on South Wall; declared emergency situation; M. Abell authorized to commence with repairs as soon as second quote is obtained; estimated \$4,000 in repairs	
County Highway - Bill Morphew	6
Mr. Morphew absent; will present Progress Reports next week	
Commendations to County Highway Personnel for work on roads during period of inclement weather	
County Engineer - John Stoll	7
Acceptance of Street in Autumn Hills/Sections I and II/Walking Horse Lane (2,095 l.f.)	
Copy of acceptance documents attached hereto	
Street Plans/Deerfield Subdivision/Section II	
Deerfield Subdivision/Section II/Request for Waiver of Sidewalks approved; Board notes that whenever Section III is submitted, sidewalks will be required due to high density	

House on West Mill Rd./B. Higgins to go out there
tomorrow morning

Consent Agenda	8
Scheduled Meetings	8
Drainage Board Meeting (6:30 .m. on 1/31/94)	
Executive Session (4:30 p.m. on 1/18/94)	
Old Business	8
Cumulative Capital Development Fund	
(ATty. Kissinger to prepare letter to be	
Faxed to the State tomorrow)	
New Business	10
Budget Problems/List to be Compiled to Address Same	
Meeting Adjourned @ 7:15 p.m.	14

MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 4, 1994

The Vanderburgh County Board of Commissioners met in session at 6:00 p.m. on Tuesday, January 4, 1994 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, Attorney Kissinger, Commissioners Tuley and Hunter, himself, Chief Deputy Auditor Cindy Mayo and Sunny Titzer, Acting Recording Secretary) and asked the group to stand for the Pledge of Allegiance.

RE: REORGANIZATION OF THE BOARD

Commissioner Borries said that as per law, since this is the first meeting of the year, they will be reorganizing the Board. He then nominated Pat Tuley to serve as President of the Board for 1994. Seconded by Commissioner Hunter. So ordered.

Commissioner Borries presented the gavel to President Tuley, who subsequently nominated Commissioner Rick Borries to serve as Vice President during 1994. Seconded by Commissioner Hunter. So ordered.

Commissioner Tuley asked if there are any individuals or groups present this evening who wish to address the Commission but do not find their particular item of interest on the printed agenda.

RE: EVANSVILLE HOUSING AUTHORITY - KATHERYN SNODGRASS

Ms. Katheryn Snodgrass was recognized and said the Evansville Housing Authority is making a joint application to HUD for a planning grant for a program called Youth Bill. The purpose of the Youth Bill program is to train low income people between the ages of 16 and 24 who have dropped out of high school and to train them in the construction industry. They will be given support services -- so at the end of that time they can move into a union apprenticeship program or into a job that pays enough that they can live outside of public housing. The second part of the Youth Bill program is to add additional low income housing to a neighborhood. The Evansville Housing Authority and the Evansville Urban Enterprise Association are making this joint application and cooperating with several other agencies in town to get a planning grant which would give us one year to put together a training program and the construction part of the training. They are coming to the County Commissioners to see if they would consider transferring to this program vacant properties they have -- specifically homes that could be either rehabilitated or lots where new homes could be constructed.

Mr. Royce Sutton said the mission of his organization is to provide programs and services for public housing residents. They work in cooperation with the Housing Authority. They are a non profit organization and they are very hopeful they might be able to work together with the County on this particular grant for which they are making application -- so they might be able to provide some opportunities for a number of individuals here in the County. They are going to be working together with the Housing Authority in terms of providing some personnel. But it is a very highly competitive grant and the only way that a particular entity will get this grant is if they can show a spirit of cooperation in their local area. They're coming today in hopes they might be able to

acquire some property so they can train individuals in this program and be able to provide some new housing opportunities and show there is a spirit of cooperation here in Vanderburgh County and the City of Evansville. They are hopeful the Commissioners will be supportive of their efforts in this regard.

In response to query from Commissioner Hunter, Ms. Snodgrass reiterated the youth would be between the ages of 16 and 24 and they would want them to have been out of high school -- so they don't drop out of high school and come directly into this program. When they come into the program they would be in the program for two years -- so it is very important they make the commitment and, of course, their assessment and intake of the individual would be important. But, yes, high school dropouts. And part of this program will get them their GED's and give them the support they need in this program. Maybe they failed in high school and other things. What they want to do is build up their confidence -- so they say they can do this -- and then provide them the support services they need. The Housing Authority found out about this program. They are applying -- but they are putting together a consortium. A major part of the planning grant is groups, other agencies, non profits -- that would work together on this -- because it would be an Evansville project. The participants are not limited to public housing residents.

Commissioner Borries can said he cannot think of a better way to put these surplus tax properties to good use. Sometimes we live in a very anti-government mood -- but let's say there are lots of strings attached to surplus properties and how we can dispose of these. But, as he says, he can think of no better way to put these properties to good use. Is there a deadline?

Ms. Snodgrass said the deadline for submitting the planning grant application is January 7th (Friday). It has to be into HUD by 4:00 p.m. EST on Friday. What they need is as strong a letter of commitment as possible. They're not looking at hundreds of homes to begin with; they are looking at eight (8) and they don't have to have the homes immediately. What they do need is evidence of a firm commitment to the program and indication that the Commissioners would work with them in transferring those properties.

Commissioner Borries said the Commissioners have a lot of legal things they have to do -- but requested that the County Attorney be asked to draft a brief letter.

Commissioner Tuley said this sounds like an excellent program. It's a win-win for everybody involved for the City of Evansville -- in terms of taking blighted, non-paying properties and training these kids and individuals who may not have any other source of training and getting this property back on the tax rolls. That's how the County got them to begin with -- by no taxes being paid on the properties. He's talked to the Commissioners about a program they have in Ft. Wayne, where the County is somehow transferring these properties -- so we're looking into the legal ramifications as to how we can transfer these properties to non-profit organizations. Mr. Tuley then entertained a motion.

Motion made by Commissioner Borries that the Board authorize the County Attorney to draft a letter for the Commissioners' signatures so we can meet the deadline for support of this project. Seconded by Commissioner Hunter. So ordered.

Attorney Kissinger said he would like to suggest a form of Resolution, so we can include in the letter that we have actually adopted a Resolution of Support. He would basically suggest that one of the Commissioners move that the Board of Commissioners adopt a Resolution of Support for the efforts of the Housing Authority of the City of Evansville and the Evansville Urban Enterprise

Association with their application for the Youth Bill Grant. If the planning grant is obtained, the Board of Commissioners will assist the agencies through all legal means to transfer eight (8) buildings or vacant properties to Avondale, Inc. If one of the Commissioners would make a motion to adopt such a resolution.

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

Attorney Kissinger said he will dictate a letter tomorrow to the County Commissioners' executive secretary indicating that on this date the resolution of support was adopted and that we do have the properties presently available that you seek -- if they will tell him to whom that letter should be addressed.

Ms. Snodgrass said it should be directed to Mr. John W. Collier, Executive Director of the Evansville Housing Authority.

Mr. Tuley asked if there are other groups or individuals who wish to address the Commission.

RE: KOESTER ENVIRONMENTAL SERVICES - RICK NIEHAUS

Mr. Rick Niehaus was recognized and said he represents Koester Environmental Services. They had a plan that was scheduled to appear before the Drainage Board last Tuesday and they're just curious as to when the Drainage Board will meet. Hopefully, not at the end of the month. They are looking at some time next week -- if possible.

Following brief discussion between the Commissioners and the County Attorney and in response to query concerning necessity for advertising a meeting of the Drainage Board, Attorney Kissinger said the Board is simply rescheduling a Drainage Board meeting that was canceled as a result of bad weather. Under those circumstances he doesn't think the meeting falls either under the "Special" or "Emergency" meeting category.

Motion made by Commissioner Hunter that the December drainage meeting canceled due to inclement weather be rescheduled for next Monday, January 10th, immediately subsequent to the Commission meeting. Seconded by Commissioner Borries. So ordered.

Commissioner Borries said he would also acknowledge that there was a conversation prior to this meeting being rescheduled -- because Mr. Jim Morley also had requested some information and suggested the meeting be rescheduled. The whole thrust of the conversation was whether or not it is legal to do this or whether it has to be advertised.

Commissioner Tuley entertained further questions or comments.

RE: BUILDING COMMISSION/PROPOSED AMENDED ORDINANCE

Following brief discussion, it was the consensus of the Board that this matter be deferred until next week.

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

RE: PURCHASING DEPARTMENT - DARYN BURG DORF

Bid Opening/3/4 Ton Pick-Up Trucks/County Highway: Mr. Burgdorf said he is requesting the County Attorney be authorized to open the subject bids. Bid opening was scheduled last week, but delayed due to cancellation of the meeting.

Motion to authorize Attorney Kissinger to open the bids was made by Commissioner Hunter, with a second from Commissioner Borries. So

ordered.

Commissioner Borries noted there seems to be opposition on the part of at least one individual on the County Council for the County Highway to have a 4-wheel vehicle. He doesn't know whether politics is involved in this or what; that wouldn't surprise him -- but be that as it may, he can't think of anyone who definitely needs a 4-wheel drive vehicle more than the County Highway. To him that makes more sense than any other 4-wheel vehicle we could purchase for the County. We don't do it on a regular basis and he doesn't know what the problem is.

Commissioner Hunter queried Mr. Burgdorf concerning the cost of a 4-wheel drive vehicle as opposed to a 2-wheel drive.

Mr. Burgdorf said around \$2,000 or under. In continuing, Mr. Burgdorf said he talked with Bill Morpew today and they agreed the bids should be taken under advisement for one week so they will have ample opportunity to review all the bids.

RE: ORDINANCE AMENDING CHAPTER 153 (ZONING CODE) OF THE COUNTY CODE OF ORDINANCES/FINAL READING

It was the consensus of the Board that this item be deferred until next week.

RE: ADDENDUM TO LEASE AGREEMENT/WEIGHTS & MEASURES

In response to query from Commissioner Tuley, Ms. Loretta Townsend said this is simply a renewal of the current lease -- unless there are some questions.

Commissioner Hunter suggested Legal Counsel review the lease before the Commissioners execute the agreement.

Ms. Townsend said the only thing the Commissioners may question is that the "Tenant" shall pay \$15.00 per month for each parking space requested. That is for their own personal vehicles they park there -- because the three (3) county vehicles which are in "secure" parking are included. The \$15.00 paid by the tenant for parking has nothing to do with the County vehicles. The four (4) individuals pay for their own parking. There is no charge for parking the county vehicles.

Attorney Kissinger noted the County is the "tenant" -- so if Ms. Townsend or one of the other W&M employees did not pay their \$15.00 per month parking fee, then the County would be bound to pay for same.

Mr. Borries asked what if the lease is amended to state the individuals shall pay \$15.00 per month for each parking space required.

Ms. Townsend said that would be fine and Attorney Kissinger said that would be appropriate.

Motion to approve the lease, as amended, was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

(Mr. Tuley asked that Ms. Townsend take the lease with her and return copy of same after it has been signed by the Executive Inn.)

RE: PETITION TO VACATE DRAINAGE EASEMENT/PETITIONER, GLENN WOOD

It was noted by Commissioner Hunter that the agenda incorrectly lists this easement as being in Gabensee Place. It is actually in Oak View Place II, Section B.

Following brief discussion, it was determined the Notice will be published on January 14, 1994 with Public Hearing scheduled at 5:30 p.m. on January 24, 1994.

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

RE: ORDINANCE TO AMEND CHAPTER 32 (WEIGHTS & MEASURES)
OF THE CODE OF ORDINANCES

It was noted this was advertised for Second Reading on December 28th and Final Reading on January 4th. The December 28th meeting was canceled due to inclement weather. Motion was entertained to approve the Ordinance on Second Reading.

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

In accordance with Attorney Kissinger's instructions, the Ordinance is to be re-advertised for Final Reading at 5:30 p.m. next week, January 10th.

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

RE: BOARD APPOINTMENTS - 1994

Motion made by Commissioner Borries that the following Board appointments be ratified for 1994:

<u>Board</u>	<u>Name</u>	<u>Term</u>
Alcoholic Beverage Commission	Curt John	1 Yr.
Area Plan Commission	Don Hunter	1 Yr.
Burdette Park Advisory Board	Jerry Riney Connie Cain Pat Thomas	1 Yr. 1 Yr. 1 Yr.
Convention & Visitor Commission	T. L. Plain Pat Shoulders	1 Yr. 1 Yr.
E.A.R.C.	Rick Borries	1 Yr.
EUTS	Pat Tuley	1 Yr.
Health Department Board	Dr. Greg Gornley	4 Yrs.
Human Relations Commission	Phil Mortis Russell Lloyd, Jr.	2 Yrs. 2 Yrs.
Library Board of Directors	Jerry Baugh	4 Yrs.
Vision 2000	Pat Tuley	1 Yr.

Motion seconded by Commissioner Hunter. So ordered.

RE: ACCEPTANCE OF COUNTY EMPLOYEES - 1994

President Tuley entertained a motion to accept the list of County Employees for 1994 from the various departments, as listed on the 100-R forms. The Originals of these forms go to the State as the official list.

Motion to accept the lists, as presented, was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Reading of Bids/VC-9319/Two 1994 3/4 Ton Trucks: Attorney Kissinger read the following bids into the record.

Kenny Chevrolet, Inc.	\$31,168.32
Cooke Chevrolet GEO Company, Inc.	\$28,406.32
D Patrick Ford	\$31,740.00

Reading of Bids/VC-9320/Four Wheel Drive Truck for the County Highway Garage: Attorney Kissinger read the following bids into the record.

D Patrick Ford	\$21,950.00
Cooke Chevrolet GEO Company, Inc.	\$20,934.43
Kenny Kent Chevrolet, Inc.	\$20,788.43

Motion was made by Commissioner Hunter that both sets of bids be taken under advisement. Seconded by Commissioner Borries. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Treasurer's Report: Mr. Abell said this was received at the last minute today. He will pass this to Mr. Tuley so it can be entered into the official record.

United Way Campaign: By way of a follow up on the United Way Campaign this year, we have done the random selection and have the winner of the three (3) personal days off -- Beth Kerchief of the County Treasurer's office.

Coliseum/Mortar Problem on South Wall: Mr Abell said there are some mortar problems on the south wall of the Coliseum. We're obtaining a couple of estimates and it looks as though it will cost around \$4,000 to make the repairs. The problem is causing water to leak down inside the building onto the stage and into some electrical boxes. He has sufficient funds to cover the repairs -- but thought he should let the Commissioners know about it.

Commissioner Borries said he also thinks this is almost an emergency situation, etc., and Commissioner Hunter agreed -- saying we don't want water around electrical boxes, wires, etc.

Mr. Abell said they have some functions scheduled, one of which he believes is a school event within about a week. If he gets the second estimate, should he make the repairs on the spot?

Motion to declare this an emergency and make the repairs as soon as possible was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: COUNTY HIGHWAY - BILL MORPHEW

It was noted by Commissioner Tuley that Bill Morpew has spent a lot of time on the roads during the last couple of days due to the bad weather; therefore, he does not have a report. Mr. Morpew has indicated he will submit the progress report next week.

Commissioner Hunter said Bill Morpew was on WIKY yesterday and sounded good. Primarily he was suggesting people simply use some common sense when driving.

Commissioner Borries said he had calls from the Superintendent of the Evansville-Vanderburgh County School Corporation and John Buckman, Chief of the Volunteer Fire Department in German Township -- complimenting the highway crews for keeping the roads accessible during this treacherous weather. So if the roads are not open in

the county areas, the school busses will not run and that causes all kinds of school problems. But the crews have done a fine job.

Commissioner Tuley said he thinks the County Highway personnel have done a fine job the entire year. We had a lot of snow in 1993 and they did a super job in keeping the roads clean.

Commissioner Borries said it was a trip of a lifetime when he went with Jack Crawford when we had the one (1) foot snow. That was something new and different. He had never been in one of those trucks in a foot of snow -- and doesn't know whether he wants to go back in a foot of snow either; but it was something.

Commissioner Tuley said he wasn't in a truck, but he never will forget the day his daughter was born -- during the second snow.

RE: COUNTY ENGINEER - JOHN STOLL

Acceptance of Streets/Autumn Hills/Sections I & II: Mr. Stoll submitted a request for acceptance of streets in Autumn Hills, Sections I & II. It is 2,095 l.f. of Walking Horse Lane. This is an asphalt street with earth shoulders. It was built according to plans and approved last January. Gary Kercher has been working with the developer over the last several months, making sure everything was put into place properly. It is recommended that the street be accepted.

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

Street Plans for Deerfield Subdivision/Section II: The meeting continued with Mr. Stoll submitting street plans for the subject subdivision. He said it is part of the overall drainage plan that was approved a couple of months ago. This will be a concrete street. It is his recommendation that the plans be approved.

Motion to approve was made by Commissioner Hunter and seconded by Commissioner Borries. So ordered.

Deerfield Subdivision/Section II/Request for Waiver of Sidewalks: Mr. Stoll said he has a request from Mr. Calvin Dentino, the developer of Deerfield Subdivision/Section II, for waiver of sidewalks -- for four reasons, as follows:

- 1) There are only six (6) lots in the subdivision
- 2) This is consistent with what has already been built out there now -- there are no sidewalks in Section I

Commissioner Hunter said he would vote "yes" on this one; but, pass the word -- the next one is "no". Seconded by Commissioner Borries. So ordered.

Mr. Stoll said that whenever Section III was presented to the Subdivision Review Committee, sidewalks were brought up at that time -- saying that the high density would necessitate sidewalks. So they've already been told that they would likely be required.

House on West Mill Rd.: Commissioner Tuley asked Mr. Stoll if he remembers the house on West Mill Rd. or whatever.

Mr. Stoll said he talked to Bill Higgins about that today and he is going to go out there tomorrow morning.

Mr. Tuley requested that Mr. Stoll subsequently give him a call.

The Commissioners said they are glad Mr. Stoll is feeling better -- he was very, very ill.

Mr. Stoll said it was the drainage board meeting that did him in.

RE: CONSENT AGENDA

The meeting continued with Mr. Tuley asking if the Commissioners have reviewed the items on the Consent agenda.

With regard to meeting to be attended by Health Department personnel in Louisville, KY, it was noted this is just a two hour meeting, so there is no lodging required. It doesn't look like they are asking for reimbursement for anything -- just permission to go.

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

RE: SCHEDULED MEETINGS

Commissioner Tuley noted a calendar of scheduled meetings is attached to the meeting agenda.

Drainage Board Meeting: Commissioner Hunter asked if the Drainage Meeting at 6:30 p.m. on January 10th shouldn't be included, and the other Commissioners concurred.

Executive Sessions: President Tuley noted there will be an Executive Session at 4:30 p.m. on Tuesday, January 18th.

Commissioner Hunter said it is doubtful he will attend. He has a class to teach at the University of Evansville. This is a class of adults which meets only once a week, and it would not be appropriate to cancel the class.

RE: OLD BUSINESS

Cumulative Capital Development Fund: Mr. Borries said we have read where the County is going to be facing some rather significant serious financial crunches, some of which have been due to the reported denial of the Cumulative Capital Development Fund that was enacted by this Board last year. He would like to ask each of the other Commissioners and the County Attorney to research exactly what has transpired here. It was his opinion that the fund was enacted; that the fund was in place; that the fund was approved by the State Board of Tax Commissioners. And, if there is an error in the advertisement, it does not negate nor cancel what was put into effect by this Board. This Board did not repeal that fund; nor did the County Fiscal Body. Could we have some feeling from the County Attorney in that this is correct; and perhaps take some steps to clarify this issue -- because he has repeatedly tried to make contact with the State Board of Tax Commissioners when this was first reported to him, and has discussed it with members of the County Council to try to get information about this. It seems that everything is in place. If there was an error, perhaps we could rectify that error and move forward on this so some rather critically needed revenue would be in place for 1994 -- because, if it is not, he knows he asked again last week (as the prior President of the Board) each of the Commissioners to submit a list of the steps that we can bring up under "New Business" should we not be able to get some of the needed revenue. We're going to have to make some hard choices. He subsequently asked Attorney Kissinger to clarify as to the nature of this fund; he thinks it is in place.

Attorney Kissinger said, "I would briefly summarize what my research into this matter has indicated, with the assistance of the personnel in the Auditor's office. All of the preliminary steps for adopting the Ordinance to impose the tax were taken; and they were taken properly. And the evidence of all of those steps was

forwarded to the State Board of Tax Commissioners. The State Board of Tax Commissioners then, in an Order dated September 15, 1993, authorized that the necessary steps to accomplish the purposes under the law of which the Cumulative Fund and Tax Levy were established be taken. The question seems to be that there was an advertisement in either July or August in which this particular fund was supposed to have been advertised. I am not absolutely certain what effect that has, but I do know in the December 1st notice it was advertised specifically at the rate for 1993, payable in 1994, at five (5) cents per \$100 of assessed valuation. We have not been directed by the State Board of Tax Commissioners or any other official in the State of Indiana or Vanderburgh County not to collect this tax. And it certainly appears that all of the preliminary steps for adopting the Ordinance and establishing the tax have been complied with. Quite frankly, I don't know by whose authority it was ultimately determined that a problem with the notice or the advertisement actually existed. But we certainly haven't been notified of that by the State Board of Tax Commissioners. I would suggest to the Commissioners that we notify the State Board of Tax Commissioners that absent any official notification from them that we cannot collect this tax, that it is our intent to collect the tax as the Ordinance authorizes us to do."

Commissioner Tuley asked, "Everything you've got indicates we can collect the tax?"

Attorney Kissinger confirmed that it does.

Commissioner Hunter said, "And we have done everything we're supposed to do?"

Attorney Kissinger replied, "Obviously, everything that the County Commissioners could do has been done. And the only question that has been raised is one advertisement. Now, perhaps that is binding, but we have not been advised that it is binding in any way. Because the final advertisement and the final notice that is required by law was published on December 1, 1993. That has been done. That is in order and, as I said, we haven't been told by anyone that we can't collect this tax. We have given the opportunity for remonstrance and objection. There was no remonstrance or objection. We have sent out the necessary notices to the taxpayers, a provision allowing fifty (50) or more taxpayers to submit a petition objecting to the tax. That hasn't been done. Obviously, every step that could have been taken has been taken. And the final advertisement has been made. And it is that final advertisement, in my opinion, that is binding and unless the State Board of Tax Commissioners disagrees with that, I think we have every right to rely on their Order of September 15, 1993 indicating that we are hereby authorized and directed to take the necessary steps to accomplish the purposes of the law. And, as I said, I propose that I send a letter to the State Board of Tax Commissioners on County Commissioners letterhead advising them that pursuant to this Order we intend to proceed with the collection of this tax under the law, pursuant to their Order.

President entertained a motion to this effect.

Motion made by Commissioner Borries to this effect. He said he thinks it is critical that we not only clarify this, but it has caused a lot of confusion and, he thinks, certainly some nail biting within the County -- and he thinks there are some other steps we're going to have to consider should this not happen -- but would strongly move that the County Attorney draft that letter.

Commissioner Hunter seconded the motion, saying it appears we've done our homework and done it correctly. So ordered.

Commissioner Borries asked Attorney Kissinger if the Chief Deputy Auditor can assist the County Attorney to maybe send up any pertinent information -- to Fax this information tomorrow. Aren't we under some deadlines here? Can we get some clarification here on the final dates?

Ms. Mayo said we should within a two week period receive a final folder from the State with regard to the budget.

President Tuley asked, "So you will gladly assist the County Attorney?"

Ms. Mayo responded affirmatively.

Mr. Borries stated, "It seems to me that just as there has been somewhat of a flap or discussion (all healthy) about the economic development tax that was passed during the DFAS thing, that it was in effect -- that the only way it could not take place would be supposedly -- I mean, would not have to be collected, but the Legislature could vote to repeal it. But we've not taken that action and so it seems to me we need to push this thing to get it clarified."

President Tuley said, "I think, based on what Alan has shown us, that we have an Order from the State and I think we just push them one step further and make sure -- because we don't want to find out on January 13th -- because there are some steps that we have to take if it is factual that we're not going to be allowed to collect it. I agree with you. We need a letter from them telling us before then."

Attorney Kissinger said, "Yes. Because at this point we have absolutely nothing from the State saying that we should not proceed. As a matter of fact, at this point we are specifically directed and authorized by the State to proceed. And nothing, nothing countermanding that has been officially put out by the State Board of Tax Commissioners."

Mr. Tuley asked that Attorney Kissinger get that letter out as soon possible.

Attorney Kissinger said it will go out tomorrow.

RE: NEW BUSINESS

Budget Problems/List to Address Same: Commissioner Borries said that last week he asked the other Commissioners to prepare a list of steps to address the budget problems, because they appear to be serious -- with the carryover going to be very slim -- and with everything pointing to a tight budget situation. And should this tax which we think is in effect, for whatever reason not be approved, there may have to be some hard choices and some hard recommendations. The only reason I would bring these up at this time is not to put them into effect, but they could be considered tentative. And also, because as he understands it, the Vanderburgh County Council meets tomorrow to reorganize and hold their first official meeting. But perhaps some of the steps the Commissioners have outlined can be compiled into a rough list -- we can at least give recommendations to address the problem should.....

Mr. Tuley interrupted, "This could be Plan B."

Mr. Borries asked if Mr. Tuley would want him to start off. He continued:

- 1) To recommend that the County Fiscal Body (meaning the County Council) could consider reducing the 200, 300, 400 accounts by 15%. He understands this has been done in some other civil units. He, again, thinks that would

have to be County Fiscal Body that would have to look at an overall budget reduction. But perhaps that could be one thing that they could consider.

- 2) This Body could recommend a hiring freeze on all vacant positions be adopted for 1994.
- 3) Recommend that any travel requests in the county be limited to only State-called meetings. Travel requests should be only within the State of Indiana. Travel would be limited to no more than two (2) persons per office, unless there would be some special job-related circumstances which the County Executive (meaning this Board) would approve in advance. (If it has to do with a certification, again, some kind of special consideration.

(It was noted by Commissioner Tuley that if it is a State-called meeting, they direct the number of people in an office that can attend, based on population -- and it exceeds two (2) in a county our size. So he doesn't know if we can restrict that.

Commissioner Borries said we could say it would be limited to no more than two (2) persons per office, unless directed by the State of Indiana.

Commissioner Hunter said he has given this some thought -- and one of the things he's thought about in the City (and this would involve the Auditor's office) -- we need some sort of Monthly Fiscal Reports in the worst way. He was thinking of things -- such as Monthly Income Report, Monthly Expenditure Report, some kind of a Balance Sheet and perhaps a Monthly Cash Balance Report -- so we can keep a real good handle on what we've got coming in and what we've got going out -- or we're going to be in real trouble.

"We might want to look at asking employees to suggest possible ways of savings. I think it should perhaps be solicited. I think maybe we should use a carrot out there in front (some kind of compensatory time) if they come up with some good cost savings suggestions. The people who do the jobs every day probably know better what can be saved in terms of money."

In continuing, Mr. Hunter said the other thing he had suggested -- and he thinks that only funding requests which have been identified as an emergency (a good example is the one which we did tonight on the Coliseum) will be considered by the County Fiscal Body. I suppose we make the determination as to whether or not it is an emergency.

Commissioner Tuley agreed. He stated that elected officials and department heads should submit an estimate of anticipated revenue for 1995 to the County Executive and the County Fiscal Body (the Commissioners and the County Council, respectively).

Also during the budget process, Mr. Tuley said that once the revenue projections have been submitted, if they need to be revised by the Auditor in their meeting with the Tax Board representative, that no changes be made without calling that elected officeholder or that department head in to get their input to justify their figures that they have submitted. He thinks that is probably some of the problem we've had with our revenue projections. Some figures have been submitted by a department head or officeholder and the figures have been changed without their further input. He thinks we've got to stop that. There's got to be bases for those changes -- either a chance to defend a low projection or justify a high projection by that officeholder or department head.

President Tuley said the next item is (and this is something we may need the County Attorney to look into) that the Commissioners, by virtue of being Commissioners, are in reality the Purchasing Agents for the County. We delegate that authority to a Joint Purchasing Department -- but for those people under our jurisdiction (I know, in particular, our department heads) -- and the other office holders (and this is where we have to have it verified by the Attorney) -- any request for an expenditure in excess of \$10,000 must be reviewed and recommended by the County Executive to the Council for approval. So we can keep a grip, there's got to be a greater dialogue between the other elected officials, the Commissioners and the Council -- so everybody fully understands where this money is going and what it is being spent for -- and justify it.

Commissioner Borries said he thinks everybody has to be on the same page -- and that is why we're not talking about usurping the Auditor's power or the County Fiscal Body. But we've just got to have this information. And, he thinks the Council does. It's going to be a tight situation. Some of this may not have to come about, but as the other Commissioners have suggested to him -- and now, as President, Pat will have to kind of give some recommendations, too -- it can be a tough year.

Commissioner Tuley said Commissioner Borries is right. If we can collect it -- some of these things might not have to go into effect. But there are some things on here we should be doing anyway.

Commissioner Hunter said he thinks there is a lot of lack of communication between too many offices in the building. And in looking at this and looking at what the potential is -- and it's a bad year because it is also an election year - I think we're going to have to put politics aside on this and try to work through it. And it's going to take a concerted effort from everybody -- Particularly our working as closely as we can with the County Council.

President Tuley remarked, "When I say greater dialogue, I think there has to be a greater communication in terms of calling those individual Council members and saying 'this is what this is about and why we need it' as opposed to walking in, hoping everybody has done their homework and realizes exactly what those numbers are and what it's being spent for; so that people don't get caught not fully understanding the situation."

Commissioner Hunter asked, "Can we get more stuff from the Auditor's office? And the County Council can, too -- then maybe on a month-to-month basis we can all make more rational decisions."

Mr. Borries said, "Sure. I think the dialogue can be healthy. We can ask questions and maybe avoid some pitfalls. But, hopefully, one of the items here we may not have to address is the establishment of this Cumulative Capital Development Fund -- because we've already done that. And we're going to push that issue."

Mr. Tuley said he thinks when that idea came up, the whole thought was that we were done for this year -- that we weren't going to have it.

Mr. Borries stated, "Yogie Bear once said, 'It ain't over 'till it's over' -- and it ain't over."

Mr. Tuley said, "I know that this first year as a Commissioner, I have been very happy working with the two of you. I think the three of us work well together and it's nice to come in on Monday night and have a meeting and not have to worry about opening up the

paper the next day to find out what transpired the night before. It is my first year on the Commission and I'm glad to see that we didn't have that this year."

Commissioner Borries said he wants to thank both Messrs. Tuley and Hunter for a very successful year last year. He thinks this one can be equally so, but it is going to be a challenge.

Mr. Tuley said he guesses it is a challenge for all of us, but he guesses the point of what he is trying to say is that the three of them work well together. Hopefully through this year (as noted by Commissioner Hunter, this is an election year) politics doesn't get involved in each of them trying to do their job collectively as Commissioners - but also with the County Council, department heads and officeholders -- so that we have a good year. It's going to be a tough year and we've got to work together.

Commissioner Hunter said, "As a minority member, I must confess that I have survived my first year as a minority member. And, quite honestly, we need to sit down and reflect back over the last year and make a list of some of the things we've accomplished. Quite honestly, I think we've gotten a lot done over the last year. I'm comfortable with what's happening here.

Mr. Tuley said, "When you don't have a controversy every week, things are overshadowed and people may not realize some of the things that we've been able to do this year."

Commissioner Hunter stated, "You know, when you walk through that door it doesn't say 'Democrat County Commission' nor does it say 'Republican County Commission'; it just says 'County Commissioners' -- and when you play politics all the time, the only people who lose are the voters and the taxpayers. When you get down to the job, it's a win-lose situation for the community -- and that's why we're here."

Commissioner Borries said he thinks Commissioner Hunter has said some things that make a lot of sense. It's not that there hasn't been controversy.....

Commissioner Tuley interrupted, "But the controversies come from that side, it hasn't been generated up here. I have avowed this past year that we play her straight down the middle; that everybody get the same information and be on the same page. And, hopefully, that is working -- based on what Don has said. Don, you serve as a watchdog and obviously there are things where you have concerns which we've tried to address."

Commissioner Hunter said he did and they were addressed.

Mr. Tuley said he thinks it's been a good year. He commends Rick, as President. As a minority member, he thinks Commissioner Hunter has not made this a political thing -- whereas, if he disagrees with something it is because he disagreed and he made a decision strictly because he disagreed with it.

Commissioner Hunter said, "My feeling is that because it is a Democratic idea doesn't automatically mean it's a bad idea. And if it's a Republican idea, that doesn't mean it's a bad idea. It's one that needs to be analyzed. I think this is the kind of approach the Commissioners have taken this year. As I said, it's been very enjoyable. And, again, as we sit down and analyze what we've accomplished and what we're going to accomplish this next year -- we've got a lot of things on the burner right now. I think 1994 should be a fun year."

Commissioner Tuley entertained other matters of New Business to come before the Board. There being none, he declared the meeting adjourned at 7:15 p.m.

COMMISSION MEETING
January 4, 1994

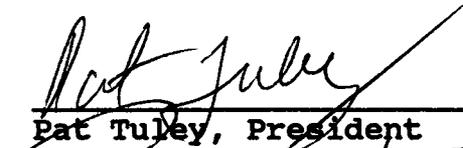
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PRESENT:

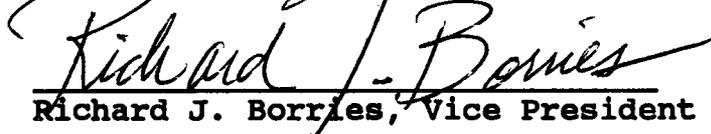
Pat Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member
Cindy Mayo, Chief Deputy Auditor
Alan M. Kissinger, County Attorney
John Stoll/County Engineer
Mark Abell/Supt., County Bldgs.
Daryn Burgdorf/Purchasing Dept.
Royce Sutton/Eville. Urban Enterprise Assn.
Calvin Dentino/Developer
Katherine Snodgrass/Evansville Housing Authority
Rick Niehaus/Koester Environmental Services, Inc.
Jim Morley/Morley & Associates, Inc.
Others (Unidentified)
News Media

ACTING RECORDING SECRETARY: Sunny Titzer

TRANSCRIBED BY: Joanne A. Matthews



Pat Tuley, President



Richard J. Borries, Vice President



Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDEBURGH COUNTY COMMISSIONERS

January 4, 1994

5:30 P.M.

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS**
- 3. PLEDGE OF ALLEGIANCE**
- 4. Election of 1994 Officers
*President/Vice-President**
- 5. ACTION ITEMS**
 - A. Approval of Minutes**
 - B. Any group/individual wishing to address the commission**
 - C. Roger Lehman, Building Commissioner
re: Proposed Ordinance Amending Building Code/Final**
 - D. Daryn Burgdorf/Purchasing
Open Bids:
 - 1) One 1994 Four Wheel Drive Full Size Vehicle
 - 2) Two 1994 3/4 Ton 8600 GVW Pickup Trucks**
 - E. Ordinance Amending Chapter 153 (Zoning Code)
re: Final**
 - F. Addendum to Lease Agreement
re: Weights & Measures Department**
 - G. Petition to vacate public utility/Gabensee Acres
Petitioner: Glenn Wood**
 - H. Ordinance to Amend Chapter 32 of the Code of Ordinances
Second/Final Readings**
 - I. Board Appointments for 1994**
 - J. Acceptance of employees for 1994**

FINAL

5. DEPARTMENT HEADS

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

6. CONSENT ITEMS

A. Travel/Education Requests:
Health (4)

B. Employment Changes:
* see attached

C. Claim(s) for payment:
(1) Given & Spindler.....6,111.30
*reimbursement for expenses per contract
(2) EARC.....23,350.00
*January
(3) Southwestern Indiana Mental Health...294,790.00
*JAN FEB MARCH
(4) Southwestern Indiana Mental Health...212,190.00
* 1994/First Half-operational expenses
(5) EUTS.....40,186.00
*1994 work program costs
(6) Association of Indiana Counties.....6,443.00
*1994 membership dues

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

**COUNTY ENGINEER'S
CONSENT AGENDA
DECEMBER 28, 1993**

1. **CLAIMS:**

U.S.I. & SR 62 430 BOND Blankenberger Brothers Inc. VCR 20697 (Est #10	\$52,274.42
GREEN RIVER ROAD NORTH 216-4910 United Consulting Engineers, Inc. (Inv. #19)	\$27,520.63
CONTRACTUAL SERVICES 216-3930 Culverts Plus (Inv. #19923-IN) Pavement Maintenance Service	\$ 2,787.12 \$ 3,821.94
STRINGTOWN ROAD BRIDGE #72 203-4348 R.W. Armstrong & Associates (Inv. #20882)	\$ 5,313.75

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	Lance Scott Miles	5101 Pollack Ave.	Part Time Data Coll.	Hourly 7 00	12/31/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY David A. Fox DATE 12/22/93

VANDERBURGH 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
	Lori Molden	1824 Chickasaw Dr.	Clerk	17,110 00	12-31-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY D. [Signature] DATE 12/23/93

VAN DERBURGH COUNTY EMPLOYMENT CHANGES

Department

Weights & Measures

ed

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
	LARRY R. WRIGHT	1425 TAYLOR AVE	Deputy Inspector	22,456	00	1/1/95

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Scott Lounsbury

DATE

1/1/94

[]

VANDBURGH COUNTY EMPLOYMENT CHANGES

Department **TREASURER**

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
103-100	Pat Tutt	2009 E. Michigan	Clerk	per 5	hr 00	12-27-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Jay B. Blend DATE January 4, 1994

VANDBURGH COUNTY EMPLOYMENT CHANGES

Department **TREASURER**

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
103-120	Laura J. Watson	2328 Rheinhardt	Counter Posting Clerk	16,075	00	1-1-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Jay B. Blend DATE December 17, 1993

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.01362-1300	SUSAN JARMAN		ADM. ASST. SPECIALIST	28,060	AN	1-1-94
505.01362 1110	THOMAS AGNEW		FULL-TIME CORRECTION OFFICER	18,230	AN	1-1-94
136.1-1160	BARTON GOOCH		VERIFICATION OFFICER	20,773	AN	1-1-94
136.1-1980	MICHELE SMALL		TYPIST	5.00	HR	12-20-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.01362-1990	THOMAS AGNEW		PART-TIME CORRECTION OFFICER	7.00	HR	12-31-93
505.01362 1110	BARTON GOOCH		PART-TIME CORRECTION OFFICER	18,962	AN	12-31-93
136.1-1160	GILBERT CHILDERS		VERIFICATION OFFICER	20,168	AN	12-31-93
505.01362 1990	TRAVIS AUSLAND		PART-TIME CORRECTION OFFICER	7.00	HR	12-31-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

JUDGE, CIRCUIT COURT

DATE

Jan 4, 94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY CLERK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1170	RHONDA E CLAYTON	<i>Box 177 M Route #13, - 49712</i>	DEPUTY CLERK	16832	00	<i>1-3-94</i>

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1170	SUSAN JARMAN		DEPUTY CLERK	20344	00	<i>1-3-94</i>

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE

1-3-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Veterans Services -----Dept 127

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
Traci M. Robey	850 E. Gum Street	Tem. Sec.	\$5.00 HR	12/22/93
<i>to be payed 1/94</i>				

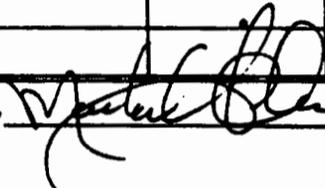
ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
Traci M. Robey	850 E. Gum Street	Tem. Sec.	\$5.00 HR	12/30/93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY



DATE 12/20/93

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP TRUSTEE OFFICE

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
ALICE MAYER	1806 N. RED BANK RD	INVESTIGATOR	18,500	1-1-94
NORMA J. SMITH	309 S. WOODS AVE	SUPERVISOR OF INVESTIGATOR	21,444 00	1-1-94

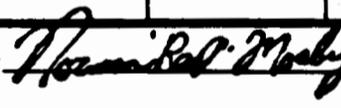
ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
BETTY J. HEMFLING	2401 HARMONY WAY	SUPER. INVESTIGATOR	20,921 00	1-1-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY



DATE 12-15-93

January 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

							1 1/364 New Year's Day
2 2/363	3 3/362 New Year's Day (observed)	4 4/361 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners	5 5/360 3:30pm County Council	6 6/359	7 7/358	8 8/357	
9 9/356	10 10/355 4:30pm Solid Waste 5:30pm County Commissioners	11 11/354	12 12/353	13 13/352	14 14/351 Pay Day	15 15/350	
16 16/349	17 17/348 Martin Luther King, Jr.	18 18/347 9:00am Insurance Comm. 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Rezoning	19 19/346	20 20/345 9:00am Steering Comm. 5:00pm Pigeon Creek	21 21/344	22 22/343	
23 23/342	24 24/341 5:30pm County Commissioners 6:30pm Drainage Brd.	25 25/340	26 26/339 3:30pm Personnel & Finance	27 27/338	28 28/337 Pay Day	29 29/336	
30 30/335	31 31/334 5:30pm County Commissioners						

December 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	31	

February 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					

BOARD APPOINTMENTS

BOARD	NAME	TERM	EXPIRES
AIRPORT AUTHORITY	JOHN BROWNING	3/YR	6/96
	ROBERT D. OSSENBERG	3/YR	6/94
ALCOHOLIC BEVERAGE COMMISSION:	CURT JOHN <i>same</i>	1/YR	12/93
AREA PLAN COMMISSION	DON HUNTER <i>same</i>	1/YR	12/93
	AL BAUER, JR.	4/YR	12/95
AUDITORIUM ADVISORY BOARD	BETTY HERMANN	1/YR	12/92
	LOUIS IACCARINO, JR	1/YR	12/92
	JACK SCHRIBER	1/YR	12/92
	PAUL RITCHEL	1/YR	12/92
	DANNY BATEMAN	1/YR	12/92
BOARD OF PARK COMMISSIONERS	WILLIAM PHELPS	4/YR	12/95
	DAVE ELLISON	4/YR	12/94
BOARD OF ZONING APPEALS	DR. DAN BYRNE	4/YR	12/95
	JEFF HATFIELD	4/YR	12/95
BUILDING AUTHORITY-BOARD OF TRUSTEES:	MIKE SHOULDERS	4/YR	12/95
	WILLIAM NEEDLER	4/YR	8/93
BURDETTE PARK ADVISORY BOARD	all terms end as of		12/93
	<p> Connie Kain Jerry Riney Pat Thomas </p>		
CENTRAL DISPATCH BOARD	MARK OWEN		ON GOING
CIVIL DEFENSE ADVISORY BOARD:	JESSE ROBERTS		
	JOHN BUCKMAN		
	RAY HAMNER		
			NO TERM OF OFFICE LISTED

COMMUNITY CORRECTION ADVISORY BOARD:

KEN JONES	4/YR	12/94
JUDGE WILLIAM MILLER	4/YR	4/12/93
ALAN HENSON	4/YR	4/12/93
AL BUCK	4/YR	4/12/93
JOHN HARL JR.	4/YR	4/12/93
JOHN BROWNING	4/YR	4/12/93
ROY WEIGHTMAN	4/YR	4/12/93
HARRIS HOWERTON	4/YR	4/12/93

CONVENTION AND VISITORS BUREAU:

<u>T.L. PLAIN</u> <i>-DAM</i>	1/YR	12/93
<u>AL SAMUELSON</u>	1/YR	12/93
<u>PAT SHOULDERS</u> <i>-DAM</i>	1/YR	12/93

COUNTY BOARD OF REVIEW

JEROME RICHEY	1/YR	12/93
DONALD PARTRIDGE	1/YR	12/93

COUNTY LAND EVALUATION COMMISSION

No term of office listed

Al Mann, Commercial
 Marion Deig, Industrial
 Jim Rittenhouse, Residential
 Kelley Coures, Financial
 Kathy Briscoe, Real Estate
 John Bittner, Agriculture

DATA PROCESSING REVIEW BOARD:

MIKE RUSS	2/YR	12/94
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E.A.R.C.

<u>CURT WORTMAN</u> <i>K-11</i>	3/YR	6/95
<u>PATRICK TULEY</u> <i>11/11</i>	3/YR	6/95

Emergency Management Agency Advisory Council

No term of office listed

John Buckman
 Ray Hamner
 Jesse Roberts

EVANSVILLE URBAN TRANSPORTATION:

<u>RICK BORRIES</u> <i>PAT</i>	1/YR	12/93
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1/1/94

HEALTH DEPARTMENT BOARD	<i>Dr.</i> GREG GORMLEY DR. RAY NICHOLSON	4/YR 4/YR	12/93 12/95
HUMAN RELATIONS COMMISSION	PHIL MORTIS RUSS LLOYD, JR.	<i>Dr.</i> 2/YR 2/YR	12/93 12/93
LEGAL AID SOCIETY	DIANE FLOYD GERALD ELLIOTT AL FOLDEN	3/YR 3/YR 3/YR	4/95 8/94 6/94
LEVEE AUTHORITY	MARSH VAN DUSEN	3/YR	6/95
LIBRARY BOARD OF DIRECTORS	LANELLE BRENNER LANA BURTON DAVID BUNNER	<i>Dr.</i> 4/YR 4/YR 4/YR	12/93 12/96 12/94
PRIVATE INDUSTRY COUNCIL	TOM WEBSTER ROY MABREY DENISE FREIER		6/94 6/96 6/95

VISION 2000

(MAYOR AND COUNTY COMMISSIONERS ARE INVOLVED IN APPOINTMENT)

THOMAS SMYTHE	3/YR	5/21/93
MARJORIE SOYUGENC	3/YR	6/21/93
JAMES MCKINNEY	2/YR	6/21/92
EDMUND HAFFER	2/YR	6/21/92
H. LEE COOPER III	2/YR	6/21/92
PATRICK AQUART	1/YR	6/21/91
ALAN BRAUN	1/YR	6/21/91
MAYOR MCDONALD	1/YR	6/21/91
NORMAN P. WAGNER	1/YR	6/21/91
<u>RICHARD J. BORRIES</u>	1/YR	12/31/93
RON REHERMAN		6/95
DON RAUSCH		7/94

Act July

ADDENDUM TO LEASE AGREEMENT

LOCATION 204 S.E. Sixth Street
Evansville, Indiana

SQUARE FEET 1,000

EXTENSION OF LEASE AGREEMENT

This addendum extends the lease of Board of Commissioners of Vanderburgh County for Department of Weights and Measures to allow for a One Year extension of a lease. The original lease was signed on September 12, 1990. All items in the original lease continue in force unless modified by this addendum.

This addendum is further governed by:

TERMS: The commencement date is January 1, 1994 with the expiration date being December 31, 1994.

RATE: \$388.17 monthly | \$4.66 per SF Effective on: January 1, 1994

OTHER CONDITIONS: 1. Trash will be placed in the dumpster provided by the Landlord and not be placed outside.

2. ^{As provided} ~~Tenant~~ shall pay \$15 monthly for each parking space requested.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

By: *Richard J. [Signature]*
President

Date: 1-4-94

By: *Thomas E. Green*
Green Construction of Indiana, Inc.
D/B/A Evansville Executive Inn

Date: 1-7-94



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

January 5, 1994

Evansville Housing Authority
411 S.E. Eighth Street
Evansville, IN 47713-1818

Attn: John W. Collier
Executive Director

Re: Youthbuild Grant Application

Dear Mr. Collier:

The Board of Commissioners of Vanderburgh County has authorized me to advise you that a resolution of support for the Youthbuild grant application was adopted at its January 4, 1994, meeting.

The resolution states that, if the planning grant is obtained, the Board of Commissioners will assist the various agencies involved, through all legal means, by transferring eight (8) buildings or vacant properties for rehabilitation or new construction.

At the present time, Vanderburgh County is the record owner of several properties which have been acquired through the tax foreclosure process which should be well suited to your needs.

Please feel free to contact us, if the Board of Commissioners can be of any further assistance to you in the application or implementation process.

Sincerely,


ALAN M. KISSINGER
VANDERBURGH COUNTY ATTORNEY

AMK:tb



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for January 4, 1994

1. Request for street acceptance in Autumn Hills Subdivision
Sections I and II: 444-20, 21, 22-93, approved 12/15/93

STREET

Walking Horse Lane

LENGTH

2095 LFT

2. Request for road design approval for Deerfield Subdivision
Section 2 approved 12/15/93
3. Request for sidewalk waiver for Deerfield Subdivision Sec. 2
DH, RC

CALVIN C. DENTINO

7200 E. Sycamore

Evansville, IN 47715

(812)477-9459

November 9, 1993

Vanderburgh County Commissioners
Room 305
Civic Center Complex
Evansville, IN 47708

**RE: DEERFIELD, SECTION 2, A RESIDENTIAL SUBDIVISION
COMPLETE WAIVER OF SIDEWALKS
MORLEY AND ASSOCIATES, PROJECT #**

Dear Commission Members:

As the developer of Deerfield, Section 2, a subdivision expansion, consisting of six residential lots in Deerfield Subdivision off of Mt. Pleasant Road on the north side of Evansville, I am requesting a complete waiver for the construction of sidewalks within this phase of the development. The reason for my request is based on the following facts:

1. It is a cul-de-sac consisting of only six lots.
2. It is an extension of Deerfield 1 where there are no sidewalks.
3. All the lots are approximately one acre in size.
4. There will be limited density of traffic and/or people.

Enclosed is a preliminary copy of the plat of this development.

If you do not need any other information, please place this request on the agenda for the next meeting of the Vanderburgh County Commissioners.

If you have any questions, please contact me at (812) 428-2887 or (812) 477-9459.

Sincerely,


Calvin C. Dentino

CCD/pgm

Enclosures

cc: Morley & Associates, Inc.
Mr. John Stoll, Vanderburgh County Engineer

CommDeer.119

TRAVEL REQUEST FORM FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 12-16-93 DEPARTMENT: Health

EMPLOYEE(S): Wallace Corbett Denise Cory
Lee Ann Camp
Terri Cantner

DATE(S) OF TRAVEL: 12/21/93

DESTINATION: Louisville, Ky

PURPOSE: CDC - Prevention Marketing Initiative

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: [Signature]
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 16th day of January, 1994.

[Signature]
Richard J. Borries, President

[Signature]
Patrick Tuley, Vice President

[Signature]
Don 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

Southwestern Indiana Mental Health Center, Inc. #1241

To 415 Mulberry Street, Evansville, IN 47713-1298 Dr.

On Account of Appropriation For 130-3030

19....	Order Number	ITEMIZED CLAIM	DOLLARS	Cts.
		First half-year of Vanderburgh County's share of operational expenses for		
		Southwestern Indiana Mental Health Center for 1994 in accordance		
		with IC 13-29-2		
		1993 Assessed valuation payable 1994		
		Per State Tax Board	\$ 1,060,951,040	
		Rate per statute	.0004	
		Total amount due in 1994	\$ 424,380	
		Amount due (one-half of total)	\$ 212,190	

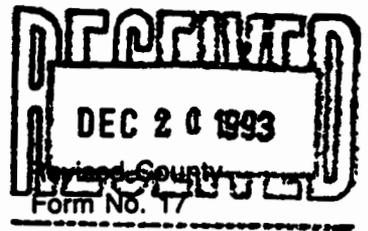
Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

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.

Date December 1, 19 93

John K. Browning, Executive Director

Title



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 195-11, 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, also Supplemental Agreement		
	dated Sept., 27, 1993		
	For the period from 10/16/93 thru 11/12/93		
	TOTAL AMOUNT DUE THIS INVOICE #19	27,520	63

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 Jacob E. Hall, President

Date 11/26, 19 93

**MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 10, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 6:10 p.m.	1
Introductions & Pledge of Allegiance	1
Resolution re Commission Meeting Dates for 1994	1
Approval of Minutes	1
Campbell Rd./Complaint re Removal of Trees, etc.....	2
Proposed Ordinance Amending Building Code (Deferred)	3
Purchasing Department/Daryn Burgdorf	3
Awarding of Bids/Two 3/4 Ton Pick Up Trucks for County Highway (Cooke Chevrolet - \$28,406.32) Rejection of Bids/4-Wheel Drive Vehicle	
Ordinance Amending Chapter 153/Zoning Code (Deferred)	5
Ordinance Amending Chapter 32 (Weights & Measures) of the County Code of Ordinances/Final Reading	5
Vanderburgh Auditorium/Sandra Toten	5
Service Agreement/Dover Elevator Request to go on Council Call Increase in Parking Fee Effective 2/1/94 (\$20.00)	
County Attorney/Alan M. Kissinger	6
Youth Grant Application/Eville. Housing Authority Cumulative Capital Development Fund Tax	
Superintendent of County Bldgs./Mark Abell	6
Acceptance of Checks Coliseum Roof/Emergency Repairs Auditorium/Water Leak	
County Highway/Bill Morpew	7
Weekly Progress Report Campbell Rd./Complaint re Removal of Trees, etc.	
County Engineer/John Stoll	8
Columbia-Delaware/Ribbon Cutting Ceremony (1/24/94) North Green River Rd. Project	
Consent Agenda	9
Travel Requests (Requests from German & Scott deferred to next week) Employment Release/Bettye J. Miles (Delayed due to confusion re release date)	
Scheduled Meetings	9
County Offices to be closed on 1/17/94; Commission Meeting to be held at 5:30 p.m. on 1/18/94	
Old Business .. (None).....	9
New Business	9
Executive Session (1/24/94 at 4:30 p.m. to discuss Pending Litigation & Personnel Matters) Rezoning Petitions	
Meeting Adjourned @ 7:15 p.m.	9

MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 10, 1994

The Vanderburgh County Board of Commissioners met in session at 6:10 p.m. on Monday, January 10, 1994 in the Commissioners Hearing Room, with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, introduced members of the County Staff (Attorney Alan Kissinger, Commissioners Rick Borries and Don Hunter, Mark Abell/Supt. County Buildings, Deputy Auditor Cindy Mayo, Sunny Titzer/Acting Recording Secretary and himself) and asked the group to stand for the Pledge of Allegiance.

RE: RESOLUTION RE COMMISSION MEETING DATES FOR 1994

The meeting continued with President Tuley reading the following resolution into the Record:

R E S O L U T I O N

IN ACCORDANCE with Indiana Code 36-2-2-6, as amended by Acts 1982, P.L. 17, Section 8, is amended in Section 6, in that the Executive hall hold a regular meeting at least once a month and at other times as needed to conduct all necessary business and dates of regular meetings shall be established by resolution at the first meeting in January of each year.

NOW THEREFORE, let it be known that the meetings of the Vanderburgh County Board of Commissioners shall be held on the first, second, third, fourth and fifth (if there is one) Monday of each month at 5:30 p.m. If a holiday falls on Monday, then the meeting will be held on the following business day, unless otherwise stated by the Commissioners in an open meeting.

Solid Waste District Board meetings will be held on the second Monday of each month at 4:30 p.m.

Rezoning Petitions will be heard on the third Monday of each month beginning at 7:00 p.m.

Drainage Board will be heard on the fourth Monday of each month immediately following the Commissioners meeting.

APPROVED this 10th day of January, 1994.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY

Patrick Tuley, President
Richard J. Borries, Vice President
Don L. Hunter, Member

ATTEST:

Sam Humphrey, Auditor
Vanderburgh County

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

RE: APPROVAL OF MINUTES

In response to query from Commissioner Tuley, Ms. Titzer said there are no minutes ready for approval by the Board tonight and Deputy Auditor Cindy Mayo stated that Joanne Matthews has been very ill.

RE: CAMPBELL RD. - LEO SCHULTHEIS

Mr. Leo Schultheis said he has been in close contact with Bill Higgins, the County Engineer, as well as Bill Morphey, County Highway Superintendent. He is speaking in behalf of the residents on Campbell Rd. (Kay and Bob Feigley, Evelyn and Don Feigley and Bill Bruner). At the northeast end of Campbell Rd. (which is a dead end road) there has been a willful and serious violation of the roadway that belongs to the County by Mr. Art Phillips. He has been confronted on the matter. Mr. Higgins verbally told him to stop what he was doing -- the cutting of trees; not only the cutting of trees, but the trees were cut up and hauled off of County property. "So we've confronted him; Mr. Higgins has told him to cease that activity and Mr. Higgins talked with him about half an hour this evening and informed me on behalf of the residents of Campbell Road that he will put into writing what Mr. Phillips is to do with the violation there and inform him about any procedures that we all need to follow if he intends to develop the land along that area. Now, we are very much concerned about it, because it is our neighborhood. The aesthetics are important to them, drainage and the roadway, in general. So that is my statement on behalf of the Campbell Road residents. We will be in touch with Mr. Higgins and Mr. Morphey, because we need to be -- but I did want to enter this into the record. Thank you very much."

Commissioner Hunter asked for what reason Mr. Phillips is cutting trees on county property.

Mr. Schultheis said, "You know, we never know exactly is in another person's mind, but our speculation is that he has 1,660 ft. (a ten acre plot there) and perhaps he has three possible 2-1/2 acre lots he possibly would be able to develop, subject to regulation and the neighbors have surmised that perhaps he wants to clear the trees out and do some bulldozing to get those ready. But the point at hand here is that he must do that according to County ordinances and Mr. Higgins will be our point of communication on this. Thank you very much."

President Tuley asked Mr. Morphey if he has been out there and talked to this individual?

Mr. Morphey responded that he has not.

Commissioner Borries asked Messrs. Schultheis and Morphey if we're absolutely clear that this is county right-of-way.

Both Mr. Schulehtis and Mr. Morphey responded affirmatively.

Mr. Schultheis said this is one of the narrow old roads that the county took over some years ago and actually it's not even 16-1/2 ft. wide. I want to say something about that, but I don't want to do too much detail here, because Mr. Higgins has been so very helpful. So in some instances -- coming from the south side to the north -- you have about 8 ft. plus the 16-1/2 ft. that you would have. So in some instances you have 25 ft. of county jurisdiction. Also, for the record, he would like to commend Messrs. Morphey and Higgins. They are on top of the situation and have done a wonderful job for the residents.

President Tuley said he appreciates Mr. Schultheis coming in and making the Board officially aware of the situation.

Attorney Kissinger interjected, "Mr. Schultheis, may I ask you just one question. When Mr. Phillips was notified, who was it, in fact, that notified him that he was cutting from county right-of-way?"

Mr. Schultheis responded, "Well, I called Mr. Higgins -- because I own land along the north side of Campbell Rd. also and I had been in contact with Mr. Higgins about a month prior to this concerning

that land. Mr. Higgins arrived on the scene when there was about to me more cutting done and he said there would be no more cutting."

Attorney Kissinger asked, "So he did stop the cutting, once he was informed he was on the county right-of-way?"

Mr. Schultheis responded, "Very much so. Very directly and proper."

There was very brief discussion among the Commissioners, following which Commissioner Borries said the only point he wanted to see confirmed here is that Mr. John Stoll is the County Engineer and Mr. Higgins is a representative in that office. So the head of that department would be John Stoll. So if John wasn't aware of the situation, at least he is now. He clearly understands how it is impossible to know everything about everything for one individual. But if Mr. Schultheis will tell Mr. Higgins that everything is now entered into the public record and that we have everything documented, so that if a lawsuit might occur -- if this gentleman, for whatever reason -- well, if the county, for example, would enter into a lawsuit we need to have everything documented clearly as to what Mr. Higgins did, when he did it, etc., and Mr. Phillips' response to that request.

Mr. Schultheis said, "Well, I meant the County Engineer's office -- and I will -- I did some documentation -- Don Hardesty was the photographer and took about sixteen photos. I will turn those over to your office if you so desire. But I feel confident we are on top of this situation and you have been properly informed. But I will turn those photos over so they become a matter of record, if you want them. Thanks again, from the people on Campbell Road."

Commissioner Tuley asked if there is any other group or organization that wishes to address the Commission. There was no response.

RE: PROPOSED ORDINANCE AMENDING THE BUILDING CODE/FINAL
-- ROGER LEHMAN

In proceeding, Mr. Tuley asked if Roger Lehman is present.

Mr. Abell said Mr. Lehman expressed to him earlier in the week that he'd like to defer this matter until he had an opportunity to talk to the Commissioners.

RE: PURCHASING DEPARTMENT - DARYN BURG DORF

Awarding of Bid/Two 3/4 Ton Pick-up Trucks for County Highway:

Mr. Burgdorf said these bids were opened last week. There were three (3) bidders (D. Patrick Ford, Kenny Kent Chevrolet and Cooke Chevrolet GEO). All bids were in order and did contain the proper forms. They complied with specifications. He and Mr. Bill Morphey have reviewed the bids and recommend that the bid be awarded to the low bidder, Cook Chevrolet Geo, in the amount of \$28,406.32. Not only was their price considerably lower, they had a quicker delivery time.

Mr. Borries asked if we bid the two trucks together?

Mr. Burgdorf responded affirmatively.

4-Wheel Drive Vehicle/Rejection of Bids: Attorney Kissinger asked if we bid the four wheel drive vehicle, as well?

Mr. Burgdorf said after talking with Mr. Morphey, it was their recommendation that we reject the bids on the four wheel drive vehicle at this time, since County Council did not approve the

funding for same.

Commissioner Tuley entertained a motion concerning the two 3/4 ton pick-up trucks for the County Highway Department.

Motion to accept the low bid from Cook Chevrolet Geo for two 3/4 ton pick-up trucks in the amount of \$28,406.32 was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Commissioner Borries asked whether there was any money whatsoever appropriated for the 4-wheel drive vehicle?

Mr. Burgdorf said he does not believe there was.

Commissioner Borries said he doesn't know why we bid this vehicle if there were no money. You have to have money in place. He would not think this is a frivolous request here. What we're talking about is we seem to have a little different philosophy. Of course, Council has the funding and we're the ones that have to accept the contracts and draw the specifications. But, again, I believe if there is one person in the whole county who needs a 4-wheel drive vehicle -- because the roads might be impassable due to flooding, snow or whatever -- it ought to be the County Highway Superintendent -- because that person is the person who has to drive the roads. I mean, I don't get it. I don't understand where there is a real difficulty with that. I mean, of all the people in the whole county -- so can this Board go on record?

Commissioner Hunter said he agrees with Commissioner Borries. But if we have a 4-wheel drive pick-up truck it makes it hard to justify the other. But if we don't have anything, then he agrees with Commissioner Borries.

Mr. Stoll said he believes his office has the only 4-wheel drive vehicle.

Commissioner Hunter said that he's probably not willing to give it up.

Commissioner Borries said the Commission will try again to draft a letter to Council concerning the 4-wheel drive vehicle. Does the County Highway have any 4-wheel drive vehicles whatsoever?

Mr. Morphey responded that they do not.

The Commissioners unanimously stated that this is ridiculous.

Motion was made by Commissioner Borries that a letter be written by the Board of the Commissioners stating that the County Highway -- which has the first response on the inspection, maintenance, etc., of the County roads -- should purchase one (1) 4-wheel drive vehicle.

Commissioner Hunter asked if we're any different from the School Corporation or the Utility Department. Don't they have 4-wheel drive vehicles?

Mr. Borries said he's sure the School Corporation does. They have to drive the roads the same as we do to determine if there is ice on the roads, etc.

Mr. Morphey said the City Garage has several and the City Engineer has one.

Motion seconded by Commissioner Hunter. So ordered.

RE: ORDINANCE AMENDING CHAPTER 153 (ZONING CODE)

This matter was deferred until next week.

RE: ORDINANCE AMENDING CHANGER 32 (WEIGHTS & MEASURES) OF THE CODE OF ORDINANCES/FINAL READING

This matter was deferred until next week.

Attorney Kissinger said he has talked with Weights & Measures and the Assistant County Attorney representing that department. He believes this is the Final Reading tonight. Unless there is some question, perhaps the Board could proceed to take action.

Commissioner Tuley asked if there is anyone to speak either for or against this ordinance. There being no comment, a motion was entertained.

Motion to approve on Final Reading was made by Commissioner Hunter, with a second from Commissioner Borries.

Mr. Tuley asked for a roll call vote: Commissioner Hunter, yes; Commissioner Borries, yes; and Commissioner Tuley, yes.

RE: VANDEBURGH AUDITORIUM - SANDRA TOTEN

Service Agreement/Dover Elevator: Ms. Toten said this is a basic monthly service agreement. She thinks it is important we stay on top of that elevator; it now has some age on it -- especially in view of the ADA laws, etc.

Attorney Kissinger said this is a basic preventive maintenance agreement if the Commissioners desire to give favorable consideration to same, then they should do so.

Mr. Tuley entertained discussion. There being none, a motion was entertained.

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

Request to Go On Council Call: Ms. Toten requested permission to go on Council Call concerning an appropriation for the Liability Insurance Fund (\$12,790) and Union Overtime plus benefits (\$25,000). Last year they spend right around \$23,000 for union overtime. Council cut her to \$10,000, which will probably last her not quite through to Sesame Street in April. It depends upon whether the union will allow her to work her guys through to 11:00 p.m. for events at straight time -- rather than it being overtime.

Increase in Monthly Parking Fee: Ms. Toten said she thinks increasing the fee from \$15.00 to \$20.00 per month is still below market. She is still working on a way not to ask any of the tagholders to vacate the lot for events. That is probably the biggest complaint. What this would do is that it would not permit them to sell out the lot for Monday thru Friday daytime events until after 4:00 p.m., unless the user of the facility would like to purchase the back half of the lot. This would probably be more hassle than it is worth. She believes they asked the tagholders to park outside the parking lot three times. Most of their events are on the weekends and after 4:00 p.m. Out of courtesy, they will continue to let the tagholders know when events are going to be in the building -- to say they may not want to leave at lunchtime, because there may not be a parking slot when they return. Right now she has 152 parking spaces and approximately 90 employees purchase monthly parking tags. The increase in parking fee would take effect February 1, 1994.

Motion to approve the increase in parking fee effective February 1, 1994 was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered. (Notice will be included with the payroll checks issued January 14, 1994.)

RE: COUNTY ATTORNEY - ALAN KISSINGER

Attorney Kissinger said that last week the Commissioners requested that he prepare a letter to the Evansville Housing Authority in reference to the County support of the Youth Grant Application. That letter was prepared and sent over his signature, informing the Housing Authority of the action taken by the Board of Commissioners with regard to adoption of the Resolution.

Cumulative Capital Development Fund Tax: Attorney Kissinger said he was asked to notify the State Board of Tax Commissioners that the County intends to collect the Cumulative Capital Development Fund Tax and inform them that we have complied with all the conditions and that we intended to collect the tax - and specifically requested that they include it in their final budget order. The letter was originally faxed to them and subsequently mailed to them, as well. He has received no response of any kind.

Commissioner Tuley said he doesn't know the specifics with regard to advertising procedure, but it makes you wonder what is wrong if there are that many counties who, for some reason, have failed -- especially Spencer County, who has had it in effect for a number of years. Nonetheless, hopefully the problem will be corrected and we'll still get it.

Commissioner Borries said it may have been today -- but he thinks Representative Hays either submitted the bill -- or it may have been approved in hearing today at the Indiana Legislature -- because he thinks Vanderburgh County was going to be included with five other counties who had some advertising difficulties. He thinks the Speaker of the House had entered a request in behalf of Spencer County.

Attorney Kissinger said, "In going through this in detail, it certainly appears that the Order that is issued by the State Board of Tax Commissioners could cause someone to rely on that Order -- that is done; that it is final; and that we could proceed. It could certainly be construed in that fashion by someone who had not previously dealt with that particular tax fund."

Commissioner Tuley said that is certainly a good point.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Acceptance of Checks: Mr. Abell said he has several checks to submit tonight, which came in today. One from AT&T in the amount of \$1,169.31; one into the recapitulation fund from Kevin Bryant for \$945.60; one from the Coroner's office for reimbursement on the computers in the amount of \$120.98; and one from Koester Contracting in the amount of \$200.00 for rent on the Green River Rd. house.

Coliseum Roof/Emergency Repairs: Mr. Abell said the Commissioners discussed the problems experienced with the Coliseum roof last week and declared same emergency status. He requested prices from six (6) companies, but received only two responses, the lowest being from Bunge in the amount of \$4,150.00 -- \$20.00 lower than the other price quote. He initiated the purchase order process and contacted Bunge -- so that project should get under way.

Water Leak/Auditorium: Mr. Abell said he doesn't know whether the Commissioners are aware that the Auditorium also had a water leak problem. We don't know the extent of that yet. As soon as he has sufficient information, he will share same with the Commissioners.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted his weekly work reportreport received and filed.

Mr. Morphey noted there were a lot of hours of snow removal included on the report. They received several "thank you" cards, one in particular which he'll share with the Commissioners.

Commissioner Tuley read the following into the record:

"Tuesday - 6:00 p.m.
28 December 1993

I called Monday evening and asked if you could possibly get to the hill on Charlee Drive. Realizing that you had a lot to do that night, I explained that a granddaughter was expecting anytime. The next morning I called her and she said the hill was clear -- and she was heading to the hospital. About an hour ago we got the word that it was an 8-1/2 lb. boy (Issac John). Issac John Eramowitz thanks you and the whole darned family thanks you!

Jean Meyers"

Mr. Tuley said that is a pretty nice letter.

Commissioner Hunter said that kind of makes Mr. Morphey a Godfather! At least the crew went out.

Mr. Morphey said it makes all those hours worthwhile.

Commissioner Borries said he thinks the County Highway crews did an outstanding job. He knows that with close to the 600 miles of county roads we now have it is a big job. And, of course, the snow routes are the most critical. But, frankly, the complaints received were somewhat routine -- as he checked with the office -- where people were wondering when something or the other was going to happen. But overall, in terms of school buses and keeping traffic moving, we received very positive comments.

Campbell Rd./Trees: Mr. Morphey said he wants to tell the Commissioners a bit about the trees on Campbell Road. Mr. Schultheis lives at the end of Campbell Rd. It is a dead end road and the tree is at the end of the dead end road. It is a very narrow road. There is a large tree back there that Mr. Art Phillips has been trying to get the highway department to remove for a number of years. All of the people who have preceded him (Bud Muensterman, Jack Waldroup, Carol Davis, etc.) have all refused to remove this tree. It poses no danger. The school bus does not go back there and there is very little vehicular traffic -- and he believes there is a total of four houses. "We see no reason whatsoever to remove this tree. We've obtained a couple of estimates on it and it is going to cost approximately \$1,000 to remove it. We see no reason whatsoever to remove it. It is not falling down and poses no danger whatsoever. The gentleman wanted us to remove it and we told him "No" - we're not going to. On Thursday of last week, the gentleman called him and asked if he could remove it or have a contractor remove it at no cost to the county. It does border his property, but mostly is on County right-of-way. He told the gentleman he didn't care if he had a contractor remove it at no cost to the County, provided he cleans his mess up and it doesn't cause any harm to his neighbors. He said he would take care of that. Mr. Higgins came to the County Highway office a couple of hours later and told him the gentleman was trying to cut trees for the full length -- he has 600 ft. of his frontage on that road and he was cutting trees on County right-of-way on that 600 ft. frontage. That was a different story.

Mr. Higgins told him to stop cutting trees until further notice. Today Mr. Higgins came and told him the man was cutting the trees on County right-of-way for firewood and selling it. He said Mr. Higgins reiterated that he should stop.

Commissioner Borries asked, "You mean he's continued to do it since his first warning?"

Mr. Morpew said he told him he was not cutting any trees -- he told him that this morning.

Mr. Borries asked, "He's just selling the firewood?"

Mr. Morpew said he went out there today. He is cutting some trees on his property, which is no concern of ours -- and he can sell all the firewood he wants. But he was told not to cut any trees on the County right-of-way. It is my understanding that he has stopped doing that -- but that was his intention. But he did call Mr. Morpew at 6:30 a.m. today to tell him he would not be cutting any trees this week.

Mr. Tuley commented that of all those people in here, he is sure somebody is watching him and if he gets back on county right-of-way -- we're going to hear about it.

It was noted by Mr. Morpew that those were all his neighbors. That is actually how many people live on that section of the road -- except him -- he was the only one not here tonight.

Commissioner Borries said one thing is for sure, he is outnumbered. I don't think you'd better say friends and neighbors out there right now -- you might just want to say neighbors.

In response to query from Commissioner Hunter, Mr. Morpew said he does believe Mr. Phillips has stopped cutting trees. He has told him he is not cutting any trees -- but he does want to talk to the Commissioners about cutting some trees out there. He doesn't see any need for it. Mr. Morpew said if Mr. Phillips wants to subdivide and sell the lots, etc., he knows there are rules and regulations Mr. Phillips must follow. As far as his selling one lot or three lots, if people are going to build a home in there, it is up to them to remove whatever trees they are going to remove. It certainly would not be our responsibility. But insofar as keeping the right-of-way mowed or cut back, we'd certainly do that. But he doesn't see any need for the County Highway Department to go out there and do anything at the present time. If he were to subdivide the ten acres, he'd certainly have to improve that road. It is very narrow -- only 11 ft. wide. -- there's not enough room for two vehicles to pass -- so he has a problem. Mr. Morpew said, however, he does not feel the County Highway should take care of his problem.

Commissioner Tuley said, "I don't think so either. It sounds like you're aware of what is going on out there. He has stopped cutting on County right-of-way and until further notice, I don't think we need to do anything else."

It was the consensus of the Board that there is nothing further for the County to do at this time, since Mr. Phillips has ceased cutting trees on County right-of-way.

RE: COUNTY ENGINEER - JOHN STOLL

Columbia-Delaware/Ribbon Cutting Ceremony: Mr. Stoll reported he is trying to get this set up for January 24th, as discussed. This is all he has for the Board today.

North Green River Rd. Project: Mr. Borries said he knows Mr. Stoll is continuing to monitor this project.

Mr. Stoll said he talked with the contractor today. Basically, they are waiting for the weather to break so they can get out there to pave the remaining 1-1/2 lanes. In the interim, they've been doing some signal work and other minor work on the project.

RE: CONSENT AGENDA

Travel Requests: Mr. Tuley raised questions concerning the number of people and vehicles from German Township on travel for January 23 - 25. Mr. Hunter also asked why one is asking for hotel expense and the others are not. It's the same meeting. The Commissioners stated they are not concerned about the number of people (three) -- but do not think we should pay mileage for three personal vehicles. Commissioner Tuley deferred the travel requests from German and Scott until next week and asked Mr. Abell to obtain clarification and see if the individuals in the townships couldn't travel in the same vehicle. Also, obtain clarification re the lodging.

There being no further comments or questions, Mr. Tuley entertained a motion.

Motion to approve the Consent Agenda, excluding the travel requests for German and Scott Townships and the Employment Status Changes for the Auditor's Office. was made by Commissioner Borries. Mr. Tuley explained there is a Release Slip on Bettye J. Miles and the date typed in has been changed to 1/25/94. There seems to be confusion with regard to the dates. The discussion is that the Board will take no action on this matter. It will be delayed until same can be discussed in an Executive Session. Seconded by Commissioner Hunter. So ordered.

RE: SCHEDULED MEETINGS

It was noted by Commissioner Tuley that a list of Scheduled Meetings is attached to the meeting agenda. County offices will be closed next Monday -- January 17th -- and the Commissioners will meet at 5:30 p.m. on Tuesday, January 18th.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board. There were none.

RE: NEW BUSINESS

President Tuley entertained matters of New Business to come before the Board.

Executive Session: Commissioner Borries moved that the Board hold an Executive Session at 4:30 p.m. on Monday, January 24th, for purposes of discussing Pending Litigation and Personnel Matters. Seconded by Commissioner Hunter. So ordered.

Rezoning Petitions: Commissioner Borries said that normally Rezoning Petitions are heard at the third meeting of the month. Next week is the third week and there are no rezoning petitions to be heard this month. He doesn't know whether this is good or bad -- but that is the night of the Purdue-I.U. game. Mr. Hunter said next week's meeting is on Tuesday. He has to teach that night anyway -- so he'll just take the T.V. set with him.

There being no further business to come before the Board, President Tuley declared the meeting adjourned at 7:15 p.m. and announced that the Drainage Board will convene immediately following a very brief recess.

PRESENT:

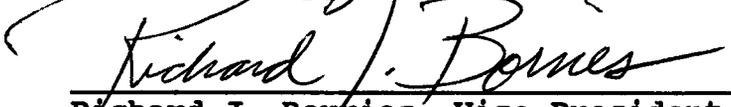
Patrick Tuley
Richard J. Borries
Don Hunter
Cindy Mayo, Chief Deputy Auditor
Alan M. Kissinger, County Attorney
Mark Abell/Supt./County Buildings
John Stoll/County Engineer
Bill Morphew/County Highway Supt.
Daryn Burgdorf/Purchasing Department
Sandra Toten/Vanderburgh Auditorium
Others (Unidentified)
News Media

ACTING RECORDING SECRETARY: Sunny B. Titzer

TRANSCRIBED BY: Joanne A. Matthews



Patrick Tuley, President



Richard J. Borries, Vice President



Don Hunter, Member



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

RECEIVED
JAN 11 1994

RICHARD J. BORRIES
DON L. HUNTER
PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

January 10, 1994

5:30 P.M.

FINAL

1. **CALL TO ORDER** 4:10
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
Resolution regarding meeting RB/DH to include 5th Mon. day
- A. **Approval of Minutes** ✓
- B. **Any group/individual wishing to address the commission**
- Leo Schutte (BACK) Umbell Road Residents
- C. **Roger Lehman, Building Commissioner**
Defer
re: **Proposed Ordinance Amending Building Code/Final**
- D. **Daryn Burgdorf/Purchasing**
Award Bid: 3 Bidders - all complied
✓ Cooke Chevy Geo - DH/RB 28,486.23
1) **Two 1994 3/4 Ton 8600 GVW Pickup Trucks (County Hwy)**
AND to Council. RB/DH
- E. **Ordinance Amending Chapter 153 (Zoning Code)**
re: **Final defer**
- G. **Ordinance to Amend Chapter 32 of the Code of Ordinances**
Second/Final Readings *defer*
at a later date.
- H. **Sandra Toton/General Mgr./Auditorium**
re: **See Attached**

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:

Health (2) Scott Township Assessor (3) Scott Township Assessor (2)

B. Employment Changes:

* see attached

R.E.D.H.

. Claim(s) for payment:

- 1) Kevin Bryant.....1,060.17(Atty Fees)
- 2) Given & Spindler....4,241.00(Jan. Mgmt Fee)
409.04(Expense Reimbursement)
4,854.13(4th qtr. 10% fee Mgmt Commission)

**C. Health Department/Grant Application
re: signatures needed**

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED 7:15

R.E.D.H.
1-24-93
pending in prog.

COUNTY ENGINEER'S

CONSENT AGENDA

January 10, 1994

1. CLAIMS:

CONTRACTUAL SERVICES 203-3930 Concrete Pavers VC 93-09-01 (Inv.1)	\$26,607.60
BRIDGE INSPECTION 203-3540 United Consulting (Inv. #1)	\$ 4,828.00
OHIO ST. BRIDGE #3C 203-4345 Bernardin Lochmueller (Inv. #91-068-1(18))	\$ 314.50
COLUMBIA/DELAWARE BRIDGE #1C 203-4353 United Consulting (Inv. #13)	\$14,804.38
LYNCH ROAD EXT. 216-4827 Bernardin Lochmueller (Inv. #93-032-1(4)) Bernardin Lochmueller (Inv. #90-038-1(21))	\$10,333.67 \$ 750.00
U.S.I. & SR 62 430 BOND Bernardin Lochmueller (Inv. #93-003-2(7))	\$26,975.74

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Prosecutor's Office 108.1

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108.101120	Lesia Conkling	317 Schroeder	Ass't. Dir.	23,336.00	1-01-94
108.101110	Wilisa McKune (McKune - Transfer from 108)	1816 Burdette	Secretary	19,224.00	1-01-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108.101110	Lesia Conkling	317 Schroeder	Secretary	22,169.00	1-01-94
108.101120	Sylvia Y Reutter (Reutter Retired)	3035 Clamont	Ass't Dir.	25,194.00	12-31-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Douglas B. Brown DATE 1-5-94

Stanley M. Levco, Prosecutor
By Douglas Brown

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP ASSESSOR-REASSESSMENT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
4901140 160-1120	JACQUELINE L PAGE	1700 S TEKOPPEL AVE	OFFICE COORDINATOR I	3.944/HR 18,708.00	1-6-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
4901140 160	JACQUELINE L PAGE	1700 S TEKOPPEL AVE	OFFICE COORDINATOR I	7,875.00	1-6-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Leslie P. Terrella DATE 1-6-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Prosecutor's Office 108 *al*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10801230	Paul Marvel	1920 E. Chandler	Investigator	24,843. ⁰⁰	1-01-94
10801990	Victoria M. Working	13505 Billes Lane	Extra Help (hourly) 5.	00	12-20-93
10801290	Andrea Joy Baus	634 College Hwy	ParaLegal Sec	18,334. 00	1-01-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10801230	Johnny Watkins	192 Dogwood Circle West Brandon, MS 39042	Investigator	22,310. 00	12-31-93
108011290	Malissa McKune	1816 Burdette	ParaLegal Sec.	19,224. 00	1-01-94
10801990	Alicia Eaton (Transferred to 505-108)	R81, Box 140, New Harmony	Extra Help (hr.) 5.	00	1-01-94

RECORDED
COMMISSIONER'S RECORD

SIGNED BY *Douglas R. Brown* DATE 1-05-94
Stanley M. Levco, Prosecutor
By Doug Brown, Chief Deputy

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Prosecutor Drug Law Enforcement - 505-108-M Accounts *al*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
8M1120108M	Alicia Eaton	R81, Box 140 New Harmony	Extra Help (hourly) 5. FILE CLERK	00	1-01-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
8M1140108M	Paul Marvel (Transfer to 108)	1920 E. Chandler	Investigator	22,717. 00	1-01-94

RECORDED
COMMISSIONER'S RECORD

SIGNED BY *Douglas R. Brown* DATE 1-5-94
Stanley M. Levco, Prosecutor
By Doug Brown, Chief Deputy Prosecutor

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300199	Shelley Knight		Part-time Clerk/Typist	7 0682 7351 00	1-7-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Ray Hamm

DATE 1/7/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300099	Craig Titzer		Probationary Patrolman	12 8822 26795 00	1-4-94
105011300109	James Martin		Prob. Patrolman	12 8822 26795 00	1-4-94
10501750	Craig Titzer		Clothing Allow Other		1-4-94
10501750	James Martin		Clothing Allow Other		1-4-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Ray Hamm

DATE 1/7/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP ASSESSOR-REASSESSMENT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
24901140 1170-1130	HEATHER L KELLO	1501 GLENDALE APT B	FIELD COORDINATOR	<u>\$7.00 PER HOUR</u> 7,825.00	1-6-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
24901140 1170	HEATHER L KELLO	1501 GLENDALE APT B	FIELD COORDINATOR	<u>\$7.00 PER HOUR</u> 12,900.00	1-6-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Lucia S. Smith* DATE 1-6-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP ASSESSOR-REASSESSMENT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
24901140 1990	KARL A KOOB	805 HARMONY WAY	REASST. EXTRA HELP	<u>\$7.00 PER HOUR</u> 14,560.00	1-6-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
24901140 1990	KARL A KOOB	805 HARMONY WAY	REASST. EXTRA HELP	<u>\$7.00 PER HOUR</u> 14,560.00	1-6-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Lucia S. Smith* DATE 1-6-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department TREASURER

sh-

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
103-120	Laura J. Watson	2328 Rheinhardt	Counter Posting Clerk	15,336 00	1-1-94
		(CORRECTION)			

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Jay S. Sleak* DATE January 5, 1994

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff - Jail

sh

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105111300401	Michael Frank		Paramedic	10 874 22619 00	1-6-96

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Ray Harmon* DATE 1/7/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department AUDITOR *sh*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1 1330	Teresa Riney	Assist 1st Deputy	COMOT IV	19,400	1-18-94
1 13990	Julie Hinton	TTE/Settlement Clerk	COMOT V	21,139	1-18-94
1 1290	Sue Riemann	Transfer Clerk	COMOT IV	17,647 ⁹⁰	1-7-94
1 1260	Lisa Ticken	Posting Clerk	COMOT III	16,952 ⁹⁰	1-7-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1 1310	Teresa Riney	Posting Clerk	COMOT III	17,668	1-18-94
1 1330	Julie Hinton	Assist 1st Deputy	COMOT IV	19,400	1-18-94
1 1260	Sue Riemann	Posting Clerk	COMOT III	16,075	1-7-94
1 1290	Lisa Ticken	Transfer Clerk	COMOT IV	18,502	1-7-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Carole Mayo* DATE 1-7-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department AUDITOR *sh*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1 1230	Sunny B Titzer	Council Secretary	COMOT VI	22,251	1-18-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1 1230	Betty Miles	Council Secretary	COMOT VI	22,251	1-18-94
1 1390	Sunny B Titzer	TTE/Settlement Clerk	COMOT V	21,139	1-18-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Carole Mayo* DATE 1-7-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP ASSESSOR-REASSESSMENT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
4901140 990	KENNETH B WENTZEL	1701 RUSSELL AVE	PT TIME HELP	\$7.00 PER HOUR	1-6-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Paulie S. Tarnetta* DATE 1-6-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP ASSESSOR-REASSESSMENT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
24901140 1990	FRANKLIN J CARR SR	3019 W FRANKLIN ST.	PT. TIME HELP	\$7.00 PER HOUR	1-6-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Paulie S. Tarnetta* DATE 1-6-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.0136Y-1150	KERRY D. MOORE		SUPERVISOR TRAINEE	9,488	AN	1-1-94
505.0136Z-1360	DEBORAH MOWBRAY		COUNSELOR SUP.	7,016	AN	1-1-94
505.0136Z-1200	ALAN WILLIAMS		RESIDENTIAL CAPTAIN	30,000	AN	1-1-94
505.0136Z-1270	KAREN ANGERMEIER		EXEC. ASST. SUPP.	6,600	AN	1-1-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.0136Y-1150	VERNER SOLOMON		SUPERVISOR TRAINEE	9,488	AN	12-31-93
505.0136Z-1360	DEBORAH MOWBRAY		COUNSELOR SUP.	1,905	AN	12-31-93
505.0136Z-1200	ALAN WILLIAMS		RESIDENTIAL CAPTAIN	25,750	AN	12-31-93
505.0136Z-1340	VERNER SOLOMON		SUPERVISOR TRAINEE SUPP.	764	AN	12-31-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Randy G*

JUDGE, CIRCUIT COURT

DATE

JAN 7, 94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.0136Z-1990	SCOTT E. GILLES		PART-TIME CORRECTION OFFICER	7.00	HR	12-18-93
136.1-1990	SAMUEL J. ALDERSON		PART-TIME CORRECTION OFFICER	5.00	HR	12-18-93
136-1600	JOHN HULLER		SPECIAL STIPEND	3,247	AN	1-1-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.0136Z-1990	SCOTT E. GILLES		PART-TIME CORRECTION OFFICER	5.00	HR	12-18-93
505.0136Z-1990	SAMUEL J. ALDERSON		PART-TIME CORRECTION OFFICER	5.00	HR	12-18-93
136-1600	LARRY MCDOWELL		SPECIAL STIPEND	3,247	AN	1-1-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *Beverly H. (Pee)*

JUDGE, CIRCUIT COURT

DATE

1/10/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Assessor/Board of Review

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
130011801300 Donald Partridge	6201 Newburgh Road	Board of Rev.	Per diem 35.00	12/29/93
130011801300 Jerome Richey	3010 W. Michigan	Board of Rev.	Per diem 35.00	12/29/93

RECORDER
COMMISSIONER'S RECORD

Signed by *James L. Angstrom* on January 7, 1994

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT

APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
26201980 Kimberly J. Hinton-Cowan		Probation Officer	Other Pay	1/14/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *L. H. D. Dittus* DATE

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department SCOTT TOWNSHIP ASSESSOR

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249-116-199	Norman M. Miller	14320 Cemetery Rd.	Coordinator	\$9.00/HR	Jan. 1, 1994

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Bob F. Harris / JR DATE Jan. 1, 1994

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Prosecutor's Office 263 Pre-Trial Division

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1990	Andree Baus	634 College Hwy	Extra Help	5.00	1-04-94
	(A single payroll will be paid to Andree to adjust salary withheld due to part-time employees)				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Stanley M. Levco DATE 1-05-94

Stanley M. Levco, Prosecutor
By Doug Brown, Chief Deputy Prosecutor

January 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

							1 New Year's Day 1/364
2 2/363	3 New Year's Day (observed) 3/362	4 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners 4/361	5 3:30pm County Council 5/360	6 6/359	7 7/358	8 8/357	
9 9/356	10 4:30pm Solid Waste 5:30pm County Commissioners 6:30pm Drainage Brd. 10/355	11 11/354	12 12/353	13 13/352	14 Pay Day 14/351	15 15/350	
16 16/349	17 Martin Luther King, Jr. 17/348	18 9:00am Insurance Comm. 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Rezonings 18/347	19 19/346	20 9:00am Steering Comm. 5:00pm Pigeon Creek 20/345	21 21/344	22 22/343	
23 23/342	24 5:30pm County Commissioners 6:30pm Drainage Brd. EXEC. SESS. (EMPL. O. Δ) 24/341	25 25/340	26 3:30pm Personnel & Finance 26/339	27 27/338	28 Pay Day 28/337	29 29/336	
30 30/335	31 5:30pm County Commissioners 31/334						

December 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	31	

February 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				



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

RICHARD J. BORRIES
DON L. HUNTER
PATRICK TULEY

R E S O L U T I O N

IN ACCORDANCE with Indiana Code 36-2-2-6, as amended by Acts 1982, P.L. 17, Section 8, is amended in Section 6, in that the Executive shall hold a regular meeting at least once a month and at other times as needed to conduct all necessary business and dates of regular meetings shall be established by resolution at the first meeting in January of each year.

NOW THEREFORE, let it be known that the meetings of the Vanderburgh County Board of Commissioners shall be held on the first, second, third, fourth and fifth (if there is one) Monday of each month at 5:30 P.M.. If a holiday falls on Monday, then the meeting will be held on the following business day, unless otherwise stated by the Commissioners in an open meeting.

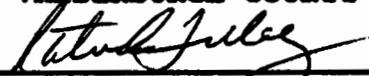
Solid Waste District Board meetings will be held on the second Monday of each month at 4:30 P.M.

Rezoning Petitions will be heard on the third Monday of each month beginning at 7:00 P.M..

Drainage Board will be heard on the fourth Monday of each month immediately following the Commissioners meeting.

APPROVED this 10th of January, 1994.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY



PATRICK TULEY, PRESIDENT

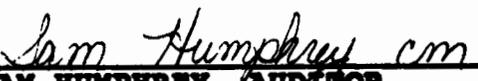


RICHARD J. BORRIS, VICE-PRESIDENT



DON L. HUNTER, MEMBER

ATTEST:



SAM HUMPHREY, AUDITOR
VANDERBURGH COUNTY

ORDINANCE TO AMEND CHAPTER 32 OF
CODE OF ORDINANCES OF VANDERBURGH COUNTY

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY,
INDIANA, AS FOLLOWS:

1. That the following sections are adopted as an Ordinance of Vanderburgh County, State of Indiana replacing Sections 32.78 and 32.79 of the existing Vanderburgh County Code of Ordinances and adding Section 32.80:

§ 32.78 COUNTY INSPECTOR.

(A) The "County Inspector" shall be the person or persons duly authorized to inspect weighing or measuring instruments in the county.

(B) The County Inspector is a Deputy Inspector under the direction of the State Administrator of Weights and Measures. The County Inspector shall take charge of, and safely keep the county standards. The County Inspector shall have the power to inspect, test, try and ascertain the accuracy of all instruments, tools, appliances or accessories connected with any or all instruments used or employed within the county by any proprietor, agent, lessee or employee in determining the size, quantity, extent or measurement of quantities, things, produce, and articles for distribution or consumption offered or submitted by such person or persons for sale, hire or award. The County Inspector shall, as often as he/she deems necessary, or as required by law, see that the instruments and apparatus used in the county comply with state law and regulations.

(C) The County Inspector shall have such other duties, powers, and authority as granted by this Ordinance, the Vanderburgh County Code of Ordinances, the Municipal Code, the State Administrator of Weights and Measures, and the laws of the State of Indiana. ('62 Code, Art. 2, Ch. 22, §2) (Ord. G-82-22, passed 4-5-82)

Statutory reference:

Weights, measures and labeling, see I.C. 24-6-1-1 et seq. through 24-6-9-1 et seq.
Inspectors, see I.C. 24-6-3-1 et seq.

General authority of counties to regulate public health, safety and welfare; businesses; weights and measures, see I.C. 36-1-3-4(B), 36-8-2-4, 36-8-2-10, and 36-8-2-12.

§32.79 RULES AND REGULATIONS

(A) Mobile Instruments.

(1) An "Instrument" shall be any scale, weight, beam, measure or weighing or measuring device of every kind, or instrument or parts thereof subject to regulation by the Division of Weights and Measures of the State Department of Health. ('62 Code, Art. 2, Ch. 22, §1) (Ord. G-82-22, passed 4-5-82)

(2) If an instrument is mobile or otherwise operated at more than one location and is not made available to be inspected by the County Inspector at a permanent business location during regular business hours of the county, the County Inspector shall have the authority to order the owner or operator to present the instrument for inspection by the County Inspector at a time and location designated by the County Inspector.

(3) It shall be a violation of this subchapter for any person to fail to comply with the orders of the County Inspector as provided in subpart (A) of this section.

(4) If any person fails to present an instrument for inspection, the County Inspector may issue a citation, condemn the instrument or otherwise render the instrument inoperable by utilizing the same procedures he/she would use if the instrument were found to be false or fraudulent, or utilize any other procedure or remedy available by law or granted in this county code. ('62 Code, Art. 2, Ch. 22, §3) (Ord. G-82-22, passed 4-5-82) Penalty, see § 32.80

(B) Instrument repair and installation.

(1) Any person engaged in the business of repairing or installing instruments shall have all testing equipment inspected and certified by the Division of Weights and Measures of the State Department of Health before engaging in said business, and shall have all such testing equipment recertified at least once each year thereafter. However, weights of more than 50 pounds are required to be certified by the Division of Weights and Measures of the State Department of Health only once each two years. A copy of the certification shall be filed with the County Inspector.,

(2) Any person engaged in the business of repairing or installing instruments shall have a current knowledge of the state rules and regulations concerning tolerances and standards for instruments and install or repair all instruments so that said instruments comply with state rules

and regulations.

(3) All owners or operators of instruments shall inform the County Inspector that an instrument has been installed and provide the County Inspector with the location of said instrument prior to that instrument being placed into service. ('62 Code, Art. 2, Ch. 22, §4) (Ord. G-82-22, passed 4-5-82; Am. Ord. G-83-9, passed 4-4-83) Penalty, see § 32.80.

(C) Numbering of instruments.

Any person who owns or operators more than one instrument of a particular type at a business location shall serially number each instrument in such a manner that each instrument may be readily distinguished from all other such instruments of that type present at that location. ('62 Code, Art. 2, Ch. 22, §5) (Ord. G-82-22, passed 4-5-82) Penalty, see § 32.80

(D) Compliance with state standards required.

No person engaged in the business of selling, buying, exchanging goods or commodities by weight, measurement or volume shall use an instrument in his business operations for such purpose if such instrument does not meet the standards established by the State of Indiana or the Division of Weights and Measures of the State Department of Health. ('62 Code, Art. 2, Ch. 22, § 6) (Ord. G-82-22, passed 4-5-82) Penalty, see § 32.80

Statutory reference:

Weights, measures and labeling, see I.C. 24-6-1-1 et seq. through 24-6-9-1 et seq. See also 410 IAC 12-1-1

(E) Security seals.

(1) When a weighing or measuring device is security sealed by a County Inspector, such security seal shall not be cut, severed or removed without permission of a County Inspector. Any weighing or measuring device designed to be security sealed shall be sealed by a County Inspector.

(2) Repairmen whose equipment is certified under § 32.79(B) may remove a security seal for the purpose of making repairs without prior approval of a County Inspector. Repairmen who cut, sever or remove a security seal shall immediately notify the County Inspector.

(3) No security seal shall be valid in the county except a seal issued by the County Inspector.

(4) No weighing or measuring device which has been security sealed by the county Inspector shall be used in the business of selling, buying, bartering or exchanging of goods or commodities if the security seal has been cut, severed or removed until it is resealed by the County Inspector or permission is given by the County Inspector if immediate resealing is impractical.

(F) Commodity regulations.

(1) All persons engaged in the selling, buying, bartering or exchanging goods or commodities must sell, buy, barter or exchange the goods or commodities using the legal method of selling, buying, bartering or exchanging such goods or commodities as required by the National Conference on Weights and Measures Method of Sale of Commodities Regulation.

(2) All commodities and goods when offered for sale in package or containers shall meet all labeling requirements of the National Conference on Weights and Measures Packaging and Labeling Regulations.

(3) All commodities when required to be sold by weight must be sold by net weight and all commodities required to be sold by measure or count shall be accurate as required.

(G) Violations procedures.

The County Inspector shall have the power to determine if the violation or violator warrants any one (1) or more of the following:

(A) The County Inspector may issue to the violator a citation which shall be written on a citation ticket and kept on file in the Weights and Measures office.

(B) The County Inspector may provide the violator with the opportunity to pay a pre-set fine as set forth in §117.999 of this chapter, plus court costs if conditions of violation are correction within ten (10) days of the issuance of a citation or such other time as the County Inspector shall, in his/her discretion, determine as appropriate. The person receiving the citation must have permission from the County Inspector to pre-pay the fine, which permission shall be required in order to assure that the violation has been corrected before pre-pay fine is accepted. This shall be noted on the violation ticket and the white and cardboard copy is attached to a claim and filed at the County Clerk's Office. The County Clerk shall assign a court date and a summons shall be sent 10-15 days if Sheriff service, 30 days if registered mail is required. If pre-pay is received at the County Clerk's office, said monies shall be placed into the County

General Fund as required by Indiana State Board of Accounts. If there is no response to the pre-pay with a reasonable time, the County Attorney shall be informed and the case shall be prepared for trial.

(C) The County Inspector may in his/her discretion, decline to provide the violator with the opportunity to prepay and may proceed with civil action against the violator under this Ordinance.

§ 32.80 PENALTIES.

(A) Any person violating any provision of this chapter shall be subject to the relevant penalties as set forth below. However, it shall be a defense that the violation constitutes a misdemeanor or infraction under the laws of the State of Indiana. ('62 Code, Art. 2, Ch. 22, §8) (Ord. G-82-22, passed 4-5-82; Am. Ord. G-87-36, passed 12-14-87)

1. Mobile instruments

\$0 - \$200.00 per day for each device from the time of violation until compliance.

2. Instrument repair and installation

(a) Certification of equipment:

\$0 - \$500.00 each installation or repair using uncertified equipment.

(b) Knowledge of State rules and regulations:

\$0 - \$100.00 each installation or repair.

(c) Duty to inform concerning new installed equipment:

\$0 - \$1,000.00 per day for each device from time to time installation until the County Inspector is informed as required.

3. Numbering of instruments

\$0 - \$200.00 each device

4. Compliance with state standards

(a) \$0 - \$2,500.00 per day for each device of operation from time of inspection.

(b) \$0 - \$500.00 per day for each device on account of the removal of any tags, stickers, etc. placed on an instrument by the County Inspector.

5. Security seals

- A. \$0 - \$1,000.00 each device
- B. \$0 - \$1,000.00 each device
- C. \$0 - \$1,000.00 each device
- D. \$0 - \$2,000.00 each device for each day of operation

6. Commodities

- A. \$0 - \$200.00 each commodity
- B. \$0 - \$200.00 each commodity
- C. \$0 - \$1,000.00 each commodity

(B) The defendant in any civil action brought by the county through its Department of Weights and Measures pursuant to the provisions of this Ordinance shall pay all court costs incurred by the county in the prosecution of said action in the event said defendant is found to have violated any one (1) or more of the provisions of this Ordinance.

2. This Ordinance shall be in effect after it has been properly adopted by the Board of Commissioners of Vanderburgh County, and signed by its President, and after it has been approved by the City Counsel of Evansville, Indiana.

ADOPTED this 10th day of January, 1994.

BOARD OF COMMISSIONER OF
VANDERBURGH COUNTY

By: Patrick Tuley
~~Richard J. Borries~~, President
Patrick Tuley

ATTEST:

Sam Humphrey cm
Samuel Humphrey
Vanderburgh County Auditor

APPROVED AS TO FORM:

Alan M. Kissinger
Alan M. Kissinger,
Vanderburgh County Attorney

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT
FRIDAY, DECEMBER 24, 1993 THRU THURSDAY DECEMBER 30, 1993

FRIDAY, DECEMBER 24, 1993

HOLIDAY

SATURDAY, DECEMBER 25, 1993

General call in for snow removal, second call in that evening.

SUNDAY, DECEMBER 26, 1993

Call in for snow removal.

MONDAY, DECEMBER 27, 1993

HOLIDAY

TUESDAY, DECEMBER 28, 1993

Call in for snow removal, ice storm.
Regular work hours, all crews ran snow routes.

WEDNESDAY, DECEMBER 29, 1993

Regular work hours - all crews ran snow routes.
Call in for snow removal at night.

THURSDAY, DECEMBER 30, 1993

Regular hours - all crews ran snow routes.
Call in that night for snow removal.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, DECEMBER 24, 1993 THRU THURSDAY, DECEMBER 30, 1993

FRIDAY, DECEMBER 24, 1993

HOLIDAY

MONDAY, DECEMBER 27, 1993

HOLIDAY

TUESDAY, DECEMBER 28, 1993

All crews worked snow routes.

WEDNESDAY, DECEMBER 29, 1993

All crews worked snow routes.

THURSDAY, DECEMBER 30, 1993

All crews worked snow routes.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, DECEMBER 17, 1993 THRU THURSDAY DECEMBER 23, 1993

FRIDAY, DECEMBER 17, 1993

Gradall and one crew ditched on Korressel Road.
Payloader and five crews rocked shoulders on Hogue and Rosen-
burger.
One crew cleaned drains on Burkhardt Road.
Trash crew ran regular routes.
Garage - one crew worked on Gradall, one crew striped barricades.

MONDAY, DECEMBER 20, 1993

Payloader and six crews rocked shoulders on Middle Mt. Vernon.
Ridgewood and Boehne Camp Road.
One crew ran barricades.
One crew mounted spreaders and plows.

TUESDAY, DECEMBER 21, 1993

One crew measured crack sealing on Old Petersburg Road.
Payloader and seven crews rocked shoulders on Ridgewood and Hill-
side.
Trash crews ran routes.
One crew repaired gradalls.

WEDNESDAY, DECEMBER 22, 1993

Payloader and six crews rocked shoulders on Hillside.
Trash crew ran regular routes.
One crew repaired gradalls.
One crew worked on the office, one crew picked up table and
chairs.

THURSDAY, DECEMBER 23, 1993

All crews ran snow routes, salting and sanding bridges.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, DECEMBER 17, 1993 THRU THURSDAY, DECEMBER 23, 1993

FRIDAY, DECEMBER 17, 1993

Crew #1 - finish repair on drop box at 3419 Folz Road.
Crew #2 - repair drop box at 8419 Holly Hill Ct.

MONDAY, DECEMBER 20, 1993

Crew #1 - finish Holly Hill Ct., clean yard, work on drop box on Meadowbrook and Meadowdale Ct.

TUESDAY, DECEMBER 21, 1993

Crew #1 - clean drains and bridges on St. Joe Ave.
Crew #2 - haul dirt on Meadowbrook next to drop box, clean yard.

WEDNESDAY, DECEMBER 22, 1993

Crew #1 - cut limbs on bridges.
Crew #2 - haul dirt and rock from back yard.

THURSDAY, DECEMBER 23, 1993

Crew #1 & Crew #2 - straighten yard.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT
FRIDAY, DECEMBER 31, 1993 THRU THURSDAY JANUARY 6, 1994

FRIDAY, DECEMBER 31, 1993

HOLIDAY, two call ins for snow removal.

SATURDAY, JANUARY 1, 1994

Call in for snow removal.

MONDAY, JANUARY 3, 1994

HOLIDAY, crew called in to bring in salt.

TUESDAY, JANUARY 4, 1994

Call in for snow removal, ice storm.
Regular work hours, all crews ran snow routes.

WEDNESDAY, JANUARY 5, 1994

Gradall and one crew cleaned ditch on #6 School Road.
One crew cleaned trucks.
Patch crews worked on Harmony Road and Old Henderson Road.
Tree crew worked on Old Henderson Road.
One crew hauled salt to State Garage.

THURSDAY, JANUARY 6, 1994

Gradall and one crew installed culvert at Newman Road and ditched
on Korressel Road.
Patch crews worked on Frontage Road and work orders.
Tree crew worked on Old Henderson Road.
Payloader and two crews graded and rocked roads in the bottoms.
One crew cleaned trucks and one crew moved equipment.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, DECEMBER 31, 1993 THRU THURSDAY JANUARY 6, 1994

FRIDAY, DECEMBER 31, 1993

HOLIDAY

MONDAY, JANUARY 3, 1994

HOLIDAY

TUESDAY, JANUARY 4, 1994

All crews worked snow routes.

WEDNESDAY, JANUARY 5, 1994

Crew #1 - saw Woods Alley.

Crew #2 - replace boards on Mann Road bridge.

THURSDAY, JANUARY 6, 1994

Crew #1 - installed pipe on Newman Road.

Crew #2 & backhoe - installed guard rail on Olmstead.

**COUNTY ENGINEER'S
CONSENT AGENDA**

January 10, 1994

1. **CLAIMS:**

CONTRACTUAL SERVICES 203-3930	
Concrete Pavers VC 93-09-01 (Inv.1)	\$26,607.60
BRIDGE INSPECTION 203-3540	
United Consulting (Inv. #1)	\$ 4,828.00
OHIO ST. BRIDGE #3C 203-4345	
Bernardin Lochmueller (Inv. #91-068-1(18))	\$ 314.50
COLUMBIA/DELAWARE BRIDGE #1C 203-4353	
United Consulting (Inv. #13)	\$14,804.38
LYNCH ROAD EXT. 216-4827	
Bernardin Lochmueller (Inv. #93-032-1(4))	\$10,333.67
Bernardin Lochmueller (Inv. #90-038-1(21))	\$ 750.00
U.S.I. & SR 62 430 BOND	
Bernardin Lochmueller (Inv. #93-003-2(7))	\$26,975.74

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 United Consulting Engineers, Inc # 1262
1625 N Post Road Indpls., IN 46219-1995

On Account of Appropriation for 203-4353

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-E-140(001) -----71.76% = 10623.62	
	BHZ-E140(001) -----28.24% = 4180.76	
	TOTAL AMOUNT DUE THIS INVOICE #13 -----	14804 38

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 11/12, 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 Rd., Indpls., IN 46219-1995

On Account of Appropriation for 203-3540

Invoice No.	Itemized Claim	Amount	
	For Engineering Services on Project No.		
	ERO-NBIS(202), Bridge Inspection - Phase I,		
	in accordance with our Agreement dated		
	August 9, 1993, per our Appendix "D".		
	Work completed thru 11/30/93		
	TOTAL AMOUNT DUE THIS INVOICE No. 1	4828	00

Pursuant to the provisions and penalties of Chapter 155, Acts of 1983,

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
Jacob E. Hall Name

President

Title

Date December 1, 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	
	Fourth quarter 10% management commission		
	per contract dated 4-6-92.		
	Total income for this quarter - \$48,541.25		
	10% of total income for this quarter	\$4854	13
		\$4854	13

Pursuant to the provisions and penalties of Chapter 156, 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 December 30, 1993


KEVIN BRYANT, ATTORNEY
 TRUST ACCOUNT
 COUNTY COLLECTION FUND
 P.O. BOX 3831
 EVANSVILLE, IN 47734

512
 1-7 94 71-7167/23c

Pay to the order of Board of County Commissioners \$ 945.00
Nine Hundred forty five

FIRST FEDERAL SAVINGS BANK
 EVANSVILLE, IN 47712

11-3-93/12-30-93 *Kevin R. Bryant*

⑆286371676⑆ 012101066517⑈ 0512


KEVIN BRYANT, ATTORNEY
 TRUST ACCOUNT
 COUNTY COLLECTION FUND
 P.O. BOX 3831
 EVANSVILLE, IN 47734

513
 1-7 94 71-7167/23c

Pay to the order of Hendersonburgh County Treasurer \$ 100.00
One Hundred

FIRST FEDERAL SAVINGS BANK
 EVANSVILLE, IN 47712

11-3-93/12-30-93 *Kevin R. Bryant*

⑆286371676⑆ 012101066517⑈ 0513

**MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 18, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:50 p.m.	1
Introduction of Staff & Pledge of Allegiance	1
Approval of Minutes	1
Two Ordinances Amending Chapter 153/Zoning Code/First Readings - County Code of Ordinances	1
County Attorney/Alan M. Kissinger	1
Superintendent of County Buildings/Mark Abell (Absent)	1
County Highway Department/Bill Morphey (Absent)	1
County Engineer/John Stoll	1
Columbia-Delaware Bridge (Execution of INDOT form Certifying Final Inspection has occurred) Stringtown Rd. Bridge #72/Request to go on Council Call for \$550.00 Memo re Plaque for Columbia-Delaware Bridge (names of John Stoll and United Consulting's Project Engineer to be added. J. Stoll also to check to see if County Attorney has been included on prior plaques. If so, Alan Kissinger should also be added. Plaque for Franklin Street Bridge (to be refurnished and put back in place) Proposed Drainage Ordinance Vogel Rd. Project/Acceptance delayed; due to snow they cannot certify that some of the final work has been done	
Consent Agenda	3
German Assessor/Travel Request approved; one (1) vehicle will be used for three (3) people Legal Aid/Approval for One Employee to testify before House Committee Joint City-County Offices; List of Joint Offices & Percentages to be provided to Commissioners is attached herewith	
Scheduled Meetings	4
Old Business	4
Closing of Civic Center Buildings when weather conditions warrant (Commissioners to communicate with the Mayor & Circuit Court Judge and Chief Judge of Superior Courts	
New Business	6
Rezoning Petitions	6
VC-10-93/Petitioner, Joseph Hartmann (Hartmann Farms) Approved on First Reading; to be forwarded to APC	
Meeting Adjourned @ 6:10 p.m.	6

MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 18, 1994

The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Tuesday, January 18, 1994 in the Commissioners Hearing Room with President Pat Tuley presiding. Commissioner Don Hunter was absent.

RE: INTRODUCTION OF STAFF & PLEDGE OF ALLEGIANCE

President Tuley said he would waive introduction of staff members this evening, but asked that the group stand for the Pledge of Allegiance.

RE: APPROVAL OF MINUTES

Commissioner Tuley noted there are no minutes for approval this evening and in response to query from Mr. Tuley, Deputy Auditor Cindy Mayo noted Joanne Matthews has been extremely ill with the flu.

RE: TWO ORDINANCES AMENDING CHAPTER 153/ZONING CODE/FIRST READINGS

President Tuley said there are two Ordinances Amending Chapter 153 (Zoning Code) of the County Code of Ordinances for First Reading tonight. (Copies attached hereto.)

Motion made by Commissioner Borries that the two Ordinances be approved on First Reading. Seconded by Commissioner Tuley and so ordered.

Motion made by Commissioner Borries that the two Ordinances be advertised for Second and Final Readings on Monday, January 31, and Monday, February 7, respectively. Seconded by Commissioner Tuley and so ordered. (At the request of the Area Plan Commission, Second and Final Readings were subsequently scheduled for February 14 and February 22, 1994.)

RE: COUNTY ATTORNEY ALAN M. KISSINGER

In response to query from President Tuley, Attorney Kissinger advised he has nothing to report at this time.

re: SUPERINTENDENT OF COUNTY BUILDINGS/MARK ABELL

Commissioner Tuley noted Mark Abell is not here tonight, so he has nothing to report.

RE: COUNTY HIGHWAY DEPARTMENT

It was noted by President Tuley that Bill Morphey, County Highway Superintendent, was excused from this evening's meeting due to the hours he has been putting in with snow removal. There is a nice editorial in tonight's Press about the excellent job the road crews are doing. Assuming we are not snowed in again next week, Mr. Morphey will be giving the Board a full report.

RE: COUNTY ENGINEER - JOHN STOLL

Columbia-Delaware Bridge Project: Mr. Stoll said what he has this evening is a form that INDOT requires for final acceptance of a Federal Aid Project and it is for the Columbia-Delaware bridge. It

requires some signatures, stating the final inspection was done and they will recommend it be accepted.

Motion to execute the form at the recommendation of the County Engineer was made by Commissioner Borries, with a second from Commissioner Tuley. So ordered.

Stringtown Rd. Bridge #72/Request to Go on Council Call: Mr. Stoll said he has a request to go on Council Call for \$550.00 for the Stringtown Rd. Bridge project. There was some extra work that had to be done (archeological reconnaissance) that was not originally budgeted for -- and that will take care of the balance of that.

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

Memo re Plaque for Columbia-Delaware Bridge: Mr. Stoll said he doesn't know whether the Commissioners have seen the memo he put together with regard to the plaque for the Columbia-Delaware Bridge project.

Both Commissioners said they have -- but Mr. Stoll's name is not on it.

Mr. Stoll said the project was going before he got here. He was just wondering if anything needed to be added or changed.

Commissioner Borries said that is fine. Is Mr. Stoll going to announce when we're going to rededicate that?

Mr. Stoll said he will; it is just a matter of getting it finalized through United Consulting Engineers -- making sure their people can make it down here on January 31st.

President Tuley asked if Commissioner Borries and Mr. Stoll don't think it appropriate that Mr. Stoll's name be added. Commissioner Borries concurred and Mr. Stoll said they can add it -- he doesn't care.

Mr. Borries asked if the rededication will be at 3:30 p.m. on January 31st.

Mr. Stoll said that is what we're shooting for.

President Tuley said he would like to see Mr. Stoll's name on the plaque and requested that he make this change.

Mr. Stoll asked if they would want to see the name of the Project Engineer for United Consulting also on the plaque.

Both Commissioners deemed this addition also appropriate.

Commissioner Borries said Mr. Stoll can do some research, but he believes the name of the County Attorney is usually included. If so, then Attorney Kissinger should also be added.

Mr. Stoll said it's been a while since he was up on the bridge -- so he doesn't recall exactly what was on the other plaque.

Commissioner Borries said he has a thing about this -- we worked with the West Side group -- former Commissioner Bob Schaad and former Board of Works member Jim Helfrich -- and they were really concerned about getting those plaques back up. And there is some historic significance to all of that. There is also one on the Franklin Street Bridge. And from an old social studies teacher's standpoint, it documents a part of the history of the county -- just as does the Commissioners' plaque. We really had no record of who had served and when. Some day somebody may use this for some kind of historical research. (Copy of information to be included

on the Plaque is attached hereto.)

Franklin Street Bridge: Mr. Stoll said that during the final check on the Franklin Street Bridge, Stewart May made a note to include refinishing those plaques on the Franklin Street Bridge -- so it will be cleaned up and put back in place.

Proposed Drainage Ordinance: Attorney Kissinger said that if and when Mr. Stoll sees some spare time within the next month or so, he and Mr. Stoll need to sit down and go over the drainage ordinance. He has some questions that he believes Mr. Stoll can better technically answer. And perhaps Mr. Stoll has some concerns that he can answer.

Mr. Stoll said he guesses this will be discussed at next week's drainage meeting.

Attorney Kissinger said he would certainly recommend that the Board not take any action just yet. We've been without it so long, he'd hate to rush into anything.

Commissioner Borries said that both the technical and legal aspects need to be worked out. We are on the right track -- but the Board needs to make sure that everyone's concerns are addressed before official action is taken. As he would see it, next week's meeting would involve listening to a wide variety of people -- some of whom he thinks will be folks who sell plastic pipe or are in the plastic pipe business. He's heard a lot from them.

Mr. Stoll said he has also heard a lot from them.

Vogel Rd. Project: In response to query from Commissioner Borries, Mr. Stoll said a lot of his department's activities are pretty well shut down because of the snow. He had hoped to get Vogel Rd. accepted tonight -- but they can't certify that some of the final work to be done has been done -- and all of the other projects are shut down because of the weather.

Mr. Borries said the only thing that bothers him about that one (and he doesn't want to be misinterpreted by the loyal media personnel who are here tonight) is that people are driving on that now. They move the barricades. One day he moved them back and people gave him dirty looks. People had kicked the sandbags off that thing and he put them back on. He guesses there is no rush -- but we probably ought to do it as soon as possible.

Mr. Stoll said we've been wanting to get it open. They needed to seal the joints on the street and there was an issue as to whether or not the bridge deck should be tined. He's trying to get that taken care of and then we will open it. This is what he is trying to resolve. He knows people are driving through it. Somebody had gone through it in the snow yesterday.

RE: CONSENT AGENDA

President Tuley said the Board had questions about the travel request from Tim Schaeffer/German Township Assessor last week. They will be taking one (1) car -- not three (3) cars.

Loretta Townsend wanted to be here tonight -- but her husband had to bring her to work and pick her up due to the snow. She is just letting the Commissioners know she is gone -- but that we don't pay for it. So he doesn't see any problem with this.

Commissioner Tuley said we get a lot of requests from the Health Department -- but we don't pay for that either.

Commissioner Borries said the only thing is that sometimes everybody from time to time will conveniently ignore this Board --

until something happens. He supposes as long as there are grants or whatever that fund what they are doing, it is okay. But if it ultimately does have to come back for the Board's approval, then the Board can keep aware of this.

Legal Aid: Mr. Tuley asked if this is strictly Commissioners -- or a Joint Department.

Commissioner Borries said he thinks it is a County office.

Attorney Kissinger said this is a County office; it is funded by United Way, etc., etc. But, yes, they are considered County employees.

Mr. Tuley said Sue Hartig has requested permission for one of her employees to testify before the House Committee at the request of Dennis Avery.

Commissioner Borries recommended this be approved.

President Borries said other than the foregoing, there isn't much on the Consent agenda, with the exception of claims from John Stoll.

Motion to approve the Consent agenda was made by Commissioner Borries, with a second from Commissioner Tuley. So ordered.

Deputy Auditor Cindy Mayo asked if the Legal Aid travel comes out of the Commissioners' travel budget.

Commissioner Tuley said he believes it does.

Ms. Mayo said they need to talk to Council about giving them their own travel account -- it is a Joint Department -- and the City would pay some portion of this.

Commissioner Borries asked how much is funded by the City.

Ms. Mayo said she believes it is 45% and United Way funds some and the County funds the rest.

President Tuley requested a list of the Joint Departments and the percentages.

Ms. Mayo agreed to provide same. (Copy attached hereto.)

RE: SCHEDULED MEETINGS

President Tuley said a list of scheduled meetings is included on the calendar attached to tonight's agenda. An Executive Session has been scheduled for January 24th, but not January 31st.

Commissioner Borries moved that Executive Sessions be scheduled at 4:30 p.m. on Monday, January 31st, and Monday, February 7th, for purposes of discussing pending litigation and personnel matters.

Seconded by Mr. Tuley and so ordered.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board.

Closing of City-County Offices When Weather Conditions Warrant:
Commissioner Borries said he knows Mr. Tuley has had to deal with this, as has he, and he knows everybody gets concerned about this -- but perhaps they can talk with the Mayor about it and end the confusion once and for all. We do this very well on the

calendars. We set calendars that are common to the holidays, but this building is open because it is operated jointly -- and really we could set an easy policy that if the Mayor and the President of the Commission agree that weather conditions warrant closing the building, it can be done. But until both agree, he, frankly, thinks it puts the Commissioners in a very awkward position and may put the Mayor in an awkward position via people calling and wanting to know if the building is going to be open or closed. If one group can stay open, then the other group ought to stay open. At some point, to end some of the confusion, he thinks the Commissioners need to talk to the Mayor and develop a very brief policy that if both units agree there is a weather crisis

Commissioner Tuley interrupted, saying he talked to the Mayor briefly yesterday -- because he started receiving calls. Basically, he thinks Commissioner Borries is right. If it is agreed that one side is going to be open, then both sides should be open. After his conversation with the Mayor yesterday, he feels we're going to be open a lot. He doesn't believe -- he doesn't want to put words in the Mayor's mouth -- but he doesn't think the Mayor believes in shutting down services unless it is just absolutely impossible for us to get here and open. But he does think Commissioner Borries is right. If the City stays open and they can get here, then he doesn't think we should be shut down on the County side. Perhaps we could write a letter saying that by mutual agreement we could work together.

Commissioner Borries said, "Just a communication that if he sees a need or we see a need -- that we communicate that and avoid any kind of confusion."

President Tuley said he did promise an officeholder yesterday that in the event we're shut down, that we will contact the news media so we can get it publicized; we're not going to have to rely on telephone calls.

Attorney Kissinger suggested that they might also include the Circuit Court Judge and the Chief Judge of the Superior Courts in that type of thing.

Commissioner Borries said, "Exactly. There was a trial today -- because I know there were two T.V. stations over there when I over to be sworn in on the E.A.R.C. Board and file my campaign report. There was a scheduled trial that went on today."

President Tuley said that is a good point. We'll have to check on that.

Commissioner Borries said he thinks that is always one of the reasons we've been reluctant to do that. Also, in terms of school -- to avoid confusion, first of all the School Corporation will make up the days they are out. That is a change in the State Law. The other thing is that it is always different when you've got five or six year old children standing out in a wind chill that could be 50 degrees below zero and dark -- that's a little bit different than adults who are providing their own transportation.

Commissioner Tuley said he is always a little less inclined to shut down everything in January and February -- because people have problems with babysitters and kids out of school, hopefully they haven't used up all their vacation days and sick days by the end of January. Also, he wouldn't be too opposed to a relaxed dress code on days like today -- so people who are traveling back and forth --

Commissioner Borries said he is without his tie tonight. And he couldn't decide whether to wear his Purdue sweatshirt (since that is where his daughters went) or his I.U. shirt, since he's a fan. So he was caught in the middle.

Mr. Tuley said that at least Commissioner Borries didn't wear a Kentucky sweatshirt.

Continuing, Commissioner Tuley said his boss was going to go to New Albany today for a Commissioners Meeting and subsequently to Lexington, KY (where his son lives). He told Jim to call first. But he was going to do his business and then go to Louisville. He told him he had news for him. If he crossed over that river, being non-essential personnel, he may go to jail. They've closed down the roads. He told him he'd better stay in Indianapolis.

RE: NEW BUSINESS

President Tuley entertained matters of New Business to come before the Board. There were none.

RE: REZONING PETITIONS

VC-20-93/Petitioner, Joseph Hartmann (d/b/a/ Hartmann Farms):
President Tuley said there is one Rezoning Petition for First Reading scheduled tonight at 7:00 p.m. -- which is fifty (50) minutes away.

Commissioner Borries said he thinks this is a weather crisis. Since this is a First Reading, perhaps the Board can post a handwritten note on the door and waive the rules at this point -- and move that VC-20-93 be approved on First Reading and forwarded to the Area Plan Commission. This means it will be heard in Area Plan on Second Reading and then come back to the Commission for the Third and Final Reading.

Seconded by Commissioner Tuley, who noted individuals who are remonstrating normally do not show up for the First Reading anyway.

Attorney Kissinger said if someone wants to be heard, they can come to the Third and Final Reading. The common known address is 7800 E. Lloyd Expressway (on the north side of the Lloyd Expressway) and requested rezoning is from AG to C4. In response to query from Attorney Kissinger, County Engineer John Stoll confirmed that this is all surrounded by either commercial or agricultural -- no residential.

There being no further business to come before the Board at this time, President Tuley declared the meeting adjourned at 6:10 p.m.

PRESENT:

Pat Tuley, President
Richard J. Borries, Vice President
Alan M. Kissinger, County Attorney
Cindy Mayo, Chief Deputy Auditor
John Stoll, County Engineer
News Media

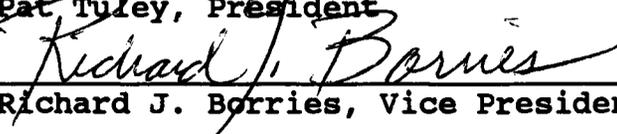
ABSENT: Don Hunter, Member

ACTING RECORDING SECRETARY: Sunny Titzer

TRANSCRIBED BY: Joanne A. Matthews



Pat Tuley, President



Richard J. Borries, Vice President



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

Board of Commissioners

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

January 18, 1994

5:30 P.M.

1. **CALL TO ORDER** 5:50

2. **INTRODUCTIONS**

3. **PLEDGE OF ALLEGIANCE**

4. **ACTION ITEMS**

A. **Approval of Minutes** *10th are ready*

B. **Any group/individual wishing to address the commission**

C. **Ordinance Amending Chapter 153 (Zoning Code)**
re: **First Reading** - *Ind. 1-21-94*
1-2-94

5. **DEPARTMENT HEADS**

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

FINAL

6. CONSENT ITEMS

A. Travel/Education Requests:

Scott Township Assessor (2) Weights & Measures (3)
Health (8) *Legal Aid (1)

B. Employment Changes:
* see attached

C. Claim(s) for payment:

1) Ziemer Stayman Weitzel & Shoulders.....\$ 104.99

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED 7:10

RESUMINGS AT 7:00 PM

First Reading: August 11, 1994

VC-20-93

Petitioner: Joseph Hartmann, et al d/b/a/ Hartmann Farms

Common Address: 7800 E. Lloyd Expressway

Request: AG to C-4

* 1-31-94)
2-7-94) extension bi-weekly
4:30
at + pt session

**COUNTY ENGINEER'S
CONSENT AGENDA**

January 18, 1994

1.	CLAIMS:	
	BRIDGE INSPECTION 203-3540	
	United Consulting Engineers (Inv. #2)	\$ 5,680.00
	CONTRACTUAL SERVICES 203-3930	
	Community Jobs Club (Inv. #4)	\$ 75.00
	STRINGTOWN ROAD BRIDGE #72	
	RV Arastrong (Inv. #21177)	\$ 2,861.25
	COLUMBIA/DELAWARE BRIDGE #1C203-4353	
	United Consulting Engineers (Inv. #14)	\$17,154.74
	VOGEL ROAD BRIDGE #2115 203-4396	
	Concrete Pavers (Est. #3)	\$12,370.59
	CONTRACTUAL SERVICES 216-3930	
	Koester Contracting (Inv. #94-1086-2440)	\$ 4,672.61
	GREEN RIVER ROAD NORTH 216-4910	
	Indiana Dept. of Transportation (Inv. #XV9400356)	\$93,750.00
	United Consulting Engineers (Inv. #10)	\$ 4,135.50
	United Consulting Engineers (Inv. #20)	\$ 7,036.64
	Alt & Witzig (Inv. #S3460)	\$ 3,425.00

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department BURDETTE PARK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JEFF CAMARCO	7733 ARBOR RIDGE DR.	GROUND CREW	4 25	1-7-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tuley (11) DATE 1-10-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department BURDETTE PARK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	ED BERGITE	(STILL PD 1/14/94)	GRND. CREW	4 75	1-5-94
1180	JASON WEBER		GRND. CREW	4 25	1-5-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tuley (11) DATE 1-7-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh Juvenile Court *sd*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701310	Miller, Thomas L.	5818 Washington Ave	Bailiff/ Transportation	12149 00	1/7/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 01/10/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011101050	Davna Kahre		Clerk/Typist	16073 00 ^{7 728}	1-1-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011101050	Davna Kahre		Clerk/Typist	14950 00 ^{7 1598}	12-31-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 1-10-94

*By R.G. Bedler
3730*

CLERK CODE

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
276-1110	PATRICIA HERRIWEATHER		COOK	18,000	AN	1-16-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
276-1110	PAUL MILLER		COOK	21,573	AN	1-14-94
	(Deceased 1-10-97)					

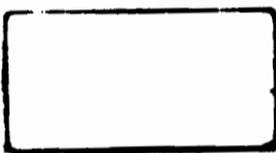
RECORDED
COMMISSIONER'S RECORD

SIGNED BY

[Handwritten Signature]

JUDGE, CIRCUIT COURT

DATE Jan 13, 97



January 1994

SUNDAY MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY

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2 2 / 363	3 3 / 362 New Year's Day (observed)	4 4 / 361 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners	5 5 / 360 3:30pm County Council	6 6 / 359	7 7 / 358	8 8 / 357																																																																																																	
9 9 / 356	10 10 / 355 4:30pm Solid Waste 5:30pm County Commissioners 6:30pm Drainage Bld.	11 11 / 354	12 12 / 353	13 13 / 352	14 14 / 351 Pay Day	15 15 / 350																																																																																																	
16 16 / 349	17 17 / 348 Martin Luther King, Jr.	18 18 / 347 9:00am Insurance Comm. 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Reasonings	19 19 / 346	20 20 / 345 9:00am Steering Comm. 5:00pm Pigeon Creek	21 21 / 344	22 22 / 343																																																																																																	
23 23 / 342	24 24 / 341 4:30pm Exec. Session 5:30pm County Commissioners 6:30pm Drainage Bld.	25 25 / 340	26 26 / 339 3:30pm Personnel & Finance	27 27 / 338	28 28 / 337 Pay Day	29 29 / 336																																																																																																	
30 30 / 335	31 31 / 334 5:30pm County Commissioners	<table border="1"> <tr><th colspan="7">December 1993</th></tr> <tr><th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th></tr> <tr><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr> <tr><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td></td></tr> </table>		December 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	31		<table border="1"> <tr><th colspan="7">February 1994</th></tr> <tr><th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th></tr> <tr><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td></tr> <tr><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td></tr> <tr><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td></tr> <tr><td>27</td><td>28</td><td></td><td></td><td></td><td></td><td></td></tr> </table>		February 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					
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VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for January 18, 1994

1. **INDOT report of final inspection and recommendation for acceptance for the Columbia/Delaware bridge.** - 3:00 p.m.
2. **Council call request for appropriation for Stringtown Road bridge for \$550.** - 4:00 p.m.

Resolution: 1-31-94
1-31-94
2:30

COUNTY ENGINEER'S

CONSENT AGENDA

January 18, 1994

1.	CLAIMS:	
	BRIDGE INSPECTION 203-3540	
	United Consulting Engineers (Inv. #2)	\$ 5,680.00
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	Community Jobs Club (Inv. #4)	\$ 75.00
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	RW Armstrong (Inv. #21177)	\$ 2,861.25
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	United Consulting Engineers (Inv. #14)	\$17,154.74
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	United Consulting Engineers (Inv. #10)	\$ 4,135.50
	United Consulting Engineers (Inv. #20)	\$ 7,036.64
	Alt & Witzig (Inv. #S3460)	\$ 3,425.00

**COLUMBIA DELAWARE STREET BRIDGE
RECONSTRUCTED 1992-1993**

**VANDERBURGH COUNTY COMMISSIONERS
PATRICK TULEY
RICHARD J. BORRIES
DON L. HUNTER**

**VANDERBURGH COUNTY COUNCIL
ED BASSEMIER
REV. PHILIP HOY
BETTIE LOU JERREL
RICK JONES
JAMES RABEN
ROYCE SUTTON
CURT WORTMAN**

**VANDERBURGH COUNTY ENGINEER
JOHN STOLL**

**DESIGN ENGINEERS
UNITED CONSULTING ENGINEERS, INC.**

**PROJECT MANAGER
STUART MAY**

**CONTRACTOR
E.H. HUGHES COMPANY, INC.**

*JOANNE, 1/26/94
THIS IS THE LIST
FOR THE PLAQUE FOR
COLUMBIA-DELAWARE
BRIDGE*

2

INDIANA DEPARTMENT OF TRANSPORTATION

REPORT OF CONTRACT FINAL INSPECTION
AND RECOMMENDATION FOR ACCEPTANCE

Contract B-20039 Project STP-BHZ-BHM-E140 (001)

Date Construction Completed December 17, 1993
(The date all items were complete, except punch list & removal of traffic control devices.)

Preliminary Inspection made by Rex King, Marston Fowler, INDOT, Stuart May, Mark Berry, Keith Lytton, Bill Hall, United Cons. Engrs; Mike Spurlock, John Sullivan, E.H. Hughes, Inc.; Gary Kercher, Vand. County on January 4, 1994

Date Punch List Items Completed January 6, 1994

Sod Maintenance Expired on N/A

Date Sod Repaired, if necessary N/A

Date Failed Material Replaced N/A

Final Inspection made by Stuart May P/S & Mark Berry Asst. P/S

on January 6, 1994 and all work was found to be
satisfactory from Station 6+53.64 to Station 20+91.50

Date Construction Signs and Temporary Traffic Control Devices Removed January 7, 1994

Pavement Smoothness (does) ~~(does not)~~ comply with the Specifications. _____

Pavement markings (have) ~~(have not)~~ been placed in accordance the INDOT manual or as directed by the District Traffic Engineer. _____

Right-of-Way (Is) ~~(is not)~~ clear of all encroachments. _____

Date of Last Work January 7, 1994

RECOMMEND ACCEPTANCE

District Construction Engineer

* County or City signatures when
required (at least two).

Vanderburgh Co. Commissioners
LOCAL PUBLIC AGENCY

* By: [Signature]

* By: Richard J. Barnes

* By: _____

621
1993

JOINT DEPARTMENTS

<u>County Percentage</u>	<u>Department</u>
13%	Human Relations
50%	Purchasing
33%	Central Dispatch
50%	Building Inspection
25%	Animal Control
50%	Emergency Management
14%	Traffic Engineering
78.7%	Data Processing
50%	Legal Aid
55%	Weights & Measurers
85%	Area Plan
	Levee Authority
	Levee Bond
	Total Levee District

ATTN: PAULA NANCE

FAX LEGAL AD TRANSMISSION

FROM: Joanne A. Matthews, c/o County Auditor, Room 208, Civic Center,
Evansville, IN 47708

NO. OF PAGES INCLUDING COVER: 4

LEGAL AD RUN SCHEDULE: THE EVANSVILLE COURIER &
THE EVANSVILLE PRESS ON
TUESDAY - FEBRUARY 1, 1994

EXTRA PROOFS OF PUBLICATION NEEDED AND TO WHOM: -

SPECIAL REQUESTS FOR SETTING STYLE: PER ATTACHED

COPY OF LAST TIME LEGAL AD ATTACHED: -

VANDERBURGH COUNTY AUDITOR.....FAX NO. 426-8244

TRANSMISSION REPORT

THIS DOCUMENT (REDUCED SAMPLE ABOVE)
WAS SENT

**** COUNT ****
4

*** SEND ***

NO	REMOTE STATION I. D.	START TIME	DURATION	#PAGES	COMMENT
1	8-4647487	1-26-94 2:48PM	2'11"	4	

TOTAL 0:02'11" 4

XEROX TELECOPIER 7020

ATTN: PAULA NANCE

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EXTRA PROOFS OF PUBLICATION NEEDED AND TO WHOM: -

SPECIAL REQUESTS FOR SETTING STYLE: PER ATTACHED

COPY OF LAST TIME LEGAL RAN ATTACHED: -

VANDERBURGH COUNTY AUDITOR.....FAX NO. 426-5344

**NOTICE OF PUBLIC HEARINGS
ORDINANCE AMENDING CHAPTER 153 (ZONING CODE)
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES**

NOTICE IS HEREBY GIVEN that the Vanderburgh County Board of Commissioners has set Public Hearings at 5:30 p.m. in Room 307, Civic Center Complex, Evansville, Indiana, as indicated below, with regard to an Ordinance Amending Sections 153.158 (F), (I) and (J):

Second Reading - Monday, February 14, 1994
Final Reading - Tuesday, February 22, 1994

(Please insert the attached Ordinance here)

**AN ORDINANCE AMENDING CHAPTER 153 (ZONING CODE
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES**

WHEREAS, Indiana law allows local governments to provide ordinances for the purpose of securing adequate light, air, convenience of access and safety from fire, flood and other dangers; lessening or avoiding congestion in the public ways; and promoting the public health, safety, comfort, morals, convenience and general public welfare; and

WHEREAS, on May 22, 1989, the Board of Commissioners of Vanderburgh, Indiana, passed an ordinance amending Chapter 153 (Zoning Code) of the Vanderburgh County Code of Ordinances; and

WHEREAS, the Area Plan Commission of Evansville-Vanderburgh County has recommended that certain changes be made to the Zoning Code;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, AS FOLLOWS:

Section 1. The following Sections of Chapter 153 (Zoning Code) are amended to read as follows:

(a) Section 153.158 (F) (5) Delete

(b) Section 153.158 (I) (1) At the time of filing the petition to amend zoning maps, the petitioner may file a use or development commitment or both, as defined in Section 153.003.

Section 2. A new subsection J is added to 153.158 which new subsection J shall read as follows:

Section 153.158 (J) An amendment to the submitted ordinance documents after final filing deadline shall be cause for automatic continuance of the hearing by Area Plan Commission. The petitioner shall notify the abutting property owners pursuant to subsection 153.158 (F).

VANDERBURGH COUNTY
FII FD

NOV 17 1993

Leon Thompson
AUDITOR

SECTION 3. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Vanderburgh, State of Indiana.

PASSED by the Board of Commissioners of the County of Vanderburgh, Indiana, on the ____ day of _____, 1994, and on said day signed by the President of the Common Council and attested by the Auditor of Vanderburgh County.

**THE BOARD OF COMMISSIONERS OF
THE COUNTY OF VANDERBURGH**

Patrick Tuley, President

Richard Borries, Vice-President

Don Hunter, Member

ATTEST:

Sam Humphrey, Auditor

FAX LEGAL AD TRANSMISSION

FROM: Joanne A. Matthews, c/o County Auditor, Room 208, Civic Center, Evansville, IN 47708

NO. OF PAGES INCLUDING COVER: 7

LEGAL AD RUN SCHEDULE: THE EVANSVILLE COURIER & PRESS ON TUESDAY, FEBRUARY 1, 1994

EXTRA PROOFS OF PUBLICATION NEEDED AND TO WHOM:

SPECIAL REQUESTS FOR SETTING STYLE: PER ATTACHED

COPY OF LAST TIME LEGAL AD ATTACHED:

VANDERBURGH COUNTY AUDITOR.....FAX NO. 426-2244

PAULA, I WILL NEED A BLOWN UP READABLE COPY FOR PROOFING BEFORE THIS AD IS PUBLISHED.

MANY THANKS! Joanne

TRANSMISSION REPORT

THIS DOCUMENT (REDUCED SAMPLE ABOVE) WAS SENT

** COUNT ** # 7

*** SEND ***

Table with 6 columns: NO, REMOTE STATION I. D., START TIME, DURATION, #PAGES, COMMENT. Row 1: 1, 9-4647487, 1-26-94 3:09PM, 3'58", 7,

TOTAL 0:03'58" 7

ATTN: PAULA NANCE

FAX LEGAL AD TRANSMISSION

FROM: Joanne A. Matthews, c/o County Auditor, Room 208, Civic Center,
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VANDEBURGH COUNTY AUDITOR.....FAX NO. 426-5344

PAULA,
I'LL NEED A BLOWN UP READABLE COPY FOR PROOFING BEFORE
THIS AD IS PUBLISHED.

MANY THANKS!

Joanne

**NOTICE OF PUBLIC HEARINGS
ORDINANCE AMENDING CHAPTER 153 (ZONING CODE)
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES**

NOTICE IS HEREBY GIVEN that the Vanderburgh County Board of Commissioners has set Public Hearings at 5:30 p.m. in Room 307, Civic Center Complex, Evansville, Indiana, as indicated below, with regard to an Ordinance Amending Various Sections of Chapter 153 (Zoning Code).

**Second Reading - Monday, February 14, 1994
Final Reading - Tuesday, February 22, 1994**

(Please insert the attached Ordinance here)

VANDERBURGH COUNTY
FILED
DEC 17 1993
AUDITOR

AS AMENDED

AN ORDINANCE AMENDING CHAPTER 153 (ZONING CODE)
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES

WHEREAS, Indiana law allows local governments to provide ordinances for the purpose of securing adequate light, air, convenience of access and safety from fire, flood and other dangers; lessening or avoiding congestion in the public ways; and promoting the public health, safety, comfort, morals, convenience and general public welfare; and

WHEREAS, on May 22, 1989, the Board of Commissioners of Vanderburgh, Indiana, passed an ordinance amending Chapter 153 (Zoning Code) of the Vanderburgh County Code of Ordinances; and

WHEREAS, the Area Plan Commission of Evansville-Vanderburgh County has recommended that certain changes be made to the Zoning Code;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, AS FOLLOWS:

Section 1. The following Sections of Chapter 153 (Zoning Code) are amended to read as follows:

(a) Section 153.003 Definitions is amended by the addition of the following:

OWNER-OCCUPIED BED AND BREAKFAST/BOARDING HOUSE: A bed and breakfast facility or boarding house which is individually owned, occupied and managed by the owner-operator who resides in the dwelling as their primary residence.

(b) Section 153.045 (Residential-3 District) is amended by the deletion of (A)(5) Use group 20.

(c) 153.046 (Residential-4 District) is amended by the deletion of (A)(6) Use group 20.

(d) 153.048 (Commercial Office - 1 District) is amended by the insertion of a new (A)(6) Use group 20, and renumbering the remaining sections.

(e) 153.049 (Commercial Office - 2 District) is amended by the insertion of a new (A)(6) Use group 20, and renumbering the remaining sections.

(f) 153.050 (Neighborhood Commercial C-1 District) is amended by the insertion of a new (A)(5) Use group 20, and renumbering the remaining sections.

(g) Section 153.052 General Commercial (C-4) District is amended, deleting subsection (A)(2) ("Use Group 6") and by renumbering the remaining subsections (A)(3) through (A)(10) to (A)(2) through (A)(9).

(h) 153.053 (Waterfront Recreational/Residential W-R District) is amended by the insertion of a new (A)(6) Use group 20, and renumbering the remaining sections.

(i) 153.067 (TABLE of Use groups by District) is amended by the deletion of the "X"'s on the table designating Use Group 20 as a permitted use in R-3 and R-4, and insertion of "X"'s on the chart indicating Use Group 20 as a permitted use in CO-1, CO-2, C-1, and W-R districts.

(j) Section 153.071 (Use Group 4) relating to uses permitted in the R-3, R-4, R-5, CO-1, CO-2, C-1, C-2, and W-R Districts, is amended by deleting the following from the list of permitted uses: "Boarding house."

The list of permitted uses shall read as follows:

Apartment dwelling unit(s)
Multiple dwellings (a dwelling for three or more families)

(k) Section 153.072 (Use Group 5) relating to uses permitted in the CO-1, CO-2, C-1, C-2, C-4 and M-1 Districts, is amended by deleting the following from the list of permitted uses: "Bed and breakfast/tourist home."

The list of permitted uses shall read as follows:

Business and professional offices
Child care center
Nursery or nursery school
Photographer studio

(l) Section 153.073 (Use Group 6) List of uses permitted in R-4, R-5, CO-1, CO-2, C-1, and C-2 Districts, which meet the requirements and restrictions of that zone.

Group home/community residential facility and similar facilities which provide residential services for persons in a supervised group living program
Sororities and fraternities

(m) Section 153.087 (Use Group 20) List of uses permitted in CO-1, CO-2, C-1, and W-R Districts, which meet the requirements and restrictions of that zone.

Owner-occupied/owner-operated bed and breakfast, limited to ten rental rooms
Owner-occupied/owner-operated boarding house limited to ten rental rooms

(n) **Section 153.097 (Amount of Off-Street Parking)**, relating to off-street parking requirements, is amended as follows:

(1) **Section 153.097(A)(4)** is amended by the deletion of Subsection (b): "Boarding house and similar uses - one space per unit"

(2) **Section 153.097(A)(5)** is amended by the deletion of Subsection (b): "Tourist home/bed and breakfast - one space per unit." Subsection (c) will then be re-lettered to subsection "(b)".

(3) **Section 153.097(A)(6)** is amended to read as follows:

(a) **Group home/community residential facility** - one space for each three residents plus one space for each staff member of the largest working shift.

(b) **Sorority and fraternity**: 1.5 spaces for each 2 beds.

(4) **Section 153.097(A)(17)** is amended to read as follows:

Bed and breakfast, boarding house, and similar uses - two spaces per dwelling unit plus one space per rental unit.

(5) **Section 153.097 (B) (Special Uses)** is amended by the deletion of the existing parking requirement for SU-30 and replacing that requirement with a new SU-30 parking requirement, plus the addition of two new parking requirements which read as follows:

SU-30 One parking space for each 200 square feet of gross floor area or one space for each three students, whichever is more restrictive

SU-33 See 153.097(A)(17)

SU-34 See 153.097(A)(17)

(o) **Section 153.112 (B) (Permitted Uses by District - Sign Chart)** is amended as follows:

(1) Under subsection "DISTRICT", "R-3 to R-0" will be deleted therefrom and inserting in lieu thereof "R-3 to C0-2".

(2) Under subsection "SPECIAL RESTRICTIONS" in the newly-designated "R-3 to C0-2" districts, the following will be added: "Bed and breakfast and boarding house limited to a maximum 6 sq. ft. sign; if lighted, must be externally illuminated."

(p) Section 153.134 (List of Special Use designations) is amended as follows:

(1) SU-30 is amended by the deletion of the existing listed use, and new SU-30 designation will be added which reads as follows: "Colleges and universities".

(2) A new SU-33 and SU-34 are added to the list of special use designations, to read as follows:

SU-33 Owner-occupied/owner-operated bed and breakfast facility or boarding house limited to five rental rooms

SU-34 Owner-occupied/owner-operated bed and breakfast facility or boarding house limited to ten rental rooms

(q) Section 153.136 (Limitations on Special Uses - TABLE S.U.) is amended as follows:

(1) The DELETION of the "X" on the chart designating SU-30 approval required in R-1, R-2, and R-3 districts, and addition of an "X" on the chart designating SU-30 approval required in C0-2, C-1, C-2, and C-4 districts.

(2) The addition of SU-33 to the chart, and the addition of an "X" on the chart indicating SU-33 approval required in the R-3 district.

(3) The addition of SU-34 to the chart, and the addition of "X"'s on the chart indicating SU-34 approval required in the R-4 and R-5 districts.



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

AGENDA

VANDERBURGH COUNTY COMMISSIONERS

January 18, 1994

5:30 P.M.

1. **CALL TO ORDER** 5:50
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**

FINAL

- A. **Approval of Minutes** *10th are ready*
- B. **Any group/individual wishing to address the commission**
- C. **Ordinance Amending Chapter 153 (Zoning Code)**
re: **First Reading** - *2nd 1-21-94*
1-27

5. DEPARTMENT HEADS

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

6. **CONSENT ITEMS**

7.

A. **Travel/Education Requests:**

Scott Township Assessor (2) Weights & Measures (3)
Health (8) *Legal Aid (1)

B. **Employment Changes:**
* see attached

C. **Claim(s) for payment:**

1) Ziemer Stayman Weitzel & Shoulders.....\$ 104.99

7. **Scheduled Meetings - List attached**

8. **OLD BUSINESS**

9. **NEW BUSINESS**

10. **MEETING ADJOURNED 8:10**

RESONINGS AT 7:00 PM

First Reading: *approved by council*

VC-20-93

Petitioner: Joseph Hartmann, et al d/b/a/ Hartmann Farms
Common Address: 7800 E. Lloyd Expressway
Request: AG to C-4

* 1-31-94 } Extension Schedule
2 7-94 }
4:30
at personal

COUNTY ENGINEER'S

CONSENT AGENDA

January 18, 1994

1.	CLAIMS:	
	BRIDGE INSPECTION 203-3540	
	United Consulting Engineers (Inv. #2)	\$ 5,680.00
	CONTRACTUAL SERVICES 203-3930	
	Community Jobs Club (Inv. #4)	\$ 75.00
	STRINGTOWN ROAD BRIDGE #72	
	RW Armstrong (Inv. #21177)	\$ 2,861.25
	COLUMBIA/DELAWARE BRIDGE #1C203-4353	
	United Consulting Engineers (Inv. #14)	\$17,154.74
	VOGEL ROAD BRIDGE #2115 203-4396	
	Concrete Pavers (Est. #3)	\$12,370.59
	CONTRACTUAL SERVICES 216-3930	
	Koester Contracting (Inv. #94-1086-2440)	\$ 4,672.61
	GREEN RIVER ROAD NORTH 216-4910	
	Indiana Dept. of Transportation (Inv. #XV9400356)	\$93,750.00
	United Consulting Engineers (Inv. #10)	\$ 4,135.50
	United Consulting Engineers (Inv. #20)	\$ 7,036.64
	Alt & Witzig (Inv. #S3460)	\$ 3,425.00

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BUDETTE PARK

pd

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JEFF CANARCO	7733ARBOR RIDGE DR.	GROUND CREW	4 25	1-7-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tuley (SD) DATE 1-10-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BUDETTE PARK

sd

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	ED BERWITZ	(STILL PD 1/14/94)	GRND. CREW	4 75	1-5-94
1180	JASON WEBER		GRND. CREW	4 25	1-5-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tuley (SD) DATE 1-7-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh Juvenile Court pd

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13701310	Miller, Thomas L.	5818 Washington Ave	Sheriff/ Transportation	12149 00	1/17/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 01/10/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011101050	Davne Kahre		Clerk/Typist	16075 00 ^{7 728}	1-1-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011101050	Davne Kahre		Clerk/Typist	14950 00 ^{7 1399}	12-31-93

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 1-10-94

By R.G. Balth
3730

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
276-1110	PATRICIA HERRIWEATHER		COOK	18,000 AN	1-16-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
276-1110	PAUL MILLER		COOK	21,573 AN	1-14-94
	(Deceased 1-10-97)				

RECORDED
COMMISSIONER'S RECORD

SIGNED BY

[Signature]

JUDGE, CIRCUIT COURT

DATE

Jan 13, '97



January 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

							1 / 364
							1 New Year's Day
2 / 363	3 / 362	4 / 361	5 / 360	6 / 359	7 / 358	8 / 357	
2	3 New Year's Day (observed)	4 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners	5 3:30pm County Council	6	7	8	
9 / 356	10 / 355	11 / 354	12 / 353	13 / 352	14 / 351	15 / 350	
9	10 4:30pm Solid Waste 5:30pm County Commissioners 6:30pm Drainage Brd.	11	12	13	14 Pay Day	15	
16 / 349	17 / 348	18 / 347	19 / 346	20 / 345	21 / 344	22 / 343	
16	17 Martin Luther King, Jr.	18 9:00am Insurance Comm. 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Rezoning	19	20 9:00am Steering Comm. 5:00pm Pigeon Creek	21	22	
23 / 342	24 / 341	25 / 340	26 / 339	27 / 338	28 / 337	29 / 336	
23	24 4:30pm Exec. Session 5:30pm County Commissioners 6:30pm Drainage Brd.	25	26 3:30pm Personnel & Finance	27	28 Pay Day	29	
30 / 335	31 / 334						
30	31 5:30pm County Commissioners						

December 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	31	

February 1994

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		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					



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for January 18, 1994

1. **INDOT report of final inspection and recommendation for acceptance for the Columbia/Delaware bridge.** - 8:00 a.m.
2. **Council call request for appropriation for Stringtown Road bridge for \$550.** - 9:00 a.m.

Dedication *Stringtown Overpass*
1-31-94
3:30

**COUNTY ENGINEER'S
CONSENT AGENDA**

January 18, 1994

1.	CLAIMS:	
	BRIDGE INSPECTION 203-3540	
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	COLUMBIA/DELAWARE BRIDGE #1C203-4353	
	United Consulting Engineers (Inv. #14)	\$17,154.74
	VOGEL ROAD BRIDGE #2115 203-4396	
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	United Consulting Engineers (Inv. #20)	\$ 7,036.64
	Alt & Witzig (Inv. #S3460)	\$ 3,425.00

**COLUMBIA DELAWARE STREET BRIDGE
RECONSTRUCTED 1992-1993**

**VANDERBURGH COUNTY COMMISSIONERS
PATRICK TULEY
RICHARD J. BORRIES
DON L. HUNTER**

**VANDERBURGH COUNTY COUNCIL
ED BASSEMIER
REV. PHILIP HOY
BETTYE LOU JERREL
RICK JONES
JAMES RABEN
ROYCE SUTTON
CURT WORTMAN**

**VANDERBURGH COUNTY ENGINEER
JOHN STOLL**

**DESIGN ENGINEERS
UNITED CONSULTING ENGINEERS, INC.**

**PROJECT MANAGER
STUART MAY**

**CONTRACTOR
E.H. HUGHES COMPANY, INC.**

*JOANNE, 1/26/94
THIS IS THE LIST
FOR THE PLAQUE FOR
COLUMBIA-DELAWARE
BEST IC*

2

INDIANA DEPARTMENT OF TRANSPORTATION

REPORT OF CONTRACT FINAL INSPECTION
AND RECOMMENDATION FOR ACCEPTANCE

Contract B-20039 Project STP-BHZ-BHM-E140 (001)

Date Construction Completed December 17, 1993
(The date all items were complete, except punch list & removal of traffic control devices.)

Preliminary Inspection made by Rex King, Marston Fowler, INDOT, Stuart May, Mark Berry, Keith Lytton, Bill Hall, United Cons. Engrs; Mike Spurlock, John Sullivan, E.H. Hughes, Inc.; Gary Kercher, Vand. County on January 4, 1994

Date Punch List Items Completed January 6, 1994

Sod Maintenance Expired on N/A

Date Sod Repaired, if necessary N/A

Date Failed Material Replaced N/A

Final Inspection made by Stuart May P/S & Mark Berry Asst. P/S

on January 6, 1994 and all work was found to be
satisfactory from Station 6+53.64 to Station 20+91.50

Date Construction Signs and Temporary Traffic Control Devices Removed January 7, 1994

Pavement Smoothness (does) ~~(does not)~~ comply with the Specifications. _____

Pavement markings (have) ~~(have not)~~ been placed in accordance the INDOT manual or as directed by the District Traffic Engineer. _____

Right-of-Way (is) ~~(is not)~~ clear of all encroachments. _____

Date of Last Work January 7, 1994

RECOMMEND ACCEPTANCE

District Construction Engineer

* County or City signatures when
required (at least two).

Vanderburgh Co. Commissioners
LOCAL PUBLIC AGENCY

* By: [Signature]

* By: Richard J. Barnes

* By: _____

621
1993

JOINT DEPARTMENTS

<u>County Percentage</u>	<u>Department</u>
13%	Human Relations
50%	Purchasing
33%	Central Dispatch
50%	Building Inspection
25%	Animal Control
50%	Emergency Management
14%	Traffic Engineering
78.7%	Data Processing
50%	Legal Aid
55%	Weights & Measurers
85%	Area Plan
	Levee Authority
	Levee Bond
	Total Levee District

ATTN: PAULA NANCE

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TUESDAY - FEBRUARY 1, 1994

EXTRA PROOFS OF PUBLICATION NEEDED AND TO WHOM: -

SPECIAL REQUESTS FOR SETTING STYLE: PER ATTACHED

COPY OF LAST TIME LEGAL AD ATTACHED: -

VANDERBURGH COUNTY AUDITOR.....FAX NO. 426-2344

TRANSMISSION REPORT

THIS DOCUMENT (REDUCED SAMPLE ABOVE)
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4

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NO	REMOTE STATION I. D.	START TIME	DURATION	#PAGES	COMMENT
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XEROX TELECOPIER 7020

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VANDEBURGH COUNTY AUDITOR.....FAX NO. 426-5344

**NOTICE OF PUBLIC HEARINGS
ORDINANCE AMENDING CHAPTER 153 (ZONING CODE)
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES**

NOTICE IS HEREBY GIVEN that the Vanderburgh County Board of Commissioners has set Public Hearings at 5:30 p.m. in Room 307, Civic Center Complex, Evansville, Indiana, as indicated below, with regard to an Ordinance Amending Sections 153.158 (F), (I) and (J):

**Second Reading - Monday, February 14, 1994
Final Reading - Tuesday, February 22, 1994**

(Please insert the attached Ordinance here)

**AN ORDINANCE AMENDING CHAPTER 153 (ZONING CODE
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES**

WHEREAS, Indiana law allows local governments to provide ordinances for the purpose of securing adequate light, air, convenience of access and safety from fire, flood and other dangers; lessening or avoiding congestion in the public ways; and promoting the public health, safety, comfort, morals, convenience and general public welfare; and

WHEREAS, on May 22, 1989, the Board of Commissioners of Vanderburgh, Indiana, passed an ordinance amending Chapter 153 (Zoning Code) of the Vanderburgh County Code of Ordinances; and

WHEREAS, the Area Plan Commission of Evansville-Vanderburgh County has recommended that certain changes be made to the Zoning Code;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, AS FOLLOWS:

Section 1. The following Sections of Chapter 153 (Zoning Code) are amended to read as follows:

(a) Section 153.158 (F) (5) Delete

(b) Section 153.158 (I) (1) At the time of filing the petition to amend zoning maps, the petitioner may file a use or development commitment or both, as defined in Section 153.003.

Section 2. A new subsection J is added to 153.158 which new subsection J shall read as follows:

Section 153.158 (J) An amendment to the submitted ordinance documents after final filing deadline shall be cause for automatic continuance of the hearing by Area Plan Commission. The petitioner shall notify the abutting property owners pursuant to subsection 153.158 (F).

VANDERBURGH COUNTY
FILED

NOV 17 1993

Sean Humphrey
AUDITOR

SECTION 3. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Vanderburgh, State of Indiana.

PASSED by the Board of Commissioners of the County of Vanderburgh, Indiana, on the ____ day of _____, 1994, and on said day signed by the President of the Common Council and attested by the Auditor of Vanderburgh County.

**THE BOARD OF COMMISSIONERS OF
THE COUNTY OF VANDERBURGH**

Patrick Tuley, President

Richard Borries, Vice-President

Don Hunter, Member

ATTEST:

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VANDERBURGH COUNTY AUDITOR.....FAX NO. 426-8244

PAULA,
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MANY THANKS!
Joanne

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MANY THANKS!

Joanne

**NOTICE OF PUBLIC HEARINGS
ORDINANCE AMENDING CHAPTER 153 (ZONING CODE)
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES**

NOTICE IS HEREBY GIVEN that the Vanderburgh County Board of Commissioners has set Public Hearings at 5:30 p.m. in Room 307, Civic Center Complex, Evansville, Indiana, as indicated below, with regard to an Ordinance Amending Various Sections of Chapter 153 (Zoning Code).

Second Reading - Monday, February 14, 1994
Final Reading - Tuesday, February 22, 1994

(Please insert the attached Ordinance here)

VANDERBURGH COUNTY
FILED
DEC 17 1993
Auditor

AS AMENDED

AN ORDINANCE AMENDING CHAPTER 153 (ZONING CODE)
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES

WHEREAS, Indiana law allows local governments to provide ordinances for the purpose of securing adequate light, air, convenience of access and safety from fire, flood and other dangers; lessening or avoiding congestion in the public ways; and promoting the public health, safety, comfort, morals, convenience and general public welfare; and

WHEREAS, on May 22, 1989, the Board of Commissioners of Vanderburgh, Indiana, passed an ordinance amending Chapter 153 (Zoning Code) of the Vanderburgh County Code of Ordinances; and

WHEREAS, the Area Plan Commission of Evansville-Vanderburgh County has recommended that certain changes be made to the Zoning Code;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, AS FOLLOWS:

Section 1. The following Sections of Chapter 153 (Zoning Code) are amended to read as follows:

(a) Section 153.003 Definitions is amended by the addition of the following:

OWNER-OCCUPIED BED AND BREAKFAST/BOARDING HOUSE: A bed and breakfast facility or boarding house which is individually owned, occupied and managed by the owner-operator who resides in the dwelling as their primary residence.

(b) Section 153.045 (Residential-3 District) is amended by the deletion of (A)(5) Use group 20.

(c) 153.046 (Residential-4 District) is amended by the deletion of (A)(6) Use group 20.

(d) 153.048 (Commercial Office - 1 District) is amended by the insertion of a new (A)(6) Use group 20, and renumbering the remaining sections.

(e) 153.049 (Commercial Office - 2 District) is amended by the insertion of a new (A)(6) Use group 20, and renumbering the remaining sections.

(f) 153.050 (Neighborhood Commercial C-1 District) is amended by the insertion of a new (A)(5) Use group 20, and renumbering the remaining sections.

(g) Section 153.052 General Commercial (C-4) District is amended, deleting subsection (A)(2) ("Use Group 6") and by renumbering the remaining subsections (A)(3) through (A)(10) to (A)(2) through (A)(9).

(h) 153.053 (Waterfront Recreational/Residential W-R District) is amended by the insertion of a new (A)(6) Use group 20, and renumbering the remaining sections.

(i) 153.067 (TABLE of Use groups by District) is amended by the deletion of the "X"'s on the table designating Use Group 20 as a permitted use in R-3 and R-4, and insertion of "X"'s on the chart indicating Use Group 20 as a permitted use in CO-1, CO-2, C-1, and W-R districts.

(j) Section 153.071 (Use Group 4) relating to uses permitted in the R-3, R-4, R-5, CO-1, CO-2, C-1, C-2, and W-R Districts, is amended by deleting the following from the list of permitted uses: "Boarding house."

The list of permitted uses shall read as follows:

Apartment dwelling unit(s)
Multiple dwellings (a dwelling for three or more families)

(k) Section 153.072 (Use Group 5) relating to uses permitted in the CO-1, CO-2, C-1, C-2, C-4 and M-1 Districts, is amended by deleting the following from the list of permitted uses: "Bed and breakfast/tourist home."

The list of permitted uses shall read as follows:

Business and professional offices
Child care center
Nursery or nursery school
Photographer studio

(l) Section 153.073 (Use Group 6) List of uses permitted in R-4, R-5, CO-1, CO-2, C-1, and C-2 Districts, which meet the requirements and restrictions of that zone.

Group home/community residential facility and similar facilities which provide residential services for persons in a supervised group living program
Sororities and fraternities

(m) Section 153.087 (Use Group 20) List of uses permitted in CO-1, CO-2, C-1, and W-R Districts, which meet the requirements and restrictions of that zone.

Owner-occupied/owner-operated bed and breakfast, limited to ten rental rooms
Owner-occupied/owner-operated boarding house limited to ten rental rooms

(n) **Section 153.097 (Amount of Off-Street Parking)**, relating to off-street parking requirements, is amended as follows:

(1) **Section 153.097(A)(4)** is amended by the deletion of Subsection (b): "Boarding house and similar uses - one space per unit"

(2) **Section 153.097(A)(5)** is amended by the deletion of Subsection (b): "Tourist home/bed and breakfast - one space per unit." Subsection (c) will then be re-lettered to subsection "(b)".

(3) **Section 153.097(A)(6)** is amended to read as follows:

(a) Group home/community residential facility - one space for each three residents plus one space for each staff member of the largest working shift.

(b) Sorority and fraternity: 1.5 spaces for each 2 beds.

(4) **Section 153.097(A)(17)** is amended to read as follows:

Bed and breakfast, boarding house, and similar uses - two spaces per dwelling unit plus one space per rental unit.

(5) **Section 153.097 (B) (Special Uses)** is amended by the deletion of the existing parking requirement for SU-30 and replacing that requirement with a new SU-30 parking requirement, plus the addition of two new parking requirements which read as follows:

SU-30 One parking space for each 200 square feet of gross floor area or one space for each three students, whichever is more restrictive

SU-33 See 153.097(A)(17)

SU-34 See 153.097(A)(17)

(o) **Section 153.112 (B) (Permitted Uses by District - Sign Chart)** is amended as follows:

(1) Under subsection "DISTRICT", "R-3 to R-0" will be deleted therefrom and inserting in lieu thereof "R-3 to C0-2".

(2) Under subsection "SPECIAL RESTRICTIONS" in the newly-designated "R-3 to C0-2" districts, the following will be added: "Bed and breakfast and boarding house limited to a maximum 6 sq. ft. sign; if lighted, must be externally illuminated."

(p) Section 153.134 (List of Special Use designations) is amended as follows:

(1) SU-30 is amended by the deletion of the existing listed use, and new SU-30 designation will be added which reads as follows: "Colleges and universities".

(2) A new SU-33 and SU-34 are added to the list of special use designations, to read as follows:

SU-33 Owner-occupied/owner-operated bed and breakfast facility or boarding house limited to five rental rooms

SU-34 Owner-occupied/owner-operated bed and breakfast facility or boarding house limited to ten rental rooms

(q) Section 153.136 (Limitations on Special Uses - TABLE S.U.) is amended as follows:

(1) The DELETION of the "X" on the chart designating SU-30 approval required in R-1, R-2, and R-3 districts, and addition of an "X" on the chart designating SU-30 approval required in C0-2, C-1, C-2, and C-4 districts.

(2) The addition of SU-33 to the chart, and the addition of an "X" on the chart indicating SU-33 approval required in the R-3 district.

(3) The addition of SU-34 to the chart, and the addition of "X"'s on the chart indicating SU-34 approval required in the R-4 and R-5 districts.

SECTION 2. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Vanderburgh, State of Indiana.

PASSED by the Board of Commissioners of the County of Vanderburgh, Indiana, on the ____ day of _____, 1994, and on said day signed by the President of the Common Council and attested by the Auditor of Vanderburgh County.

THE BOARD OF COMMISSIONERS OF
THE COUNTY OF VANDERBURGH

Patrick Tuley, President

Richard Borries, Vice-President

Don Hunter, Member

ATTEST:

Sam Humphrey, Auditor

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY

DATE OF REQUEST: 1-14-84 DEPARTMENT: Legal Aid Society of Evans-
EMPLOYEE(S): David W. Kent
ville, Inc.

DATE(S) OF TRAVEL: 1-17-84 and 1-18-84

DESTINATION: Indianapolis, Indiana

PURPOSE: to testify at House committee per request of Dennis Avery

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: one (1) night stay

MEANS
OF
TRAVEL

COUNTY VEHICLE NUMBER: _____
OTHER: Mr. Kent's personal vehicle

REIMBURSEMENT CLAIMED

Mileage Parking
 Per diem _____ Registration
_____ Air fare Other lodging

APPROVED: *SA Hartig*
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 18th day of January ¹⁹⁹⁴ 1993

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY

DATE OF REQUEST: 1/10/94 DEPARTMENT: Health/Nursing

EMPLOYEE(S): Dennis Myers
Gail Robb
...

DATE(S) OF TRAVEL: Wednesday, January 19, 1994

DESTINATION: So. IN Public Health Association Conference

PURPOSE: 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: [Signature]
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 18th day of January, 1994

[Signature]
RICHARD J. BORRIES, PRESIDENT

[Signature]
PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY

DATE OF REQUEST: 1/10/94 DEPARTMENT: Health/Nursing

EMPLOYEE(S): Ethel Daniels
Laura Edwards
Johnetta Finnerty

DATE(S) OF TRAVEL: Sunday, January 30 & Monday, January 31, 1994

DESTINATION: Indianapolis, Government Center

PURPOSE: Update on HIV Risk in Women and Children

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: Yes (grant funded)

MEANS OF TRAVEL: _____
COUNTY VEHICLE NUMBER: _____
OTHER: _____

REIMBURSEMENT CLAIMED

<input checked="" type="checkbox"/> Mileage	<input type="checkbox"/> Parking
<input checked="" 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 18th day of January, 1994

[Signature]
RICHARD J. BOBBIES, PRESIDENT

[Signature]
PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY

DATE OF REQUEST: Jan. 10, 1994 DEPARTMENT: Health

EMPLOYEE(S): David Green

DATE(S) OF TRAVEL: 2-8-94/2-10-94

DESTINATION: Greenwood, In.

PURPOSE: Workshop: RE: Nutrition Labeling & Education Act 199

(NLEA)
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 10th day of January, 1994

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY

DATE OF REQUEST: 1/10/94 DEPARTMENT: Health/Nursing

EMPLOYEE(S): Dennis Myers

DATE(S) OF TRAVEL: Thursday, January 13, 1994

DESTINATION: Indianapolis - Government Center

PURPOSE: TPHA Planning Retreat

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: No

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: _____
OTHER: (travelling in ISDH employee's car)

REIMBURSEMENT CLAIMED

_____ Mileage	_____ Parking
<u>x</u> _____ Per diem	_____ Registration
_____ Air fare	_____ Other

APPROVED: _____
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 18th day of January, 1994

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY

DATE OF REQUEST: Jan 6, 1994 DEPARTMENT: German Township Assessor

EMPLOYEE(S): Tim Schaefer Assessor Phone: 5509

Deirdre Van Allen Chief Deputy

Jean Elsfelder Real Estate Deputy

DATE(S) OF TRAVEL: Jan 23- Jan 26, 1994

DESTINATION: Indianapolis IN

PURPOSE: State Board of Tax Commissioners Annual Assessor's Conference

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: Jan 23- Jan 25, 1994

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: _____
OTHER: personal vehicles

REIMBURSEMENT CLAIMED	<input checked="" type="checkbox"/> Mileage	<input checked="" type="checkbox"/> Parking
	<input checked="" type="checkbox"/> Per diem	Registration
	Air fare	Other

*1 car (Tim's)
3 rooms at Embassy (\$72 apiece)*

APPROVED: _____
Department Head

APPROVED: Timothy L. Schaf
Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 24th day of January, 1994

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

DON L. HUNTER, MEMBER

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY

DATE OF REQUEST: 1/12/94 DEPARTMENT: Weights & Measures

EMPLOYEE(S): Loretta Townsend
Roy Paschall
Larry Wright

DATE(S) OF TRAVEL: February 9, 10 & 11, 1994

DESTINATION: Indianapolis

PURPOSE: Weights & Measures Training School

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: 2 nights, 2 rooms

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: 449
OTHER: _____

REIMBURSEMENT CLAIMED

_____ Mileage	_____ Parking
<input checked="" type="checkbox"/> Per diem	<input checked="" type="checkbox"/> Registration
_____ Air fare	_____ Other

APPROVED: *Loretta Townsend*
Department Head

APPROVED: _____
Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 18th day of January, 1994

Patrick Tuley
PATRICK TULEY, PRESIDENT

Nick Borries
NICK BORRIES, VICE PRESIDENT

DON 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.

VANDEBURGH COUNTY, INDIANA

VENDOR NAME United Consulting Engineers, Inc. # 1762

1625 N. Post Rd., Indpls., IN 46219-1995

On Account of Appropriation for

203-3540

Invoice No.	Itemized Claim	Amount	
	For Engineering Services on Project No.		
	BRO-NBIS(202), Bridge Inspection - Phase		
	I, in accordance with our Agreement dated		
	August 9, 1993, per our Appendix "D".		
	Work completed thru 01/03/94		
	TOTAL AMOUNT DUE THIS INVOICE NO. 2	5680	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.

Jacob E. Hall Name

President

Title

Date January 3, 19 94

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 Indianapolis, IN 46219-1995

On Account of Appropriation for 203-4353 Col Dec #3C

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% = 12310.24		
	BHZ-E140(001) -----28.24% = 4844.50		
	TOTAL AMOUNT DUE THIS INVOICE #14	17154	74

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 12/31/, 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

Invoice#XW9400356
 Provider#10202

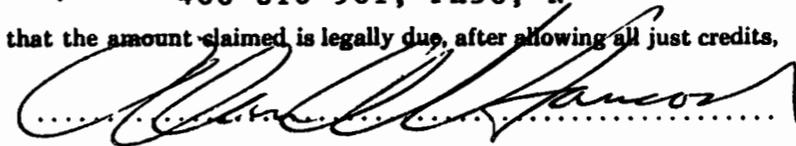
To Indiana Department of Transportation 11/4 Dr.

On Account of Appropriation For Project MAM-E340(006), Contract R-19511 2/6-49/0

19....	Order Number	ITEMIZED CLAIM	DOLLARS	Cts.
		Increase to Project MAM-E340(006), Contract R-1951		
		due to Change Orders, computed as follows:		
		Amount Increased	\$375,000.00	
		Less: FHWA Participation @75%	(281,250.00)	
		County's Share	\$93,750.00	
		Location: Green River Road		
		Total Amount Due INDOT	\$93,750.00	

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953, 400-816-901; PH50; 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 January 5, 1994

Tepner

Title

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 North Post Road, Indpls., IN 46219-1995

On Account of Appropriation for 216-4910

Invoice No.	Itemized Claim	Amount	
#10	For Right of Way Acquisition Services on Project M-E340 based on securing the right of way with 100 percent County Funds in accordance with our Agreement dated August 5, 1991. <i>GREEN RIVER RD - NORTH</i>		
	Work completed thru 01/03/94		
	TOTAL AMOUNT DUE THIS INVOICE #10	4135	50

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.

Steven W. Jones

 Steven W. Jones Name
 Vice President

 Title

Date January 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.

VANDERBURGH COUNTY, INDIANA

VENDOR NAME United Consulting Engineers, Inc # 1262

On Account of Appropriation for 1625 N Post Road Indpls., IN 46219-1995 216-4910

Invoice No.	Itemized Claim	Amount	
20	For Construction Engineering Services on Project Greene River Road Reconstruction Section "A" INDOT Contract R-195-11, County Project MAM-ME-340(6) in accordance with our Agreement dated January 20, 1992 and your Notice to Proceed letter dated 2/20/92 also Supplemental Agreement dated 9/27/93		
	For the period from 11/13/93 thru 12/31/93		
	TOTAL AMOUNT DUE THIS INVOICE, \$20	7,036	64

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 12/31, 19 93

**MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 24, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:50 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes (January 10, 1994)	1
SMWH Contract/Employee Assistance Program	1
(Approved going on Council Call for \$4,164.00 to renew contract; M. Abell holding contract subject to funding)	
Petition to Vacate Drainage Easement in Oak View Place II, Glenn Wood (To be continued; G. Wood to obtain letters from Utility Companies)	1
County Attorney/Alan Kissinger	3
Settlement of Alfred H. Bauer Case; Acceptance of Refund Check in amount of \$33,000)	
Superintendent of County Buildings/Mark Abell	3
Coliseum Parking Lot (County to be assigned 9 parking spaces for use by County Engineer's & Veteran's Services employees. City Clerk to handle enforcement.	
Indiana Department of Revenue/Annual Associate Information Report (Executed by Commissioners; C. Mayo will forward to IDR)	5
County Highway/Fred Howard	5
Weekly Progress Reports Snow Removal/Road Salt Shortage Commendations to County Highway Crews (Snow & Ice Removal	
County Engineer/John Stoll	7
Title Sheets/Design Plans for Bridge #5 on Mann Rd. & Bridge #7 on Bixler Rd. Ribbon-Cutting Ceremony/Columbia-Delaware Bridge (3:00 p.m. on January 31, 1994)	
Scheduled Meetings	7
Executive Sessions (January 31 and February 7)	
Consent Agenda	7
Employment Status Changes/Auditor's Office	7
Old Business	7
Amended Resolution re Commission Meeting Dates	
New Business	8
Recap of 1993 Accomplishments	
Meeting Adjourned @ 6:40 p.m.	8

MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 24, 1994

Following a scheduled Executive Session, The Vanderburgh County Board of Commissioners convened at 5:50 p.m. on Monday, January 24, 1994 in the Commissioners Hearing Room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell/Supt. of County Buildings, Attorney Alan Kissinger, Commissioner Rick Borries, Deputy Auditor Cindy Mayo, Recording Secretary Joanne Matthews and himself) and subsequently asked the group to stand for the Pledge of Allegiance.

Commissioner Tuley asked if there are any 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: APPROVAL OF MINUTES

Motion was made by Commissioner Rick Borries to approve the minutes of January 10, 1994, as submitted. Seconded by Commissioner Hunter. So ordered.

RE: SWMH CONTRACT/EMPLOYEE ASSISTANCE PROGRAM

President Tuley said the Commissioners need to go on Council Call in the amount of \$4,164.00 for renewal of the subject contract.

Commissioner Borries noted there has been no change in the contract -- it is the same as for 1993. The renewal contract would cover January 1, 1994 thru December 31, 1994. He certainly thinks it is a needed benefit -- one in which a full service County needs to consider mental health services as well as physical health. Therefore, he thinks we need to continue this benefit. Mr. Borries subsequently moved to approve going on Council Call for the necessary funds. Seconded by Commissioner Hunter. So ordered. (The renewal contract will be given to Mr. Abell to hold until such time as funding is in place.)

RE: PETITION TO VACATE DRAINAGE EASEMENT IN OAK VIEW PLACE -
GLENN WOOD

It was noted by Commissioner Tuley that the Petitioner, Mr. Glenn Wood, is in the audience today. He then recognized Mr. Wood.

Mr. Wood said he believes President Tuley has all the necessary information in the Hearing file, which has been submitted to the Board by Joanne Matthews of the Auditor's office. His next door neighbor, Mr. Bert Gingerich, is also present tonight should the Commissioners have questions of him. His neighbor did receive a Certified letter.

Commissioner Tuley said the Certified Receipt for the letter is in the file, as well as checks covering any advertising costs, which may have been incurred by the County. He then asked Ms. Matthews if he understood her correctly in that there are no letters from the public utilities included in the hearing file.

Ms. Matthews responded affirmatively and said she believes Attorney Kissinger is going to address this.

Attorney Kissinger stated that the Board had discussed with Mr. Wood previously that he would contact the various public utilities and get some indication from them as to whether or not they objected in any way or had any concerns about the vacation of this easement. Has that been done?

Mr. Wood responded that he has not. He doesn't remember it being discussed -- it probably was -- he will have to agree with Attorney Kissinger. However, there are no easements in that area. All of the easements are at the rear of the property. He did talk to Keith Roundtree....

Attorney Kissinger said it is Keith Rounder.

Mr. Wood apologized, saying he did talk to Keith Rounder the other day and discussed the situation -- you know, what we're dealing with -- and he did not feel that it was necessary. He believes he talked to him on Wednesday or Thursday. It would have been a pretty good task. He does understand, from talking to his wife, that while he did not request it, SIGECO did come out and view the property and stated they had no problem with it-- but he does not have a letter to that effect. He can get the letters at a later date if Attorney Kissinger would like -- or whatever he suggests.

Attorney Kissinger said the County does need those letters -- because there is a potential -- even though there are no specific easements there, it could affect their easements -- and it may very well not affect them. But as long as we have those letters in the file -- there's not going to be anything crop up later. He hates to keep running Mr. Wood back and forth -- because he knows this has been somewhat of a pain for him. But, with the receipt of the letters from the utilities indicating they have no objections or concerns, he would suggest the Commissioners look favorably on approval.

Commissioner Tuley asked if the Board could move for approval pending receipt of the letters from the utilities? Or, does the Attorney want any action tonight.

Attorney Kissinger said what he would prefer is that the Board go ahead and re-set the matter for another hearing, with the understanding that the only thing to be considered is the receipt of the letters from the utilities. If those letters are received, then there is no need for Mr. Wood to appear. Obviously, the Board is advised by their minutes of what the status is.

Mr. Wood asked who he should get the letters to.

Commissioner Borries said Mr. Wood should get the letters to Joanne Matthews in the Auditor's office; she will have the Public Hearing file.

Ms. Matthews said she has a question of Attorney Kissinger. Can he please clarify if this is just a continuation -- or does the rescheduled hearing have to advertised.

Attorney Kissinger said, "Let's call it a continuation of this hearing, especially in consideration of the fact we've had no remonstrators. Let's call it a continuation of this hearing for the receipt of certain documents."

Commissioner Tuley said he will not ask if there is anyone who wishes to speak for or against the petition. There was no response from the audience.

Commissioner Borries reiterated he also hates to ask Mr. Wood to do this. But it is really important. Just as the Commissioners have to follow this in a rather exacting way, it sure protects them in the event he some day sells and the property changes hands and

there could be some confusion about it.

Attorney Kissinger emphasized this is a rather routine matter that all of the public utilities are going to recognize and they will comply very quickly. (Note: As soon as the required letters from the public utilities are received from Mr. Wood by the Auditor's office, the continued hearing will be placed on the Commission Meeting agenda.)

RE: COUNTY ATTORNEY - ALAN KISSINGER

Attorney Kissinger said that Kyle Foster will be happy to know that the Alfred H. Bauer case has been settled and he is submitting to the Commissioners tonight a check in the amount of \$33,000. The Commissioners will recall the Court Appointed Appraisers apprised the real estate at \$88,000. We ultimately settled the case for a total of \$55,000. As a consequence, Mr. Bauer has refunded to the County a total of \$33,000.

Motion was made by Commissioner Borries that the check be accepted, endorsed, and deposited immediately into the County General Fund. Seconded by Commissioner Hunter. So ordered. (Check deposited into County General Fund on 1/25/94, Quietus No. 12416 -- copy attached herewith.)

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Coliseum Parking Lot: Mr. Abell reported he has been in touch with the Veteran's Council, who is managing the Coliseum for the County. They are going to oversee our parking lot back there. They will be requesting some signs for us that we will give them and we will post and they will, more or less, keep an eye on the lot. The signs are for the County Engineers and the Veteran's Service people at the Old Courthouse so that they can park in the Coliseum Lot. The Commissioners may be aware of this; there has been some correspondence. He has ordered the signs from Jerry Hays in Traffic Engineering and he understands we are making an arrangement with the City Clerk to patrol the lot.

Mr. Tuley said he has been talking with Marsha re patrolling the nine (9) designated spots for the County employees in the County Engineer's and Veteran's Services offices -- so no other people park there. They will be signed and posted, as Mark has indicated. If agreeable, he would entertain a motion for those employees to obtain parking permits from Sandie Deig -- just like we use back here on the Courts parking lot -- so if they have either a County sticker or a municipal tag (such as John Stoll's county vehicle sitting there) -- that they not be ticketed at all. He talked to Marsha Abell and she said by virtue of a motion or something in the record that this would be sufficient for them to start doing that for us if we so desire.

Mark Abell asked if this would also include the handicapped spaces.

Mr. Tuley said that would also include the handicapped spaces -- she would patrol those as well. But per our arrangement, that would be the only thing they would be responsible for patrolling.

Commissioner Hunter asked if everything is marked correctly for the handicapped over there?

Mr. Abell said there are some guidelines that we must follow in order for them to enforce that. He has checked with Jerry Hays and he's up to date on all of those. It involves blue paint, certain markings, and he thinks the number of spaces corresponds, etc. He knows all of that and will make sure that is done correctly -- according to what they have established in the City Clerk's office. Once that is done, the tickets can be issued. He believes they are \$200 per ticket.

Commissioner Hunter said that is the reason he is asking -- he believes it is a heavy duty number.

Attorney Kissinger stated, "The City ordinance, although it is in effect now, is not being enforced because in order to enforce it they must make certain that every handicapped space within the City Limits is property marked. Otherwise, they have to forego enforcement. Also, I think they are trying to contract with certain private lot owners for enforcement there. But there is a State statute that is being enforced and that is the one we have dealt with previously and the fine is a total of \$100.00. It is like \$46.00 plus \$54.00 Court costs. So it is a \$100 fine for parking in a handicapped spot and to violate the City Ordinance is a \$200 fine. However, the latter is not presently being enforced."

Mr. Abell asked if when that is done they will start enforcing that?

Attorney Kissinger said he knows the police are anxious to begin enforcing the City ordinance -- but he does know the City ordinance is not being enforced because he thinks the marking, etc., is going to represent quite a lengthy effort in so far as getting it done physically -- and he thinks it is going to be considerable expense, as well. He can't give any forecast at all as to when they will start enforcing the City ordinance.

Mr. Abell asked, "But for our record, we will be bringing ours into compliance with their updated code -- for the eventuality that it does happen?"

Attorney Kissinger commented, "And the City police will write tickets on that and the City parking meter people can write tickets for the same reason. I can give you that statutory citation, if necessary."

President Tuley entertained a motion to ask the City Clerk, by virtue of a motion and the official minutes, to begin to enforce parking once the signs have been installed (does Mr. Abell have any idea as to when the signs for the Coliseum parking lot will be ready)?

Mr. Abell said they should be done within a month.

Mr. Tuley continued, "We will give written notice once everything is in place to start enforcing the nine (9) reserved parking spaces if someone other than a municipally tagged vehicle or a vehicle without a County parking permit parks in those spaces -- and to enforce the handicapped spaces once all of that is worked out."

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

Mr. Tuley said he would also note (and he talked to John Stoll about this) that he was stopped by one of the meter police today -- and Mark Abell might want to call the Veterans people -- and let them know that an awful lot of people are parking right on the yellow lines right next to the Coliseum and they are going to start issuing tickets.

Mr. Abell asked, "Out on the street or in our lot?"

Mr. Tuley asked if there is a yellow line in the lot?

Mr. Abell said it must be inside our lot that he is talking about.

Mr. Tuley said that if the County enters into this agreement, people parking on those yellow lines are going to start getting tickets.

Mr. Stoll said the yellow line was just painted last week and it is toward the back of the Coliseum lot. There is only enough room for cars to back out of the parking spaces; it is not intended to have parallel parking on the back side -- so you can get in and out of the lot.

Mr. Abell said he will follow up with Mr. John Bradford at the Coliseum via letter, telling him what we've done here and will stay in touch with the City Clerk's department and we should get things going as soon as the signs are installed.

Mr. Tuley reiterated that, obviously, we don't want to start until everything is marked and everybody is tagged.

Indiana Dept. of Revenue/Annual Associate Information Report: Mr. Abell said he has one other item -- and he didn't know what to do with it. He hasn't seen one before and no one else seems to know who should sign it.

Commissioner Hunter said he'd let Cindy Mayo sign it; that sounds like a real good one for her. The Commissioners can come to see her on visitor's day.

Following brief comments among the Commissioners, it was noted by Commissioner Borries that it says "Vanderburgh Auditorium & Convention Center".

Mr. Abell said they brought it over just before the meeting and said they can't sign it -- and wondered if the Commissioners should sign the form, as owners -- or the Auditor, or the Treasurer, etc.

Commissioner Borries said probably one of the reasons we're getting this now is that we had a long, longstanding confused situation over the collection of sales tax at the Auditorium. So somehow we finally got on their mailing list and they've got us -- so that is what this is about. But it says, "Any officials responsible for collecting and remitting sales use taxes."

In response to query from the Board, Ms. Mayo said the Auditorium and Burdette Park collect the tax and subsequently turn it in to the Auditor and that office remits payment.

Commissioner Tuley said he will sign, with the Board's permission.

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

Mr. Abell said this concludes his report.

Mr. Borries emphasized we will get into trouble if someone doesn't collect this tax -- we can be sure of that.

It was subsequently noted by Deputy Auditor Mayo that she will note our Federal I.D. number on the form and forward to the IDR.

RE: COUNTY HIGHWAY - FRED HOWARD

Weekly Progress Reports: Assistant County Highway Superintendent Fred Howard was recognized. Progress Reports for period of January 7 thru January 13, 1994 and January 14 thru January 20, 1994 were submitted.....reports received and filed. In response to query from Commissioner Borries as to whether this is probably the first work day the highway crews didn't shovel snow, Mr. Howard stated Sunday and today. They worked Saturday and were off Sunday -- but they had three trucks out today with all the slush -- and there is still ice out in some areas. Mr. Howard was very hoarse and said he can't seem to get his voice back; he also noted Mr. Morphew had to go home early today.

Commissioner Tuley said he knows we ran into a problem in terms of salt.

Mr. Howard said we have very little salt right now and the supplier doesn't have it.

Mr. Borries said he understands that apparently some of this was caused by the Mississippi flood, where they were unable to get supplies --and the price has gone out of sight.

Mr. Howard said they have tripled the price and he's even heard worse than that. Then they'll tell us a barge is in -- but they can't say whether it will be at Rockport, Mt. Vernon, or where -- so it's been real nerve wracking. When you see that salt go down to the last truckload and you have nowhere to go for salt....

Mr. Borries said he wants to commend Mr. Howard and the department for a really outstanding job. He thinks Mr. Hunter had mentioned (and he thinks someone else told him they had listened to a Louisville radio station) that the State of Kentucky took it on the chin a bit. Of course, in their defense, he thinks they received more snow than we did -- especially around the Louisville area. But we certainly got more than six (6) inches. He definitely had more than six inches in his yard.

Mr. Howard said they measured seven or eight inches at the County Highway Garage. They were calling the radar department and the Weather Bureau and telling them to update their forecast -- because they were measuring the snow. They would tell them three to six inches and the County Highway told them they had seven or eight at that time.

Mr. Borries said they had more than that on the east side of town, because it got worse as it went east.

In response to query from Commissioner Borries, Mr. Stoll said we had to have at least eight inches of snow.

Commissioner Borries said that, again, he wants to commend the County Highway crews for their efforts in doing an outstanding job -- especially with that kind of wind chill factor and everything.

Mr. Howard said he hopes the heat wave continues -- he didn't know 20 degrees could feel so warm. The other night when the wind chill was 35 degrees below zero, it was unbearable when you got out of your car. In response to query from Commissioner Borries as to how the equipment held up, Mr. Howard said that everything held up real good. They did have a couple of trucks that went into a ditch. Fortunately, no one got hurt and nothing on the trucks got hurt. They got them pulled out and they're going again. It scared the guys a little bit. They just slid off. What hurt was the two inches of ice beneath the snow. When you plow the snow off the ice, all that remains is ice. In response to query from Commissioner Hunter as to how the new trucks worked out, Mr. Howard said they are great. Thank God they got them! They've really saved us this year and he wouldn't know what to do without them. A lot of the men to whom the trucks are assigned have spent some of their own money on them. They put decals on them as far as pinstriping; they bought bug shields and put on them. So they're real proud of them.

Commissioner Tuley said he would just like to echo what Rick has said. He knows the guys had a tough job -- but they put in a lot of hours and did a great job.

Commissioner Hunter said he heard a comment from one of his County neighbors that the County roads were in far superior shape as compared to the side streets in the City.

Mr. Howard said he didn't have any problem on the County roads. But when he went home that particular night he got stuck two houses away from his own house and had to go dig his car out the next morning.

RE: COUNTY ENGINEER - JOHN STOLL

Title Sheets/Design Plans for Bridge #5 on Mann Rd. & Bridge #7 on Bixler Rd.: Mr. Stoll submitted the subject title sheets and said we've made comments and United Consulting is going to make some revisions in the plans. Hopefully, we will have this thing ready to bid out by some time in March or April.

Mr. Tuley asked if we're widening the bridge.

Mr. Borries said it should open the channel a bit, also. He then asked if Bixler Rd. isn't a paved road now. Mr. Stoll confirmed that it is.

At the recommendation of the County Engineer, motion was made by Commissioner Borries and seconded by Commissioner Hunter to sign the Title Sheets, as submitted. So ordered.

Ribbon Cutting Ceremony/Columbia-Delaware Bridge: Mr. Stoll advised that as far as he knows, the ribbon cutting ceremony for the Columbia-Delaware Bridge is scheduled for 3:00 p.m. next Monday (January 31st). If anything changes, he will advise the Commissioners.

Mr. Borries asked if Mr. Stoll will be notifying the west siders?

Mr. Stoll said Stuart May, the Project Engineer, has been working with that.

Mr. Borries noted that Mr. Bob Schaad was a Commissioner and actively involved when they built the original bridge.

RE: SCHEDULED MEETINGS

Executive Session: In response to query from Commissioner Borries, Ms. Matthews confirmed the minutes do reflect that the Commissioners had requested Executive Sessions on January 31st and February 7th for purposes of discussing pending litigation and personnel matters. Notice of said meeting will be advertised in the Courier & The Press on Wednesday, January 26th.

RE: CONSENT AGENDA

In response to comment from Commissioner Hunter, Commissioner Tuley noted there are apparently no travel requests this week.

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

RE: EMPLOYMENT STATUS CHANGES

In response to query from Deputy Auditor Cindy Mayo, Mr. Tuley said he does have the pink slips from the Auditor's office, along with the other employment status changes attached to the meeting agenda. Attorney Kissinger had them earlier.

RE: OLD BUSINESS

Amended Resolution re Commission Meeting Dates: Commissioner Borries said he does have an Amended Resolution for approval by the Board with regard to Commission meeting dates and times for 1994. He then asked Joanne Matthews why an Amended Resolution is necessary.

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Commissioner Tuley said he believes Joanne said it was because the Drainage Board was included.....

Mr. Borries asked Ms. Matthews if the Board also has to have a separate Amended Resolution for the Drainage Board.

Ms. Matthews responded that the Drainage Board has not yet adopted a Resolution. She talked with Attorney Kissinger and is helping Sunny Titzer prepare a Resolution for the Drainage Board for adoption tonight, so it can also be advertised.

She talked with Attorney Kissinger and the Amended Resolution for the Commissioners excludes the Drainage Board meetings and Solid Waste. It is her understanding that the Solid Waste Management District advertises their own meetings.

Attorney Kissinger confirmed the foregoing.

Commissioner Borries then read the Amended Resolution into the record (copy attached hereto).

Motion to approve the Amended Resolution and advertise same was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Attorney Kissinger said if Joanne will make a note to remind him next year -- they will get the resolutions out right the first time.

Mr. Tuley entertained further matters of Old Business to come before the Board. There was none.

RE: NEW BUSINESS

President Tuley entertained matters of New Business to come before the Board.

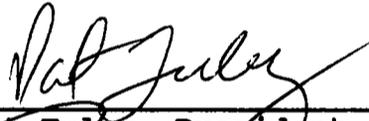
Profile/1993 Accomplishments: Commissioner Borries said he would like to reflect a few moments on the Profile for 1993 -- so it can be included in the record -- with regard to some of the things that we did get done last year. He had asked the Commissioners to put together some items. The Board has put together twenty-two (22) items which he'd like to enter into the record under New Business. These range all the way from reorganizing the County Attorney positions to the County Engineer moving to the Old Courthouse and some bridge projects getting done; two major projects starting in 1993; ADA Compliance and the County Insurance Committee; new roads on the east side (Vogel Rd. & Virginia Street being moved); Pigeon Creek Greenway Committee being organized; the Auditorium Task Force, etc. So he thinks we've been able to do a great deal. The Intern Program involving the students from the Signature School that Commissioner Don Hunter has worked with and we also were one of five counties receiving the Outstanding Achievement Award -- for the development of the new Morgue, providing regional services. So he thinks we did a lot and a lot will be done this year. The County Employees doubled their United Way contributions in 1993. Later tonight we will hear about the comprehensive overhaul of the Drainage Code. He would move that this list be entered into the official record. Seconded by Commissioner Hunter. So ordered.

President Tuley entertained further matters of New Business to come before the Board. There being none, he declared the meeting adjourned at 6:40 p.m., stating the Drainage Board will convene following a brief recess -- allowing the Commissioners to finish affixing their signatures to some documents.

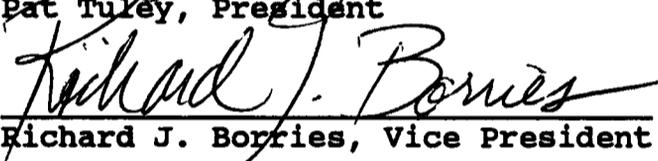
PRESENT:

Pat Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member
Alan M. Kissinger, County Attorney
Cindy Mayo, Chief Deputy Auditor
Mark Abell, Supt./County Buildings
John Stoll, County Engineer
Fred Howard, Asst. County Highway Superintendent
Glenn Wood/Oak View Place II
Bert Gingerich/Oak View Place II
Darrell Rice/Soil Conservation Service
Bill Kintner/Utility Pipe Sales, Inc.
Mike Eddington/Paetnesship Engineering
Jim Farney/Bernardin, Lochmueller & Associates
David Keaffier/Hancor
Mary K. Hukill/WIKY
Kyle Foster/Evansville Press
Jim Beck/Evansville Courier
Others (Unidentified)

RECORDING SECRETARY: Joanne A. Matthews



Pat Tuley, President



Richard J. Borries, 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

January 24, 1994

5:30 P.M.

FINAL

- ~~1.~~ **CALL TO ORDER**
- ~~2.~~ **INTRODUCTIONS**
- ~~3.~~ **PLEDGE OF ALLEGIANCE**
- ~~4.~~ **ACTION ITEMS**
- ~~A.~~ **Approval of Minutes**
- ~~B.~~ **Any group/individual wishing to address the commission**
- ~~C.~~ **SWMH Contract/Employee Assistance Program**
 - **Renewal of contract(same as 1993)
 - **Permission to go on Council Call for.....\$ 4,164.00
- ~~D.~~ **Petition to Vacate Drainage Easement**
Oak View/Glenn Wood
- ~~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:

B. Employment Changes:
* see attached

C. Acceptance of Check # 15104, Quietus # 12331
Hillcrest-Washington Youth Home.....\$ 168899.63
*1993 4th Quarter

~~7.~~ **Scheduled Meetings - List attached**

~~8.~~ **OLD BUSINESS**

~~9.~~ **NEW BUSINESS**

~~10.~~ **MEETING ADJOURNED**

DRAINAGE BOARD IMMEDIATELY FOLLOWING

COUNTY ENGINEER'S

CONSENT AGENDA

January 24, 1994

1. **CLAIMS:**

OHIO ST. BRIDGE #3C 203-4345

Bernardin Lochaueller (Inv. #93-097-5(1)) \$ 4,220.84

Bernardin Lochaueller (Inv. #91-068-1(19)) \$26,348.98

EICKHOFF-KORESSEL EXT. 216-4741

Bernardin Lochaueller (Inv. #90-040-1(30)) \$ 4,882.60

LYNCH ROAD EXT. 216-4827

Bernardin Lochaueller (Inv. #90-038-1(22)) \$ 668.00

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
136-1990	DAVID W. TROUT		INTERN	4.75 ✓	HR	1-10-94 ✓
136-1990	CHRIS PALMER		INTERN	4.75 ✓	HR	1-5-94 ✓
136-1990	TONYA M. VANHOOSIER		INTERN	4.75 ✓	HR	1-10-94 ✓
505.0136Z 1990	CHARLEY R. PACE		PART-TIME CORRECTION OFFICER	7.00	HR	1-2-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

SHOULD BE 1990

505-136Z-1990

505

313/36Z-1990

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
136.1-1990	THOMAS E. AGNEW	? NOT BEING PAID IN 136.1-1990	PART-TIME CORRECTION OFFICER	7.00	HR	1-2-94 ✓
136.1-1990	RICHARD L. SMITH	? NOT BEING PAID IN 136.1-1990	PART-TIME CORRECTION OFFICER	5.00	HR	12-20-93
505.0136Z 1990	CHARLEY R. PACE		PART-TIME CORRECTION OFFICER	5.00	HR	1-1-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

JUDGE, CIRCUIT COURT

DATE

1/20/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
37018030	Mary M. Clark		Court Reporter	Other pay		1/1/94 ✓
37018030	Dennis Vowels		Public Defender	Other pay		1/1/94 ✓
37018030	Michael J. Danks		Public Defender	Other pay		1/1/94 ✓
37018030	Sue G. Steele		Riding Bailiff	Other pay		1/1/94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
3701980	Mary M. Clark		Court Reporter	Other pay		1/1/94 ✓
3701980	Dennis Vowels		Public Defender	Other pay		1/1/94 ✓
3701980	Michael J. Danks		Public Defender	Other pay		1/1/94 ✓
3701980	Sue G. Steele		Riding Bailiff	Other pay		1/1/94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE

1/21/94

TAMMERSBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

pl

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	BRYAN AUSTILL	2533 NATIONAL LANE	INTERNSHIP	5 00	1-21-94
		<i>(NOT ON 1/28/94 P.R.)</i>			
		<i>Start working in office learning</i>			
		<i>park management</i>			
		<i>per J. Gordon</i>			

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY: *Tom Gordon* DATE *1-21-94*

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Co. Clerk sk

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1540	Mary L. French		Dep. Clerk	16.852.00	1-24-94
		(PAID 40 HRS ON 1/28/94 P.R.)			

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 1-21-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT sk

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	RICKY S. DIXON		PART-TIME CORRECTION OFFICER	5.00 ✓ HR	1-7-94 ✓
136.1-1990	WILLIAM F. JONES		PART-TIME CORRECTION OFFICER	5.00 ✓ HR	1-4-94 ✓
136.1-1990	ERIK E. CHANDLER		PART-TIME CORRECTION OFFICER	5.00 ✓ HR	1-7-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE 1/20/94
JUDGE, CIRCUIT COURT

FAX LEGAL AD TRANSMISSION

FROM: Joanne A. Matthews, c/o County Auditor, Room 208, Civic Center,
Evansville, IN 47708

NO. OF PAGES INCLUDING COVER: 2

LEGAL AD RUN SCHEDULE: THE EVANSVILLE COURIER &
THE EVANSVILLE PRESS ON
Friday - January 28, 1994

EXTRA PROOFS OF PUBLICATION NEEDED AND TO WHOM: -

SPECIAL REQUESTS FOR SETTING STYLE: Per attached

COPY OF LAST TIME LEGAL RAN ATTACHED: -

VANDERBURGH COUNTY AUDITOR.....FAX NO. 426-5344

**NOTICE OF 1994 MEETING DATES
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA**

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana did on the 24th day of January 1994 adopt the following Amended Resolution with regard to meeting dates and times during the 1994 calendar year.

(Insert attached Resolution here)

A M E N D E D R E S O L U T I O N

IN ACCORDANCE with Indiana Code 36-2-2-6, as amended by Acts 1982, P.L. 17, Section 8, is amended in Section 6, in that the Executive shall hold a regular meeting at least once a month and at other times as needed to conduct all necessary business and dates of regular meetings shall be established by resolution at the first meeting in January of each year.

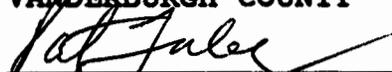
NOW THEREFORE, let it be known that the meetings of the Vanderburgh County Board of Commissioners shall be held on the first, second, third, fourth and fifth Monday of each month at 5:30 p.m.

REZONING PETITIONS will be heard on the third Monday of each month beginning at 7:00 p.m.

If a holiday falls on Monday, then the meeting will be held on the following business day, unless otherwise stated by the Commissioners in an open meeting.

APPROVED this 24th day of January, 1994.

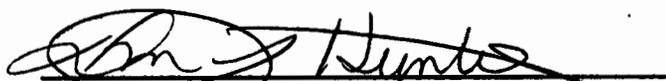
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY



Pat Fuley, President

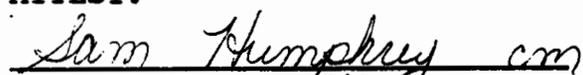


Richard J. Borries, Vice President



Don Hunter, Member

ATTEST:



Sam Humphrey, Auditor
Vanderburgh County

APPROVED:



Alan M. Kissinger
County Attorney



Southwestern Indiana Mental Health Center, Inc.

AGREEMENT

Southwestern Indiana Mental Health Center, Inc., a not-for-profit corporation, through its Business and Industry Consultation Service, hereby offers to Vanderburgh County Commissioners, hereinafter called THE COMPANY, the following services:

1. Up to three screening sessions for employees and family members to assure accurate assessment of problem areas. These sessions may be voluntary on the part of the employee, or directed by THE COMPANY.
2. When indicated in the assessment process, a referral will be made to the most appropriate treatment provider in the community. Cost of treatment following this referral will be the responsibility of the employee and/or their insurance company.
3. One two-hour training session for supervisory personnel on identification and referral of troubled employees, repeated as needed. Procedure manuals are provided for future reference, and phone consultation with supervisors will be available.
4. Informational posters, monthly posters, brochures, business cards, and employee letters are supplied to encourage use of the program. Presentations to employee groups are offered to further encourage utilization.
5. All aspects of the program (training, publicity, referrals) will be continually monitored to ensure program effectiveness. Establishment of an employee-management coordinating committee is offered to assist in program monitoring and planning.
6. Regular reports indicating program utilization, problem types, and assistance provided will be submitted to the company, while insuring complete client confidentiality. Specific employee information can be supplied to THE COMPANY only with the employee's written authorization.
7. Services will be available on an emergency basis by a Mental Health Center therapist (located at the Welborn Hospital Emergency Room) whenever the Center is closed, with on-call services of a psychiatrist also available.
8. At least one seminar or workshop is offered, with one workshop for each 500 employees covered in the contract for larger employers. A list of possible topics will be made available. THE COMPANY may request specific topics to cover in these workshops.
9. Consultation in the development of policy statements, procedures for identification and referral of troubled employees, and procedures for disseminating information about the program to employees.

In consideration for the services described above, THE COMPANY agrees to pay the Southwestern Indiana Mental Health Center, Inc., the sum of \$4,164.00 for the year beginning 1/1/94 through 12/31/94.
(694 Employees)

BY: John R. Browning, Executive Director
Southwestern Indiana Mental Health Center, Inc.

Accepted this _____ day of _____

BY: _____
Authorized Officer

- | | | | | | | |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Main Office
415 Mulberry Street
Evansville, IN 47713-1298
(812) 423-7791 | <input type="checkbox"/> Stockwell Center
60 South Stockwell Road
Evansville, IN 47714
(812) 476-5437 | <input type="checkbox"/> West Side Office
1 North Barker Avenue
Evansville, IN 47712
(812) 423-4418 | <input type="checkbox"/> Stepping Stone
30 South Stockwell Road
Evansville, IN 47714
(812) 473-3144 | <input type="checkbox"/> Gibson Regional Services
310 South Fifth Avenue
Princeton, IN 47670
(812) 385-5273 | <input type="checkbox"/> Posey Regional Services
100 Vista Drive
Mt. Vernon, IN 47620
(812) 838-6358 | <input type="checkbox"/> Warrick Regional Services
112 E. Main Street
Boonville, IN 47601
(812) 897-4776 |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|



Southwestern Indiana
Mental Health Center, Inc.

AGREEMENT

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(694 Employees)

BY: John K. Browning
John K. Browning, Executive Director
Southwestern Indiana Mental Health Center, Inc.

Accepted this _____ day of _____

BY: _____
Authorized Officer

- | | | | | | | |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Main Office
415 Mulberry Street
Evansville, IN 47713-1298
(812) 423-7791 | <input type="checkbox"/> Stockwell Center
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1 North Barker Avenue
Evansville, IN 47712
(812) 423-4418 | <input type="checkbox"/> Stepping Stone
30 South Stockwell Road
Evansville, IN 47714
(812) 473-3144 | <input type="checkbox"/> Gibson Regional Services
310 South Fifth Avenue
Princeton, IN 47670
(812) 385-5275 | <input type="checkbox"/> Posey Regional Services
100 Vista Drive
Mt. Vernon, IN 47620
(812) 838-6538 | <input type="checkbox"/> Warrick Regional Services
112 E. Main Street
Boonville, IN 47601
(812) 897-4776 |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, JANUARY 7, 1994 THRU THURSDAY JANUARY 13, 1994

FRIDAY, JANUARY 7, 1994

All crews ran snow routes.

MONDAY, JANUARY 10, 1994

Gradall and one crew cleaned ditch line on #6 School Road.
Grader and one crew worked on Sensmier and Golden Rule Road.
Two tree crews worked on Old Henderson Road.
One crew moved equipment, one crew cleaned trucks and one crew hauled sand to the garage.

TUESDAY, JANUARY 11, 1994

Gradall and one crew replaced culvert on Koring Road.
Patch crew worked on Boonville New Harmony Road.
Grader and one crew graded and rocked roads.
Tree crew worked on Little Schaeffer.
Trash crew worked on South Weinbach and River Road.
One crew cleaned trucks, one crew worked on Gradall.

WEDNESDAY, JANUARY 12, 1994

Gradall and one crew installed driveway culvert at 2136 Harmony.
One crew cleaned trucks, and one crew hauled sand to garage.
Patch crews worked on Red Bank Road.
Tree crews worked on Seven Hills Road.
One crew hauled sand to garage.
Grader and one crew graded and rocked roads in bottoms.

THURSDAY, JANUARY 13, 1994

Gradall and one crew worked on Folz & Mill and Korressel.
Patch crew worked on work orders.
One crew cleaned trucks, one crew hauled sand to the garage.
Tree crews worked on McDowell.
One crew ran barricades.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, JANUARY 7, 1994 THRU THURSDAY, JANUARY 13, 1994

FRIDAY, JANUARY 7, 1994

Crew #1 - fill in wash outs on Smith Diamond Bridge, remove limb from bridge, hand salt bridges.
Crew #2 - wash trucks.

MONDAY, JANUARY 10, 1994

Crew #1 - check Agathon Drive culvert across road, repair Oak Hill Bridge with duracrete.
Crew #2 - repair Oakhill Road Bridge.

TUESDAY, JANUARY 11, 1994

Crew #1 - installed culvert on Koring Road.
Crew #2 - fill in rut with dirt at 12500 St. Wendell, need some rip rap and 53's at 7544 St. Joe Road, need dirt on Mill.

WEDNESDAY, JANUARY 12, 1994

Crew #1 - finish culvert on Koring Road, rip rap and dig ditch.
Crew #2 - repair drain pipe on Koring, remove trash under Emge Road Bridge.

THURSDAY, JANUARY 13, 1994

Crew #1 - installed guardrail on Burkhardt and Hersch, St. Wendell Road, remove metal from Emge Road bridge.
Crew #2 - add rock to holes at 8101 Old Petersburg, Hillsdale at Browning, remove small trees and sapplings from Baseline bridge West.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT
FRIDAY, JANUARY 14, 1994 THRU THURSDAY JANUARY 20, 1994

FRIDAY, JANUARY 14, 1994

General call in at 9:00 P.M. on Thursday, January 13, 1994.
On Friday, all crews ran snow routes.

SUNDAY, JANUARY 16, 1994

General call in at 5:00 P.M.

MONDAY, JANUARY 17, 1994

HOLIDAY - General call in lasted until 12:00 P.M., and two crews
hailed sand until 4:00 P.M.
General call in at midnight.

TUESDAY, JANUARY 18, 1994

All crews ran snow routes until 5:00 P.M.

WEDNESDAY, JANUARY 19, 1994

All crews ran snow routes until 5:00 P.M.

THURSDAY, JANUARY 20, 1994

All crews ran snow routes until 5:00 P.M.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, JANUARY 14, 1994 THRU THURSDAY, JANUARY 20, 1994

FRIDAY, JANUARY 14, 1994

All crews worked snow routes.

MONDAY, JANUARY 17, 1994

HOLIDAY

TUESDAY, JANUARY 18, 1994

All crews worked snow routes.

WEDNESDAY, JANUARY 19, 1994

All crews worked snow routes.

THURSDAY, JANUARY 20, 1994

All crews worked snow routes.

A PROFILE OF 1993

- 1) The County Attorney Position was reorganized to assign individual liaisons with county offices and ensure efficient delivery of legal services.
- 2) The County Engineer's office moved to the Old Courthouse and coordinated several major projects very effectively.
- 3) Projects completed were Orchard Road Bridge, Columbia-Delaware Overpass Rehab, Darmstadt Road Bridge Rehab, North Green River Road Project and approximately 30 miles of paving by County Hwy and contractual services.
- 4) Two major projects were started in 1993 - the USI overpass and Lynch Road extension. USI is expected to be completed in 1994, Lynch Road extended to Burkhardt in 1996.
- 5) The County Highway Department was reorganized for greater efficiency. Roof repairs and ground remediation went forward. Safety programs with new equipment was a priority along with quick response in snow removal during an 11 inch snowfall in March, 1993.
- 6) A new CENTREX system was installed in December 1993. The system is estimated to save \$250,000 during the life of the contract.
- 7) The Board reorganized poor relief hearing to ensure greater degrees of confidentiality by a case review and recommendation of a county attorney.
- 8) The ADA compliance began with a review of personnel policies and employee applications. An employee handbook is planned for 1994.
- 9) The 1st County Government Day featured over 40 County Departments with displays describing many of the services provided by County Government.

- 10) The County Insurance Committee, a subcommittee of the County Employee Committee, recommended an increased employee contribution to the County's health insurance program. The increased contributed to keeping the choice of 3 programs available to employees for 1994.
- 11) By listening to and working with developers, 2 major roads linking Green River Road and Burkhardt Road - Vogel Road and Virginia Street - were planned and due to open in early 1994.
- 12) The Pigeon Creek Greenway Committee was reorganized with a formal set of by-laws and a focus on creating a long range plan for the project.
- 13) A Vanderburgh Auditorium Task Force, a broad-based committee whose mission will be to recommend any improvements and changes to ensure a strong future for the facility.
- 14) Two (2) new chalets, a single-price structure for the aquatic center and a reorganized Burdette Park Advisory Board were highlights for the facility in 1993.
- 15) A bicycle path which will connect Burdette Park and USI will be constructed in 1994 through a possible grant of ISTEA funds from the Indiana Department of Highways.
- 16) The Veterans Service office also moved to the old Vanderburgh County Courthouse and badly needed space for the Legal Services were acquired.
- 17) Vanderburgh County employees doubled their United Way Contributions in 1993.
- 18) A comprehensive overhaul of Vanderburgh County's Drainage Code was initiated. The new plan, based on the Purdue Model, will be enacted in 1994.
- 19) A take-home policy for Vanderburgh County vehicles was initiated. It will be enacted in 1994.

20) All insurance matters were consolidated under one person-the Agent of Record. He works with the County Employee Committee on Health Insurance issues.

21) An intern program involving students from the Signature School of the EVSC was initiated. It directly involves high school students working with County offices to gain first-hand knowledge about County Government.

22) Vanderburgh County received an outstanding achievement from the Association of Indiana Counties in 1993 for the development of the new morgue which provides regional services.

PRESCRIBED BY STATE BOARD OF ACCOUNTS
January 25, 1994

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

QUIETUS
OFFICE OF COUNTY AUDITOR
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 12416

FUND GENERAL FUND

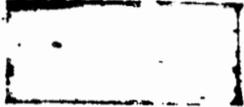
\$33,000.00

I HEREBY CERTIFY THAT: ALFRED H. BAUER, SR.

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN.
IN THE SUM OF \$33,000.00 DOLLARS

ON ACCOUNT OF REIMBURSEMENT FOR OVERPAYMENT ON
LAND APPRAISAL

SAM HUMPHREY
AUDITOR VANDERBURGH COUNTY, INDIANA



ALFRED H. BAUER, SR.		1837
REAL ESTATE 7836 E. OAK PH. 473-3882 EVANSVILLE, IN 47715		71-4/883
		Dec. 30, 19 93
PAY TO THE ORDER OF	<u>VANDERBURGH, COUNTY</u>	\$ <u>33,000.00</u>
<u>Thirty Three Thousand -----and -----no/100</u>		DOLLARS
<i>35,000 for handling fee</i> <i>2,000 for doc. fee</i> CitizensBank NATIONAL BANK OF EVANSVILLE, INDIANA		<i>Alfred H. Bauer</i>
FOR <u>Reimbursement to county for overpayment on land appraisal</u>		
⑈001837⑈ ⑆08630004⑆ ⑆0603006201⑆		





2700 W. Indiana
Evansville
Indiana
47712
Telephone
(812) 428-0

January 17, 1994

Mr. Pat Tuley
Vanderburgh County Commissioners
Room 305, City-County Building
Evansville, Indiana 47708

PT

Dear Pat,

In accordance with our contract for the operation of the Hillcrest-Washington Youth Home, I am pleased to send you the enclosed check #15104 in the amount of \$168,899.63. This represents the fees the Foundation collected for services in the 4th Quarter, 1993.

It has been a pleasure to provide this needed service for Vanderburgh County. We look forward to continued success in the future.

Sincerely,

John K. Browning
Chief Operating Officer

JKB/jim
Enclosure

HILLCREST-WASHINGTON
YOUTH HOME
2700 W. INDIANA STREET
EVANSVILLE, INDIANA 47712

A SERVICE OF
S.W. IN. MENTAL HEALTH FOUNDATION, INC.
THE NATIONAL CITY BANK OF EVANSVILLE
EVANSVILLE, IN 47705

15104

CHECK

15104

71-2/863

PAY ONE HUNDRED SIXTY-EIGHT THOUSAND EIGHT HUNDRED NINETY-NINE DOLLARS & 63 C

TO THE
ORDER OF

DATE

AMOUNT

01-17-94

***168,899.63

VANDERBURGH CO COMMISSIONERS
CIVIC CENTER COMPLEX
EVANSVILLE IN 47708

AUTHORIZED SIGNATURE

⑈015104⑈ ⑈086300075⑈ 017598671⑈

Warrant No. _____

Claim No. _____

Date _____

IN FAVOR OF

Vendor Name Beavertown Lumber

Vendor No. 985

\$ 4882.60

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Eickhoff-Kaessler

Account No. 216-4741

Allowed _____ 19____

In the sum of \$ _____

Robert J. Jones
Richard J. Barnes
John 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

Jan 21, 1994

John Stull
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>90-040-1(2)</u>	<u>-</u>	<u>1/11/94</u>	<u>216-4741</u>	<u>4882.60</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 4882.60

**MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 31, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:50 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes (January 4, 18 and 24)	1
Board Appointments/Board of Review	1
(Jerome Richey/Democrat & John Meeks/Republican)	
Ordinance Amending Chapter 153 of the Zoning Code	1
(Two Ordinances are involved; Second & Final Readings have been deferred to February 14 and 22, respectively, at the Request of the APC)	
Insurance/Annual Renewal of Total Insurance Program for Vanderburgh County, etc. & Agreements with Jerry Schenk for Appraisal & Loss Control Services and Dennis Feldhaus re Group Benefit Services	3
Campbell Road/Arthur Phillips	5
(County Engineer to Survey to Determine County Right-of-Way and confirm in writing that large tree is totally on County right-of-way prior to County authorizing Mr. Phillips to remove tree -- at no cost to the County). Mr. Morphey and Mr. Phillips are to meet with regard to solving drainage problem in the area.)	
Data Processing/Roger Elliott	12
Authorization to Advertise RFP for Cabling Services Support Maintenance Agreement/OCS Technologies, Inc. Departure of Mr. Elliott from Evansville to Arizona and Introduction of Richard Cappelletti, Interim Director	
Vanderburgh Auditorium	13
Renewal Contract/Johnson Controls, Inc. Contract/Schmitt Refrigeration Annual Report	
Approval of 1994 Contract for Southwestern Indiana Regional Highway Coalition	17
(Original Contract to be executed when received)	
Lease of Election Equipment, etc. - County Clerk	17
(Approved; Original Agreement to be executed when received; Will need to go on Council Call for Appropriation right after the Primary Election to replenish the account)	
Resignation from Riverboat Gaming Committee/R. J. Borries ..	24
(Commissioner Pat Tuley to represent the Commission)	
Superintendent of County Buildings - Mark Abell	24
Request to Declare Used Rolm Telephone Equipment as Surplus and advertise for bids on same	
County Highway - Bill Morphey	25
Weekly Progress Report Campbell Road Problem Ribbon Cutting Ceremony/Columbia-Delaware Overpass Roads Blocked Due to Flooding Frey Rd.	

Road Salt

County Engineer	26
Certification re Covered Bridges (None in the County)	
Acceptance of Vogel Rd. Extension from Royal Avenue to Burkhardt Rd.	
EUTS to conduct speed study with regard to Vogel Rd.; 30 mph speed limit suggested with ordinance to be changed reflecting same	
Claim/Concrete Pavers (approved); final payment of retainer re Vogel Rd.	
Kansas Rd. (consideration to be given to removal of concrete posts, with guard rails being installed. B. Morphey also to check on removal of concrete posts from other county roads, replacing same with guard rail; to check availability of funds in cumulative bridge account)	
Brookview Section E2/Road Design Plans (approved)	
Tekoppel/Flapgate (J. Stoll to order new flapgate; lowest estimate on repairs to current flapgate was \$9,000)	
Volkman Rd./"Bridge Closed" Signs to be installed at request of the Commissioners	
Public Hearing re County Roads (Scheduled at 5:30 p.m. on Monday, April 4, 1994)	
Columbia-Delaware Overpass/Ribbon Cutting Ceremony	
Consent Agenda	28
Amended to include County Treasurer's Report/December	
Scheduled Meetings	28
(Executive Session, Commission Meeting & Auditorium Task Force will meet at Vanderburgh Auditorium on February 7, 1994)	
Old Business	29
Petition to Vacate/Oak View Place II/Glenn Wood (approved by unanimous vote)	
New Business (None)	29
Meeting Adjourned @ 9:15 p.m.	29

MINUTES
COUNTY COMMISSIONERS MEETING
JANUARY 31, 1994

The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Monday, January 31, 1994 in the Commissioners Hearing Room with President Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed those who were present, introduced members of the County Staff (Mark Abell/Supt. County Bldgs., Attorney Alan Kissinger, Commissioners Rick Borries and Don Hunter, Chief Deputy Auditor Cindy Mayo, Joanne Matthews/Recording Secretary and himself) and asked the group to stand for the Pledge of Allegiance.

Commissioner Tuley stated that copies of the meeting agenda are available for those persons who would like same.

Commissioner Tuley then asked if there are any individuals or 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.

RE: APPROVAL OF MINUTES

President Tuley said he has three sets of minutes for approval this evening: January 4th, January 18th and January 24th. The minutes for January 10th were approved last week. A motion was entertained.

Motion to approve the three sets of minutes, as submitted, was made by Commissioner Borries.

Commissioner Hunter seconded the motion with regard to minutes of January 4th and January 24th. So ordered. Commissioner Hunter said he could not second with regard to the minutes of January 18th, as he was not present.

Commissioner Tuley seconded the motion with regard to approval of the minutes of January 18th. So ordered.

RE: BOARD APPOINTMENTS - BOARD OF REVIEW

In continuing, President Tuley said he noted that the two Township Assessors have been appointed to the Board of Review. The Commissioners now need to appoint two (2) Civilian members -- one being a Democrat and the other a Republican. The Commissioners had a comment from the existing Democrat that he would wish to stay on the Board. He had the names of two Republican candidates. He talked with one of the individuals (Marion Deig) and explained the time involved. At that time, Mr. Deig decided he didn't have time to give to the Board of Review and asked to withdraw his name. Mr. Tuley said he also received a resume on a Mr. John Meeks who, by resume, indicates he wishes to remain as a possible candidate.

Commissioner Borries said he thinks that Mr. John Meeks, 7417 E. Sycamore Street, would be an excellent candidate. He served from August, 1964 until February, 1993 as Senior Vice President & Chief Financial Officer of Evansville Federal Savings & Loan. He certainly thinks Mr. Meeks has the qualifications and he has indicated a willingness to serve on this Board. He would move that the nomination of Mr. Meeks be approved.

Commissioner Hunter said he would be most happy to second -- if he is a Republican.

Commissioner Borries stated he does say he is a Republican -- although not on his resume. So ordered.

President Tuley requested that Mr. Abell have B. J. Farrell send a letter to Mr. Meeks tomorrow, thanking him for volunteering. Mr. Tuley then queried Commissioner Borries about Mr. Jerome Richey.

Commissioner Borries said he does not have Mr. Richey's resume. However, he is willing to serve and he is a resident of Vanderburgh County. He would move to reappoint Mr. Richey to the Board of Review as the Democrat member.

Seconded by Commissioner Hunter. So ordered.

Commissioner Tuley asked that Mr. Abell have Ms. Farrell to also send a letter to Mr. Richey notifying him of his reappointment to the Board of Review.

RE: ORDINANCE AMENDING CHAPTER 153 OF THE ZONING CODE
(SECOND READING)

It was noted by Commissioner Tuley that this was continued from February 14th.

Commissioner Borries moved to approve the Ordinance on Second Reading, stating this amends certain definitions regarding bed and breakfast inns and things of that nature.

Ms. Matthews interrupted by stating there is some confusion; these Ordinances are not scheduled for Second Reading today.

Commissioner Tuley said Attorney Kissinger has pointed out that the Board needs to ask if there is anyone who would like to discuss the Ordinance on First Reading.

Ms. Matthews stated the Board has already heard the Ordinances on First Reading. Actually, there two (2) Ordinances amending Chapter 153.

Mr. Tuley asked, "We've had the first reading? I'm sorry, I'm confused. What are we doing tonight then -- since this is not the Second Reading?"

Ms. Matthews said she does not know. She tried to get it removed, but was told he had approved the meeting agenda. Both of these Ordinances have been re-scheduled for Second Reading on February 14th and Final Reading on February 22nd at the request of the Area Plan Commission. These are the two Ordinances she discussed with Mr. Tuley last week.

Mr. Tuley asked, "So it shouldn't be on the agenda tonight at all?"

Ms. Matthews said that is correct.

The Commissioners agreed to take this item off -- forget it -- and not discuss it further. Commissioner Tuley also confirmed the deferred hearings were at the request of the Area Plan Commission.

Commissioner Borries withdrew his motion to approve on First Reading.

RE: ANNUAL RENEWAL OF TOTAL INSURANCE PROGRAM
FOR VANDERBURGH COUNTY

The meeting continued with Mr. Dennis Feldhaus of Helfrich Insurance Co. being recognized. He is the County's Insurance Agent of Record.

Mr. Feldhaus said, "Once again, February 1st is the annual renewal of the Property Casualty Insurance Program for Vanderburgh County. With me this evening is Mr. Don Dickerson, the State Manager -- in the event that you would have any questions from the brokering company, PENCO (Public Entities Company -- we have done business through PENCO since 1985). My proposal is not in your packet. I have a hand-out for you. I had two choices -- either hand out Mr. Dickerson's manual or my one page. I thought you would prefer my one page synopsis of the renewal.

From February 1, 1994 to February 1, 1995, I just want to touch on two coverage changes from the expiring policy. First is the underwriting change in the fact that Northfield, which is a domestic company (a company that writes business in the United States) now underwrites 70% of the County's business, while Lloyd's of London underwrites 30%. Last year it was just the opposite. Lloyd's was 70% and Northfield and was 30%. That is positive, from the standpoint that I think we have more hands-on contact with our actual company that underwrites 70% of our business here in the United States -- plus, with what has been going on in the insurance industry -- specifically, worldwide with Lloyd's of London -- this is a positive move for Vanderburgh County.

Secondly, just to highlight that the property limit is up to \$62,914,618. I didn't bother to schedule. Basically, this is all county-owned property. All county-owned personal property. All county-owned vehicles. All county-owned contractors equipment -- all lumped under one value -- and it is up and continues to go up because of the reappraisals of County facilities.

Section "B" is the item we like to focus in on. That is the price changes from the expiring policy. The ALA (All Lines Aggregate) -- that layer is down \$4,518. The Excess Property layer is up \$2,350. Excess Earthquake is up \$6,855. Los Angeles probably had a little bit to do with that. Excess Worker's Comp is down \$8,700. And the total program for 1994-1995 is down \$4,163 over the expiring policy. So that's good news. Not often do we get decreases in insurance.

The General Fund and Highway Department breakdown is there - that is how I voucher each of those.

Are there any questions up to this point on the insurance program, before I get into Section "C", which are the Contractual Services?"

Commissioner Hunter asked, "Dennis, on the real property, you said the replacement costs were up. Is that based on replacement cost is it's destroyed?"

Mr. Feldhaus responded, "That is correct. All buildings are insured on a replacement basis except the Old Jailhouse -- and that is insured for demolition value only. Those buildings that basically were up are the ones that Mr. Schenk did appraisals for in 1993 -- the Old Courthouse, the Civic Center, the Auditorium, Burdette Park Administration Building, Hillcrest Home, and the Vanderburgh Community Corrections Center on Third Avenue. Those five facilities, plus the storage and maintenance building -- which was a brand new appraisal -- which is the second building at the Community Corrections Center. Those units were up in value and all of them are on a replacement cost basis. We try to do about one-third of our buildings every year, so that every three years we are catching all facilities on one hundred percent replacement."

Commissioner Hunter said, "Let's go back to the Corrections Center for a second. Do we own that?"

Mr. Feldhaus responded, "We do not own that, no sir. We have a lease arrangement. There is a lease agreement and that agreement calls for the County to insure the facility."

Mr. Hunter asked, "Oh, we have to?"

Mr. Feldhaus replied, "Yes."

Commissioner Tuley said "That is probably because we are housing people ...(inaudible).....from a liability standpoint.

Mr. Feldhaus said, "I will reserve comment. We insure by lease arrangement. Are there any other questions on property?"

Appraisal Agreement: Continuing, Mr. Feldhaus said, "We move into Section 'C', the Contractual Services. We spoke of the appraisals and the updates that were done in 1993. Those are done locally by Jerry Schenk & Associates. Mr. Schenk is in attendance this evening if you would have specific questions concerning any of the facilities. At this time I would like to present his agreement for your approval for 1994-1995. Mr. Tuley has the original agreement with Mr. Schenk's signature and I ask that, if approved, the Commissioners sign in the appropriate place. For 1994-1995, we would like to contract Mr. Schenk (the Old Courthouse we do annually). Because of the value of that building we appraise it each and every year. So we will re-do the Old Courthouse on the appraisal update. The Coliseum, the Burdette Park Bathhouse, Hillcrest-Washington Home, the County Highway Garage, the Sheriff's Training Center on Kansas Road, and the Burdette Park Bishea House are scheduled for appraisal this year. Mr. Schenk's service fee for that has not changed from last year -- a flat service fee of \$10,000 for the annual period. If needed, all of Mr. Schenk's appraisal work will be included in the \$10,000. There will be no deviation from the service fee in the event there would be need for other appraisals to be done."

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

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

Loss Control Agreement: Mr. Feldhaus said this is a separate agreement. Mr. Schenk also provided the Loss Control Services for Vanderburgh County in 1993. He thinks as the Commissioners see the ALA layer down (\$4,518) and the Excess Work Comp down (\$8,700) that is somewhat reflective of the loss control work that is being done on the local level. He thinks we're seeing the payback for the services being rendered here. He wishes he could keep earthquake down. He thinks probably that the Los Angeles earthquake had something to do with this! The verbiage of the agreement has not changed from the expiring agreement -- only the term of the agreement and the service fee. The service fee has been decreased from \$20,000 to \$16,500 as a negotiation contract price. Mr. Feldhaus said he would request the Board's approval. We've asked Mr. Schenk to take a reduction in this particular item of the program and he has accepted the reduction. Therefore, the fee for the loss control program is down by \$3,500.

Commissioner Hunter asked why there is a reduction.

Mr. Feldhaus responded, "Some of the loss control -- we're leaving a window here for some loss control services being done by other parties. Okay?"

Mr. Tuley entertained a motion.

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

Agreement Between Dennis Feldhaus as Helfrich Insurance & Board of Commissioners re Group Benefit Services: In the interest of time, Mr. Feldhaus said the only thing changed was on Page 2 and that was

the term. The services provided remain unchanged. This involves the basic overseeing and coordinating and the liaison situation between the Insurance Committee and the Commissioners office that he performs. On Page 3, he is asking for a slight increase. Going in last year -- the first year -- he was unaware as to what time commitment was to be there. Last year it was \$7,500 and this year he is asking for \$8,250. He doesn't expect the time spent to be any less as health insurance benefits become more complicated. He then entertained questions concerning the services provided under this agreement.

Commissioner Borries said he thinks the County is certainly getting a bargain and its money's worth with all the hard work Mr. Feldhaus has done with such a diverse group and really reaching a consensus in a lot of difficult areas. He won't even ask how much time Mr. Feldhaus is spending on this and he wants to commend him for his fine work and he would move for approval, as well as thank Mr. Feldhaus for his services.

Attorney Kissinger said Mr. Feldhaus' services are absolutely invaluable to the County.

Mr. Hunter seconded the motion. So ordered. Commissioner Tuley said he also wants to echo Commissioner Borries' comments. He knows Mr. Feldhaus puts in a lot more hours than three hours per week and the Commissioners appreciate it.

Approval of Total Insurance Program for Vanderburgh County: Mr. Feldhaus said we need to move back up into "B". He never asked for approval of the Property & Casualty premium.

Mr. Borries said we must be doing something right in this age of disasters and a lot of other dangers that lurk out there in the insurance area. But, again, he thinks with Mr. Feldhaus' monitoring of the many things that go into all the property and casualty that the County faces, as well as what Jerry Schenk does, we're always trying to stay on track with this program. He would move the entire proposed Insurance Program for 2/1/94 thru 2/1/95 be approved.

Seconded by Commissioner Hunter. So ordered.

RE: CAMPBELL ROAD - MR. ART PHILLIPS

The meeting continued with Commissioner Tuley recognizing Mr. Art Phillips.

Mr. Phillips introduced himself and stated he resides at 946 Campbell Road. "I'm here in response to the meeting of January 10, 1994. But I see that was very much the topic of discussion in that meeting. I'm here to present my view of what actually developed over this meeting. I have a copy here of my response for each of you and if you have any questions, I will be more than happy to answer them at any time. (Mr. Phillips then distributed copies of his written response, copy of which is attached hereto.)

On January 1, 1994, I had a call from a Mr. Roger Martin, a professional tree trimmer, about cutting some fallen and diseased trees on my property. I have ten (10) acres on Campbell Road, a very heavy wooded area. As a matter of discussion (which I'd had with him before) this included a large oak tree that is on the right-of-way (right in the center of the right-of-way and right to the right of my driveway). That same evening I called Mr. Donald Feagley, who lives at 947 Campbell Road, about four trees. He'd told me several months ago that he was trying to get SIGECO to remove. These four trees were just across from his home on Campbell Road and had been marked with a big red "X" by SIGECO for removal several months ago. He remarked that it looked like SIGECO had put the removal of these trees on the back burner. I stated to

him that the professional tree trimmer would remove them -- just for the wood in them -- since this is a slow time in his business. He stated at that time that this was agreeable to him.

Now, on January 5, 1994, I went to the County Highway Garage and talked to a lady at the office about removing the large oak tree just west of my drive, since Mr. Martin was going to be there on January 6th. I told her I had a professional tree man who was insured who would remove the trees at no cost to the County or to me for the wood. Now, I don't recall ever discussing the four trees in front of Mr. Feagley's house -- since he had talked with SIGEGO about the removal of them and since they had been marked with a red "X" for removal. Now, these particular trees (inaudible).....

(Mr. Borries interrupted, asking that Mr. Phillips speak into the microphone since the meeting is being recorded.)

Continuing, Mr. Phillips stated, "Now, she told me that she saw no problem with it; however, to call Mr. Maypew(sic) the next morning and she was sure they'd give permission. On January 6th I called Mr. Maypew(sic) and discussed the matter with him and he verbally gave me permission to remove the said tree. Now, I'm talking about the large oak tree. I don't recall ever discussing the other four trees with him. In getting out of my driveway, this large oak is just to the right of my driveway. I have a 32 ft. motor home and when I exit my driveway I have to go out on a shoulder to the south of my driveway and the shoulder there is only about 18 inches wide and my left front wheel gets on the shoulder. And then I only miss the tree with the back of my motor home by six or eight feet. But just off that shoulder is about an 8 ft. dropoff. Now, this is my concern about moving the tree. It is dying. I've had three different tree experts look at this tree and state that it is dying. This photo shows a culvert right at the foot of the tree that has been marked for replacement by the County -- and they cut the street about a year ago to replace the culvert. It has not yet been replaced. Just Friday of this week, Asplundh Tree Trimming Company did tree did trim some dead wood off the tree. Here are the photos of the dead wood that was trimmed off the tree, which is only on one side. This photo shows the remaining side and the dead wood yet on it. When they replace that culvert they are going to have to dig down about three feet right beside that tree just to get to the culvert. If that doesn't finish it up nothing else will. Now, I have a fellow who will remove that tree at no charge to the County or me -- just for the wood that is in it. That is what I talked about with Mr. Maypew(sic) -- and at that time he told me he saw no problem with it. But he did ask that I see that I clean the mess up or see that the mess was cleaned up, which I assured him I would.

Commissioner Tuley interjected, "Mr. Phillips, wait just a second. We've looking at this picture. This is the tree here, with all this dead wood?"

Mr. Phillips said that is correct. That was trimmed Friday -- on the road side. The other side remains and the tree actually sits right in the middle of the right-of-way. When Campbell Road was put in a number of years back, all of the improvements were put in on the south side of the road. Nothing was put in on the north side of the road. The right-of-way is there and this tree is actually in the center of the right-of-way. It's an ironic situation, but that is how it is.

Mr. Hunter asked, "But all the homes are on the north side of the road, right?"

Mr. Phillips responded, "No sir. There are some homes on the north side and some homes on the south side. My home is on the north side. I built it three years ago."

Mr. Hunter asked if his house is the last house on the left as you're going east.

Mr. Phillips confirmed this is correct. He lives in the gray house.

In continuing, Mr. Phillips said, "Now, on January 6th, Mr. Robert Feagley (who lives directly across the road from me) and Mr. Schultheis (who lives sort of southeast of us) -- Mr. Feagley and Mr. Schultheis share a driveway back in the wood maybe a quarter of a mile -- they approached me. I again called Mr. Donald Feagley (who is a brother of Robert Feagley) to see if I had misunderstood him about the trees in front of his house that he'd been talking to SIGECO about. He assured me that we were in agreement in our conversation of January 1st -- that he would like to have Mr. Martin remove those trees in front of his home. Now, I haven't discussed with Mr. Don Feagley about his appearing at this meeting opposing this matter. Frankly, I was shocked at his turnaround on this matter. But I do intend to talk to him in the future. However, I don't feel that this is the time -- because tempers can flare and I don't want that. I'm quite sure that as a neighbor I will not try to do him another favor in the future. Now, Mr. Martin is a professional tree trimmer. He carries liability insurance in the amount of \$600,000. I was quite sure about this before I would even allow him on my property -- because basically I consider him doing me a favor by removing some trees that would cost me and he's agreed to remove them free of charge.

On January 7th, I met with Mr. William Higgins at 8:00 a.m. in front of my home at 946 Campbell Rd. We discussed tree removal, a drainage problem and also what could be done to correct it. He made several suggestions as to what could be done. He felt that Mr. Maypew(sic) should look at this problem and suggested that two driveway culverts should be installed and possibly some swaling or ditching would solve the problem. I told him at that time that I would comply to whatever suggestions he could recommend. Although I am retired I am an experienced developer. I've built over 300 homes in Vanderburgh County in my career and I was involved in some large development projects, all in the upper class category -- such as Evergreen Acres, Fielding Court, Mt. Pleasant Estates, Old State Estates and several others. I did tell Mr. Higgins that I had talked with Mr. Morphew and felt that he had given us permission to remove that tree. He did ask me to hold off on the trees until he talked with Mr. Morphew and he was going to get back with me later that afternoon. At that point, I asked Mr. Martin to cut down the diseased trees that we had previously discussed. About 3:00 p.m. I called Mr. Higgins and we discussed the drainage issue. He said he'd asked Mr. Morphew to meet with us and work out this matter on drainage. I again assured him that, on my part, I would comply with his suggestions. He said he was sure that Mr. Morphew would permit the removal of the large oak, but as a compromise between the two parties -- to leave the other trees. I told him that I had no problem with that -- that I was just trying to do a favor to Mr. Donald Feagley in the first place. He told me that Mr. Morphew would get in touch with us either late Friday or Monday and come out and have a look.

Now, this is not what Mr. Schultheis presented to this County Commission on January 10th if you read the January 10th minutes. I never knew of this meeting -- that it was even scheduled. No one notified me -- so I was unaware it even happened until the following Thursday. On Page 7 of the minutes of the Commission meeting of January 10th, it stated that I had tried to have a number of people remove this tree in the past. The only person that I, personally, have ever contacted about this large oak tree was about a year and a half ago I talked with Carol Davis on the matter. Then, about a year ago when a large oak fell during a strong wind on Campbell Road (you may remember that) -- I talked with the County Garage foreman that was on the job about it and we

walked down and looked at it at that time. Those were the only contacts I've ever made with the County Garage about this tree. And I'd like to read just one item from Page 8 of the County Commission minutes and then I think I don't want to go into this any further -- because I feel that many of these comments appearing on Page 8 -- I believe most of these comments were made due to lack of understanding of the situation without ever talking to all of the parties involved. But on Page 8, I feel like I was at a roast but wasn't invited. On Page 8 this is supposed to be a comment from Mr. Morpew at that meeting. "Mr. Higgins told him to stop cutting trees until further notice. Today Mr. Higgins came and told me the man was selling the trees on the county right-of-way for firewood and he said Mr. Higgins retaliated that he should stop." Mr. Phillips continued, "Gentlemen, I have never sold a stick of firewood in my life. Today at 3:00 p.m. I called Bill Higgins (because I have a letter from Bill) and asked Bill about that comment. He said he did not make that comment. If the Commissioners would like to verify that to give him a call. He has read those minutes and that was not a topic of conversation. Mr. Phillips said he still thinks he can get the fellow to come back and remove that large oak tree at no cost to the county or to him. The tree trimmers from SIGEO that trimmed that tree stated to him that, again on Friday, that the tree is dying and according to the minutes, Mr. Morpew said they've had estimates of \$1,000 to remove it. For his own safety, Mr. Phillips said he would like to have the oak tree removed. There is definitely a drainage problem on Campbell Rd. It was there when he bought his property. It can be corrected and he will be glad to meet with Mr. Maypew(sic) to help work it out. It can be worked out without too much of a problem. But he cannot shove water over the road and the way Campbell Road slopes, all the water runs to the bottom and the property to the east now owned by Mr. Schultheis (he just purchased it about 30 days ago) -- all his water runs down to one spot and there is no way for it to get out. There's got to be a driveway culvert put in that driveway that goes up to the property that Mr. Schultheis just purchased and the problem would be solved. He would be glad to work with them in any way he can. But he did want to respond to the January 10th meeting, because he did not feel that the meeting was well informed on what actually happened.

Commissioner Tuley said, "Okay, Mr. Phillips. Mr. Phillips talked with me last week after having an opportunity to read some of the comments made. And like he said tonight, he felt there was a roast held on his behalf when he wasn't invited to attend and he wanted to go on public record and get the record straight as to his version of what happened out there. Therefore, I invited Mr. Phillips to tonight's meeting. The bottom line is that Mr. Phillips would still like to have that one big oak tree removed. It not only is in the way of his motor home, but also poses a problem to his person or property or whatever -- because he feels the tree is dead and needs to be removed? I'm not trying to put words in your mouth, I'm just trying to -- that's what you're asking?"

Mr. Phillips confirmed that is correct. "Every year since I've lived there I've carried large limbs off that tree that have fallen at least a couple of times during the year."

Mr. Borries asked, "Mr. Phillips, certainly no offense to you. You've handled this very well. There was no roasting. I would assure you that the item on the agenda that says 'Any group or individual wanting to address this Commission -- this is a public body and we take them as we come. So that is why you're getting your chance here tonight.'

Mr. Phillips said he realizes that. He did say that as a...

Mr. Borries interrupted, "I don't want you to think that...our problem is when we hear of somebody doing work on county right-of-

way, if there is right-of-way there then, obviously, we've have to get more information. They came down to give their side and you've done that tonight."

Mr. Phillips said he knows what the problem is. It is something this Commission cannot solve. It is something he will have to solve and the neighbors will have to solve.

Mr. Borries continued, "Apparently there is some fear on their part."

Mr. Phillips said that sometime in the future he hopes to have his family build on that property. That is what he bought it for. He bought ten acres and had an option to buy ten more. He was going to subdivide it. He had a lot of engineering work done on it. He bought it in 1990. In 1992, he had a bunch of engineering work done on it and was ready to go before the Area Plan Commission with the whole twenty (20) acres. He has health problems, which is why he is retired and just as he was planning to go before the APC on this (Sam Biggerstaff was doing the engineering on it) a fellow moved about 200 hogs in on the northwest boundary line -- so that ended the subdivision talk. He fought this for two years and by that time -- he is at the age where he has no business subdividing a large piece of ground. He let his option go six months ago and informed Mr. Schultheis he let his option go. He picked it up. He's glad he did. Mr. Phillips stated he will not be expanding the ten acres he has now. But, yes, in the future he possibly plans to....

Mr. Borries interrupted, "But you're aware you'd have to go to Area Plan and submit"

Mr. Phillips interrupted, "Yes, I'm well aware of all of that, Mr. Borries. As I said, I am an experienced developer and I know the rules and regulations and I have always abided by them and I will continue to."

Mr. Borries asked Commissioner Tuley if he wants to ask Mr. Morpew to come to the podium to comment about the tree.

Mr. Morpew approached the podium and said, "The comment about the tree -- Mr. Bill Higgins came to me that morning and he did tell me that he'd met three gentlemen out on Campbell Rd. (Mr. Phillips, Mr. Schultheis and I don't remember the other gentleman's name)..

Mr. Phillips interrupted, "Mr. Feagley"

Mr. Morpew continued, "And he said they were in an argumentive discussion. And he, at that time, just out of the air said he thought they were cutting trees down -- Mr. Phillips was having the trees cut down at his cost and the other fellow was selling them for firewood -- on county right-of-way. He'd told them to stop cutting the trees. I asked Bill if he could send that to me in writing. He said he could. And I have a letter stating that from Mr. Bill Higgins in the County Engineer's office. The only conversation between Mr. Phillips and myself is Mr. Phillips called me at approximately 6:30 a.m. on a Thursday and asked if he could cut that tree down -- or have it cut down -- at his expense. I told him at that time that as long as he took precautionary measures and cleaned the mess up that we didn't have a problem with that. There were past supervisors -- and I did say this at that meeting on January 10th -- there were past supervisors who knew of this tree. They did know that Mr. Phillips wanted the tree taken down and they always denied that request."

Commissioner Borries asked, "Why did they deny the request?"

Mr. Morpew responded, "They didn't feel the tree was posing any hazard. It is a very large tree."

Mr. Borries asked, "What about now? Does it look like it might be dying?"

Mr. Morphey responded, "I didn't have that opinion, no. We did see the road a year ago, preparing to replace that culvert. There is a drainage problem out there and there is a right-of-way problem. We've asked the County Engineer's office to stake a right-of-way for us so we can find out where in that right-of-way the road sits. I don't feel the County Highway Department can go out there to do anything until we find where the right-of-way is. Mr. Curt Humphrey, who works at the County Highway Department lives on Park Rd. just off Campbell Rd. and he's plowed that route with a snow plow and he said it's very, very hard for him to get that tandem truck back there and get turned around. There is no place to turn around. It is a very narrow road with several trees right next to the road -- next to the pavement. In some areas there is a bank on one side and on the other side there is a drop-off. So in order for the road to be upgraded and widened would actually require quite a bit of dirt work and tree work. But as far as the one oak tree we're talking about here that is adjacent to his driveway, it's the only one we were in question on that day. And I still don't have a problem with that tree coming down."

Mr. Phillips said, "We can still get it down now at no cost to the County or to me. All we need is your permission. It does provide a hazard to me, because when I come out of my driveway with my motor home (fortunately, I don't come out too often) I hang as far as I can to the left and make my turn. I have to go onto the shoulder on the right side and it's only about 18 inches wide -- and I barely miss the back of that tree with the back of my motor home. I have no trouble getting in -- it's backing out. And then there is an 8 ft. drop-off. If I put that dude down that 8 ft., drop-off sometime, then I've got a problem. Where you see this line on that right-of-way, that right-of-way is just about the center of that tree."

Mr. Morphey again said he's asked the County Engineer to survey this and to stake the right-of-way so we know where our boundaries are.

Mr. Phillips said he told Mr. Tuley the other day that there's only 16-1/2 ft. each side of the right-of-way. What he had planned -- but it's no good today since he is not going to develop it -- they had the County Engineer (he believes Greg Curtis was the County Engineer at that time) or one of his staff member out there. At that time they told us we'd have to increase our right-of-way on the north side to 25 ft. That is no problem. He'd still do that today if the County wants to increase it to 25 ft. -- even though he is not going to develop the property, he'll still increase it to 25 ft. -- because some day it is going to be needed. So that is no problem on his part.

Commissioner Tuley said he believes Attorney Kissinger wants to ask him one quick question.

Attorney Kissinger asked Mr. Morphey, "Bill, have we made a final determination as to where that tree is sitting in reference to the right-of-way?"

Mr. Morphey responded, "No, sir."

Attorney Kissinger asked, "And you've asked the County Engineer to do that?"

Mr. Phillips noted there are two stakes, 600 ft. apart -- that road was surveyed in the fall of 1989 by Andy Easley Engineering Co. There is a stake that takes his property to the center of the road and a stake in another designated area that takes 16-1/2 ft. off the right-of-way. But those stakes are in and when you line it up,

it will run just about the middle of the tree.

Mr. Kissinger asked, "What will run to the middle of the tree?"

Mr. Phillips replied, "The center of the right-of-way would be just about the middle of the tree; the center of the line."

Mr. Borries asked, "How much right-of-way is beyond where the pavement is? Are you saying where the pavement ends is the end of the right-of-way?"

Commissioner Tuley interrupted, "No. He is saying that the right-of-way line runs right through the center of the tree."

Mr. Phillips pointed to the map and said the road is only about 11 ft. wide in designated area, there is an 18 inch shoulder and then it drops off about 8 ft. into a ravine. It just falls right off.

Mr. Morpew said that is where the culvert is.

Attorney Kissinger said, "Bill, if you find the tree is positioned in the right-of-way as has been explained here tonight, is it going to interfere in any way with the county's right-of-way if that tree is taken down?"

Mr. Morpew responded, "No, it wouldn't interfere."

Attorney Kissinger said, "Mr. Phillips, you say you can have that tree taken down at no expense to either you or the County?"

Mr. Phillips replied, "Yes."

Mr. Borries asked, "And it would not be done by County work forces? Is that correct?"

Mr. Phillips responded that is correct.

In response to query from Mr. Morpew, Mr. Phillips said he is sure Mr. Martin is selling the wood. He's never asked him -- and he doesn't care. He's just trying to keep something coming in to keep his men busy. When we get out of this bad weather, Mr. Martin wouldn't even look at it.

Attorney Kissinger said, "I would suggest then that once Bill has made a determination of where the right-of-way line is; if, in fact, any part of that tree is in fact outside the right-of-way and on Mr. Phillips' property (and that is what we anticipate, is it not? -- that part will be in the right-of-way and part of it will be on Mr. Phillips' property)?

Mr. Morpew stated, "It is all on the right-of-way, sir. That's one of the reasons I wanted to get this road surveyed. We feel the entire road is on the south side of the right-of-way -- or the south half of it. In that case, what Mr. Phillips is trying to say is that the center of the road should actually be where his tree is."

Attorney Kissinger said, "I see. If, as a matter of fact, this right-of-way is ever expanded or widened, that tree is going to have to come down anyway, is it not?"

Mr. Morpew said it would have to, among several more.

Attorney Kissinger stated, "I believe it is totally within the discretion of the Commissioners to grant permission for the cutting of that tree. I would suggest, however, that Mr. Morpew go ahead and have engineering make their determination and stake it off so that Mr. Morpew can give an intelligent or informed opinion as to where it is positioned. If he comes back to us and says it is as

we expected and it is totally within the right-of-way and it is Mr. Morphey's opinion that it will not in any way negatively affect the county's right-of-way, then certainly I think the Commissioners can give permission for it to be cut."

Commissioner Borries said the reason he asked about the County Highway doing it -- if Attorney Kissinger agrees and probably we wouldn't have to write an agreement, it will be in the record of these meetings -- but as long as County employees are not doing any work on private property (which this may not be) then he doesn't have any problem with it. But we do need to get it surveyed.

Commissioner Tuley entertained a motion for approval, pending completion of the survey and word from the County Engineer's office that it is, in fact, County right-of-way and it is not going to cost us any money and we are not going to use our employees.

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

Mr. Phillips said he would like to meet Mr. Morphey out there to get his opinion on what should be done about the drainage if he will name the time -- he will be there.

Commissioner Tuley said, "Bill, will you get this coordinated with John Stoll or somebody from there -- once the engineer comes back and you've got it on record (John can write a letter) that this is on County right-of-way -- then Mr. Phillips can have the tree cut down. But let's get that letter first.

Mr. Phillips asked what kind of time frame we're talking about? Because once we get into good weather there is no way we can get these guys to do this.

Mr. Tuley said that is why he is asking Bill Morphey to stay on this and contact John Stoll, so we can get this survey done as soon as possible.

Mr. Borries asked, "And this is the **only** tree that you're going to do?"

Mr. Phillips said that is correct. There was only one other tree removed and it had a big red "X". Quite frankly, he assumed that since Mr. Don Feagley had been talking to SIGECO for some months about that -- he was trying to do him a favor -- and he assumed he had permission to remove it. And they did cut one fork off of a forked tree. Unfortunately, those two trees were the ones that were done first.

RE: DATA PROCESSING - ROGER ELLIOTT

Request for Proposal for Cabling Services: Mr. Elliott submitted this document, saying what we're attempting is a long term contractual arrangement with provider as far as cabling within the building is concerned. Secondly, he would request that the proposals be opened at the Commissioners' meeting on February 22nd. Thirdly, he is requesting permission for the contracts to be awarded by the Board of Public Works at their meeting on March 2, 1994. Mr. Elliott then entertained questions.

In response to query from Commissioner Borries, Mr. Elliott said we're trying to get a handle on the cost for three years. The provider we had had been doing it for three years and he speculate they realize they were giving us one of the best deals in the world -- and no longer interested in doing business with us. It has not been in their best interest, he doesn't think.

Motion to approve the requests was made by Commissioner Borries,

with a second from Commissioner Hunter. So ordered.

Support Maintenance Agreement/OCS Technologies, Inc.: Mr. Elliott said this is for their computerated software, etc. This was reviewed by Data Board at their January 25th meeting and they recommend the Commission's approval.

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

Departure of Mr. Elliott from Evansville: Mr. Elliott said this is the final meeting that he will appear in front of the Commissioners as the Director of Data Processing. He is going to Mojave County, Arizona. Their county seat is Kingman, Arizona. This is just slightly south of the Grand Canyon. He will be with the same company. He wanted to bring with him tonight the gentleman who has been appointed as Interim Director, Mr. Richard Cappelletti. He will be appearing in front of the Commissioners at their next meeting.

Commissioner Borries welcomed Mr. Cappelletti. Speaking to Mr. Elliott, he said, "Roger, I personally want to say again that in going through the maze of offices and personalities that City and County government bring to any kind of relationship -- all the different interests and needs that people have -- it's a difficult job; but you've done well. It's a tremendously rapidly changing field. I guess my big fear is -- frankly, I don't have a handle of how you keep up with this stuff -- because it's really crazy from time to time. You've done a great job and we appreciate it. I sure wish you well out in Arizona.

Commissioner Hunter said, "As a geographer I would like to wish you well, because you are doing about 180 degrees from this climate to where you're going. You're going to see some really great snows in winter, but you'll be in a beautiful, beautiful area. Guys, if we ever go to the Grand Canyon, we'll know who we can stay with."

Mr. Tuley asked how many years Mr. Elliott has been here?

Mr. Elliott said he's been here for a little over four years.

Mr. Borries asked if this was a mutual thing and an opportunity came up?

Mr. Elliott said this was mutual. This is a brand new contract, less than three months old. They will be doing some of the same types of things we've done here. One of the things they will be doing that we talked about here and never got into was microwave technologies -- because they have facilities located north of the Grand Canyon that they have to be in constant communication with.

Mr. Borries asked how many people live in the county where Mr. Elliott will be.

Mr. Elliott said it is the same size as Vanderburgh County -- 160,000 people. It is the fourth largest continental county in the United States, however. Kingman, the County seat, has roughly 30,000 population -- so the rest of the population is in the rest of the county.

The Board wished Mr. Elliott every success and asked him to let them know how he is doing in Arizona.

RE: VANDERBURGH AUDITORIUM - SANDRA TOTEN

Renewal Contract/Johnson Controls: Ms. Toten said this contract is about to expire. There is a 3% increase. They knew that going in last year and put this in the budget.

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

Schmitt Refrigeration/Contract: Ms. Toten said Schmitt is the current contractor for the air conditioning and heating. Again, the only change in the contract is an increase of 15%. The original copy of the contract had a 25% increase. She sort of threw that away and told them to sharpen their pen. The reason they are giving for the increase is the federal laws on recapturing the freon. When you're looking at those 150 ton coolant chiller units you're looking at a lot of freon -- and the cost of freon continues to skyrocket. She was quite pleased that they did come back with the 15% increase, which was already budgeted in. She had estimated the worst scenario might be a 15% increase this year -- so that's why she threw the first contract away. Schmitt has been there for four years; they are very competent; they know the system and the ins and outs and the good and bad -- and they render very good service.

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

Annual Report: Mr. Spindler directed the Board's attention to the Annual Report which was distributed to the Board.

Mr. Tuley said it looks like the \$250,000 and the \$260,000 did not include capital outlays. On the surface it looks as if the reduction is not as good as it was a year ago when it could be less than what it was.

Mr. Davidson said that in 1992, the \$215,000 deficit included all the capital outlays and in 1991, he would assume it would, but Given & Spindler did not do those reports. In 1993, the \$227,000 does include that \$16,000. It's just that from a purely economics standpoint you usually deduct capital expenditures to get to your true bottom line.

Mr. Spindler said they wanted to make sure the Commissioners were well aware that included in that was what they were able to spend on capital improvement items.

Mr. Tuley asked if they can do the 9.32% below budget expenses again this year? Or, did they cut their budget so low they probably won't make it?

Mr. Spindler said it is going to be tough. In terms of looking at making their budget, obviously their biggest skill is in terms of continuing to increase their income so they can decrease the bottom line as far as the deficit. "Mr. President and Commissioners, I guess this is the second time we've had the opportunity now to present an annual report. So it is almost with tradition, I guess, that we do this after we close the year. We did this a year ago and for the results of the operation in 1992, even though we as a private management company weren't in operations for that entire year. I won't bore you with every single detail that has already been presented to you in terms of the updates there, but if I could just have a few moments of your time to highlight some of the things we considered to be major successes for the facility for last year. We think that increasing the gross income in 1993 over 1992 by some \$30,000 plus (almost \$31,000) is a significant increase. Anyone would say does that mean your prices have increased -- is that the reason for the increase in the revenue at the facility? I guess if you look at the head count information that we have, my answer to that question is 'No' -- it's simply because -- well, for the most part it is because of increased usage. The number of patrons or customers using this facility in 1993 was a 15% increase over 1992. In fact, 17,250 more people enjoyed the use of that facility in 1993 than they did the previous year -- for a total of 135,618 customers or patrons of the

facility. We think that is a significant increase and we think that it also goes hand in hand with it becoming increasingly easier to use the facility over there in terms, we believe, under the private management and under our approached management on the facility, as well as obviously we take a lot of stock in our additional ability to be able to market the facility. One of the things that is not shown on here that I've heard asked by a number of people for a long period of time -- and for you, President Tuley, I know this being our first report to you, once we started managing the facility we started keeping track of head count information -- how many people actually were using that -- and that is not uncommon in any venue situation. However, that information was not available prior to our starting to manage the facility. We've also taken a look at how that head count or the usage of that facility is broken out between the Auditorium side and the Gold Room side and for 1993, \$76,754 or about 33-12% of the total revenue for the facility came from the Auditorium side. \$105,778 or about 46% of the total revenue was strictly on the Gold Room side. Now, there were other types of revenues that the facility generates in terms of parking, security and those types of things to arrive at finally 100%. But 36% of the patrons used the Gold Room, even though it was 46-1/2% of the total revenue. On the Auditorium side, 63-1/2% of all the people using this facility were in the Auditorium. We thought you'd be interested in hearing at least how the usage and breakdown actually comes about. Again, 33-1/2% of the revenue came from the Auditorium while 63-12% of the patrons using the facility actually used the Auditorium side of the facility. Even though the deficit is not reduced to the extent in 1993 that we would like to see it reduced, I think that it is certainly no small measure to talk about what we were able to do as far as bringing the facility still in below budget for budgeted operating expenses -- and that was \$46,889, which was below budget. Again we'd like, if at all possible to do that this year. But with the cuts that have been made that may not be possible. We are going to continue to focus on increasing the revenue sources.

I would point out that we made a significant reduction in 1992 from where the facility was operating in the year prior and decreasing the deficit from the \$260,000 to \$215,000 -- even though we believe it will hopefully continue to decrease as time goes on. That is still a better benchmark for us to be able to look towards than the 1991 deficit was.

The other item I'd like to point out -- we're pointing out to you the \$216,000 worth of capital items in an effort to show you really some of the things that were done in the facility. Part of those items we had recommended to be done in 1992 and weren't able to get the approval and they were carried over into 1993. I think probably all the Commissioners are aware of the sidewalk repair that needed to take place and even the lawsuit that occurred over that in the prior year. So some of those things have been carried forward. At this time, if you have any additional questions I'd be more than happy to answer those. But I'd also like to acknowledge both Sandy Toten and Andy Davidson, as well as the entire staff -- including the County and Teamster employees at the Auditorium for their efforts in 1993 and making some improvements in terms of both the cleanliness and the painting and decorating, etc., as well as looking at the number of favorable comments and letters that we received from the patrons this last year. I'd just like to acknowledge their efforts, because it is certainly with their strong work and dedication at the facility that we're able to report some of the favorable results that we've had before you this evening.

Commissioner Tuley thanked Mr. Spindler and said, "Danny, let me be the one to start this -- because I don't think it's any news to the Commissioners sitting up here or you or Andy or Sandy -- that I was probably the most outspoken critic when you guys took over the Auditorium. I will commend you on your increase in income and

number of people using the facility. In fact, it looks like you make a conscientious effort to keep your expenses down and that if you did come in more than 9% below your budget amount it means you're not spending money just because they give it to you. I'd like to also say at the end of your contract -- whenever that may be -- be it five years or a hundred years -- I'd like to be the first one to stand up and hopefully say I was wrong. I think so far during the short period I've been on the Commission I've been able to work with your staff and work with you and I don't anticipate that it will not be that way in the future. So keep up trying to get that income and keep those expenses down."

Mr. Spindler countered, "Thank you, Mr. Tuley. You've certainly been a real pleasure to work with -- for myself and the entire staff -- as well as the other Commissioners.

Commissioner Hunter said, "I guess the one thing I would say would be to commend you in that you realize that facility is a public facility and it has to be used for a great many things besides what you all think about. The first summer it was a little rocky around the edges because you had little gremlins running around over there at the time you didn't want them. But I think last summer we got all the bugs out and I think it is important that this type of facility is a community-owned facility and we have to do a lot of bending and stretching sometimes to accommodate everybody and I think you all have done a good job of that."

Commissioner Borries commented, "Dan, yesterday I had the opportunity to go to Louisville to attend the Phantom of the Opera. It was a marvelous show, I tell you. I was just really knocked out by it. And I thought, however -- I won't say who I was sitting next to, because he was kind of a large person, too -- someone in City government -- as we were squeezed in these seats I thought of the wonderful show I was seeing, but really not in really any kind of circumstances or setting I felt were as comfortable as the expanse of being able to watch a show in the Vanderburgh Auditorium. I looked at the stage. Obviously, the ceiling was much higher -- a lot along the plans that you had unveiled this past year. So the ceiling was much higher; but the actual stage and the performing area -- even with this spectacular play -- was much more limited than what we have at the Vanderburgh Auditorium. I will still say that with all your work the Vanderburgh Auditorium is a treasure. It has not been designed to make money. It has been designed for community use. Under New Business, we are going to have a meeting of the Task Force next week over at the Auditorium, at which time I understand they might be having some reports to give to our Board. It ain't over until it's over in the State Legislature. We do hope for more funding. I guess what I am saying is, to make your job easier or whoever is going to be over there -- we've got to get some additional funding to make some improvements over there. I would like to see plays like "Phantom of the Opera" (it is going to be in Louisville for seven weeks) -- why couldn't it come here? Why can't we have a first class facility in this community for once instead of doing something halfway? There is no magic to what you do. We've got to have money to get this thing going. There is no magic to go over and see what Louisville, KY has done or what Owensboro, KY is doing -- a community half the size of Evansville. If we've got that kind of commitment, we just need to go ahead and do it. We've talked about this facility. It's been knocked around a bit from time to time because of its poor condition. But, again, that happens by magic. You've got to fix things up -- and they just don't get better with age sometimes -- even though us old folks would like to think we are. But buildings don't get better with age. So I want to commend your efforts and I hope that we're not going to stop yet and I hope that 1994 will truly be an exciting year for Vanderburgh Auditorium. We appreciate your work."

Mr. Spindler said, "Thank you, Mr. Borries. We appreciate your

hard work and your dedication. We're excited about seeing the results of the Task Force."

RE: APPROVAL OF 1994 CONTRACT FOR THE SWIRHC, INC.

The meeting continued with Commissioner Tuley noting this is the next order of business. He said funding is in place via the 1994 budget.

Motion to approve the contract was made by Commissioner Borries, who said that as we speak, our Governor is probably in the White House this evening with the President. They have a very good relationship and he understands a relationship that goes back to the time the President was the Governor of Arkansas. It's not without note that one of the persons who is involved in this whole effort is from Arkansas. So it still looks as if there are some strong possibilities that this road is really going to happen. He thinks it could happen because there is interest all up and down -- particularly south. And if there is one good thing that probably comes out of the NAFTA agreement that we can see, it would be a lot of highway traffic moving from Canada to Mexico all along that line and very near here.

Seconded by Commissioner Hunter. So ordered.

(Commissioner Tuley noted this is just a copy of the 1993 agreement. The Commissioners will need to sign the new Agreement as soon as same is available.)

RE: COUNTY CLERK/ELECTION EQUIPMENT - BETTY KNIGHT SMITH

Commissioner Borries asked if the Board can get County Clerk Betty Knight Smith on the agenda a little quicker -- she has been sitting so patiently -- before the department head reports.

President Tuley apologized, stating this item was under Old Business. As Rick said, he is sorry the Board kept her sitting so long.

Ms. Smith said, "That's okay. I've been here 13-1/2 hours today. It's okay. I'm just glad to be here."

Commissioner Borries said, "No overtime, now. No overtime."

Ms. Smith said she is going to do a little something that the Commissioners didn't ask her for. When they had their meeting on Friday, Pat asked her to come and talk to the Commissioners about the Election Office. Ms. Smith said she has a handout. The only thing she would like to do -- and the private companies have agreed to do this -- and we have several people paying support. Also, some of them have been garnisheed who work for the County and the city. The companies are agreeing to take up the handling fee and send it to us and I had talked to Alan about this earlier. But there are several County employees who have either been garnisheed or just paying their child support through the payroll deductions -- that I feel like they should pay that handling fee the same way. Alan says there is really no problem, but I thought perhaps this was something you might like to discuss. Actually, this year it has cost us \$1,815 -- but you can see what we've collected for one (1) month. The net profit is \$32,217.15 to date. This was as of about 3:00 p.m. today. Okay? You might take a look at that. And, Alan, if you will talk to them about how we can do that with our County employees that do payroll deductions -- it cost approximately 58 cents for every check that we mail out to them. So this doesn't even pay the cost -- the \$20 or the \$30 doesn't pay the cost. And it is by State Law."

Commissioner Tuley asked, "Betty, these are normally due in January and it's around \$43,000 during all of 1994? Is that why it is only

\$32,000 during the month of January this year?

Ms. Smith said, "If you look back up at the years -- it has gone down. In 1992, we collected \$16,909 and we sent the letter out and we collected the \$49,352, which cost us \$5,800 to do it. But there is a net profit and I think that is misleading to a lot of you people and you thought it came to me. It doesn't. It comes back to the County General Fund and our girls did a lot of extra work to bring this revenue in. So we sent the letters out at the beginning of this year and I think we've gotten good response. We've been cussed and whatever, because when you dunn people for \$20.00 they don't like to pay it. But that is what the State Law says they are supposed to pay and \$30.00, after February 1st. Now, everybody that we've gotten a corrected address on we've sent them a letter. The ones that we don't have that have come back -- we didn't send nearly as many letters out this year -- but we've also got a way of finding their new addresses."

Ms. Knight continued, "Pat, on to the Election Office. And, Rick, what you said -- buildings don't get better with age -- election equipment doesn't get better with age either. It just gets worse. But in our Committee Meeting we went over this and Pat had asked us to put together -- so Friday afterwards and today I tried to sit down and figure out exactly what we'd have to have if we did the same thing they did in Madison County. Then this afternoon I called Geoff Ryan and asked him what would be the cost if we use this."

President Tuley interrupted, "Let's back up. We've got the cart and the horse all backwards. You and I have talked because we know what you are talking about. These two don't know because I haven't had a chance to tell these two individuals. But the group that we formed to study election equipment and what we could do and what we needed to do -- we met last Friday. There were several people missing, but there were enough for a quorum. With Les Shively's recent announcement that he is going to be a candidate, I guess he is going to step down as an Election Board member or has to step down -- he wasn't there. Betty Lou Jerrel wasn't there. And then Wayne Trockman was held up in court. But anyway, time has gotten to the point that we had to take a stand. From the previous meeting it was pretty well felt that the only thing we could really do was to try to bring in and pattern a lease or rental arrangement similar to that of Madison County. It seemed feasible to the people in Madison County. They were very well satisfied with it. So what we did was to get a copy of their contract. Once it was voted on and unanimous among those there that these were the steps we should take -- some kind of rental arrangement for a period of not less than one year and not more than three years. I think the consensus basically was that we should get quotes for one and three years, but really they would like the Commissioners to not lock the County in for more than one year. Because if we decide this really isn't what we want, then we've only got to do it one year. But it's just a recommendation. From there, what Betty is telling you is they took the contract and I asked her to size it up, spec it out to apply to Vanderburgh County. From that point on, what she is talking about is that she did, in fact, contact Geoff Ryan with Business Records so we could get a handle on what it would cost us to do this."

Ms. Smith said that Posey County also has Business Records to do the same thing. This is what Skip Waymire does in Madison County. They come in and do exactly what is in this contract. But then she called him to give him the figures on 700 sets. The reason we need 700 sets is because we have to have those sets for the absentee committees to go out -- that is the inserts in the voting machine and the people who vote there in the office. We usually send four sets and sometimes six sets to a precinct on election day -- especially in a Primary -- because you have to have so many Republican and so many Democrat. So in the Primary we'd have to

have at least 700 sets of those. So these are the best figures we could come up with.

Commissioner Borries said, "I think this is great. I fully agree. I would certainly apply to any equipment that it doesn't get better by magic -- and I think you've addressed that here. You've upgraded services; yet we can still keep what we have in so far as the basic system itself. Other counties are doing this. I think this is fine. Now, who will rehab? Is that part of their agreement, too? Will they come in and re-do the Votomatics and all that stuff in there? Or, are we going to do that?"

Ms. Smith replied, "What they do, Rick, is the insert in that -- they send that to us already together. Then we'll put it in. Because David has agreed to go up and do that and we may not have to have but one other man to help. But where we've always had to hire four men in the back room -- if they do this, there is going to be a time when I'll have to have a couple back there, but just to get the machines ready to go on election day -- but nothing like what we've had. And with the budget that we've got -- I've kind of gone over that, trying to scrutinize. By doing it this way there is going to be a lot of savings -- but I can't tell you right now what it is going to be."

Mr. Tuley stated, "Betty, in talking to me a little while ago, indicated that there may actually be a savings."

Ms. Smith interrupted, "Possibly."

Mr. Tuley continued, "Possibly."

Ms. Smith continued, "You see, we've never done this before -- so I can't...but our budget for this year (because when I put it together I put it together for 184 precincts and we've got 167) so there are a lot of line items there that we can save money on. So we had talked about saving as much money as we could, because there is a lot of work on this stuff that we won't have to do if they do it for us."

Mr. Tuley said, "I talked to Skip Waymire in Madison County and 74,000 people cast votes in the Presidential Election in 1992. By 11:00 p.m. they folded up their machines; everything was balanced and totaled and they were out of there. I think you and I are well versed. It was what? 1:30 a.m. the next day?"

Ms. Smith said, "No, it was 3:00 p.m. the next day."

Mr. Tuley said, "Oh, I'm sure you were there even longer than that. Alan, let me ask you. Since this is a lease or rental of service -- the concerns discussed at the committee meeting were does this have to go out for actual bids? The Council's attorney, who was also there, said he didn't think so."

Attorney Kissinger said, "Well, it is a lease. If there is any other similar service available or anyone else who could provide the service -- yes. Basically though, if we look at it as a service in reference to existing equipment, no, it would not."

Ms. Smith stated, "I don't think anyone else could probably give us that, because they don't know the equipment and I don't think they have the...."

Mr. Tuley noted, "We haven't changed the Votomatics. All we've done is rent new tabulators and the service of the people coming. And let me ask you, basically they came in Madison County -- are you still going to do all the pre-work of getting everything set up? This may have been what you were asking."

Ms. Smith said, "I think that is what he was asking for. Yes. Because what Skip does is pay another \$10,000 to have a man on contract who comes in and takes care of all the voting machines and they put the inserts in there and so all of that. But they pay them the \$10,000. Well, it is not going to cost us \$10,000 -- because of David and the one other guy -- because David wants to go back there and do this."

Mr. Tuley asked, "In addition to whatever he pays, he pays somebody else \$10,000?"

Ms. Smith responded, "Yes, a maintenance agreement, to someone else living in Madison County."

Mr. Tuley said, "We will repair our Votomatics in house. We will still prepare our ballots -- lay out the ballots, correct?"

Ms. Smith said, "They will do that; that is exactly what they do for Skip. And when I called Geoff I said, 'I want you to give me a list of exactly what you do for Skip Waymire.' Then when we got that list we went down to see how many we would have to have. The State law says you have to have a ballot for every registered voter -- so you have to have your absentees and all this stuff done -- and that is what is on the front page of this that I put together. Then I called Geoff and told him to give me a price to it -- and that is what you have there."

Messrs. Tuley and Hunter said the total price of this would be \$43,484 plus \$25,500.

Ms. Smith said it is right at \$45,000 -- one is so much for the Primary and so much for the fall. She came up with \$86,969.60. Skip was paying \$13,000, but they only have 19 precincts and we have 167 -- so those figures are going to change.

Mr. Tuley again pointed out they have to do all of this twice -- once in May and again in November. He said what he is understanding here is that the \$25,500 is the rent on all the equipment necessary to tabulate and track and count the votes. That is on the equipment. And then for them to actually prepare all the ballots and get everything ready and do all that stuff is another \$86,000 for the year. But other than the meals and other normal costs....

Ms. Smith interrupted, "Oh, no -- you've got to have your people there for your absentees and all that -- and you've got to have your inspectors. You don't have a copy of the budget -- but the budget lays out so much...."

Mr. Borries interrupted, "Here's the deal, Betty. Let's say we're going to have \$25,500 and then \$43,400...."

Ms. Smith interrupted, "If you take that \$43,400 and multiply it by two, then you'll have \$85,969 plus the \$25,500."

Mr. Borries said he understands that -- but look on the front page. What he is saying is -- does she have that much money in the budget?

Ms. Smith said she doesn't think we have that much money in our budget by the time we pay for the inspectors and the other stuff we have to pay. You have to have 167 inspectors, two times the Judges, Clerks and Sheriffs -- you have to have that.

Mr. Borries said the way he sees it, she is going to need about \$140,000 to do this -- about \$70,000 per election.

Ms. Smith said we will not have that much money left over -- that is what she was trying to say.

Mr. Tuley said it is not going to cost us nearly as much to do this as it would to purchase equipment.

Ms. Smith said, "Right."

Mr. Borries commented, "Again, it is worth a try."

Mr. Tuley said, "Purchasing the equipment would be something like \$20,000 per month -- so we're still much cheaper. "

Ms. Smith said, "I was looking over today how much money we have in here for 184 precincts."

Mr. Borries said it is going to be \$25,000 less than what he said -- because the \$25,500 on the front says, 'Lease for 1994 Primary and General Election' -- so that is a one time deal.

Attorney Kissinger interrupted, "It's \$111,969.60 or \$112,000."

Ms. Smith said, "I've got \$51,000 in my supply account. Now, the supplies are not going to cost us anything like -- because this is supplies."

Mr. Borries said, "So you can transfer."

Ms. Smith replied, "Not that much -- because we still have to have our envelopes for our absentees. We have a bunch -- but if we run low we have to order more. So I can't guarantee you \$51,000 out of that supply account. I'm just saying we're going at this with a different story. Maybe \$35,000 we'll have left over -- I don't know. I was going over this today trying to come up with some money. If you go over to printing, I've got \$6,000. We probably won't use \$2,000, so you've got \$4,000 left there. You don't know what you're going to get into until you get into it."

Mr. Tuley asked, "So we've got potential now for some \$39,00 to \$40,00?"

Ms. Smith said, "Our total budget for the year is \$301,040. If we take out the \$111,000 that this will cost, I don't think we'll have enough money to pay for the rest of the costs."

Mr. Borries said, "If we're going to sign this contract we need..."

Ms. Smith said, "There's another thing -- and I've got two teachers here. When we pay out of there for janitor's fee. The School Corporation is a tax supported facility and we have to pay -- if we have three polls at Washington School (I'm just using that as an example) why do we have to pay three (3) janitors' fees? That janitor gets paid by the School Corporation."

Commissioner Hunter said, "That's easy. I think it's tied in with the Teamster's contract that they have with the School Corporation. I agree with you, but we have to do the same thing if we use it."

Ms. Smith continued, "Or a gym. You've got that guy working and he is on a payroll. Why do we have to pay him three times that amount of money?"

Mr. Borries noted, "It's probably in the contract."

Commissioner Hunter added, "I'll bet you it is probably in the Teamster's contract."

Ms. Smith said, "Well, I still question that. It's still a facility that that janitor has...."

Mr. Tuley said, "That is another whole issue and let's hammer that one out later. Right now...The other day when we talked about this

-- if we're going to do anything at all, this seemed to be the most economical approach to take. Okay? It's not a long term arrangement. We can try it for a year and if we don't like it.... Hopefully, by 1995 the County's finances will change. But the question now is -- we know what it is going to cost us. There is \$302,000 in our budget, but that covers meals, rent and all that stuff she is talking about. So if we sign the contract tonight. We have the money in that account -- but it will run us short everywhere else. I don't know how soon we have to have this set up for you. You said the other day and I've forgotten what you said."

Ms. Smith said, "We need to have it in place by March 1st."

Mr. Borries said, "We can't get on Council Call that fast -- that is why I am saying to go ahead and pay it out of..."

Mr. Tuley said, "But we can get on Council Call for the difference."

Ms. Smith said, "We don't know how much the difference is going to be. That's the biggest problem. Like I told you, Pat, I don't know how much money we'll have left over."

Mr. Tuley said, "Yeah, but you can come up with a general figure."

Mr. Borries said, "Then she could get on Council Call by March 15th to transfer funds back to her budget. Otherwise, the earliest we're going to get it is March 15th because..."

Ms. Smith said, "We have to have the absentee ballots and all that stuff in house...."

Mr. Tuley asked, "Do you understand what Rick is saying? He is saying that since there is money in your budget, if we go ahead and commit to the contract, we can request to go on Council Call next week, then we'd be on Council Call on March 2nd to replenish the shortage."

Ms. Smith said, "I think we can wait until later on and see what the Primary cost us -- then we'll know. I don't think we'll know what the price is going to be until after the Primary."

Mr. Hunter said, "Then we'll know exactly what the cost is going to be."

Mr. Tuley asked, "Can we legally commit \$112,000 out of her budget for this, knowing that we're going to have to have more money. That \$302,000 is not sitting in one account; it's sitting in numerous accounts. We'd have to transfer."

Attorney Kissinger said, "I think the Deputy Auditor is thinking on that down there and she's probably better qualified to answer that question than I. Cindy, do you understand the question that is being asked?"

Ms. Mayo responded, "Yes."

Attorney Kissinger asked, "Can you answer the question?"

Ms. Mayo said, "Since the money is there, it can be spent now. We don't have a problem with that or with there being a transfer. You do need to take into consideration the amount of money that is in the general fund and may want to go on Council Call as quickly as you can. That is my answer to that. If you sign that and want the money to be spent out -- transferred into whatever account and be spent, yes, we don't have a problem. But if there is going to be a shortage of money and if you wait until June, July or August to go on Council Call, you might have a problem."

Commissioner Hunter stated, "We'd better earmark what we think we need now."

Ms. Smith said, "I know what is in this budget is not going to cover all that cost. But we will be as conservative as we can be."

Commissioner Borries said we don't have any choice. They're going to get a little money on this Capital Improvements Fund which, of course, they can't use for stuff like this -- or, at least, they shouldn't. It was not designed for general operating expenses. But I say we go ahead -- there is a little hooker in here. We can't do it just for the Primary. This thing says they want the \$43,000 and the \$43,000 for November -- so we've got to do it together.

Mr. Tuley said somebody asked about that in the meeting -- and the County is not going to be in any better financial situation in November than we were in May -- and probably worse. If we're going to commit to do this, we need to commit to do it for the whole year. Again, this is just a recommendation to us. It is unfortunate that Betty Lou (Jarrel) wasn't there Friday to give some input from the Council's side.

Mr. Borries said, "We don't have any choice. This is the best deal we are going to get."

Ms. Smith said, "We're to the point we have to do it -- or go with what we've got and let it fall where it may."

Motion was made by Commissioner Borries that the lease agreement for Vanderburgh County, Indiana for the lease price which includes coding, pre-election testing, on site days support from closing of polls until all ballots have been tabulated in the amount of \$25,500 be approved. Seconded by Commissioner Hunter. So ordered.

Motion was made by Commissioner Borries that the contract with Business Records Corporation for services, including official ballot, sample ballots, absentee voter ballots, official ballot cards with precinct I.D.'s, official ballot cards without precinct I.D.'s., precinct kits and one Clerk kit in the amount of \$43,484.80 for May and \$43,484.80 for November of 1994 be approved. Seconded by Commissioner Hunter. So ordered.

Commissioner Tuley asked if we can get them to send us an Original Agreement for signatures at the next meeting, although the agreement is being verbally approved today.

Ms. Smith said he just faxed this to her today because she wanted to give the Commissioners some figures to go on.

Commissioner Borries said what he would suggest is if she can sharpen her pencil and study what she anticipates -- give it her best shot of what needs she has -- because of the silly way this month has fallen, the first time the Commissioners meet in February is February 7th. So we either have to get on Council Call for that or February 14th in order to make Council's March meeting.

Ms. Smith said you try to figure, but you don't know what you're going to run into.

Mr. Borries again said, "Just give it your best shot -- enough for both the Primary and General Elections. But at least you're on record and we can go back to get what you think you're going to need."

Ms. Smith said, "At least we know we have enough to go through the Primary and we'll know what we have left over after the Primary -- even if you take that whole amount out for the Primary."

Commissioner Tuley said, "But to the voters, when they go to the voting booth will notice nothing different, because nothing is changing there. It's just hopefully that at night when everything comes in and ballots are counted that there won't be machine breakdowns and things like this. Some final assurance that those machines are not being tampered with, because we shouldn't have all those breakdowns."

Ms. Smith interjected, "They bring their own people to run them, which is a person out of Chicago who couldn't care less whether you are a Democrat or a Republican or whatever. They run the machines themselves. Of course, I don't think anybody has ever questioned our doing that either. But then the people...."

Mr. Tuley interrupted, "Skip told me they had the same problems before they went to this. He said it just went a lot better and read a lot better the next day -- because everybody was satisfied with it."

Commissioner Borries said, "We'll try it this year and, like you say, we'll look at the future."

Mr. Tuley said Mark Owen is on the Committee and there is a statute that provides funding in the form of a tax rate for election equipment -- if we want to think about it. But that is another issue that we'll address later.

The three Commissioners thanked Ms. Smith.

(END OF TAPE #1)

RE: RESIGNATION FROM RIVERBOAT GAMING COMMITTEE-
RICHARD J. BORRIES

Commissioner Borries said he tried to call the County Attorney concerning a potential conflict he might have had in regard to being appointed to the Mayor's Riverboat Gaming Commission. It had come to his attention that as an employee of Ellis Park (by the way, he worked two days at Ellis Park, for the record, and made \$163.00) -- but he would probably know as much about their potential bids as a Zenith employee when their job went to Mexico. That's about as much as he would know. But there could be perceived to be some conflict of interest and apparently there was, because it was brought to his attention. Someone had brought it to their attention regarding a potential conflict. Therefore, he has written a letter (which he will enter as part of the official record) and will send it to the Mayor, asking that Commissioner Pat Tuley take his place on that committee. He kind of answered his own question -- he knew what Attorney Kissinger would have said. (Copy of letter of resignation is attached hereto.)

Attorney Kissinger commented, "Basically, after the fact and having read the news coverage of it, I agree. I don't think that a conflict would have arisen, but there was an appearance and I think it totally appropriate for him to avoid that appearance."

Commissioner Tuley said, "Don wanted to know that since Rick answered his own question, if we deduct that from your fee. But I want to go on record saying we pay you a flat fee -- so I guess the answer to that one is 'No', too."

Attorney Kissinger said Mr. Tuley guessed that right.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

In response to comment by Mr. Abell concerning his hitting the trifecta at Ellis previously, Mr. Borries said that sometime he will tell him a story of how he paid for his second daughter's expenses when she was born.

Request to Declare Used Rolm Telephone Equipment as Surplus: Mr. Abell said he has a list of this used telephone equipment. He'd like to get this declared surplus so we can set about the process of selling it and recapturing some money.

Motion to so approve was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morpew submitted copies of the Weekly Report for period of January 21 thru January 27, 1994....report received and filed.

Campbell Rd.: Just for the record, Mr. Tuley said that John Stoll will be contacting Mr. Morpew concerning the problem on Campbell Rd., making sure the right-of-ways are correct, etc.

Mr. Stoll said they got a subdivision plat in last week -- it was a minor subdivision -- and the guy was splitting about a four acre lot into two lots. Well, it's all one lot now -- but he was showing two different right-of-ways on a single lot. He doesn't know if that is something they pulled out of the deeds or what -- but that, alone, sounded screwy enough that he doesn't know what they will find. They will, however, look into it.

The Commissioners asked if this was on Campbell Rd. and Mr. Stoll responded affirmatively. Again, he will look into this further.

Ribbon Cutting Ceremony/Columbia-Delaware Overpass: Mr. Tuley asked how the weather was when Commissioners Borries and Hunter were cutting the ribbon today.

Both Commissioners said it was cold, cold. Mr. Hunter said he was proud of Rick -- he held them until he was able to arrive.

Mr. Borries said he told them he had a thirty minute speech prepared, but they were bailing out in about two seconds.

Roads Blocked Due to Flooding: In response to query from Commissioner Borries, Mr. Morpew said we have roads blocked off on South Green River Rd., South Weinbach, Waterworks Road, Lyle Rd. and Union Township Happe Rd. -- just about all the Union Township gravel roads are under water. He suspects by tomorrow night that Old Henderson Rd. will also be under.

Attorney Kissinger said he thinks it is under right now.

Mr. Morpew said the river is supposed to crest at 43 ft. -- 43-1/2 ft. come Thursday morning.

Mr. Borries said we'll just knock on wood that we don't get any more rain upstream.

Mr. Morpew said the river is supposed to crest at 45 ft. at Union Dam. We expect quite a bit more flooding.

Commissioner Hunter noted that we'll have to clean all the muck and debris from the roads after the water recedes. The last time a fellow lost a shed and it was all up and down Old Henderson Rd. in pieces. They didn't actually take it back to him -- but they did get it all off the road. There will be quite a bit of that this time around. And he understands the barge traffic is a bit slow.

Frey Rd.: Mr. Tuley asked that Mr. Morpew write the letter for him for the fellow on Frey Rd.

Road Salt: Mr. Hunter said he heard Mr. Morpew on WIKY this morning talking about the road salt.

RE: COUNTY ENGINEER - JOHN STOLL

Certification re Covered Bridges: Mr. Stoll submitted a Certification Form, certifying we have no covered bridges in Vanderburgh County. This form needs to be executed and sent to Indianapolis each year.

Deputy Auditor Cindy Mayo said she gets one of these every year; she never does anything with it -- just puts it in the County Engineer's mailbox.

Commissioner Borries said that someday we ought to build one. The late highway person (Bill Bethel) -- God rest his soul -- wanted to do that at one time -- but we couldn't find the right site. But perhaps this is something we ought to build in the future. He would move to sign the certification. Seconded by Commissioner Hunter. So ordered.

Acceptance/Vogel Rd. Extension from Royal Avenue to Burkhardt Rd.: Mr. Stoll said the road is complete; the bridge deck has been tined and everything is done according to plan. We'll need to stripe it when the weather breaks.

Mr. Borries said this road is a straight shot. What are we going to put for speed limits on the road?

Mr. Stoll said we will have to change the ordinance if we want to drop the speed below 45 mph -- but right now he thinks it's posted 35 mph in the City -- so right at the City Limits line we're going to put a 30 mph or 35 mph speed limit, whatever it is -- so at least we're not putting up 45 mph signs.

Commissioner Borries said he would like to change the ordinance and request that the speed limit -- he'd be willing to request 30 mph and ask that the ordinance be changed to 30 mph. What's going to happen is -- it's an open field now and it's a straight shot. His concern is that it is going to really develop and then we're going to have to come back and change that ordinance anyway -- because you couldn't go 45 mph anyway when that thing starts to go.

Mr. Stoll said we're going to stripe it to a three lane section to a left turn lane in the middle next spring -- whenever we get a chance to get Jerry Hayes' crews out there. So it won't be a four lane we'll have to deal with. But Commissioner Borries is right, it will have higher speeds. Would the Commissioners want to request EUTS to do a speed study out there, since that is what the manual calls for. Then we can see what the data shows.

Commissioner Borries moved that the acceptance of Vogel Rd. be approved, with a second from Commissioner Hunter. So ordered.

Mr. Borries then moved that EUTS conduct the study and his suggestion of 30 mph speed limit be considered and the ordinance changed to reflect same. Seconded by Commissioner Hunter. So ordered.

Kansas Rd.: Commissioner Tuley asked that someone go out to see if there is a post or something leaning over -- and all kinds of stuff -- on Kansas Rd.

Mr. Morphew said there are all kinds of concrete posts along Kansas Rd. They're considering moving those and installing guard rail. On the north side of Kansas Rd. there is a deep ditch by the Sheriff's Training area.

Commissioner Hunter said there is almost no traffic on that section of Kansas Rd. from Green River to the dead end where the Sheriff's

Training Center is. There are only about two houses on there and other than that there is almost no traffic other than that going to the Sheriff's substation. They should know better than to speed along there. He noted they also have some posts on Boonville-New Harmony along the curve by Hoffman's Corner which have been hit again.

Mr. Tuley said someone brought the problem on Kansas Rd. to his attention and suggested we look to see if there is something we need to do to correct the situation.

Mr. Morphey said there are quite a few of those throughout the county. He'd venture to say there are 5,000 of those concrete posts throughout the county -- on Big Schaeffer Rd., Little Schaeffer Rd., Dieffenbach, Kansas Rd. and Boonville-New Harmony.

Mr. Tuley said he doesn't have a problem with the posts -- if they're upright. But if they're laying over or something, then they're not doing any good.

Mr. Morphey said there are some areas where they've removed these concrete posts and put up guard rail. He'd suggest we do that in a lot of the other areas too. Not only do they look nasty, they are not very effective.

Commissioner Tuley said we'd have to have money to do it.

Mr. Borries said if we can get the money to do it. He knows we did a lot of them along Pollock Avenue several years ago.

Mr. Morphey said Pollock Avenue is one we could probably put pipe in.

Mr. Borries said we took down the concrete posts and put in guard rail. That was a humdinger. He'd agree with Mr. Morphey, wherever possible, it needs to be guard rail. But as Mr. Tuley said, if we don't have the money then.....

Mr. Morphey said he would look at the isolated areas; areas that do need something like that -- the high traffic areas, such as Hogue Rd., Upper Mt. Vernon Rd. -- there are some dangerous curves.

Commissioner Tuley said we need to see if we have any money in the budget. Would that come out of the highway budget?

Mr. Morphey and Commissioner Borries said that would come out of cumulative bridge funds -- and Mr. Morphey said there is money in the cumulative bridge account.

Mr. Tuley again asked Mr. Morphey to check this out.

Acceptance of Vogel Rd. Extension Improvements: It was Mr. Stoll's recommendation that the Board accept the subject improvements. Motion to this effect was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Claim/Concrete Pavers: Mr. Stoll said he has a claim to Concrete Pavers in the amount of \$11,284.84 for the final payment of their retainer on the Vogel Rd. Bridge project.

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

Brookview Section E2/Road Design Plans: Mr. Stoll submitted these plans and recommended approval. Motion made by Commissioner Hunter to approve, with a second from Commissioner Borries. So ordered.

Tekoppel/Flapgate: It was noted by Mr. Stoll that a couple of months ago he sent the Commissioners a letter about the flapgate out on Tekoppel. The lowest cost estimate to repair the damage was \$9,000 and he will go ahead and order a new one.

Volkman Rd.: Commissioner Borries said it came to his attention that a driver or resident out on Volkman Rd. (where we're replacing the bridges) said that it would be helpful -- and we probably really need to do it -- if we put some signs at Volkman and Baseline saying "Bridge Closed". What happens is that people go down there and then have to turn around -- and it's pretty narrow to have to turn around. We need to put signs up on both sides -- up by Baseline and down by the other end.

Public Hearing re County Roads: Commissioner Borries said in the past we've always held a public road hearing and advertised same. While it's only January, we probably ought to go ahead and set a date. He believes it's been held around mid-March or so previously and that is probably a good time. Once the thaw gets out of the roads -- this has been kind of a hard winter -- we may start receiving complaints on some potholes here and there.

Mr. Stoll said that actually they've already started.

Following brief discussion among the Commissioners, a Public Road Hearing date at 5:30 p.m. on Monday, April 4, 1994 was suggested. Commissioner Borries said this would be placed as early as possible on the agenda, so we could get those people in and out of the meeting before proceeding with the regular agenda, if they so desire.

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

Columbia-Delaware Overpass Ribbon-Cutting Ceremony: Commissioner Borries expressed appreciation to Mr. Stoll for his assistance on the Columbia-Delaware project and the ceremony today. It was cold. Nobody stayed around to hear the thirty minute speech. Commissioner Tuley was smart -- he missed the event. Mr. Stoll said as soon as the ribbon was cut, participants were in there cars and gone. (President Tuley noted he was with his wife at the doctor's office.)

RE: CONSENT AGENDA

Treasurer's Report/December: President Tuley said this item needs to be added to the Consent Agenda; it was received too late to be included on the typed agenda for tonight's meeting.

There being no further comments or questions concerning the Consent Agenda, a motion was entertained.

Motion to approve, as amended, was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: SCHEDULED MEETINGS

It was noted by Commissioner Tuley that an Executive Session is scheduled at 4:30 p.m. next week at the Vanderburgh Auditorium, rather than in Room 307, as previously advertised. The regular meeting of the Commissioners will also be held at the Vanderburgh Auditorium at 5:30 p.m., followed by a meeting of the Auditorium Task Force at 7:00 p.m. So the media should take note that next Monday all meetings will be at the Vanderburgh Auditorium. The Department Head meeting will, however, be held at 3:30 p.m. as usual in Room 303 in the Civic Center.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board.

Petition to Vacate/Oak View Place II: Mr. Tuley said that last week the Board asked for a continuation of this matter, pending receipt from Mr. Glenn Wood of letters from the four utility companies. Mr. Wood has now submitted letters from the utility companies indicating they have no objections. Therefore, he would entertain a motion for approval.

Motion to this effect made by Commissioner Borries, with a second from Commissioner Hunter.

Mr. Tuley then asked for a roll call vote: Commissioner Hunter, yes; Commissioner Borries, yes; and Commissioner Tuley, yes. So ordered.

RE: NEW BUSINESS

President Tuley entertained matters of New Business to come before the Board. There were none.

There being no further business to come before the Board at this time, President Tuley declared the meeting adjourned at 9:15 p.m.

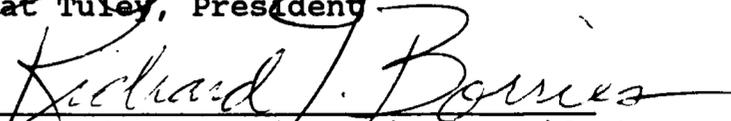
PRESENT:

Pat Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member
Cindy Mayo, Chief Deputy Auditor
Alan M. Kissinger, County Attorney
Dennis Feldhaus/Helfrich Insurance
Don Dickerson/PENCO
Mark Abell/Supt. County Bldgs.
Roger Elliott/SCT
Richard Cappelletti, SCT
John Stoll/County Engineer
Bill Morphey/County Highway Supt.
Betty Knight Smith/County Clerk
Danny Spindler/Given & Spindler
Andy Davidson/Given & Spindler
Sandra Toten/Given & Spindler
David R. Phillips/Campbell Rd.
Arthur Phillips/Campbell Rd.
Others (Unidentified)
News Media

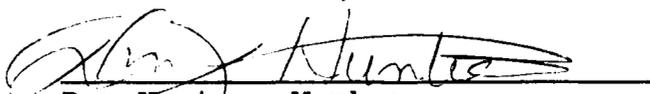
SECRETARY: Joanne A. Matthews



Pat Tuley, President



Richard J. Borries, 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

January 31, 1994

5:30 P.M.

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ACTION ITEMS**
 - A. Approval of Minutes**
 - B. Any group/individual wishing to address the commission**
 - C. Board Appointment:**
 - 1) Board of Review**
 - D. Ordinance Amending Chapter 153 of the Zoning Code
re: Second Reading**
 - E. Dennis Feldhaus/County Insurance Agent
re: Insurance**
 - F. Mr. Art Phillips
re: Campbell Road**
 - G. Roger Elliott/Data Processing
re: see attached information**
 - H. Sandra Toton/Vanderburgh Auditorium**
 - 1) Johnson Control Service Contract 1994**
 - 2) Given & Spindler 1993 Annual Report**
 - 3) Schmitt Refrigeration Service Contract for 1994**
 - I. SWIRHC, Inc./1994 Contract
re: Approval/acceptance (Funding already approved in 1994 Budget)**

305 ADMINISTRATION BLDG. CIVIC CENTER COMPLEX EVANSVILLE, IN 47708 812-426-5241

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:

Health (1)

B. Employment Changes:

* see attached

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

DATA PROCESSING REVIEW BOARD
City of Evansville/Vanderburgh County
Civic Center Complex, Room 205
1 NW Martin Luther King Jr. Blvd.
Evansville, Indiana 47708

A G E N D A R E Q U E S T

NAME OF REQUESTOR: Roger Elliott

REQUESTOR TITLE: Director

DEPARTMENT: Data Processing

REQUEST(S) BEING MADE:

- Approval to release a Request For Proposal (RFP) for a three (3) year agreement for Cabling Services.
- Approval to have Proposals received be opened by the County Commissioners at their February 22, 1994, meeting.
- Approval to have Cabling Services awarded by the Board of Public Works at their March 2, 1994, meeting.

Data Board reviewed and discussed this Request For Proposal during their January 25th meeting and recommends the release of the RFP.

Attached, for your review, is a copy of the RFP.

DATE TO BE PLACED ON AGENDA:

County Commissioners Monday, January 31, 1994
Board of Public Works Wednesday, January 26, 1994

ACTION ___ **CONSENT** ___ **OTHER** ___

DATA PROCESSING REVIEW BOARD
City of Evansville/Vanderburgh County
Civic Center Complex, Room 205
1 NW Martin Luther King Jr. Blvd.
Evansville, Indiana 47708

A G E N D A R E Q U E S T

NAME OF REQUESTOR: Roger Elliott
REQUESTOR TITLE: Director
DEPARTMENT: Data Processing

REQUEST(S) BEING MADE:

- Signature of a Support and Maintenance agreement with OCS Technologies, Inc for Computer Aided Dispatch (CAD)/E911 and Police Records Management software applications. The agreement is for the period January 1, 1994 thru December 31, 1994.

Data Board reviewed and discussed this agreement during their January 25th meeting and recommends the Support and Maintenance agreement for your signature.

Attached, for your review, is a copy of the agreement, two (2) originals will be provided at the meeting for signature.

DATE TO BE PLACED ON AGENDA:

County Commissioners
Board of Public Works

Monday, January 31, 1994
Wednesday, January 26, 1994

ACTION ___ **CONSENT** ___ **OTHER** ___

COUNTY ENGINEER'S

CONSENT AGENDA

January 31, 1994

1. CLAIMS: VOLKMAN ROAD BRIDGE #2311 203-4343 CCC of Evansville VC 93-10-01 (Inv. #94001A) \$7,512.78

January 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

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1/26/1994

February 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

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6 37 / 328	7 38 / 327 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Aud. Task Force	8 39 / 326	9 40 / 325	10 41 / 324	11 42 / 323 Pay Day	12 43 / 322 Lincoln's Birthday																																																																																																	
13 44 / 321	14 45 / 320 Valentine's Day 4:30pm Solid Waste 5:30pm County Commissioners	15 46 / 319 9:00am Insurance Comm.	16 47 / 318	17 48 / 317 9:00am Steering Comm. 5:00pm Pigeon Creek	18 49 / 316	19 50 / 315																																																																																																	
20 51 / 314	21 52 / 313 President's Day	22 53 / 312 Washington's Birthday 5:30pm County Commissioners 7:00pm Rezoning	23 54 / 311 3:30pm Personnel & Finance	24 55 / 310	25 56 / 309 Pay Day	26 57 / 308																																																																																																	
27 58 / 307	28 59 / 306 5:30pm County Commissioners 6:30pm Drainage Brd.	<p>January</p> <table border="1"> <tr><th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr> <tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr> <tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr> <tr><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td></td></tr> </table>		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						<p>March</p> <table border="1"> <tr><th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th></tr> <tr><td></td><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td></tr> <tr><td></td><td></td><td></td><td></td><td>4</td><td>5</td><td>6</td></tr> <tr><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td></tr> <tr><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td></tr> <tr><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td></tr> <tr><td>28</td><td>29</td><td>30</td><td>31</td><td></td><td></td><td></td></tr> </table>		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			
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John O. Meeks
7417 E. Sycamore Street
Evansville, Indiana 47715

*Bd. of Review
approved
1-31-94*

EDUCATION

Indiana University - B.S. 1949, School of Business
University of Evansville - additional accounting courses
from Evening College

EMPLOYMENT HISTORY

February 1993 - present

Retired; part-time volunteer at Salvation Army

August 1964 - February 1993

Evansville Federal Savings and Loan
Senior Vice-President and Chief Financial Officer

Responsible for accounting system and financial
statements, reporting to regulatory authorities,
filings for taxes and funds management such as planning
funds requirements and investing

1955 - 1964

Main Hotel Corporation
Operation of family-owned hotel

Zutt-Weber Realty Co.
Property management and accounting functions for
family-owned real estate holding corporation

1952 - 1955

Seeger-Sunbeam Corporation (now Whirlpool Corporation)
Plant Engineering Department

Responsible for ordering and maintaining inventory of
industrial tools required for plant productions

1950 - 1952

United States Army

Performed administrative and personnel work; entered
as draftee, honorably discharged as Sergeant

1949 - 1950

Evansville Printing Company

Performed market surveys and research to assist
coordination of advertisement by national advertisers
with their local newspaper campaigns

PERSONAL INFORMATION

Date of Birth: September 11, 1927
Marital Status: Married, one child
Residence: Lifetime Evansville resident



HELFRICH INSURANCE AGENCY
HELFRICH REALTY COMPANY

PERSONAL AND BUSINESS
INSURANCE COVERAGES
REAL ESTATE SERVICES

2303 WEST FRANKLIN STREET • EVANSVILLE, INDIANA 47712 • (812) 464-5991 • FAX (812) 464-5655

VANDEBURGH COUNTY INSURANCE PROGRAM

2/1/94 - 2/1/95

A) Coverage changes from expiring policy --

- 1- Underwriting change in that Northfield now underwrites 70% of coverage while Lloyd's underwrites 30%
- 2- Property limit increase up to \$62,914,618

B) Price changes from expiring policy --

- 1- ALA layer down \$4518
- 2- Excess property layer up \$2350
- 3- Excess Earthquake up \$6855
- 4- Excess Workers Comp down \$8700
- 5- Total ALA program premium (\$564,776) down \$4163
 - General Fund \$350,161
 - Highway Dept \$214,615

C) Contractual Services --

- 1- Appraisal Agreement *Schenk*
- 2- Loss Control Agreement
- 3- Group Benefits Agreement

OUR 80th YEAR

APPRAISAL SERVICE AGREEMENT
BETWEEN
JERRY SCHENK & ASSOCIATES, INC.
AND
BOARD OF COMMISSIONERS
OF
VANDERBURGH COUNTY

TERM OF AGREEMENT:

2/1/94 --- 2/1/95

APPRAISAL UPDATES ON THE FOLLOWING COUNTY PROPERTIES:

- 1- The Old Courthouse
- 2- The Vanderburgh County ~~Colesium~~ *Coliseum*
- 3- The Burdette Park Bath House
- 4- The Washington Home
- 5- The Vanderburgh County Highway Garage
- 6- The Sheriff's Training Center
- 7- The Burdette Park Bishea House

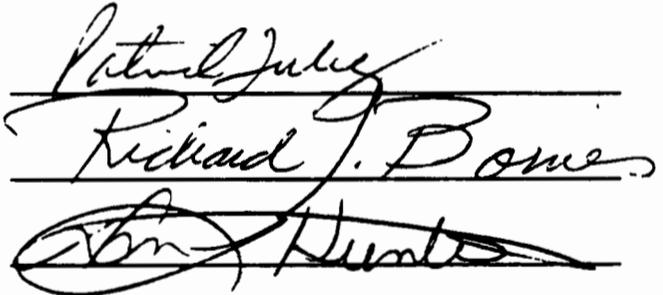
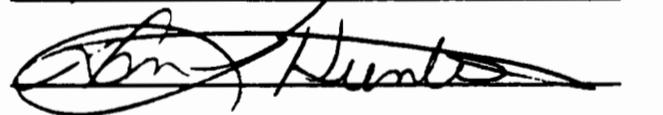
LIABILITY LIMITATION:

Liability of Jerry Schenk & ~~Asseccites~~ ^{Associates}, Inc. and its officers, directors, employees and agents shall be limited to amount of the service fee paid hereunder and there shall be no liability for any other damages whatsoever including, but not limited to, any incidental or consequential damages.

SERVICE FEE: \$10,000

VANDERBURGH COUNTY COMMISSIONERS


Jerry Schenk, President

January 31, 1994

LOSS CONTROL SERVICE AGREEMENT

BETWEEN

JERRY SCHENK & ASSOCIATES, INC.

AND

BOARD OF COMMISSIONERS

OF

VANDEBURGH COUNTY

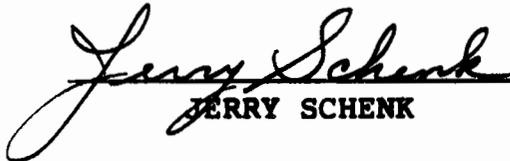
TERM OF AGREEMENT:

1- 2/1/94 --- 2/1/95

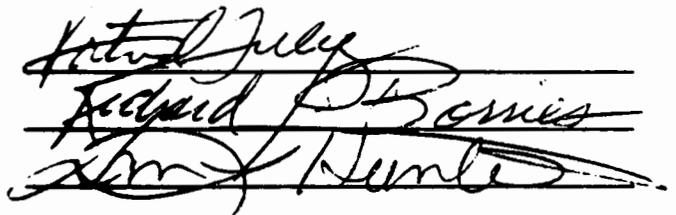
JOB DESCRIPTION:

- 1- Implement inspections of all Vanderburgh County owned properties and report unsafe acts or conditions to the County Insurance Agent
- 2- Investigate accidents and property losses as directed by County Insurance Agent
- 3- Coordinate safety meetings with department heads and employees as directed by the County Insurance Agent
- 4- Act on previous recommendations made to the County by Penco' Loss Control Services with specific attention given to Fleet Exposures, Burdette Park, Highway Department, and the Community Corrections Center.
- 5- Meet quarterly (or as requested) with the County Insurance Agent and the County Claims Adjuster to analyze claims, identify trends, problem areas and compliance with recommendations within the various departments.

SERVICE FEE: \$16,500


JERRY SCHENK

VANDERBURGH COUNTY COMMISSIONERS



January 31, 1994

January 1, 1994

I had a call from Mr. Roger Martin a professional tree trimmer about cutting some fallen and diseased trees on my property, a matter I had discussed with Him before, which I included the large oak by my driveway.

The same evening I called Don Feagley who lives at 947 Campbell Road, about 4 trees He had told me several months ago that He was trying to get S.I.G.E.C.O. to remove. These four trees are just across Campbell Road, and had been marked with a red X by S.I.G.E.C.O. several months ago. He informed that it looked like S.I.G.E.C.O. had placed them on the back burner and if they would remove them for the firewood it was agreeable with them? I did assume that with working with S.I.G.E.C.O. that He has permission for their removal since they were marked with a Red X for removal by S.I.G.E.C.O.

January 5, 1994

I went to the County Garage and talked with a lady in the office about removal of the large oak trees just west of my driveway and informed Her that I had an experiences tree man that insured that would remove the trees at no cost to the County or to me for the wood. I do not recall even discussing the other 4 trees since Mr. Don Feagley had been talking with S.I G.E.C.O. about removing them, since they had marked them with the Red X for removal.

The Lady in the office at the County Garage said she saw no problem with it However, I called Mr. Morpew the next morning, she was sure that He would give His permission.

January 6, 1994

I called Mr. Morpew and discussed the matter with Him. He verbally gave me his permission to remove said trees as it does obstruct my driveway when I exit with my motorhome. I barely miss this tree about 6 to 8 inches when turning out my driveway. My left front wheel must get off on to the shoulder which is only about 18 inches wide at this point, than about a 8 foot drop off on the southside of the road. So frankly I do feel that we had permission to remove this tree. He did ask that the mess be cleaned up, I assured Him that it would. The tree is dying I have had 3 tree experts look at this tree in the last year and a half. They all said it is only a matter of a short time before it will have to come down, also the storm culvert that the County garage cut the Road to replace over a year ago is cut and will be dug right next to the tree. That alone will finish it off as they have to dig at least 3 feet down to get to the culvert.

On January 6, 1994 when Mr. Robert Feagley and Mr. Schultheis demand that we stop. Again I called Mr. Donald Feagley to see if I had misunderstood Him about the trees in front of his home, at that time He assured me that we were in agreement on our conversation on January 1, 1994, that He would like to have Mr. Martin to remove these 4 trees in front of this home.

I have not discussed with Mr, Donald Feagley about Him appearing at the meeting opposing this matter. Frankly, I am shocked at his turn around in this matter, I do intend to talk with Him in the near future but feel that this is not the time when tempers can flair. I am quiet sure as a neighbor I will not try doing Him any favors in the future.

Mr. Martin is a professional and insured tree trimmer and has liability insurance in the amount of \$600,000.00.

January 7, 1994

I met with Mr. William Higgins at about 8:00 A.M. in front of my home at 946 Campbell Road. We discussed tree removal and also a drainage problem and as to what could be done to correct it and he made several suggestions that could be done but, felt that Mr. Morpew should look at the problem. He suggested that 2 driveway culverts should be installed and possibly some swallowing or ditching would solve the problem. I told him at that time that I would comply to what ever suggestions that he would recommend.

I did tell Mr. Higgins that I had talked with Mr. Morpew and felt that I did have permission for tree removal.

He did asks me to hold off on the trees until He talked with Mr. Morpew, and that He was going to get back with me later that afternoon.

At that point I asked Mr. Martin to move over on to my land and cut down the diseased trees we had prior discussed.

About 3:00 P.M I called Mr. Higgins and we discussed the drainage issue and He said He had asked that Mr. Morpew to meet with us to work out this matter on drainage. I assured Him that what ever it took on my part I would comply in the drainage matter. He said that He was sure Mr. Morpew would permit the removal of the large oaks but, as a compromise between party's leave the other tree's. I told Him I had no problem with that since I was trying to do a favor to Don Feagley in the first place. He told me that Mr, Morpew would get in touch with us either late Friday or Monday an come out and have a look.

January 10, 1994

Now this is not what Mr. Schultheis presented to the county commission meeting.

I never knew that this meeting was even scheduled, no one notified me. Did anyone ask if I had been notified about this meeting ?

Page 7

Commission Minutes Report

Only person I have previously talked to about this large oak tree was Carol Davis about a year ago and a half ago.

Then about a year ago when another large oak fell in a strong wind on Campbell Road. I talked with a county garage foreman that was on this job about it and we walked down and look at it at that time.

Page 8

Who said I was selling firewood? I have never sold firewood in my life.

I called Mr. Morpew on the morning of January 10, 1994 to ask that we not meet that Monday morning. Since my wife had been ill most of the night and that she was just getting over a very serious health problem and I felt that I should get Her into a Doctor as soon as possible. I did tell him I would call him an make an appointment at a later date.

There was no cutting on my property Monday January 10, 1994. The tree trimmers were there Thursday Afternoon & Friday only.

I do not want to comment on the statements that appear on page 8 as I do believe that most of these comments were made with the lack of understanding of the situation without ever talking to all the party's involved. However, I will answer any questions this Commissioner wishes to ask. I personally have never talked with Mr. Morpew other than twice on the phone. I do not believe that I have ever met Him personally, However, I am looking forward to meeting with Him, I have been told by persons knowing Him that He is a fair person and I am willing to work with Him to work out the problems.

Respectfully Submitted,



Arthur. D. Phillips

OCS TECHNOLOGIES, INC.
Software Support and Maintenance
Pricing and Configuration Addendum

CUSTOMER NAME: City of Evansville/Vanderburgh County
 1 Martin Luther King Jr. Blvd., Room 205
 Evansville IN 47708

CONTACT: Mr. Roger Elliott

Support and Maintenance provided to the customer listed above shall be pursuant to the terms and conditions of the OCS Software Support and Maintenance Agreement dated 12/89. This Addendum shall become part of said Agreement upon signature and shall be effective from 1/1/94 through 12/31/94. This Addendum applies only to the application software and software modules listed below and shall exist on a month to month basis, for a period of one (1) year, billed in advance annually, unless prorated to coincide with the Customer's current budget and approved in writing by both parties. Upon future renewals, there will be an additional charge to those customers requiring semiannual or quarterly invoices.

<u>Software Module</u>	<u># Months</u>	<u>CPU Make</u>	<u>Model #</u>	<u>Serial #</u>	<u>User License</u>	<u>Total Fees</u>
CAD/E911	12				UNLIMITED	\$ 14,056.88
RMS	12				UNLIMITED	\$ 15,710.64
					TOTAL	\$ 29,767.52

IN WITNESS WHEREOF the parties have executed this Agreement by their duly authorized representatives.

City of Evansville/Vanderburgh County

OCS Technologies, Inc.

By: _____
 (Authorized Signature)
 Name: _____
 Title: _____
 Date: _____

By: Joseph Steffan
 (Authorized Signature)
 Name: JOSEPH STEFFAN
 Title: VICE PRESIDENT/GENERAL MGR.
 Date: 12/20/93

OCS Technologies, Inc. 5960 Inglewood Dr., Suite 100, Pleasanton, CA 94588

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 *Jack McNeely*
Jack McNeely, President
Evansville Board of Public Works

By *Jack 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 *January 26, 1994*

for Vanderburgh County

PAT By *Rick Tuley*
Rick Tuley, President
Vanderburgh County Board of Commissioners

By *Rick Borries*
Rick Borries, 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, Vanderburgh County Auditor

Effective Date *January 31, 1994*

for Central Dispatch Board

By *Chris Gann*
President
Central Dispatch Board

EQUIPMENT MAINTENANCE AGREEMENT

1. Johnson Controls, Inc.: Johnson Controls, Inc., located at 430 E. Sycamore, Evansville, Indiana. Johnson Controls, Inc. (hereinafter referred to as "Johnson") is a corporation which is engaged in the business of servicing, selling, and maintaining equipment and machinery.
2. Vanderburgh County: Vanderburgh County is the local governmental entity which owns and operates the Vanderburgh County Auditorium located at 715 Locust, Evansville, Indiana.
3. Service and Materials: Johnson is to provide labor, material, and parts for the maintenance of the DSC-8500 system which is located and operated in the Vanderburgh County Auditorium. The labor, material, and parts provided by Johnson shall include the following:
 - A. Johnson shall examine, adjust, clean, calibrate, and perform all recommended maintenance tasks necessary for the operation and functioning of the DSC-8500 system;
 - B. Johnson shall perform a scheduled service visit once per quarter for a total of four (4) scheduled service visits and one (1) floating visit during the contract period of one (1) year. The scheduled service visits shall be performed during the period of 8:00 o'clock a.m. and 5:00 o'clock p.m., Monday through Friday. Repairs shall be made during regular working hours. The Owner may request repairing during overtime hours at no additional charge beyond the \$200.00 which is included in and a part of the total payment, herein described in Paragraph 6;
 - C. Johnson shall be on call to provide repair, labor, and material at no additional cost to Vanderburgh County for the additional items listed below:
 - 1) IBM 6310 CRT located in Manager's office;
 - 2) Esprit printer located in Manager's office;
 - 3) DSC-8500 master and remote FIC's located in Manager's office;
 - 4) Two (2) DSC-8500 remote FIC's located in Mechanical Equipment Mezzanine;
 - 5) MUX cards;

- 6) Dial up modem and selector switch in Manager's office;
 - 7) Components contained in Johnson field equipment panels;
- D. Labor and material required for repairs beyond those items listed in subsections A through C, i.e. temperature sensors, field relays, any Barber Coleman equipment, and HVAC equipment, shall be available with the Owner's authorization at the rates outlined as follows:
- 1) Straight time for 8:00 a.m. to 5:00 p.m. - Vanderburgh County shall pay the rate of \$65.00 per hour plus .60 cents per mile travel and truck expenses for employees of Johnson.
 - 2) Overtime after 5:00 p.m. - Vanderburgh County shall pay the rate of \$80.00 per hour plus .60 cents per mile travel and truck expenses for employees of Johnson.
 - 3) Materials manufactured by Johnson shall be available to Vanderburgh County at the published list prices less a fifty percent (50%) discount, plus applicable taxes.
 - 4) Vanderburgh County shall be able to purchase material not manufactured by Johnson, at Johnson invoice cost plus thirty-five percent (35%) overhead and profit, plus any applicable taxes.
- E. Johnson shall, at the Owner's request, make minor program changes as required to meet operational requirements of the auditorium. Additionally, Johnson shall provide remote diagnostics for immediate response to operational questions.
4. **Storage:** Vanderburgh County will provide adequate storage space for Johnson equipment, lubricant or parts which are necessary to perform the four (4) scheduled service visits, one (1) floating visit, and other repairs.
 5. **Ingress and Egress:** Vanderburgh County shall provide ingress and egress to the Vanderburgh County Auditorium to Johnson employees for the purpose of the servicing and maintenance of the DSC-8500 system and the other items listed herein in this Contract.
 6. **Payment:** Vanderburgh County shall pay Johnson the total sum of \$4,746.00 (FOUR THOUSAND SEVEN HUNDRED FORTY-SIX DOLLARS) per year. This total payment includes the contract price of \$4,546.00 (FOUR THOUSAND FIVE HUNDRED FORTY-SIX DOLLARS), plus an additional \$200.00 (TWO HUNDRED DOLLARS) as compensation for overtime work as required. The total price shall

be paid in installment payments. Each monthly payment shall be made by the 30th of each month in the sum of \$395.50 (THREE HUNDRED NINETY-FIVE DOLLARS AND 50/100 CENTS).

7. **Final Agreement:** This Contract is intended by Johnson and Vanderburgh County to be a final expression of their agreement. No course of prior dealings between Johnson and Vanderburgh County, and no use of trade shall be relevant to supplement, explain or vary any of the terms set out herein. No representations, understandings or agreements have been made or relied upon other than these specifically set forth herein. This Contract shall inure to the benefit of and be binding upon both Johnson and Vanderburgh County, their legal representatives, successors, and assigns.
8. **Law:** This Contract shall be governed by the laws of the State of Indiana.
9. **Assignment:** This Contract can neither be assigned nor performance of the duties hereinunder delegated without the express written consent of Vanderburgh County or its duly authorized agent or agents.
10. **Modifications to Contract:** Any and all modifications or changes of this agreement must be made in writing with the signature and approval of both Johnson and Vanderburgh County.
11. **Indemnification:** To the extent caused by the negligence or willful misconduct of Johnson Controls, its agents or employees, Johnson hereby agrees to indemnify and hold Vanderburgh County harmless from and against any liability, expense, damage, action, cause of action, or any other loss of any kind, including but not limited to attorneys fees, with respect to any injuries, death or illness experienced by the employees of Johnson during the performance of any repairs maintenance inspection or service in regards to the DSC-8500 and the other items listed by and included in this Contract, or with respect to any other injury, death or illness or any other person or damage to any property caused by Johnson, its employees or agents.
12. **Term:** This Contract shall be for a period of one (1) year from February 1, 1994 to January 31, 1995.
13. **Notice of Termination:** Either party may terminate this agreement by giving thirty (30) days written notice to the other party of this Contract. Such notice shall be deemed properly served if sent by certified mail to the Vanderburgh County Commissioners, City-County Building, 1 N.W. 7th Street, Evansville, Indiana 47708 and/or to Johnson Controls, Inc., 430 E. Sycamore, Evansville, Indiana 47713-2776. In the event that such Contract is terminated by either party, Vanderburgh County shall receive pro rated refund of \$395.50 (THREE HUNDRED NINETY-FIVE

DOLLARS AND 50/100 CENTS) per month for each month that Johnson does not perform under the Contract. Likewise, once the Contract is terminated by proper notice, Vanderburgh County shall not continue to make the payments of \$395.50 (THREE HUNDRED NINETY-FIVE DOLLARS AND 50/100 CENTS) per month.

14. Attorneys Fees: The parties hereto agree that in the event a lawsuit is filed by either party with respect to the matters covered in this agreement, the party who is successful in such litigation shall be entitled to recover court costs and reasonable attorneys fees from the other party.

This Contract is hereby entered into between Johnson Controls, Inc. and Vanderburgh County on the 31st day of January, 1984.

"VANDERBURGH COUNTY"

By [Signature]
By [Signature]
By [Signature]

JOHNSON CONTROLS, INC.

By [Signature]
[Signature]
Vanderburgh County Auditor

NEWS *Update*

1993 Record year at Vanderburgh County Auditorium

**15.54% Increase in income from 1992 to 1993
\$30,782.00**

**9.32% Below budgeted expenses in 1993
\$46,889.00**

**15% increase in patron usage over 1992
17,250 person increase**

135,618 customers used the Vanderburgh County Auditorium and Convention Center in 1993.

FOR ADDITIONAL INFORMATION: (812) 426-2270

NEWS *Update*

RESULTS WITH PRIVATE MANAGEMENT

	INCOME	EXPENSES	DEFICIT
<u>1991</u>	\$176,003.00	\$436,084.00	\$260,081.00
<u>1992</u>	\$197,968.00	\$413,632.00	\$215,664.00
<u>1993</u>	\$228,750.00	\$456,015.00	\$227,265.00
		1993 Capital Expenditures	[\$ 16,788.90]
			\$210,468.00

Income increased \$30,782.00 over 1992, 15.54% increase.

Expenses increased \$42,383.00 over 1992, 10.24% increase.

Deficit increased \$11,601.00 over 1992, 5.0% increase.

9.32% below budgeted expenses in 1993, \$46,889.00

135,618 customers used the Vanderburgh County Auditorium and the Convention Center in 1993.

Income increased by \$52,747.00 over 1991, 30% increase.

Expenses increased by \$19,931.00 over 1991, 5% increase.

Deficit reduced by \$32,816.00 over 1991, 12.61% reduction of deficit.

FOR ADDITIONAL INFORMATION: (812) 426-2270

EQUIPMENT/PARTS/LABOR MAINTENANCE AGREEMENT

1. SCHMITT REFRIGERATION, AIR CONDITIONING AND HEATING, INC IS LOCATED AT 200 S. GOVERNOR, EVANSVILLE, INDIANA. SCHMITT REFRIGERATION, AIR CONDITIONING AND HEATING, INC (HEREINAFTER REFERRED TO AS SCHMITT REFRIGERATION) IS A CORPORATION WHICH IS ENGAGED IN THE BUSINESS OF INSTALLING, SERVICING AND MAINTAINING HVAC EQUIPMENT AND MACHINERY.

2. VANDERBURGH COUNTY: VANDERBURGH COUNTY IS THE LOCAL GOVERNMENTAL ENTITY WHICH OWNS AND OPERATES THE VANDERBURGH COUNTY AUDITORIUM LOCATED AT 715 LOCUST, EVANSVILLE, INDIANA.

3. SERVICE: SCHMITT REFRIGERATION IS TO PROVIDE SCHEDULED MAINTENANCE AND SERVICE TO THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS LOCATED AND OPERATED IN THE VANDERBURGH COUNTY AUDITORIUM. THE LABOR, PROVIDED BY SCHMITT REFRIGERATION SHALL INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:

- A. SCHMITT REFRIGERATION SHALL EXAMINE, ADJUST, LUBRICATES, CLEAN, REPAIR OR REPLACE ANY AND ALL PARTS NECESSARY FOR THE OPERATION AND FUNCTIONING OF THE TWO (2) CARRIER 150 FLOTRONIC CHILLERS;
- B. SCHMITT REFRIGERATION SHALL SERVICE, REPAIR, MAINTAIN, INSPECT AND CLEAN EVERY TWO (2) MONTHS FOR A TOTAL OF SIX (6) CHECKS FOR A PERIOD OF ONE (1) YEAR.
- C. SCHMITT REFRIGERATION SHALL BE ON CALL TO PROVIDE MAINTENANCE, SERVICE AND LABOR DURING THE INTERIM TIME BETWEEN THE CHECKS AS IS REQUIRED DUE TO AN EMERGENCY OR OTHER SITUATION WHEREBY EITHER ONE OR BOTH OF THE (2) CARRIER 150 TON FLOTRONIC CHILLERS BREAKS DOWN OR FAILS TO PERFORM ITS NECESSARY FUNCTIONS.
- D. MAINTENANCE CALLS SHALL NOT BE LIMITED TO A SINGLE EIGHT (8) HOUR SHIFT PER DAY OR RESTRICTED TO NORMAL WORKING HOURS DUE TO THE NATURE OF THE BUSINESS OF THE VANDERBURGH COUNTY AUDITORIUM WHICH OPERATES DURING BOTH THE NORMAL DAY AND EVENING HOURS. THE SERVICES AND MAINTENANCE PERFORMED BY SCHMITT REFRIGERATION AT TIMES OTHER THAN DURING ITS REGULAR WORKING HOURS ARE INCLUDED IN THE TOTAL PRICE OF THIS CONTRACT.
- E. ALL INSPECTIONS, SERVICES, REPAIRS AND CLEANING SHALL BE CONDUCTED BY TRAINED EMPLOYEES OF SCHMITT REFRIGERATION, WHO ARE DIRECTLY EMPLOYED AND SUPERVISED BY RANDY SCHMITT. THE TRAINED EMPLOYEES WILL PERFORM ALL OF THE SERVICES BY THE TERMS OF

THIS AGREEMENT. EACH OF SCHMITT REFRIGERATION EMPLOYEES WHO PROVIDES ANY TYPE OF SERVICE ON THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS WILL BE PROPERLY QUALIFIED AND WILL USE REASONABLE CARE AND DILIGENCE IN THE PERFORMANCE OF HIS OR HER DUTIES.

4. STORAGE: VANDERBURGH COUNTY WILL PROVIDE ADEQUATE STORAGE SPACE FOR EQUIPMENT, LUBRICANT OR PARTS WHICH ARE NECESSARY FOR SCHMITT REFRIGERATION TO PERFORM THE SERVICING OF THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS.

5. INGRESS AND EGRESS: VANDERBURGH COUNTY SHALL PROVIDE INGRESS AND EGRESS AT ALL TIMES TO THE VANDERBURGH COUNTY AUDITORIUM FOR THE PURPOSE OF THE SERVICING AND MAINTENANCE OF THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS.

6. PAYMENT: VANDERBURGH COUNTY SHALL PAY SCHMITT REFRIGERATION THE SUM OF THREE THOUSAND SEVEN HUNDRED SEVENTY SIX AND 00/100 (3776.00) IN INSTALLMENT PAYMENTS FOR THE SERVICES HEREIN AGREED TO BE PERFORMED. EACH MONTHLY PAYMENT SHALL BE MADE BY THE 30TH DAY OF EACH MONTH IN THE SUM OF THREE HUNDRED FOURTEEN AND 67/100 (314,67).

7. FINAL AGREEMENT: THIS CONTRACT IS INTENDED BY SCHMITT REFRIGERATION AND VANDERBURGH COUNTY TO BE A FINAL EXPRESSION OF THEIR AGREEMENT. NO COURSE OF PRIOR DEALINGS BETWEEN SCHMITT REFRIGERATION AND VANDERBURGH COUNTY, AND NO USE OF TRADE SHALL BE REVELANT TO SUPPLEMENT, EXPLAIN OR VARY ANY OF THE TERMS SET OUT HEREIN. NO REPRESENTATIVES, UNDERSTANDINGS OR AGREEMENTS HAVE BEEN MADE OR RELIED UPON OTHER THAN THESE SPECIFICALLY SET FORTH HEREIN.

8. LAW: THIS CONTRACT SHALL BE GOVERNED BY THE LAWS OF THE STATE OF INDIANA.

9. ASSIGNMENT: THIS CONTRACT CAN NEITHER BE ASSIGNED NOR PERFORMANCE OF THE DUTIES HEREINAFTER DELEGATED WITHOUT THE EXPRESS WRITTEN CONSENT OF VANDERBURGH COUNTY OR HIS DULY AUTHORIZED AGENT OR AGENTS.

10. MODIFICATIONS TO CONTRACT: ANY AND ALL MODIFICATIONS OR CHANGES OF THIS AGREEMENT MUST BE MADE IN WRITING WITH THE SIGNATURE OF BOTH SCHMITT REFRIGERATION AND VANDERBURGH COUNTY.

11. DISCLAIMER: VANDERBURGH COUNTY SHALL NOT BE LIABLE FOR ANY INJURIES OR ILLNESS EXPERIENCED BY THE TRAINED EMPLOYEES OF SCHMITT REFRIGERATION DURING THE PERFORMANCE OF ANY REPAIRS MAINTENANCE INSPECTIONS, CLEANING OR REPLACEMENT OF PARTS OF THE TWO (2) CARRIER 150 TON FLOTRONIC CHILLERS.

12. TERM: THIS CONTRACT SHALL BE FOR A PERIOD OF ONE (1) YEAR FROM FEBRUARY 1, 1994 TO JANUARY 31, 1995.

13. NOTICE OF TERMINATION: EITHER PARTY MAY TERMINATE THIS AGREEMENT BY GIVING SIXTY (60) DAYS WRITTEN NOTICE TO THE OTHER PARTY OF THIS CONTRACT. SUCH NOTICE SHALL BE DEEMED PROPERLY SERVED IF SENT BY CERTIFIED MAIL TO THE VANDERBURGH COUNTY COMMISSIONERS, CITY-COUNTY BUILDING. 1N.W.11TH AVE., EVANSVILLE, IN 47712. IN THE EVENT THAT SUCH CONTRACT IS TERMINATED BY EITHER PARTY, VANDERBURGH COUNTY SHALL RECEIVE A PRORATED REFUND OF

PER MONTH FOR EACH MONTH THAT SCHMITT REFRIGERTION DOES NOT PERFORM UNDER THE CONTRACT.

THIS CONTRACT IS HEREBY ENTERED INTO BETWEEN SCHMITT REFRIGERATION, AIR CONDITIONING AND HEATING, INC AND VANDERBURGH COUNTY ON THE 31st DAY OF January, 1994.

"VANDERBURGH COUNTY"

BY [Signature]
BY [Signature]
BY [Signature]

SCHMITT REFRIGERATION, AIR
CONDITIONING AND HEATING, INC

BY [Signature]
Sam Humphrey cm
VANDERBURGH COUNTY AUDITOR



AGREEMENT FOR CONTRACT

January 31, 1994

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:

700	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.	\$17,500.00
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
110,000	Official Ballot Cards with Precinct I.D. @ \$125/M	13,750.00
10,000	Official Ballot Cards w/o Precinct I.D. @ \$125/M All Ballot Cards will be stitched in pads of 50 and shrink wrapped.	1,250.00
170	Precinct Kits with all necessary forms @ \$35.00	5,950.00
1	Clerk's Kit	<u>125.00</u>
	Total:	\$43,484.80

The County agrees to pay to Business Records Corporation upon receipt of invoice, the amount of \$43,484.80 (\$260.39 per precinct) for the May 1994 Primary Election, and \$43,484.80 for the November 1994 General Election.

All supplies and services for both elections are FOB point of origin. Prices are firm for 60 days.

Agreed to and entered into this 31st day of January, 1994 by:

Vanderburgh County Commissioners

Victor Juley
Richard J. Jones
Alan Rumb

Business Records Corporation

[Signature]
Signature



**LEASE AGREEMENT FOR
VANDERBURGH COUNTY, INDIANA
January 31, 1994**

Business Records Corporation agrees to lease to the Vanderburgh County Commissioners a PC Ballot Tabulation System and Ballot Tabulation programs for 1994. The Lease Agreement includes the services necessary to conduct your 1994 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 on-site election day support from the closing of the polls until all ballots have been tabulated.

The annual lease price is \$25,500 payable within 30 days of receipt of invoice.

ACCEPTANCE:

Lease for 1994 Primary and General Elections - \$25,500 annually.

Agreed to and entered into this 31st day of January, 1994 by:

Vanderburgh County Commissioners

[Handwritten signature]

Richard J. Bonies

[Handwritten signature]

Business Records Corporation

[Handwritten signature]

 Signature



Business Records Corporation

155 NORTH WACKER DRIVE

CHICAGO, ILLINOIS 60606-1719

(312)419-0270

February 1, 1994

The Honorable
Betty Knight Smith
Clerk of the Circuit Court
Vanderburgh County
825 Sycamore-Room 216
Evansville, IN 47708

Dear Betty:

Please find enclosed the original of the two agreements I faxed to you yesterday. Please have the Commissioners sign and return a copy to me.

I very much appreciate the confidence you have placed in BRC and look forward to continuing to work with you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Geoffrey R. Ryan'.

Geoffrey R. Ryan
Senior Vice President

GRR:ll
Enclosures

OFFICE OF THE
Handerburgh Circuit and Superior Courts

BETTY KNIGHT SMITH, CLERK
825 SYCAMORE ST. RM. 218, COURTS BLDG.
EVANSVILLE, INDIANA 47708-1886

Rick

ELECTION REQUIREMENTS, (PER ELECTION, 2 (TWO ELECTIONS))

COMPUTER BALLOT TABULATION SYSTEM
FULLY REDUNDANT-MUST PROCESS 2,000 BALLOTS PER MINUTE.

<u>QUANTITY</u>	<u>DESCRIPTION/PRODUCT</u>
1 SET PER VOTING DEVICE 700 SETS	OFFICIAL BALLOT PAGES ALL BALLOT PAGES TO BE PRINTED AND ASSEMBLED INTO THE COUNTY'S BALLOT FRAMES WITH PUNCHED MASKS AND DELIVERED READY FOR INSERTION INTO VOTE RECORDERS.
3,340	SAMPLE BALLOTS/FLAT SHEET STYLE (20 PER-PRECINCT)
6,680	OFFICIAL ABSENTEE VOTER BALLOTS/FLAT SHEET STYLE (40 PER PRECINCT)
110,000	OFFICIAL BALLOT CARDS WITH PRECINCT I.D.
10,000	OFFICIAL BALLOT CARDS WITHOUT PRECINCT I.D. ALL BALLOT CARDS WILL BE STITCHED IN PADS OF FIFTY (50) AND SHRINK WRAPPED.
170	PRECINCT KITS WITH ALL NECESSARY FORMS.
1	CLERK'S KIT



**LEASE AGREEMENT FOR
VANDERBURGH COUNTY, INDIANA
January 31, 1994**

Business Records Corporation agrees to lease to the Vanderburgh County Commissioners a PC Ballot Tabulation System and Ballot Tabulation programs for 1994. The Lease Agreement includes the services necessary to conduct your 1994 Primary and General Elections.

The equipment and software to be leased are as follows:

	<u>Quantity</u>
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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 on-site election day support from the closing of the polls until all ballots have been tabulated.

The annual lease price is \$25,500 payable within 30 days of receipt of invoice.

ACCEPTANCE:

Lease for 1994 Primary and General Elections - \$25,500 annually.

Agreed to and entered into this ____ day of _____, 1994 by:

Vanderburgh County Commissioners

Business Records Corporation


Signature



AGREEMENT FOR CONTRACT
 January 31, 1994

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:

700	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.	\$17,500.00
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10,000	Official Ballot Cards w/o Precinct I.D. @ \$125/M All Ballot Cards will be stitched in pads of 50 and shrink wrapped.	1,250.00
170	Precinct Kits with all necessary forms @ \$35.00	5,950.00
1	Clerk's Kit	125.00
	Total:	\$43,484.80

The County agrees to pay to Business Records Corporation upon receipt of invoice, the amount of \$43,484.80 (\$260.39 per precinct) for the May 1994 Primary Election, and \$43,484.80 for the November 1994 General Election.

All supplies and services for both elections are FOB point of origin. Prices are firm for 60 days.

Agreed to and entered into this _____ day of _____, 1994 by:

Vanderburgh County Commissioners

Business Records Corporation



 Signature

CHILD SUPPORT FEE TOTALS

1989.....	\$23710.00
1990.....	\$14050.00
1991.....	\$14612.00
1992.....	\$16909.00
1993.....	\$49392.00
1994.....	SEE BELOW
Jan 1-Dec 31, 1993	\$49392.00
less mailing costs	-\$ 5307.00
and envelopes	- 540.00
NET PROFIT	\$43545.00*

*net profit returned to the county general fund

TOTAL CASES

Total accounts ; (as of Dec 23, 1993)	18,836
Total active account ;	13,446
Active/with proper address :	6,385
active/without proper address ;	7,061
Total Non-Active account ;	5,390
Jan 1 -Jan 31.....	\$34032.50
less mailing cost	-\$ 1565.00
and envelopes	- 250.00
NET PROFIT	\$32217.50

As you are aware it is mandatory that the County Clerk collect the handling fee from all child support payors. As clerk I intend to collect this handling fee.

This year we have targeted the active cases with proper addresses, and the employers to withhold the fee from wages. We have had tremendous response from the employers about withholding the fee from the wages.

Around the 1st of April we will be filing small claims (50 at a time) against the payors that haven't paid the handling fee. All money less the mailing expenses is returned to the County General Fund.

As a result of this mass mailing we have had a tremendous amount of information updated in our files that should have been taken care of quite some time ago. (some of our clients cases should have been closed 20 years or more ago) We have acquired new addresses, phone numbers, etc.

Cases were closed due to the emancipation of children, deaths of parents and/or children, marriage or remarriage of the parents.



Betty Knight Smith
County Clerk



VANDERBURGH COUNTY COMMISSION
STATE OF INDIANA

RICHARD J. "RICK" BORRIES
7517 TAYLOR CIRCLE
EVANSVILLE, INDIANA 47715
812-477-4514

COMMISSIONER

January 31, 1994

Frank F. McDonald II, Mayor
City of Evansville
One N. W. Martin Luther King Blvd.
Evansville, Indiana 47708-1833

Dear Mayor McDonald, *Frank*

You have set some specific, clear guidelines to ensure an impartial evaluation of all riverboat gaming proposals seeking a license in Evansville. One of your guidelines refers to a conflict of interest form declaring that neither the member or any family member can have a direct or indirect financial interest in a gaming entity.

It has come to my attention that I could have a potential conflict or what some could perceive as one, because I have worked at Ellis Park as a mutuel employee. Also, I understand that Ellis Park has submitted a proposal with another firm. Since I was first elected as a Commissioner, I have worked only a few days to maintain my seniority status. In fact, during 1993, I worked a total of two days.

I do not want my service on the board to be an obstacle in this important process and I have spoken with you about this matter. Accordingly, I will resign from the committee and request that Pat Tuley take my place as a representative from the Vanderburgh County Commission. Thank you for your consideration and I appreciate the chance to have been a part of this important work.

Sincerely,

Rick

Richard J. Borries
Commissioner, Vanderburgh County



NOT PRINTED AT GOVERNMENT EXPENSE



ROLM USED EQUIPMENT LIST

- 91 - Rolm 240 sets
- 8 - Rolm 400 sets
- 2 - Rolm Operators Consoles
- 307 - Single Line 2500 sets

*declared surplus
to be sold.
11/31/94*

VANDERBURGH COUNTY HIGHWAY DEPARTMENT
PROGRESS REPORT
FRIDAY, JANUARY 21, 1994 THRU THURSDAY JANUARY 27, 1994

FRIDAY, JANUARY 21, 1994

All crews ran snow routes until 5:00 p.m.

SATURDAY, JANUARY 22, 1994

All crews ran snow routes.

MONDAY, JANUARY 24, 1994

Gradall and one crew picked up salt and worked on Cemetary Road and Buente Road.

Two tree crews worked on Selzer, McCutchan and St. Wendell Rd.

Two patch crews worked on Harmony Road and St. Joe Ave.

Two crews removed slush on Commercial Ct, Hobart, Lexington, Glenview, Motz, Acre, Maasburg, and Burdette Park.

One crew cleaned trucks.

TUESDAY, JANUARY 25, 1994

Two tree crews worked on work orders.

Two patch crews worked on work orders.

One crew removed slush on Vogel Road.

Three trucks hauled sand to yard.

One crew cleaned trucks.

WEDNESDAY, JANUARY 26, 1994

Gradall and one crew replaced driveway culvert at 901 Agathon.

Gradall and one crew cleaned and straightened ditch line at 7828 #6 School Road.

Two patch crew worked on work orders.

Tree crew worked on Westmore Drive.

One crew worked on work orders.

THURSDAY, JANUARY 27, 1994

Gradall and one crew worked on culvert at 901 Agathon.

Trash crews ran regular routes.

Gradall and one crew removed plow and spreader from #31 and repaired fence gate.

Two crews worked on mailboxes damaged during snow.

Two tree crews worked on Raintree Drive.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, JANUARY 21, 1994 THRU THURSDAY, JANUARY 27, 1994

FRIDAY, JANUARY 21, 1994

All crews worked snow routes, hand salting and sanding bridges.

SATURDAY, JANUARY 22, 1994

All crews worked snow routes, hand salting and sanding bridges.

MONDAY, JANUARY 24, 1994

Crew #1 - clean drains in Strawberry Hill and Shady Valley.
Crew #2 - clean drains in Evergreen Acres.

TUESDAY, JANUARY 25, 1994

Crew #1 - cleaned weep holes on bridges on Westside.
Crew #2 - cleaned weep holes on bridges on Northeast side.

WEDNESDAY, JANUARY 26, 1994

Crew #1 - installed culvert at 901 Agathon.

THURSDAY, JANUARY 27, 1994

Crew #1 - install pipe on Agathon.
Crew #2 - finish repair, clean weep holes on bridges, help with installation on Agathon.



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for January 31, 1994

1. Covered bridge certification ✓ *RBDH*
2. Acceptance of Vogel Road and payment of retainage ✓ *RBDH*
4. Road design plans for Brookview Section E2 ✓ *RBDH*

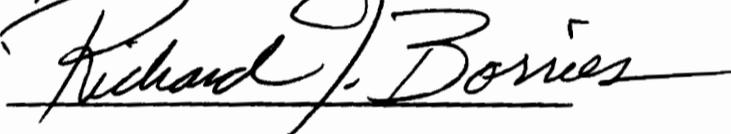
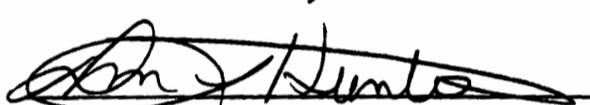
COVERED BRIDGE CERTIFICATION

Vanderburgh COUNTY

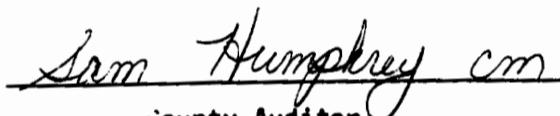
Number of covered bridges per IC 8-14-1-10. 0

We, the undersigned commissioners of the said county, hereby certify that the foregoing is the true number of covered bridges in said county per IC 8-14-1-10.

Dated this 31st day of January, 19 94.

County Commissioners


County Auditor

Due by June 15.

Mail to:

Settlement Deputy
240 State House
Indianapolis, IN 46202

Note: We have an administrative advisory letter to clarify IC 8-14-1-10, (...the number of covered bridges located on the county's road system; ...). It says "Since a county road system includes the road's right-of-way, any covered bridge in Indiana located on county road right-of-way is eligible for the  appropriation, even if not currently in use by traffic."

VANDERBURGH COUNTY ENGINEERING DEPARTMENT
Old Courthouse, Suite 307
201 N. W. Fourth Street
Evansville, IN 47708

DATE: JANUARY 31, 1994

435-5773

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

RE: Acceptance of Street Improvements VOGEL ROAD, EXTENDED

Dear Commissioners:

The undersigned have made an inspection of the subject Street Improvements on 1-28-94. These Street Improvements were constructed/finished on/by DECEMBER 1993. This street was constructed with Concrete in accordance with the approved plans.

The following is a summary of the length of the completed street

STREET	WIDTH B/C TO THE B/C	ROW	LENGTH
VOGEL ROAD EXTENSION, INCLUDING BRIDGE OVER STOCKFLETH DITCH	41 FEET	60 FEET	1975 L.F.

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.

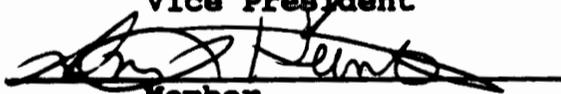
Respectfully,

Accepted for Maintenance by the
Board of County Commissioners


Vanderburgh County Engineer


President


Vice President


Member

cc: Decem Investments
BLA
Concrete Pavers
Highway Department
INDOT
Road File

NOTICE OF PUBLIC HEARING
RE
COUNTY ROADS
MONDAY - APRIL 4, 1994
5:30 P.M.

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana will conduct a Public Hearing at 5:30 p.m on Monday, April 4, 1994 in Room 307, Civic Center Complex, Evansville, Indiana.

PURPOSE OF SAID HEARING is to give County residents an opportunity to voice their concerns regarding the various County roads.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

Pat Tuley, President

Richard J. Borries, Vice President

Don Hunter, Member

County Auditor
Sam Humphrey

Alan M. Kissinger
County Attorney

* * * * *

PUBLICATIONS: The Evansville Courier &
 The Evansville Press

PUBLICATION
DATES: Monday - February 28, 1994
 Monday - March 21, 1994

NOTE: This is copy of AMENDED AD.....only change was the addition of the last sentence concerning input from the public as to what they want to do with this County-owned facility....as per discussion with the Commissioners following the 1/31/94 meeting.

J. Matthews

COPY

NOTICE OF MEETINGS
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA
AND
AUDITORIUM TASK FORCE
MONDAY - FEBRUARY 7, 1994

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana will hold an **Executive Session** at 4:30 p.m. on Monday, February 7, 1994 at the Vanderburgh Auditorium & Convention Center at 715 Locust Street, Evansville, Indiana, rather than in Room 307, Civic Center Complex as previously advertised. Purpose of said meeting is to discuss Pending Litigation and Personnel Matters.

The Board of Commissioners will hold their **regular weekly meeting** at 5:30 p.m. on Monday, February 7, 1994 in the Gold Room at the Vanderburgh Auditorium & Convention Center.

The **Auditorium Task Force** will meet at 7:00 p.m. in the Gold Room at the Vanderburgh Auditorium & Convention Center, following the regular meeting of the Board of Commissioners. Purpose of said meeting is to seek input from the public as to what they want to do with the County-owned facility.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

Pat Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member

Sam Humphrey
County Auditor

Alan M. Kissinger
County Attorney

PUBLICATIONS: The Evansville Courier &
 The Evansville Press

PUBLICATION
DATE: Wednesday - February 2, 1994

Views sought on auditorium

An advisory committee planning the future of Vanderburgh Auditorium wants to know what you think should be done with the 28-year-old building.

The Auditorium Task Force, a 25-member group that will advise County Commissioners on what they should do with the building, will hold a public meeting at 7 p.m. next Monday in the auditorium's Gold Room.

Rolland Eckels, task force chairman, said the purpose of the meeting is to find out what the public wants to do with the county-owned auditorium.

If successful, the task force may hold another public meeting before it makes a proposal to the County Commissioners in April or May, Eckels said.

County Commissioners created the task force in October after the auditorium's private management firm proposed spending \$13 million to renovate the building. The proposal would add balconies, corporate suites and a restaurant and would increase seating from 2,000 to 2,500.

Ask The Press

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 1-19-94 DEPARTMENT: HEALTH DEPT.

EMPLOYEE(S): BRET TOWNSEND

DATE(S) OF TRAVEL: FEB. 2, & 3, 1994

DESTINATION: INDIANAPOLIS, IN

PURPOSE: ON SITE SEWAGE DISPOSAL SYSTEM WORKSHOP

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: YES

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: 871
OTHER: _____

REIMBURSEMENT CLAIMED

Mileage *To Be PAID for Dept.* _____ Parking _____
 Per diem *PAID Health Dept.* _____ Registration _____
Air fare *Health Dept.* _____ Other _____

APPROVED: *[Signature]*
Department Head

APPROVED: *[Signature]*
Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 31st day of January ¹⁹⁹⁴ ~~1993~~

[Signature]
PATRICK TULEY, PRESIDENT

[Signature]
RICHARD J. BORRIES, VICE PRESIDENT

[Signature]
DON L. HUNTER, MEMBER

MONTH ENDING--DECEMBER 1993

VANDERBURGH COUNTY TREASURER

CHARGES:

1. TOTAL TAXES COLLECTED	\$889,866.28
2. FINANCIAL INSTITUTION TAX	
3. INNKEEPERS TAX	
4. CASH CHANGE FUND	\$500.00
5. CERTIFIED TO CLERK	\$14,006.29
6. DEMAND FEES	\$52.00
7. DELINQUENT WEED	\$2,301.00
8. DRAINAGE ASSESMENTS	\$248.24
9. BOAT EXCISE TAX	
10. GROSS INCOME TAX	\$6,356.77
11. LICENSE EXCISE TAX	
12. AIRCRAFT EXCISE TAX	
13. AUTO RENTAL EXCISE TAX	
14. SEWAGE COLLECTIONS	\$648.11
15. TAX SALE - ADVERTISING	\$50.00
16. TAX SALE - ATTORNEY	
17. TAX SALE - TITLE SEARCH	
18. TOTAL BALANCE OF LEDGER ACCOUNTS - CASH	\$15,566,940.12
19. TOTAL BALANCE OF LEDGER ACCOUNTS - INVESTMENTS	\$3,428,980.71
20. TOTAL CHARGES	----- \$19,909,949.52

CREDITS:

21. DEPOSITORY BALANCES AS SHOWN BY DAILY BALANCE OF CASH AND DEPOSITORIES RECORD	\$499,009.19
22. INVESTMENTS AS SHOWN BY DAILY BALANCE OF CASH AND DEPOSITORIES RECORD (COLUMN 12, LINE 38)	\$18,828,980.71
23. TOTAL CASH ON HAND AT CLOSE OF MONTH	

CURRENCY	\$7,967.00	
COINS	\$24.10	
CHECKS, MO, ETC.	\$226,086.88	
UNCOLLECTED CKS	\$873.18	
TOTAL		\$234,951.16

24.		
25.		
26. TOTAL		
27. CASH SHORT (ADD) VOLPE (\$346939.30) BLAND (\$69.16)		\$347,008.46
28. CASH LONG (DEDUCT)		
29. PROOF		----- \$19,909,949.52 \$19,909,949.52 -----

RECONCILEMENT WITH DEPOSITORIES

30. BALANCE IN ALL DEPOSITORIES PER DAILY BALANCE RECORD (#21 ABOVE)	\$499,009.19
-------------------------------------------------------------------------	--------------

31. OUTSTANDING WARRANTS (DETAILED LIST BY DEPOSITORIES)		\$1,592,816.77
32. BALANCE IN ALL DEPOSITORIES PER BANK STATEMENTS (DETAILED LIST)		\$2,097,242.16
33. DEPOSITS IN TRANSIT	01/02/94	\$233,577.98
34. ADJUSTMENTS		(\$5,416.20)
35. PROOF		\$2,091,825.96
		\$2,091,825.96

ANALYSIS OF CASH ON HAND AT CLOSE OF MONTH:

(A) CASH CHANGE FUND	\$500.00
(B) RECEIPTS DEPOSITED IN DEPOSITORIES	\$233,577.98
(C) UNCOLLECTED ITEMS ON HAND	\$873.18
(D) TOTAL (MUST AGREE WITH # 23)	\$234,951.16

DEPOSITORY BALANCES AT CLOSE OF MONTH

	BALANCE PER BANK STMT	ADJUSTMENTS	OUTSTANDING CHECKS	BALANCE PER DAILY BALANCE OF CASH AND DEPOSITORIES
OLD NATIONAL BANK	\$2,967.18			\$2,967.18
CITIZENS NATIONAL BANK	\$2,007,723.75	(\$5,416.20)	\$1,513,496.96	\$488,810.59
NATIONAL CITY BANK	\$7,226.42			\$7,226.42
INB	\$79,324.81		\$79,319.81	\$5.00
TOTAL	\$2,097,242.16	(\$5,416.20)	\$1,592,816.77	\$499,009.19

SCHEDULE OF UNCOLLECTED ITEMS ON HAND

DATE ORIGINALLY RECEIVED	RECEIVED FROM	FOR	DATE RETURNED	RETURNED BY	REASON FOR RETURN	AMOUNT
12/7/93	MASON BROTHERS	HEALTH DEPT	12/29/93	CITIZENS	NSF	\$6.00
12/13/93	VILLAGE SALOON	TAXES	12/28/93	CITIZENS	NSF	\$867.18
TOTAL						\$873.18

**MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 7, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:50 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes	1
Personnel Policies Handbook for County Employees	1
(Rough Draft submitted for Preliminary Review; several sections are still being discussed)	
Data Processing/Richard Cappelletti	3
Software Licenses & Services Agreement/Software Partners 32	
Resolution of Intent re Refunding of USI Overpass & Union Township Overpass Bonds	4
Agreement with Traub, Inc.	4
County Attorney/Alan Kissinger	4
Offer of Settlement/Warren Hawkins vs. the County & The City (County Share is 1/2 or \$250) County vs. Romain (Settled for total of \$4,800) Judgment Entry has been filed and recorded Union Grievance/Roger Hall (Denied)	
Superintendent of County Buildings/Mark Abell	5
Quietused Checks (Copies given to Secretary) ADA (Update from Rehab Center requested every two months or so; M. Abell to set up w/Rehab)	
County Highway/Bill Morphew	5
Weekly Progress Report Flooding/Union Township Roads; B. Morphew to check at Purdue Rd. School for new technology, etc.; also to contact Army Corps of Engineers ADA (County Garage is in Compliance) Widening of Doors at County Garage (possibility of 13 ft. width suggested)	
County Engineer/John Stoll	8
Lease Agreement with Old Courthouse Preservation Society Amended Stop Sign Ordinances/Stop Intersections (A. Kissinger to prepare)	
Consent Agenda (approved)	8
Scheduled Meetings	8
Public Road Hearing (April 4, 1994 @ 5:30 p.m.) Executive Sessions (February 22 and February 28, 1994)	
Old Business	9
Signing of Agreement re SWRHC Signing of Contract with Business Records re Election Equipment	
New Business	9
Acceptance of Check from Blue Cross/Blue Shield (Refund in amount of \$21,838.92; given to M. Abell to be quietused into County Insurance Account)	
Meeting adjourned @ 7:05 p.m.	9

MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 7, 1994

The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Monday, February 7, 1994 in the Gold Room at the Vanderburgh Auditorium following an Executive Session.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

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

RE: APPROVAL OF MINUTES

Commissioner Tuley said the secretary has advised there are no minutes for approval tonight.

RE: PERSONNEL POLICIES HANDBOOK FOR COUNTY EMPLOYEES

Mr. Tuley 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 this evening's agenda. He does know that Mr. Kent Irwin of Waggoner, Irwin, Scheele & Associates is here this evening. He then recognized Mr. Kent Irwin.

Mr. Irwin said that for the last three months or so they have been working with a committee of County officials to update and revise the Personnel Policies Handbook for the County. They have met on three or four different occasions and developed some policies. They looked at the past policy and some of the practices that are in place and have tried to put together a fairly comprehensive document which they are presenting to the Commissioners this evening for their preliminary review. This is not a final document. There are several sections still being discussed. Some will need further discussion among the Commissioners and Legal Counsel. He would like to say that the committee has given considerable hours of their time and effort to develop this handbook. The committee includes the following:

Jane Berry-Bland, County Treasurer
Betty Hermann, County Recorder
Bill Morphew, County Highway Superintendent
Sandie Deig & Rick Jones, County Council
Mark Tuley, Burdette Park

Attorney Kissinger has been able to set in on a couple of sessions and has provided many good suggestions and revision as we've gotten to this point. The document is fairly lengthy. We're now up to 50 some odd pages. We tried to hit the major new employment laws and regulations, including the Americans with Disabilities Act, the new Family Medical Leave, blood work pathogens -- just several new things that have come to pass here during the past year from the Federal and the State levels that we need to address as County officials in the employment setting. He presents this draft to the Commissioners tonight for their review and will be getting back to schedule further discussion and meetings -- especially with Alan and members of the negotiating team that are working on the contract now with the highway department and some of the other workers represented under that agreement, so that we'll have some standardization, if you will, amongst some of the policies that

impact all employees. As he said, this has been a fairly lengthy process and the work of the committee has really been excellent. He would like to thank those members who have participated in giving of their time and will continue to do so as this is implemented. He thinks once we get down the road and it is a document that is formally adopted by the Commissioners, that there will then be the need for supervisor training in the distribution of the document and its application in the future. That is kind of a nutshell summary of what has come to pass so far. If the Commissioners have any questions this evening he would be glad to address them and he realizes they will be getting back with the Commissioners at a later date for final approval.

Commissioner Tuley said he knows that in addition to the committee that Mr. Irwin and his staff, everybody has worked real hard to bring this thing together. There are so many aspects -- legal stuff, Federal laws and State laws, local policies and stuff -- that in tying this altogether involves a lot of work. He sat through a few minutes of it today and it sounded as though they were getting a lot of input from those people working with him -- and that is good to see, because they are the ones who have to live with it. Mr. Tuley entertained questions or comments from the other Commissioners.

Commissioner Borries said he thinks it is literally light years ahead of where we were before. It still maintains the County's structure of allowing officeholders to hire the persons that they wish to hire; but it addresses the modern times. Frankly, we've been operating with a very horse-and--buggy mentality, he thinks, when it comes to employees and employee rights. So this is really, in his opinion, an important step forward and it certainly standardizes things from a legal standpoint and begins to place us on more firm ground when it comes to the various complexities we face in today's age. He wants to commend Mr. Irwin for reviewing this. Does he have any deadlines?

Mr. Irwin said he wants to get with Alan Kissinger later to see what his time table is with his negotiations. Mark had mentioned some things earlier that we will probably need to match up with various policies so they are copasetic, if you will, with what you are doing in negotiation. He would say within the next couple of months anyway -- so that training can occur, the handbook becomes an orientation manual for new hires -- and especially if there are any policy changes between what we are doing now and what we do in the future -- that people are properly notified that this is going to be happening.

Commissioner Hunter said he wants to commend Kent Irwin on this. He thinks originally we started out so we would be in compliance with ADA and it looks as though we've gone considerably beyond that point - at least in a lot of areas. He knows that during the three years he's been around there have been some gray areas that we were not comfortable with. Rick said we were in the horse-and-buggy days and it looks like now we have a lot of things spelled out where we can feel more comfortable, our Legal Counsel can feel more comfortable, and I think the employees will know where they stand.

Mr. Irwin said Mr. Hunter did trigger one thought. He doesn't think he mentioned before the Commission as a whole, in a formal way, but the past summer brought on the completion of the essential functions and statements for each of the jobs in the County, new job descriptions for all jobs -- both non-union and union positions, as well as an ADA form and handbook to follow for making reasonable accommodations of several new forms and processes that were all shared with the elected officials and department heads during training sessions. So all of this ties together and he thinks Vanderburgh County has an excellent foundation now to really do a lot in the way of having a comprehensive personnel system for the future. It is a matter of a building block for how we want to

proceed later on.

Attorney Kissinger noted, "Even from our two-page to our twelve-page job application.

Mr. Irwin noted that's what Sam Elder said. We went from the City and County having a two page job application to twelve pages -- so we've covered from soup to nuts on this thing.

Commissioner Borries said he heard Bill Ruckelshaus (the CEO of BFI now) who was in last fall to talk with their students -- you even look at some of the laws the legislature passes regarding fishing licenses and what you can do within certain feet of such and such -- we get to a point where we're not seeing less government, we're seeing more government -- and that is exactly what Don points out and what we reflect right here. We're seeing more law, more complexity, and when you get a legislature that likes to micro-manage every little law -- how many breaths you can take in a certain whatever (I'm being a little facetious there) -- but you look at some of these laws and how little, bitty narrow kinds of areas they focus in on -- unfortunately, we're not going to see less government, I'm afraid. And it's carrying over in this. He guesses his other comment is either directed to Mark or to Kent -- at one time the Rehab Center was doing a portion of the ADA. He's kind of lost track of that. Are they doing their portion of this?

Mr. Abell responded, "Absolutely. We contracted with them to do a certain aspect that pretty much comes right up to where this firm takes over. What they are doing is more of an internal check of different programs that each department operates and how to make that actual department accessible to the public. Whereas, Kent's firm is dealing more with the nuts and bolts and the employment section. Hopefully, we come right up next to each other without having a gap area."

Mr. Borries said the Commissioners have received periodic reports from Kent. But he's lost track of the other group.

Mr. Tuley said the only thing he can assume is that since Mark is named the ADA Manager, so to speak, they are dealing directly with him.

Mr. Abell said, "Oh, yes. Absolutely. At some point -- what they are doing is more difficult and all encompassing -- they are dealing with each individual facility we have -- each department we have -- and the functions within that department. And that's a lot. There are forty departments; there are twelve different facilities. When they get that amassed and put into a form that makes sense, then they will come forth and do this, as well. But they are just not done yet."

Mr. Irwin said it is noted that Mark is designated as the ADA Coordinator. Grievances go to him; all the complaints, etc., go to him as part of our overall policy.

Mr. Abell said that is also posted.

RE: DATA PROCESSING - RICHARD CAPPELLETTI

Software Licenses & Services Agreement/Software Partners 32: Mr. Cappelletti said this product was reviewed by the Data Board on January 25th and their recommendation is for the Commissioners' signature. This will be presented to the Board of Public Works on Wednesday morning for their signatures, as well.

Mr. Borries asked if we've heard from Roger Elliott in Arizona?

Mr. Cappelletti said we have. There was some talk about golf and swimming and.....

Motion was made by Commissioner Borries that the aforementioned agreement be approved. Seconded by Commissioner Hunter. So ordered.

RE: RESOLUTION RE REFUNDING OF USI OVERPASS AND UNION TOWNSHIP OVERPASS BONDS

Attorney Kissinger said he has been in communication with Ice, Miller, Donadio & Ryan (the law firm we used in 1988 in the process of issuing the USI Overpass and Union Township Overpass project bonds). The first step for the County Commissioners to take if we are going to refinance or refund these present bonds so that we can take advantage of a lower interest rate is a Resolution of Intent, specifically in reference to our intent to refinance or refund the bonds and our retention of bond underwriters, financial advisor and legal counsel for the refunding. This is that Resolution and represents the first step in the process of refunding. It is not a commitment, as such, but it certainly is the first step which will allow the initial numbers to be put together so that we can be advised as to whether or not the refinancing is, in fact, going to be of financial benefit to us. Everyone that he's talked with certainly believes that is going to be so. So this is the Resolution he has prepared for that purpose and he recommends that the Commissioners give it favorable consideration.

President Tuley entertained comments or questions. There being none, a motion was entertained.

Motion that President Tuley sign the Resolution was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Commissioner Tuley noted there is also an agreement with Traub for approval.

Attorney Kissinger said he thinks it totally appropriate to go ahead and approve that agreement, in consideration of the fact we indicated we would retain them if we refund or refinance. Once again, Traub is the underwriter that was used in 1988 when the bonds were issued.

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

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Offer of Settlement/Warren Hawkins vs. the County & The City:

Attorney Kissinger reported there has been an offer of settlement made in the case of Warren Hawkins vs. the County and the City. The offer of settlement is that there would be given to the City and the County a complete release of any liability and that the City and County would contribute fifty percent (50%) each toward a total \$500 settlement. In other words, the County is being asked to pay \$250.00 toward the settlement of this case. As he pointed out to the Commissioners previously, it would probably cost that much for one trip for him to the Indiana Department of Corrections to take depositions. He recommends that the Commissioners authorize that settlement.

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

County vs. Romain: Attorney Kissinger said this was a condemnation case. He received authorization to settle this case (in July or September of last year, he believes). Because of communication problems which ultimately were worked out, this case has been settled for a total of \$4,800. The Judgment Entry has been filed and it has been recorded in the office of the Vanderburgh County Recorder.

Union Grievance: Attorney Kissinger said there was a union grievance heard at an Executive Session of the County Commissioners some weeks back in reference to Teamster member Roger Hall. He's reviewed his notes and made other inquiries in this case. It is his recommendation that the Commissioners deny that grievance.

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

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Quietused Checks: Mr. Abell said he has copies of some checks they quietused in and he'd like to give same to Joanne Matthews and make that part of the record.

ADA: Mr. Abell said he was thinking that on this we probably should have some kind of presentation every six (6) months or something like that from the Rehab Center.

Mr. Tuley said it would be nice to have an update and let them tell us where they are on this program.

Mr. Abell said he knows where they are -- but

Commissioner Hunter said he knows they are working on this -- but he hasn't heard anything.

Mr. Abell said it might not be a bad idea to have an update if this is what the Commissioners want. He can set that up.

It was the consensus of opinion among the Commissioners that perhaps we should have an update every two (2) months or so.

RE: COUNTY HIGHWAY GARAGE - BILL MORPHEW

Weekly Progress Report: Mr. Morphew submitted the Weekly Progress Report for period of January 28, 1994 thru February 3, 1994report received and filed.

Flooding/Union Township Area: In response to comment from Commissioner Borries concerning the recent flooding, Mr. Morphew said the water is beginning to recede. They spent all day on Old Henderson Rd. It is mess and is going to need quite a bit of work. Some of the road has disappeared.

Mr. Borries said he has a gentleman who is a school bus driver who always gives him periodic reports about Union Township -- so he always knows what's going on. He brings up this eternal problem -- he doesn't know how else to describe it -- one guy has now written the newspaper -- about the firm that has heavy trucks on this road. Mr. Borries said the Catch 22 is that he doesn't think we have any load limits down there. He thinks the other problem is that we have to provide access for a business to get in and out. The residents always complain and we understand that -- but at times we have had a frost free law on the books. We'll have to go back and look. But there may be times if things get thawed out too quickly -- we may need to look at that and restrict access at certain times, because we can't just lose the whole road. On the other hand, he guesses they have to get to their business down there. But he knows there have been times when this Board has considered temporarily suspending access until things stabilize down there. Mr. Morphew will have to provide the Board with recommendations on that. But he has heard some concerns this year about Old Henderson Rd.

Mr. Morphew said they were going to wait until the water receded and they got some mud and debris off the road (which is what they are doing today). There are several large areas on Old Henderson Rd. right by the Boat Club and Bayou Creek area that have gone soft

and full of large potholes. They were confronted with the problem last week. Visually you could see the water pumping and the road was being destroyed. They got the Sheriff's Department to come out and check for overweight trucks and got with the County Engineer's Department to see if there were load limits on the road and load limits on the bridges on Nurrenbern Rd. -- something we could do to perhaps slow the truck traffic or anything we could do to save the road. It looks now like we'll have to go in and conduct a study and basically rebuild that road.

Mr. Tuley asked how many roads we have down there in the same category when the river comes up -- and the roads are so low to start with. He keeps hearing about Cypress-Dale and he knows the County Highway has done a lot of work building ditches, etc., to keep the water from being a real problem.

Mr. Morphew said he can't give a mileage point, but we have approximately five (5) black asphalt roads there and there are several gravel roads. The latter will dry out and they simply grade and rock those roads. But it is going to be a continuing problem.

Mr. Borries said he doesn't know what the solution is.

Mr. Tuley said he doesn't know that there is one because of the location and the rising water.

Mr. Morphew said the rising water has a lot to do with it, especially in view of the winter we've had. The water would just get over the road a couple of inches, then it would freeze. Due to expansion, it was destroying the road. The section of Old Henderson Rd. between Cypress-Dale and Tekoppel Avenue is the section that is being destroyed from truck traffic. That is where the trucks are hauling out of the yard right there at the Dogtown yard. The rest of it is being destroyed by water. As he said, they were down today and they're moving debris and mud off the road and getting photos. He was in a hurry this afternoon because of several meetings and didn't bring the pictures with him. He thinks we should ask FEMA for some money to go back in and repair the road. We have a couple of areas down by Camp 28 where the road has washed away and we're going to have to go back in and rebuild that section of the road. This was also done three years ago.

Commissioner Tuley asked if Mr. Morphew is going to attend the Purdue Road School.

Mr. Morphew said he'd thought about it.

Commissioner Hunter said we're going to have to do something down there. Maybe when Mr. Morphew attends the road school he can ask if there is any new technology. There have to be other areas in other counties along the east and west fork of the White River and various places that deal with similar problems. See if there is any technology since we're going to have to spend money to put it back -- and see if it can be done in fashion that won't wash out on us quite so quickly.

Mr. Morphew said one of the things they've thought about -- but not voiced too much or maybe gone to the right people -- is that when Old Henderson Rd. was built years ago -- when the concrete was laid, there is a curbing or wall on each side of the road that goes down approximately 18 inches to 24 inches. The concrete portion of Old Henderson Rd. has been there for years and years and has sustained little damage compared to the asphalt portion. With the freezing and thawing, he guesses the barriers are keeping everything intact. The concrete section is not tearing up the way the asphalt section is.

Mr. Hunter said he drove it one day and it is in good shape,

considering the number of years it has been there. Of course, it hasn't had heavy usage either.

Mr. Morphew said it is his understanding this was the main road when the ferry was down there before the bridge was built. So the road has held up all these many years with the various types of traffic on it.

Mr. Hunter suggested we ask the experts up at Purdue whether they have any solutions to our problem. This has to be a recurring problem in a large portion of Indiana.

Commissioner Borries said Mr. Morphew or Mr. Stoll can also contact the U. S. Army Corps of Engineers -- particularly since as you go farther south (even past Tekoppel) -- anytime it gets near the river road. We always have a dispute over the river and who controls it and everything else. But the bank and who is in charge of bank stabilization and thereby protecting our roadway near there -- but this is a group we need to stay in contact with. The tendency from the Federal level is to kind of shirk responsibility for it -- but it is his understanding it is a national waterway and they do have responsibility for it. So they should be able to provide us with some direction as to what needs to be done there.

ADA: Mr. Morphew said the Board was discussing ADA a few minutes ago. The liaison for the County Highway is Mr. Jack Crawford, who sits in on the ADA meetings. The information that he has brought back to the County garage has been very helpful. The County Highway Department has fulfilled their requirements in so far as the ADA. They do have a handicapped parking area that is striped off at the proper dimensions. It is posted as handicapped. The building entry is accessible to the handicapped. The door tensioning devices have been adjusted to allow for the handicapped. So as of now the County Highway is in compliance with the ADA.

Mr. Abell said he wishes everybody was like Jack Crawford. He is a detail guy.

Mr. Borries said Jack does an exceptionally good job. He has also worked a lot with Tim Boisture in terms of the environmental management and the remediation that is going on out there. So he thinks he's become a very key employee in those particular areas. And we need to commend him for what he is doing -- because he's taken some responsible approaches to some key issues.

Mr. Abell said Mr. Morphew said he made the doors accessible. We need to make the doors accessible for the snowplows. He needs to ask Mr. Morphew's permission to take care of that.

Proposed Widening of Doors @ County Highway Garage: Mr. Morphew said when the County garage was built it was built with 10 ft. wide doors. For a number of years the snowplows on the front of the trucks were 10 ft. wide, which wasn't so bad -- when you consider that you drive through at an angle and the plow is at an angle. Ten years ago they went to 11 ft. plows, which made it a little more difficult to get through a 10 ft. door. We now have 12 ft. plows, which makes it even more difficult. You have to be a very good driver to get a 12 ft. plow through a 10 ft. door -- and they do it. But occasionally the doors might get tapped and as many times as they've been going in and out of the building, they've been spending money repairing the doors. He has asked Fred Howard to obtain some estimates on widening two of the three doors to 12 ft. Two estimates came in today, but he didn't have an opportunity to see what the costs were.

Commissioner Hunter suggested we look at going to 13 ft. wide doors.

Mr. Morphew said he doesn't think the government will let them go

with a plow blade wider than the road -- so we've probably reached our limit with a 12 ft. wide plow. The blades are at an angle on the truck -- so that gives us a little leeway.

Mr. Abell said there are also some structural reasons we can't go with 13 ft. wide doors.

Mr. Morpew said we could probably go 13 ft. wide at the most and it was the consensus of opinion among the Commissioners that we should look into the possibility of going with the 13 ft. wide door.

RE: COUNTY ENGINEER - JOHN STOLL

Lease Agreement with Old Courthouse Preservation Society for Offices of County Engineer: Mr. Stoll submitted the subject agreement. Attorney Kissinger has already reviewed the lease prepared for Veteran's Affairs offices and there is no problem with the lease. The amount is \$3,750 rather than \$7,500, in order to make the adjustments for the work done to the office space last summer when they moved in.

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

Amended Stop Sign Ordinance/Stop Intersections: Mr. Stoll said we need to amend the Stop Sign Ordinance to include eight (8) more intersections and delete one intersection.

Mr. Borries asked if we're okay on the new Vogel Rd. Extension.

Mr. Stoll said that all of the stop signs have already been approved on that. In the interim, we've also had 30 mph speed limit signs installed (last week). He's requested a speed study. Hopefully, we'll get the results of that soon. If changes are needed, we can do that at a later date. In the interim, all of the stop signs have been approved by the Ordinance revised several months ago and the 30 mph speed limit signs have been installed.

RE: CONSENT AGENDA

President Tuley entertained questions concerning the Consent Agenda. There being none, a motion was entertained.

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

RE: SCHEDULED MEETINGS

Public Road Hearing: At the request of Commissioner Borries, President Tuley confirmed that the Public Road Hearing will be held at 5:30 p.m. on April 4, 1994 (to be advertised on Monday, February 28, and Monday, March 21).

Mr. Borries said he has already had a few calls and he believes he will probably receive a couple more. This will be a little tougher year.

Mr. Tuley said we have less money.

Mr. Borries said, "Could be. For our projections in the past, Sam, we have used Local Option monies to supplement. Hopefully, we will have some of that available."

Executive Sessions: Motion was made by Commissioner Borries that Executive Sessions be scheduled at 4:30 p.m. on Tuesday, February 22nd, and Monday, February 28th for purposes of discussing Pending Litigation and Personnel Matters -- and that same be advertised.

Seconded by Commissioner Hunter. So ordered.

RE: OLD BUSINESS

Signing of Agreement re SWRHC: President Tuley said that last week the Board agreed in principle to the signing of the agreement for services with the South West Indiana Regional Highway Coalition under the same provisions as those in effect in 1993. That has been approved by the Mayor. The original agreement is available tonight for signatures of the Commissioners.

Contract with Business Records: Mr. Tuley said this contract was also approved by the Board last week. The original contract is now available for signatures of the Commissioners.

Commissioner Borries said that Councilman Jerrell is here tonight. The two of them had talked and expressed concerns about whether or not this contract dealt with Business Records doing any kind of rehab on the machines known as the Votomatics. It is not in the contract.

President Tuley said what happened is that this agreement was done much like Madison County. Madison County does not have Business Records do that. They have a guy they contract with for something like \$10,000. But the discussion among the Committee was that John Hill and Suzie Kirk would go ahead and do all those repairs -- we would not contract it out -- we would do it in house. That is not addressed in this contract. So there will be no additional cost for that aspect of it. Only the cost for the necessary parts, which should be very, very minimal.

RE: NEW BUSINESS

Acceptance of Check: Mr. Tuley said that Dennis Feldhaus submitted a check in the amount of \$21,838.92 as a refund from Blue Cross/Blue Shield. They did an evaluation of our account and apparently we did not have near the expenditures out of our insurance account they anticipated. Therefore, they refunded this money. It is his understanding from talking to Dennis that it should probably be put back into the Commissioners' Insurance Account. Therefore, near the end of the year -- when we always seem to run short because people either have babies or get married when they anticipated a single plan, we can transfer it to the Council to help oversee those costs. He then gave the check to Mr. Abell to have quietused in tomorrow.

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

There being no further matters to come before the Board, President Tuley declared the meeting adjourned at 7:05 p.m.

PRESENT:

Pat Tuley
Richard J. Borries
Don Hunter
Sam Humphrey, County Auditor
Alan M. Kissinger, County Attorney
John Stoll, County Engineer
Bill Morphew, County Hwy. Superintendent
Mark Abell, Supt. County Bldgs.
Richard Cappelletti/SCT
Kent Irwin/Waggoner, Irwin, Scheele Assoc.
Pam Irwin/Waggoner, Irwin, Scheele Assoc.
Sandra Toten/Given-Spindler

COMMISSIONERS MEETING
February 7, 1994

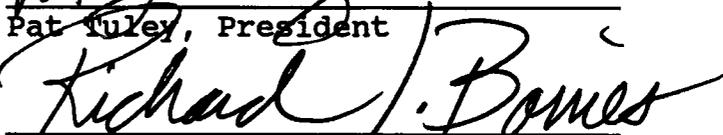
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Others (Unidentified)
News Media

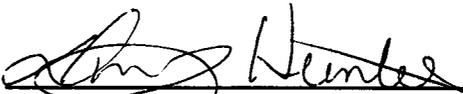
SECRETARY: Joanne A. Matthews



Pat Tuley, President



Richard J. Borries, 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
(MEETING WILL BE HELD VANDERBURGH AUDITORIUM-GOLD ROOM)**

February 7, 1994

5:30 P.M.

1. CALL TO ORDER
2. INTRODUCTIONS
3. PLEDGE OF ALLEGIANCE
4. ACTION ITEMS

FINAL

- A. Approval of Minutes — *next week*
- B. Any group/individual wishing to address the commission
- C. Richard Cappelletti/Data Processing — *app 1 RB/DH*
re: signature on a Software License and Services Agreement
with Software Partners/32 for their TT/RECON product
- D. Resolution (per Alan Kissinger) — *RB/DH Agreement Dis*
re: refunding of the USI and Union Twp Overpass Bonds

5. DEPARTMENT HEADS

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

6. CONSENT ITEMS

- A. Travel/Education Requests:
Veteran's (1) Health (1)
- B. Employment Changes:
* see attached

C. Legal Ads for Publications:

- 1) Executive Sessions/February
- 2) Public Road Hearing Dates

7. Scheduled Meetings - List attached

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

TASK FORCE AT 7:00 PM - VANDERBURGH COUNTY AUDITORIUM GOLD ROOM

COUNTY ENGINEER'S

CONSENT AGENDA

FEBRUARY 7, 1994

1. CLAIMS:

FRANKLIN ST. BRIDGE #4 203-4340	
United Consulting (Inv. #14 FINAL)	\$6,000.00

CONTRACTUAL SERVICES 203-3930	
Community Jobs Club, Inc. (Inv. #5)	\$ 60.00

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department COUNTY CLERK

1910

sd

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1600	Terri S. Pace		Ass't. Chief Deputy	22,955 00	01/31/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1600	Terri S. Pace		Ass't. Chief Deputy	24,524 00	01/30/94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Betty Knight Smith DATE 2-2-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department COUNTY CLERK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1540	Rebecca Martin			15,336 00	1-31-94
1010-1460	Paulette Aders			14,691 00	1-31-94
1010-1360	Patricia A. Patton		(6 Months raise)	15,336 00	1-31-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1460	Rebecca Martin			14,691 00	1-28-94
1010-1540	Mary E. Frank			16-852 00	1-28-94
1010-1360	Patricia A. Patton			14,691 00	1-28-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Betty Knight Smith DATE 2-2-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 263 Prosecutor PreTrial Diversion

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1990	Jana Kixmiller	501 S Weinbach #202	Extra Help	5.00 per hour	2-2-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Stanley M. Levco DATE 2-3-94
Stanley M. Levco, Prosecutor

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 505-108-C Prosecutor - Check Deception

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108C1120108C	Alicia Eaton	R#1, Box 40 New Harmony, IN	Extra Help	5 00	1-15-94 ✓

Pay hourly - Ms Eaton also on 505-108-M, Time divided - Two Time Sheets - Two Payroll Accts.

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Stanley M. Levco DATE 2-2-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH AUDITORIUM

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1440-1120	Laura Collier-Holmes	232 Brookview Evansville, IN 47711	Assist. Mgr.	19,903 00	March 1, 1994

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1440-1120	Laura Collier-Holmes	232 Brookview Evansville, IN 47711	Assist. Mgr.	18,980 78	March 1, 1994

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Sandra Jaton

DATE Feb 3, 1994

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department BUDGETE PARK

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JAN RAFFE		GRD. CREW	7 00	1-5-94
		<i>Salary approved by Council (salary order)</i>			

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JAN RAFFE		GRD. CREW	6 50	1-5-94

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tutley

DATE 1-4-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
136.1-1990	MARVIN D. BRYANT	EMP.# 05318	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓
136.1-1990	SCOTT E. GILLES	EMP.# 05506	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓
136.1-1990	EDWARD GREENFIELD III	EMP.# 05499	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓
136.1-1990	JOHN E. PAYNE	EMP.# 05498	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
505.01362 1990	MARVIN D. BRYANT	EMP.# 05318	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓
505.01362 1990	SCOTT E. GILLES	EMP.# 05506	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓
505.01362 1990	EDWARD GREENFIELD III	EMP.# 05499	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓
505.01362 1990	JOHN E. PAYNE	EMP.# 05498	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE

Feb 3, 94

JUDGE, CIRCUIT COURT

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
13701803	Debra M. Settle		Court Reporter	Other pay		1/24/94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE

2-4-94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	PATRICIA A. RHOADES	EMP.# 05473	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓
136.1-1990	CHARLEY R. PACE	EMP.# 04433	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓
136.1-1990	MATTHEW D. MATTINGLY	EMP.# 04692	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓
136.1-1990	VICTORIANO BERGONIA	EMP.# 05471	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.0136Z 1990	PATRICIA A. RHOADES	EMP.# 05473	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓
505.0136Z 1990	CHARLEY R. PACE	EMP.# 04433	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓
505.0136Z 1990	MATTHEW D. MATTINGLY	EMP.# 04692	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓
505.0136Z 1990	VICTORIANO BERGONIA	EMP.# 05471	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE Feb 3, 94

JUDGE, CIRCUIT COURT

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136.1-1990	LYNN E. UNDERWOOD	EMP.# 05170	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓
136.1-1990	KIM LAIB	EMP.# 05023	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓
136.1-1990	TIMOTHY S. PIERCE	EMP.# 05439	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓
136.1-1990	CEDRIC D. REED	EMP.# 05472	PART-TIME CORRECTION OFFICER	7.00	HR	1-16-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.0136Z- 1990	LYNN E. UNDERWOOD	EMP.# 05170	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓
505.0136Z 1990	KIM A. LAIB	EMP.# 05023	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓
505.0136Z 1990	TIMOTHY S. PIERCE	EMP.# 05439	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓
505.0136Z 1990	CEDRIC D. REED	EMP.# 05472	PART-TIME CORRECTION OFFICER	7.00	HR	1-15-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE Feb 3, 94

JUDGE, CIRCUIT COURT

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1990	TY W. WESTON		INTERN	\$4.75 HR	1-18-94 ✓
260-1980	JERRY STECKLER		OTHER		1-16-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

Feb 3, 94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
276-1990	MINDY STURGEON	EMP.# 05279	PART-TIME CORRECTION OFFICER	7.00 HR	1-16-94 ✓
276-1990	JOHN C. BAUMEYER	EMP.# 04970	PART-TIME CORRECTION OFFICER	7.00 HR	1-16-94 ✓
276-1990	STEPHEN ROTH	EMP.# 05211	PART-TIME CORRECTION OFFICER	7.00 HR	1-16-94 ✓
136.1-1990	TITUS J. TRASK		PART-TIME CORRECTION OFFICER	5.00 HR	1-16-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1990	MINDY STURGEON	EMP.# 05279	PART-TIME CORRECTION OFFICER	7.00 HR	1-15-94 ✓
505.0136Z 1990	JOHN C. BAUMEYER	EMP.# 04970	PART-TIME CORRECTION OFFICER	7.00 HR	1-15-94 ✓
505.0136Z 1990	STEPHEN ROTH	EMP.# 05211	PART-TIME CORRECTION OFFICER	7.00 HR	1-15-94 ✓
136.1-1990	NORMAN G. HOSKINSON	EMP.# 02636	PART-TIME CORRECTION OFFICER	7.00 HR	1-15-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

Feb 3 94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Prosecutor 108 al

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010108	Kelli E. Carl	451 S Ruston	Dep Pros	17,877.14 37,185.00	1-1-94 ✓
1020108	J Thomas Parker	2106 E Chandler	Dep Pros	17,877.14 37,185.00	1-1-94 ✓
1070108	Mary Margaret Lloyd	3204 Washington Ave	Dep Pros	17,877.14 37,185.00	1-1-94 ✓
1280108	Dorothy A Lindsey	4404 Nolan	ParaLeg Sec	9,691.14 20,158.00	1-1-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010108	Kelli E Carl	451 S Ruston	Dep Pros	16,927.14 34,097.00	2-2-94 ✓
1020108	J Thomas Parker	2106 E. Chandler	Dep Pros	16,927.14 34,097.00	2-2-94 ✓
1070108	Mary Margaret Lloyd	3204 Washington	Dep Pros	16,927.14 34,097.00	2-2-94 ✓
1280108	Dorothy A Lindsey	4404 Nolan	ParaLeg Sec	9,691.14 19,224.00	2-2-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Stanley M. Levco DATE 2-3-94
Stanley M. Levco, Prosecutor

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PIGEON TOWNSHIP ASSESSOR - (REASSESSMENT) al

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490- 1150-1990	JACQUELINE L. MURPHY	2416 HELMUTH	PART TIME DATA COLL.	HOURLY 7.00	2/3/94
	(STILL PD ON 2/11/94 P.R.)				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Dana Q. Fox 2/4/94
gm

February 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY																																																																																																									
		1 32/333	2 33/332 3:30pm County Council	3 34/331	4 35/330	5 36/329																																																																																																									
6 37/328	7 38/327 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Aud. Task Force	8 39/326	9 40/325	10 41/324	11 42/323 Pay Day	12 43/322 Lincoln's Birthday																																																																																																									
13 44/321	14 45/320 Valentine's Day 4:30pm Solid Waste 5:30pm County Commissioners	15 46/319 9:00am Insurance Comm.	16 47/318	17 48/317 9:00am Steering Comm. 5:00pm Pigeon Creek	18 49/316	19 50/315																																																																																																									
20 51/314	21 52/313 President's Day	22 53/312 Washington's Birthday 5:30pm County Commissioners 7:00pm Rezoning	23 54/311 3:30pm Personnel & Finance	24 55/310	25 56/309 Pay Day	26 57/308																																																																																																									
27 58/307	28 59/306 5:30pm County Commissioners 6:30pm Drainage Brd.			<table border="1"> <thead> <tr> <th colspan="7">January</th> </tr> <tr> <th>S</th> <th>M</th> <th>T</th> <th>W</th> <th>T</th> <th>F</th> <th>S</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1</td> </tr> <tr> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>6</td> <td>7</td> <td>8</td> </tr> <tr> <td>9</td> <td>10</td> <td>11</td> <td>12</td> <td>13</td> <td>14</td> <td>15</td> </tr> <tr> <td>16</td> <td>17</td> <td>18</td> <td>19</td> <td>20</td> <td>21</td> <td>22</td> </tr> <tr> <td>23</td> <td>24</td> <td>25</td> <td>26</td> <td>27</td> <td>28</td> <td>29</td> </tr> <tr> <td>30</td> <td>31</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		January							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						<table border="1"> <thead> <tr> <th colspan="7">March</th> </tr> <tr> <th>S</th> <th>M</th> <th>T</th> <th>W</th> <th>T</th> <th>F</th> <th>S</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> </tr> <tr> <td>6</td> <td>7</td> <td>8</td> <td>9</td> <td>10</td> <td>11</td> <td>12</td> </tr> <tr> <td>13</td> <td>14</td> <td>15</td> <td>16</td> <td>17</td> <td>18</td> <td>19</td> </tr> <tr> <td>20</td> <td>21</td> <td>22</td> <td>23</td> <td>24</td> <td>25</td> <td>26</td> </tr> <tr> <td>27</td> <td>28</td> <td>29</td> <td>30</td> <td>31</td> <td></td> <td></td> </tr> </tbody> </table>	March							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		
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PUBLIC NOTICE

IN ACCORDANCE WITH I.C. 3-11-1.5-27, NOTICE IS HEREBY GIVEN that Vanderburgh County election precincts have been established by Order issued and approved by the State Election Board on January 26, 1994. The effective date of the Order was January 26, 1994. Voter registration records will be altered to reflect new precinct boundaries.

The following is a list of the precincts affected:

- Ward 1 - Precincts 1, 3, 11, 12, 15, 16, 17, 18, 19, 20, 21 and 22
- Ward 2 - Precincts 5, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21
- Ward 3 - All Precincts
- Ward 4 - All Precincts
- Ward 5 - Precincts 9, 15, 16, 17, 18, 19, 20, 21 and 22
- Ward 6 - Precincts 2 thru 21
- Knight - Precincts 1, 2 and 3

Maps, legal descriptions, and the estimated voter population of the established precincts are on file in the offices of the Vanderburgh County Auditor and the Vanderburgh County Board of Voter Registration. Within forty-five (45) days of the date of this notice, copies will also be placed on file with the State Election Board.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

Pat Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member

Attest:

Sam Humphrey
County Auditor

Approved:

Alan M. Kissinger
County Attorney

* * * * *

PUBLICATIONS: The Evansville Courier
The Evansville Press

DATE: Friday - February 18, 1994



STATE OF INDIANA

EVAN BAYH, GOVERNOR

STATE ELECTION BOARD

E032, INDIANA GOVERNMENT CENTER SOUTH
302 WEST WASHINGTON STREET
INDIANAPOLIS, IN 46204-2738

PLEASE ROUTE TO:

RICK BORRIES _____

PAT TULEY _____

DON HUNTER _____

OTHER _____

J.M. for Tolbert

February 02, 1994

Board of County Commissioners
Courthouse
Evansville, IN 47732

Dear County Commissioners:

This letter is to officially notify you in accordance with IC 3-11-1.5-26 that the precinct boundaries proposed by Vanderburgh County were approved at a meeting of the State Election Board held on January 26, 1994.

The precinct changes were effective immediately. County registration officials must immediately begin altering voter registration records to reflect the new precincts.

Within 14 days following the receipt of this notice, you must publish notice of the approval (IC 5-3-1-4). This notice should include the following:

- (1) A list of the precincts affected.
- (2) The date the order was issued by the county executive (if none was issued, the date the order was issued by the State Election Board: (January 26, 1994),
- (3) The date the order was approved by the State Election Board, January 26, 1994),
- (4) The effective date of the order (January 26, 1994),
- (5) A statement that the maps, legal descriptions, and estimated voter population of the established precincts are on file for public inspection in the office of county auditor.

You should also file one copy of the maps and descriptions with the circuit court clerk or board of voter registration. A copy of the published notice must be filed with the State Election Board no later than 45 days after the notice of approval is published.

If you have any questions regarding this matter, please do not hesitate to contact our office.

Sincerely,

David H. Maidenberg
Executive Director

cc: Betty Knight Smith, Circuit Court Clerk



9041

AGREEMENT FOR CONTRACT

January 31, 1994

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:

700	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.	\$17,500.00
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
110,000	Official Ballot Cards with Precinct I.D. @ \$125/M	13,750.00
10,000	Official Ballot Cards w/o Precinct I.D. @ \$125/M All Ballot Cards will be stitched in pads of 50 and shrink wrapped.	1,250.00
170	Precinct Kits with all necessary forms @ \$35.00	5,950.00
1	Clerk's Kit	<u>125.00</u>
	Total:	\$43,484.80

The County agrees to pay to Business Records Corporation upon receipt of invoice, the amount of \$43,484.80 (\$260.39 per precinct) for the May 1994 Primary Election, and \$43,484.80 for the November 1994 General Election.

All supplies and services for both elections are FOB point of origin. Prices are firm for 60 days.

Agreed to and entered into this 31st day of January, 1994 by:

Vanderburgh County Commissioners

Michael Juley
Richard J. James
Alan Rumb

Business Records Corporation

George [Signature]
signature



**LEASE AGREEMENT FOR
VANDERBURGH COUNTY, INDIANA
January 31, 1994**

Business Records Corporation agrees to lease to the Vanderburgh County Commissioners a PC Ballot Tabulation System and Ballot Tabulation programs for 1994. The Lease Agreement includes the services necessary to conduct your 1994 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 on-site election day support from the closing of the polls until all ballots have been tabulated.

The annual lease price is \$25,500 payable within 30 days of receipt of invoice.

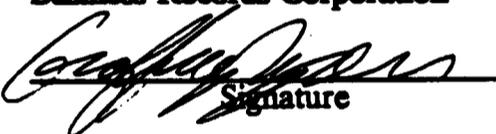
ACCEPTANCE:

Lease for 1994 Primary and General Elections - \$25,500 annually.

Agreed to and entered into this 31st day of January, 1994 by:

Vanderburgh County Commissioners

 Richard J. Bonies


Business Records Corporation

 Signature



Business Records Corporation

155 NORTH WACKER DRIVE

CHICAGO, ILLINOIS 60606-1719

(312)419-0270

February 1, 1994

The Honorable
Betty Knight Smith
Clerk of the Circuit Court
Vanderburgh County
825 Sycamore-Room 216
Evansville, IN 47708

Dear Betty:

Please find enclosed the original of the two agreements I faxed to you yesterday. Please have the Commissioners sign and return a copy to me.

I very much appreciate the confidence you have placed in BRC and look forward to continuing to work with you.

Sincerely,

Geoffrey R. Ryan
Senior Vice President

GRR:ll
Enclosures

RESOLUTION OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY REGARDING THE
REFUNDING OF U.S.I. AND UNION
TOWNSHIP OVERPASS BONDS

Whereas, Vanderburgh County has previously issued bonds for the purpose of funding the University of Southern Indiana and the Union Township overpass projects; and,

Whereas, present financial market conditions make it economically desirable to refinance and refund said bonds at a lower interest rate; and,

Whereas, it is the desire of the Board of Commissioners of Vanderburgh County to realize the potential savings to Vanderburgh County through said refunding;

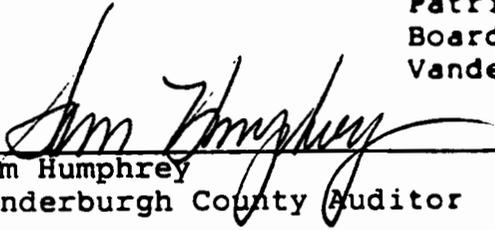
BE IT HEREBY RESOLVED, as follows:

1. The Board of Commissioners of Vanderburgh County hereby declares its intent to refinance and refund the bonds previously issued for the purpose of funding the University of Southern Indiana and the Union Township overpass highway projects;
2. The County Commissioners hereby retain Traub & Co., Inc., as bond underwriters;
3. The County Commissioners hereby retain H.J. Umbaugh & Associates as financial adviser to Vanderburgh County; and,
4. The County Commissioners hereby retain the law firm of Ice, Miller, Donadio & Ryan to work with the Vanderburgh County Attorney as legal counsel for the purpose of bond refunding.

ADOPTED this 7th day of February, 1994.



Patrick Puley, President
Board of Commissioners of
Vanderburgh County

ATTEST: 

Sam Humphrey
Vanderburgh County Auditor

APPROVED AS TO LEGAL FORM: 

Alan M. Kissinger
Vanderburgh County Attorney



"The Investment Planners"

TRAUB
AND COMPANY, INC

February 7, 1994

Vanderburgh County Commissioners
County Civic Center
Evansville, IN 47708

Gentlemen:

This letter represents a Letter of Agreement (the "Agreement") between Vanderburgh County, Indiana (the "County") and Traub and Company, Inc. and Dain Bosworth Incorporated, (the "Underwriters").

The Underwriters propose to advance refund and refinance to lower interest rates the currently outstanding Special Tax Revenue Bonds of 1989 for Vanderburgh County. In order to pursue this financing proposal further, we recommend that you grant the Underwriters the exclusive right to consult with you to formulate a definitive plan for the refinancing that best meets the needs and goals of the County and to underwrite a refunding issue should it be authorized by the County. The Underwriters will be responsible for coordinating communications with the County's bond counsel, local counsel, financial advisor, printer, escrow agent, bank trustee and other interested professionals. You agree to promptly provide the Underwriters with such documents and information as we may request in order to analyze the County's needs, develop a definitive refinancing plan and undertake the underwriting of the refunding issue. You agree to give good faith consideration to the Underwriter's proposals and at such time as the terms and provisions of such proposals and savings are acceptable to you, to allow the Underwriters to proceed with the financing project.

This Agreement will not obligate the County to any expenses from the Underwriters should the refinancing not be undertaken. In the event that the refinancing is undertaken, all expenses within the IRS guidelines will be paid from the proceeds of the bond issue.

All of the costs for our services are payable from bond proceeds, without obligating any of the County's general fund balances. We will not charge any additional fees or expenses. Our services assume that the County will pay all of the other costs of issuance normally associated with an underwriting, including county counsel, bond counsel, blue sky review, financial advisor, trustee, credit rating, insurance premium (if any), printing and distribution of the preliminary and final official statements and bonds. The Underwriters will pay all of the normal overhead expenses, including travel and internal marketing.

February 7, 1994
Page Two

The final proposal and the issuance of the refunding bonds are subject to the unqualified legal opinion of nationally recognized bond counsel. In addition, the interest on the bonds must be exempt from federal and state of Indiana income taxes and the issuance of the bonds must comply with the current rulings that have been issued by the Department of Treasury concerning arbitrage regulations in effect at the time of closing.

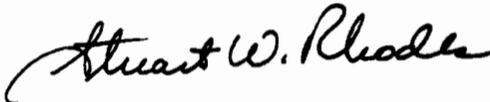
This Agreement shall extend for a period of one (1) year from the date accepted. In the event market conditions are mutually determined to be unfavorable for a refunding debt issue within this period of time, then this Agreement shall be automatically extended from month to month thereafter unless terminated by the County by delivery of thirty (30) days written notice to the Underwriters.

If the foregoing terms of this Agreement are acceptable to you and you agree to the appointment of the Underwriters, please sign this letter in the space provided below and return one copy to us.

This proposal is for your immediate acceptance.

Respectfully submitted,

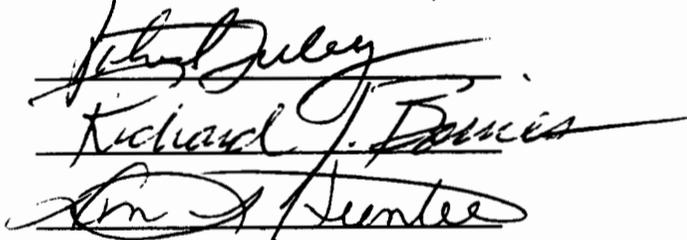
TRAUB AND COMPANY, INC.



Stuart W. Rhodes
First Vice President

This proposal is hereby accepted on behalf of Vanderburgh County, Indiana this 7 day of February 1994.

VANDERBURGH COUNTY, INDIANA



LEASE AGREEMENT

This LEASE AGREEMENT, made and entered into by and between the "OLD COURTHOUSE PRESERVATION SOCIETY, INC.," Suite 114, Old Vanderburgh County Courthouse, Evansville, Indiana, 47708, (hereinafter referred to as the "LESSOR"), and VANDERBURGH COUNTY ENGINEER, Suite 306-307, Old Vanderburgh County Courthouse, Evansville, Indiana 47708 (hereinafter referred to as the "LESSEE,")

WITNESSETH:

LESSOR in consideration of the rentals hereinafter reserved and of the covenants and agreements herein set forth, hereby rents and leases unto the LESSEE herein, and the LESSEE hereby takes and hires from the LESSOR, the following described real estate situate in the City of Evansville, Vanderburgh County, Indiana, to-wit:

Suite 306-307, Third Floor

1500 ft.² @ \$5.00/ft.²

\$7,500.00 annually; \$625.00 monthly

upon and subject to the following terms and conditions:

1. Term of Lease. This LEASE AGREEMENT shall be for a term of one (1) year, commencing on January 1, 1994 and expiring on December 31, 1994.

2. Rental. As a rental for the use of the leased premises during the said term of one (1) year, the LESSEE hereby covenants and agrees to pay unto the LESSOR the sum of seven thousand five hundred dollars and no cents (\$7,500.00) annually in twelve (12) monthly installments of six hundred twenty five dollars and no cents (\$625.00) each, beginning on January 1, 1994 and a like sum due by the first day of each month thereafter.

The rental as herein provided shall be without relief from valuation and appraisal laws, together with reasonable attorney fees and associated costs for the collection thereof in the event of a default by LESSEE.

3. Security Deposit. LESSEE has deposited with LESSOR the sum of Not applicable as security for LESSEE'S performance of the terms of this LEASE AGREEMENT. Lessor shall have the right, but not the obligation, to apply the security deposit in whole or in part as payment of such amounts as are reasonably necessary to remedy the LESSEE'S default in the payment of rent or in the performance of other terms of this LEASE AGREEMENT. Within thirty (30) days after termination of this LEASE AGREEMENT and surrender of possession of the leased premises by LESSEE, the security deposit or any portion thereof remaining unapplied to defaults by LESSEE, shall be refunded to LESSEE by LESSOR. This security deposit shall not be deemed or construed as advanced payment of rent for any month of the lease term.

4. Option to Renew. The LESSEE shall have and is hereby given and granted an option to extend the term of this LEASE AGREEMENT for an additional period of one (1) year at a monthly rental to be negotiated by the parties, upon the giving of written notice to the LESSOR of intention to renew at least sixty (60) days prior to the termination date of the original term of this LEASE AGREEMENT on the condition that the monthly rental for such additional period be agreed upon at least thirty (30) days prior to the termination of the original term of this LEASE AGREEMENT.

5. Repairs and Maintenance. The LESSOR agrees to maintain the roof of the leased building, the exterior walls, the windows, and all items related or affected by the foregoing. LESSEE agrees at its own cost and expense, to keep and maintain the interior of the said leased premises in good repair and order. Items which are not readily available for inspection, maintenance, and/or repair, such as electrical heating, and plumbing systems, shall remain the responsibility of the LESSOR.

The LESSEE further agrees that any alterations, modifications, or improvements desired by the LESSEE shall only be made upon the prior written consent of the LESSOR and shall be made by the LESSEE at its sole cost and expense; however, nothing shall be done by the LESSEE that will in any way impair the structural strength of said building and provided further that all such changes, repairs, alterations, modifications and improvements shall always, in all respects, be in compliance with all applicable laws, ordinances, and regulations. The LESSEE agrees to indemnify and save harmless the LESSOR of and from all claims and liens of every kind or character that may result from or that may be asserted on account of such repairs, alterations, modifications, additions or improvements.

The LESSEE shall not permit, create, or incur, or cause or suffer others to permit, create, infer, or impose any lien or any other obligation against the demised premises, or the LESSOR by reason of any work performed or materials furnished by, to, or for the account of the LESSEE; and the LESSEE agrees to hold the LESSOR harmless of and from any and all claims and demands by any contractor, subcontractor, materialman, laborer, or other third

person against the demised premises or the LESSOR relating to or arising because of such work or materials. The LESSEE may contest any lien or other obligation referred to herein; provided that the LESSEE shall hold the LESSOR harmless and secure from any loss of damages or result thereof, including without limitation, expenses of attorney fees.

The Executive Director for the LESSOR may promulgate regulations for the use and operation of the tenant's business, which regulations will be distributed to the LESSEE and the LESSEE shall have thirty (30) days within which to respond to the Executive Director's regulations. If the parties agree to the regulations, the regulations shall become an addendum to this LEASE AGREEMENT.

LESSEE represents and agrees that LESSEE has examined and knows the condition of the leased premises and accepts said premises in their present condition.

6. Trade Fixtures. All trade and other fixtures, including wall casings, counters and the like, installed by the LESSEE shall belong to said LESSEE and may be removed by said LESSEE at the expiration of the LEASE AGREEMENT. It is understood that any damage occasioned to the said leased premises by reason of the installation or removal of said trade fixtures shall be assumed and paid for by the LESSEE.

Any floors, flooring system, built or installed by LESSEE shall remain the property of the LESSEE, and removable by it, notwithstanding anything elsewhere stated in the LEASE AGREEMENT.

7. Taxes. The LESSOR agrees that it will assume and pay all real property taxes on the leased premises. The LESSEE agrees that

it will assume and pay all taxes upon the property and/or equipment owned and used by the LESSEE in the operation of its business and located upon the leased premises.

8. Fire and Unavoidable Casualty. Should the leased premises or the building on said leased premises be damaged by fire or other casualty, the LESSOR shall repair the same at its own expense, with reasonable dispatch, and if, as a result thereof the leased premises should be rendered unsuitable or unfit for LESSEE'S purpose, use or occupation, then and in such event the rent herein reserved shall be abated, adjusted or reduced as of the date of the fire or other casualty and until said premises have been duly repaired and restored. If the premises shall be totally destroyed, then either party may, within thirty (30) days after the happening of such fire or other casualty, elect to terminate this LEASE AGREEMENT and the term hereby granted, by giving to the other party written notice thereof, and upon the giving of such notice, this LEASE AGREEMENT shall terminate and be at an end.

The building shall be deemed totally destroyed for the purposes of this LEASE AGREEMENT if sixty-five percent (65%) or more thereof in value shall have been destroyed.

9. Sublet. The LESSEE shall not assign or sublet the leased premises or any part thereof without the written consent of the LESSOR.

10. Insurance and Indemnification. The LESSEE agrees to save LESSOR harmless and indemnified from all injury, loss, claims or damage to any person or property while on the leased premises proximately caused by the sole negligent act or omission to act of

LESSEE or its agent. LESSEE shall maintain liability insurance insuring LESSOR and LESSEE, as their interests may appear, against all claims, demands or actions for injury to or death of any one person in a reasonable amount, single limit for injury to or death of one or more persons, and for damage to property in any one accident made by or on behalf of any person or persons, firm or corporation, arising from, relating to, or connected with the conduct and operation of LESSEE'S business on the leased premises. LESSEE shall furnish proof of such insurance to LESSOR upon demand.

LESSOR agrees to save LESSEE harmless and indemnified from all injury, loss, claims or damage to any person or property while on or going to or from leased premises occasioned by the sole negligent act or omission to act of LESSOR or its agents.

11. Mutual Release If Covered By Insurance. Insofar as any loss is covered by insurance in its name which permits such waiver, LESSOR waives all rights of recovery against LESSEE for any damage to the leased premises or any property contained therein; and insofar as any loss is covered by insurance in its name which permits such waiver, LESSEE waives all rights of recovery against LESSOR for any damage to the leased premises or any property contained therein.

12. Default. The LESSEE hereby agrees that all of its agreements in this lease contained shall be conditions upon which right to occupy said premises shall depend and that upon failure to comply with any of said agreements, the LESSOR shall have the right at option in the event that the LESSEE has not corrected the default of any agreement or has not commenced to correct said

default within ten (10) days after having received notice from the LESSOR informing the LESSEE as to the exact nature of the alleged default, and prosecuted the work thereafter with reasonable diligence, to terminate this LEASE AGREEMENT and thereupon re-enter and take possession of said premises.

It is specifically understood, however, that LESSOR'S failure at any time to exercise option to terminate this LEASE AGREEMENT upon default by LESSEE shall not preclude LESSOR from thereafter exercising said option to terminate in the event of any subsequent default.

In the case of default by LESSEE, LESSOR shall not be limited to the remedy of termination of this LEASE AGREEMENT, but may at its election pursue any other remedy available to it at law or in equity including, without limitation, the right to sue for and recover damages sustained by Lessor on account of or by reason of any such default. In case of breach of this LEASE AGREEMENT by either party, the party not in default shall be entitled to recover of and from the party in default all of such party's costs of enforcing this LEASE AGREEMENT including reasonable attorney's fees and court costs. In case LESSEE should abandon the premises, LESSEE shall nevertheless be liable for all unpaid rental and other amounts, if any, payable by LESSEE pursuant to the terms and provisions hereof, plus amount of LESSOR'S costs and expenses arising by reason of such breach of this LEASE AGREEMENT by LESSEE less, however, the amount of rental derived by LESSOR from said premises from any third party during the unexpired term of this LEASE AGREEMENT.

13. Use of Real Estate. The LESSEE shall use the leased premises for the following purposes only: the conduct of a business under the name of VANDERBURGH COUNTY ENGINEER to consist of the business of county engineering and for no other business, without the consent of LESSOR, which consent shall not be unreasonably withheld.

14. Modifications and Warranties. It is expressly agreed by and between the parties hereto that the terms of this LEASE AGREEMENT shall not be varied or changed except by written agreement, duly executed in duplicate and attached hereto; that there are no agreements, representations, warranties, or understandings by and between the parties hereto concerning the subject matter hereof or the property herein described except such as are herein set out and contained.

15. Utilities. The LESSOR agrees to provide all gas, water, electric, and sewer services which the LESSEE may require in the leased premises. It is further understood and agreed that the LESSOR shall not furnish janitorial services.

16. Binding on Successors. The terms, provisions, covenants, promises, and conditions of this LEASE AGREEMENT shall extend to and be binding upon the heirs, personal representatives, and assigns of the LESSOR, and the assigns of the LESSEE, should this LEASE AGREEMENT be assigned in accordance with the terms and conditions hereof.

17. Inspection. The Lessor shall have the right to enter said leased premises at all reasonable times for the purpose of inspecting and exhibiting the same.

18. Rules and Regulations. The LESSEE agrees to comply with any and all rules and regulations promulgated by the LESSOR relating to the use of the leased premises or the parking area or common areas of the property owned by LESSOR and of which the leased premises are a part.

19. Abandonment of Property. Any property belonging to the LESSEE which remains upon the leased premises for a period of five (5) days after the termination of this LEASE AGREEMENT (whether by lapse of time or otherwise) shall be deemed abandoned by LESSEE and shall become the property of the LESSOR.

20. Collection of Rent and Late Penalty. Pursuant to paragraph two (2), the LESSEE shall pay all monthly installments by the first day of each month. The LESSEE shall have a ten (10) day grace period and if the rental payment is not paid by the tenth day of each month, the LESSOR shall have the right to declare this LEASE AGREEMENT void and in default. In the event that the rent that is provided hereunder has not been delivered to LESSOR within ten (10) days after the due date, LESSOR may collect from LESSEE a late-charge penalty equal to ten percent (10%) of said monthly rental. Provided further, however, the LESSOR shall have the option of either accepting the late rent together with late charge and/or declaring this LEASE AGREEMENT void. Should any check given by LESSEE to LESSOR as payment of the rent due hereunder not be honored upon presentation at a financial institution, LESSOR may collect a bad check charge in the maximum amount authorized by Statute.

21. Short Term Lease for Recording. The LESSOR and LESSEE agree that they will execute a memorandum of this LEASE AGREEMENT sufficient to comply with the laws of the State of Indiana so that such short form LEASE AGREEMENT may be recorded as a matter of public record, rather than this LEASE AGREEMENT.

22. Quiet Enjoyment. LESSOR represents and warrants unto LESSEE that so long as LESSEE shall keep and perform all covenants and agreements herein contained and set forth to be kept and performed by LESSEE, the said LESSEE shall have and enjoy the quiet and peaceable enjoyment of said premises.

23. If this LEASE AGREEMENT expires without a new LEASE AGREEMENT being agreed upon, this LEASE AGREEMENT shall become a month-to-month tenancy subject to all the terms and conditions of this LEASE AGREEMENT except paragraph one (1).

Dated: Feb. 7, 1994

OLD COURTHOUSE PRESERVATION SOCIETY COUNTY ENGINEER

By: Jaye M. Gibson
Jaye M. Gibson

By: John Stoll
"LESSEE"

Title: Executive Director
"LESSOR"

Title: County Engineer
"LESSEE"

OLD COURTHOUSE PRESERVATION SOCIETY

VAND. CO. COMMISSION

By: Faye M. Gibson
Faye M. Gibson

By: [Signature]
"LESSEE"

Title: Executive Director
"LESSOR"

Title: [Signature]
"LESSEE"

AGREEMENT FOR SERVICES

THIS AGREEMENT, entered into as of this 1st day of January, 1994, by and between the Southwestern Indiana Regional Highway Coalition, herein called "SWIRHC"; and Vanderburgh County in Indiana, acting by and through its County Commission, herein called "the County".

WITNESSETH that the Parties do mutually agree as follows:

1. **Employment of Contractor.** The County hereby agrees to engage SWIRHC and SWIRHC hereby agrees to perform the services hereinafter set forth in connection with the expansion of Interstate 69 from Indianapolis to Evansville, Memphis, Shreveport and Houston.
2. **Scope of Services.** SWIRHC shall do, perform and carry out in a good and professional manner the following services:
 - a. Develop a program to enhance efforts to build an interstate highway from Indianapolis to Evansville and Potentially on to Memphis, Shreveport and Houston.
 - b. Meet with business, city county and state highway officials in communities and states along the proposed route of the interstate highway extension.
 - c. Publish a newsletter to keep coalition members and other interested parties informed about the coalition's efforts.
 - d. Conduct any lobbying efforts necessary at the State and local levels.
 - e. **Reporting Requirements:** Submit monthly activity reports to the County Auditor on forms prescribed by DMD, no later than the 5th day of the month for the preceding month. These should include receipt of detailed invoices, receipts or other appropriate documentation of expenditures for performance of the services herein.
 - f. Contractor shall submit to the County Auditor, a copy of the independent audit conducted on SWIRHC's financial records, within (30) days after completion of said audit, for the period through March 31, 1995.

3. **Time of Performance.** The services of SWIRHC shall commence upon execution of this Agreement and continue through December 31, 1994.
4. **Compensation.** The County agrees to pay SWIRHC a sum not to exceed Twenty Thousand Dollars (\$20,000.00) for services to be performed under #2, Scope of Services. The County agrees to pay SWIRHC for expenses incurred from January 1994 through December 31, 1994, upon submission of properly documented invoices and Claim Forms.
5. **Method of Payment.** SWIRHC shall be entitled to payment in accordance with the provisions of this section. Subject to the maximum compensation set for in Section 4 above, SWIRHC shall be paid the amount of One Thousand, Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666.67) on the last Friday of each month. The January 30, 1994 payment is subject to timely funding approval, timely contract approval, and timely claim form and invoicing submission. All claims forms should be submitted by the second Friday of each month to receive timely payment.
6. **Changes.** The County may, from time to time require changes in the Copy of Services of SWIRHC to be performed hereunder. Such changes which require additional services and which require an increase in the amount of SWIRHC's compensation, shall be mutually agreed upon by and between the County and SWIRHC and shall be incorporated in written amendments to this Agreement. The County or SWIRHC may, without the approval or assent of the other party, reduce the Scope of Service and an appropriate adjustment of SWIRHC's maximum compensation shall be made to reflect an appropriate reduction in the projected costs of the project. Such an adjustment shall be made in writing, delivered to the other party as provided in Section 7-Notice, seven (7) days prior to the effective date.
7. **Notice.** Any notice permitted or required under the provision of this Agreement shall be in writing and signed by the party giving or serving the same and whether served in person or delivered by certified mail, addressed to the party as follows:

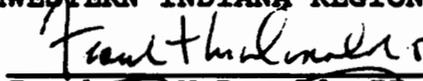
Vanderburgh County
Commissioners
Room 305 Civic Center
Evansville, IN 47708

Southwestern Indiana Regional
Highway Coalition, Inc.
PO Box 20121
Evansville, IN 47708

8. **Restrictions, Prohibitions and Controls.** SWIRHC will not pay any bonus or commission for the purpose of obtaining approval of this Agreement or any other approval which may be necessary under this Agreement.
9. **Counterparts of the Agreement.** This Agreement shall be executed in counterparts, each of which shall be deemed to be an original, and such counterparts shall constitute one and the same instrument.
10. **Liability of the Parties.** SWIRHC agrees to hold harmless the County in its office, agents, officials, and employees, from any and all claims, causes of action, judgments and liens arising out of SWIRHC's performance under this Agreement.

IN WITNESS WHEREOF, The County and SWIRHC had executed this Agreement on the day first written above.

SOUTHWESTERN INDIANA REGIONAL HIGHWAY COALITION

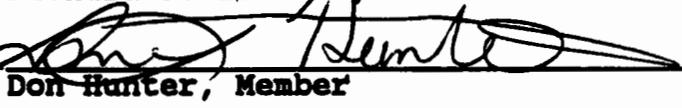
By: 
Frank F. McDonald, II, Co-chairman

By: 
C. Randolph Rohlfer, Co-chairman

VANDERBURGH COUNTY COMMISSION

By: 
Pat Tulley, President

By: 
Richard J. Borries, Vice-President

By: 
Don Hunter, Member

Dated this 7th day of February, 1994.

NOTICE OF MEETINGS
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA
AND
AUDITORIUM TASK FORCE
MONDAY - FEBRUARY 7, 1994

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana will hold an **Executive Session** at 4:30 p.m. on Monday, February 7, 1994 at the Vanderburgh Auditorium & Convention Center at 715 Locust Street, Evansville, Indiana, rather than in Room 307, Civic Center Complex as previously advertised. Purpose of said meeting is to discuss Pending Litigation and Personnel Matters.

The Board of Commissioners will hold their **regular weekly meeting** at 5:30 p.m. on Monday, February 7, 1994 in the Gold Room at the Vanderburgh Auditorium & Convention Center.

The **Auditorium Task Force** will meet at 7:00 p.m. in the Gold Room at the Vanderburgh Auditorium & Convention Center, following the regular meeting of the Board of Commissioners. Purpose of said meeting is to seek input from the public as to what they want to do with the County-owned facility.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

Pat Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member

Sam Humphrey
County Auditor

Alan M. Kissinger
County Attorney

DATA PROCESSING REVIEW BOARD
City of Evansville/Vanderburgh County
Civic Center Complex, Room 205
1 NW Martin Luther King Jr. Blvd.
Evansville, Indiana 47708

A G E N D A R E Q U E S T

NAME OF REQUESTOR: Richard Cappelletti

REQUESTOR TITLE: Interim Director

DEPARTMENT: Data Processing

REQUEST(S) BEING MADE:

- Signature on a Software License and Services Agreement with Software Partners/32 for their TT/RECON product.

Data Board discussed this license during their January 25th meeting and recommends your signature.

Attached, for your review, is a copy of the agreement, three (3) originals will be provided at the meeting for signature.

DATE TO BE PLACED ON AGENDA:

County Commissioners
Board of Public Works

Monday, February 7, 1994
Wednesday, February 9, 1994

ACTION ____

CONSENT ____

OTHER ____



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

**SOFTWARE LICENSE AND SERVICES AGREEMENT
ORDER FORM**

Client: City of Evansville
Address: One NW Martin Luther King Jr. Blvd.
Evansville, IN 47708

Purchase Order Numbers: 2935466-1933073/022935240
Purchase Order Dates: 12/3/93/12/16/93
Contract No: 4358-SP *
Number of Training Days: 0

Products and Services	Level +	Fees	Customer ID Number
TT/RECON Multiple CPU License - Special Two Nodes of TT/RECON Special Four Nodes of TTRECON Special Shipping & Handling Total:		\$398.00 796.00 48.00 \$1,194.00	

+ (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.: _____

SEE ATTACHED

Additional Programs running on CPUs other than indicated above must be required on a separate SP32 Order Form.

Contracts Administrator	Technical Support Contact
Name: _____	Name: _____
Address: _____	Address: _____
Phone: _____	Phone: _____
Billing/Accounts Payable Contact	Shipping Contact
Name: _____	Name: _____
Address: _____	Address: _____
Phone: _____	Phone: _____

See Attached

License Includes: • One Set of Documentation • One 9-Track Tape
• 90 Day Warranty & Technical Support
* Please refer to the terms and conditions of the original agreement between City of Evansville and Software Partners/32, Inc. Contract Number: 071693-1

Executed by Client:	Executed by SP32:
Signature: _____	Signature: _____
Name: _____	Name: _____
Title: _____	Title: _____

See Attached

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. 12/03/93

THE CITY OF EVANSVILLE/VANDERBURGH COUNTY

Designated CPU

<u>Make/Model</u>	<u>Operating System</u>	<u>Serial Number</u>	<u>Location</u>
DEC VAX 6000-620	Open VMS V6.0	AG204UYA16	1 NW Martin Luther King Blvd
DEC VAX 4000-300	Open VMS V5.5	KA203J2438	1 NW Martin Luther King Blvd
DEC MV 3800	Open VMS V5.5	WF02942303	1331 Harmony Way
DEC MV 3800	Open VMS V5.5	WF02942304	1331 Harmony Way
DEC MV 3100-80	Open VMS V5.5-2	KA3235D862	1 NW Martin Luther King Blvd
DEC MV 3100-30	Open VMS V5.5-2	KA252CY318	5601 Highway 41 North

Contract Information

Administrator & Billing: Richard Cappelletti, Computer Services, 1 NW Martin Luther King Blvd, Rm 205, Evansville, Indiana 47708 Phone 812-435-5750 FAX 812-435-5646

Technical Support & Shipping: Joe Profaizer, Computer Services, 1 NW Martin Luther King Blvd, Rm 205, Evansville, Indiana 47708 Phone 812-435-5245 FAX 812-435-5646



Association of Indiana Counties, Inc.

101 West Ohio, Suite 710 • Indianapolis, IN 46204-1906
(317) 684-3710 • Fax (317) 684-3713

Executive Director
Richard J. Cockrum

To: County Auditors in Spencer, Fountain, Hendricks, Vanderburgh,
Harrison, Brown, and White Counties

From: Rick Cockrum 

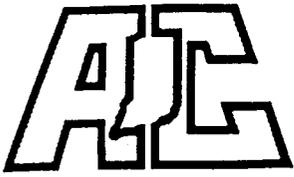
Date: February 2, 1994

Re: HEA 1089 - Cumulative Funds

HEA 1089 has passed both Houses of the General Assembly. It restores the lost cumulative funds in your county. It has come to my attention that the State Board of Tax Commissioners has already certified tax rates for your county.

Please be advised that the Tax Board has been notified of the enactment of HEA 1089 and have agreed to send amended certifications to reflect the change in the law.

I hope this is of assistance, please notify your commissioners of the change. Thank you.



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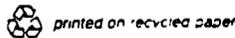
Date: February 4, 1994

Re: HEA 1089 - Cumulative Funds

Please be advised that HEA 1089 was signed into law by Governor Evan Bayh on February 3. The State Board of Tax Commissioners have been notified and should have your revised tax rates soon.

Please thank your legislators that helped. This is the first bill out of the session and may be a record to have a bill become law on the 16th session day. Please notify your county commissioners. Congratulations!

1994 Annual Conference • September 25-27 • Marion County



VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, JANUARY 28, 1994 THRU THURSDAY FEBRUARY 3, 1994

FRIDAY, JANUARY 28, 1994

Gradall and one crew worked on Agathon and #6 School Road.
Patch crew worked on work orders.
Two crews worked on repairing mailboxes and fence.
Two tree crews worked on work orders.
One crew cleaned trucks.

MONDAY, JANUARY 31, 1994

Gradall and one crew worked on Warrenton Road repairing school bus turnaround.
Patch crew worked on work orders.
Two crews worked on repairing mailboxes.
Tree crews worked on Raintree and Westmore Drive.
One crew cleaned trucks and one crew worked on electrical.

TUESDAY, FEBRUARY 1, 1994

Patch crew worked on work orders.
Two tree crews worked on Raintree, Westmore and Middle Mt. Vernon.
Gradall and one crew ditched on #6 School Road.
One crew ran barricades for high water.
One crew removed concrete and installed rock on O'Hara, and Twickingham.
One crew cleaned trucks, and one crew worked on electrical.

WEDNESDAY, FEBRUARY 2, 1994

Patch crew worked on Hirsch, Kasson and New Harmony Road.
Two tree crews worked on Frontage Road.
One crew cleaned trucks.
Three crews worked on O'Hara, Twickingham and Swinging Way busting up concrete and backfilling with rock.
One crew ran barricades for high water.

THURSDAY, FEBRUARY 3, 1994

Patch crew worked on work orders.
Two tree crews worked on Frontage Road.
Payloader and three crews rocked shoulders on Schaeffer Road.
One crew cleaned trucks, and one crew worked on electrical.
Gradall and one crew removed plow and spreader from #31 and repaired fence gate.
Two crews worked on mailboxes damaged during snow.
Two tree crews worked on Raintree Drive.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT

FRIDAY, JANUARY 28, 1994 THRU THURSDAY, FEBRUARY 3, 1994

FRIDAY, JANUARY 28, 1994

Crew #1 - finish Agathon pipe, clean end of culvert on Hogue.
Crew #2 - finish Agathon pipe, clean bridges.

MONDAY, JANUARY 31, 1994

Crew #1 - repair Hogue Road drop box, clean off weep holes on bridges.
Crew #2 - haul compressor and hammer to Burdette, break wall apart.
Crew #3 - load up rock from wall.

TUESDAY, FEBRUARY 1, 1994

Crew #1 - saw 2250 Twickingham and 6250 O'Hara.
Crew #2 - load and clean up old pipe and metal, haul old pipe to waste company.
Crew #3 - wash trucks.

WEDNESDAY, FEBRUARY 2, 1994

Crew #1 - dig out Twickingham near O'Hara and Swinging Way.
Crew #2 - saw Hillsdale at Browning, install screen on Old State.

THURSDAY, FEBRUARY 3, 1994

Crew #1 - clean weep holes and overpass Tekoppel- bridges on west side. Also drains in subdivisions.
Crew #2 - clean bridges, weep holes, etc, on St. Joe Ave. and Mesker Park on up to North west.
Crew #3 - clean bridges, weep holes, etc, north east and southeast.

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 203-4340

Invoice No.	Itemized Claim	Amount
	For Engineering Services on Vanderburgh	
	County Bridge No. 4, Franklin Street over	
	Pidgeon Creek, in accordance with our	
	Agreement dated October 23, 1989 and Your	
	Notice to Proceed dated October 23, 1989.	
	Work completed thru 01/19/94	
	TOTAL AMOUNT DUE THIS INVOICE NO. 14	6000 00
	(FINAL)	

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 deductions and that no part of the same has been paid.

United Consulting Engineers, Inc.

Name

William D. Richter, P.E., L.S.

Vice President Title

Date January 20, 1994, 19__

William D. Richter *Keolad*

**MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 14, 1994**

I N D E X

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Ordinances re Zoning Code (Second Reading)	4
Ameritech/Leasing Contracts (Deferred one week so Attorney Kissinger can review same)	5
Reassessment/Authorization Given for R. Cappelletti to Write Specs for the Bid Process	5
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Reading of Bids/Repairs to Burdette Pool	
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Request to Advertise for Bids to Purchase Old Rolm Telephone Equipment Request to Use Auditorium for SWAT Team Training Purposes on February 23rd	
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Acceptance of Checks	
1) Mercy Services (\$1,980.00)	
2) Kevin Bryant (\$1,419.92)	
Meeting Adjourned @ 7:25 p.m.	21

MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 14, 1994

The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Monday, February 14, 1994 in the Commissioners Hearing room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Supt./County Bldgs., County Attorney Alan Kissinger, Commissioner Rick Borries, himself, Commissioner Don Hunter, Chief Deputy Auditor Cindy Mayo, and Joanne Matthews, Secretary) and subsequently asked the group to stand for the Pledge of Allegiance.

RE: APPROVAL OF MINUTES

President Tuley said the next item is approval of the minutes of January 31st. Due to copy equipment breakdown, copies could not be run for distribution to the Commissioners for their advance review. Approval of the minutes will be deferred.

Commissioner Tuley asked if there are any individuals/groups in the audience who wish to address the Commission but do not find their particular item of interest on tonight's agenda. If so, now is the time to come before the Commissioners to address the concerns they may have. He knows that Judge Rick Young wants to speak to the Commission and is not listed on tonight's agenda.

RE: COMMUNITY CORRECTIONS

Judge Young approached the podium and stated he is not here tonight not in his role as Judge of the Circuit Court. He is here in his role as President of the Community Corrections Advisory Board. The Community Corrections Advisory Board was established by State statute written in the mid 1980's and it established an Advisory Board to oversee and observe the Community Corrections. There has been some concern and some question from some of the board members regarding "What is the role of the Community Corrections Advisory Board?" Quite frankly, it is not well drafted legislation and we're having trouble giving a definitive answer to that -- if there is a definitive answer to that. So his request to the Commission tonight is to ask the County Attorney, Alan Kissinger, if he would be so kind as to take a look at that statute and try to give the Advisory Board some guidance as to what the role is of the Advisory Board regarding Community Corrections.

President Tuley said, "Okay. Alan, that is something -- what did we meet, an hour to an hour and a half today trying to answer some of my questions and primarily some of the questions I had were what he just asked us to get an answer on, because Judge (I don't know if you read it and you've got a clear understanding) -- but I read it and I'm not a lawyer and I didn't get a clear understanding, so that doesn't surprise me. But is the Advisory Board just that? An Advisory Board? Or the policy maker? Or can you either get us an answer or have the answer on the top of your head?"

Attorney Kissinger responded, "I have the answer formulated in my mind. I would prefer to put it in the form of a written opinion to you that everyone can understand."

President Tuley said, "I would prefer that."

Judge Young said, "I would prefer, too, that it be in writing."

Attorney Kissinger continued, "The statutes are written in some cases in a rather disjointed manner. But if they're read together, I think it's clear enough that we can delineate the Commissioners' role and the Advisory Board's role without too much difficulty. And I think I can give a final answer."

Commissioner Tuley said, "Judge, if you don't mind, since there was a question -- and it wasn't a question of integrity or belief that there was a problem, but a \$2-12 million budget supported by County funds, State funds, and User Fees -- the flow of the money and how it works -- and you explained to me today the audits you must go through, the procedures you've outlined and set up so that the money does go through the Treasurer's office -- even though the statute probably doesn't -- do you want to explain that a little bit for the record?"

Judge Young responded, "The statute as written the way it is regarding the Community Corrections Advisory Board fund in that in some counties in Indiana Community Corrections is operated by a not-for-profit private organization. I'm sure many of you have heard about or received literature regarding the privatization of prisons. In other words, you have private companies operating prisons or trying to operate prisons and that is happening in some states. It hasn't happened in Indiana and I hope it never does happen in Indiana. But in any event, there are some provisions for the private operation of Community Corrections and I think the statute was written so that in the event there is a private, not-for-profit corporation running a Community Corrections program in the County they are in charge of administering their own funds. Here, we don't have that situation. But all the funds that are collected are deposited with the Treasurer. I do that because it's the best thing to do. It is for my protection and everyone's protection to have that money accounted for and to have some organization to it. Additionally, we are audited every year by the State Board of Accounts and the Federal Government, because we do have Federal contracts to house Federal prisoners who are coming out of Federal prisons and trying to get back into society. I'm very cognizant of the fact that there is a good-sized budget there and I insist upon having it audited every year."

Commissioner Tuley said, "Okay. I think the only other thing you talked about a little bit was the Board appointments. By statute, there are certain offices or people who hold certain offices who are on this automatically."

Judge Young said, "That's correct. The individuals who serve on the Community Corrections Advisory Board are appointed by the County Executive (you, the Commissioners) and by the Circuit Court Judge. Then there are others who are on the Board by virtue of their office and we have four year terms and some of those terms are expiring. People who were appointed in 1990 -- their terms are expiring now. And I think we've written you a letter. At our last Board meeting we had some discussion about this and made recommendations to you for those appointments. We would ask that those individuals who have indicated a willingness to serve and people who are asking for reappointment have done a good job and have spent a lot of time and have an understanding of Community Corrections and we would like to see them continue."

President Tuley said, "In that list that you sent me, several of those people who are up for reappointment are people who are appointed by virtue of their positions."

Judge Young said, "That's correct. You have the Director of the Southwestern Indiana Mental Health; you have the Director of the Welfare Department; you have a Probation Officer; and there are some other folks on there -- "

Commissioner Tuley said that a County Council member appears to be on the list and a member in the field of education."

Judge Young continued, "A County Council member, the Reverend Phil Hoy -- and a member from the education field -- Jim Trader, a member of the School Corporation. He'd be a new member. Al Buck, who served on the Board for many, many years retired, I think, from the School Corporation. Is that right?"

Commissioner Borries confirmed that is correct.

Judge Young continued, "So he no longer has the educational tie and Jim Trader has offered to serve and we are happy to have him."

Commissioner Tuley interjected, "And four lay members, one of which must be a minority -- which the minority member is up for reappointment."

Judge Young said, "Exactly. And then we'll have some vacancies and we'll try to get some recommendations to you in the next few weeks to a month for your consideration."

Commissioner Borries asked, "These appointments, then, are agreeable with you and will allow your Board to continue to function at this point?"

Judge Young responded, "That is correct. We do have some grant applications coming up that will need final approval next month, so we need to continue to function."

Motion made by Commissioner Borries that Mr. Henson, Mr. Browning, Mr. Howerton, Mr. Weightman, Mr. Buckman, Mr. Jones, Mr. Hoy and Mr. Trader be reappointed for another term. Seconded by Commissioner Hunter. So ordered.

Commissioner Tuley said he thinks that might clear the air concerning some questions. His meeting this morning was to give him some insight. He's had comments made to him by various people in the community and questions being asked. As he explained to Judge Young, he is not on a witch hunt -- but he needs some information to come from someone who has been involved in the program a lot longer. Mr. Tuley said that, obviously, his background is not in criminal justice and he doesn't want to be.

Judge Young said he understands and hopes that he has answered the questions Mr. Tuley had. Anyone who has questions about Community Corrections, he'd be more than happy to answer them. He knows it is not an area a lot of people are familiar with, because it is a relatively new concept -- probably in the last ten to fifteen years -- but it is going to be a concept that is going to be with us for the foreseeable future, because we just can't build enough prisons to house these people. For non-violent offenders, he thinks it serves its purpose.

Commissioner Borries said, "And I'm sure, Judge, that you don't have a problem with us recommending to you -- until we can get this opinion -- I guess our concern has been through liability questions and others -- we just want to make sure we're working and everybody is on the same page with this and working in conjunction with you so that whatever lines of authority there are -- and there seem to be a lot of them in County government, as you well know, they all seem to somehow or other end up back at this Board at some point or another -- like it or not. But you don't have any objections to looking at the status of these employees so if they are going to be County employees, that somehow or other we study some kind of structure here that defines what they do, their role and all that type thing?"

Judge Young replied, "They have general job descriptions now for the employees. However, it would be beneficial to the Board and to the entire program to maybe have someone come in and take a look at the operation and make some suggestions regarding efficiency and professionalism and those kinds of things. That certainly would be very helpful. We have a lot of good employees out there and I'd like to keep them. Every once in a while you get a bad apple, but I think that happens in a lot of public and private organizations. But anything along those lines, Commissioner, we'd certainly appreciate anything you could do to help us."

The Board thanked Judge Young for his comments.

RE: BID OPENING/POOL REPAIRS AT BURDETTE PARK

Commissioner Tuley said the next item is the bid opening for the pool repairs at Burdette Park. A motion was entertained.

Motion to authorize the County Attorney to open the bids was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: ORDINANCES RE ZONING CODE (SECOND READING)

Commissioner Borries said this is the change we've considered for some time amending Chapter 153 of the Zoning Code. Roger Lehman has gone through this. It is his understanding tonight is the Second Reading, with Final Reading being held next week. At that time, if there are any final comments or amendments, we will want to consider those at this time. He would move that the Ordinances listed on the Action Agenda be approved on Second Reading. Seconded by Commissioner Hunter. He said he's had some phone calls on this and there are some concerns -- and these are concerns he would like to discuss with Mr. Lehman -- Sub-Sections 150.1, 150.132 and this is in regard to disposal of roofing and things like that. He doesn't even see those numbers on the ordinance on the agenda.

Deputy Auditor Cindy Mayo interrupted and said Joanne Matthews states this is not the Building Code Ordinance. These are the Zoning Code Ordinances submitted by the Area Plan Commission-- Section 153 re bed and breakfasts, special use permits, etc.

Commissioner Hunter stated he has no problem with those Ordinances. And Commissioner Borries expressed the same feeling. He did ask, however, where we are on the Building Code Ordinance.

Ms. Matthews said the last she heard on the Building Code Ordinance was that the Commissioners were going to talk to him before he came back to the Board on that proposed amended Ordinance. It is her understanding that Mr. Abell was communicating with Mr. Lehman.

Mr. Abell said Mr. Lehman is waiting for -- well, he doesn't know if he is waiting for a response, because the Commissioners have talked to him about the make-up of the Board. That was more or less the hold up on that.

Mr. Tuley said that was only one aspect of the hold up. But he did meet with Mr. Lehman and if there are eight (8) appointments to a Board and it is a 50-50 department, the Commissioners will have the say on four (4) of those appointments. That is going to be in that Ordinance. So he's already discussed that with him. But he thinks there are some other areas of concern that Don wants to discuss with him.

Commissioner Hunter said he does have some areas of concern that people have contacted him about and, again, without him here...

Mr. Abell said, "All right, he is under the impression that we didn't have questions about that, so I probably should call him and have him come back to the meeting."

Commissioner Hunter suggested Mr. Abell ask Mr. Roger Lehman to come to the next Commission meeting and Mr. Abell agreed to do so.

RE: AMERITECH LEASING/CONTRACTS

Mr. Abell said he believes Mr. Tuley has three separate contracts in his packet from Ameritech Leasing for approval.

Commissioner Borries suggested these contracts be taken under advisement, pending review and a recommendation by Attorney Kissinger next week.

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

RE: REASSESSMENT SOFTWARE/AL FOLZ

President Tuley noted that Al Folz, Knight Township Assessor, is present today with reference to the reassessment software -- and he understands Mr. Folz brought some -- he won't call them reinforcements -- people with him!

Mr. Folz thanked Mr. Tuley for putting the Township Assessors on tonight's agenda. With him tonight are David Fox (Pigeon Township Assessor), Shirley Reeder (Chief Deputy/Knight Township Assessor's office), Mrs. Tornatta (Perry Township Assessor), and Glenn Koob (Chief Deputy/Perry Township Assessor's office), and Evelyn Lannert (Chief Deputy/County Assessor's Office). Ms. Lannert noted she also brought Roger Elliott and Richard Cappelletti of SCT as back-ups.

In continuing, Mr. Folz said, "What we are here this evening about is to encourage you to help us with this software and put the software up for bids for this reassessment. We're here to emphasize the importance of getting the software as quickly as possible, because we do have a State mandated deadline of March 1, 1995., in that we should have our reassessment completed. We've had quite a few meetings. Commissioner Borries was kind enough to meet with us at one time. Mr. Kissinger, Mr. Niemier and we've also had a meeting of the Chief Deputies, in themselves, because they are the ones who really enter this and know what type of specifications and what type of software would be the best for all of the Townships and the taxpayers of Vanderburgh County. When I say that time is of the essence, I want to have the Chief Deputies (Shirley Reeder and Glen Koob) show you exactly what in the world or tell you exactly what in the world we have to do after we get it. There is going to be a length of time after the specs are finalized -- by the time they are advertised and put out for bids -- before we get them, and we do have a tremendous amount of work in being able to input. Being President of the Indiana Assessor's Association, I am naturally in contact with most of the Township Assessors in Indiana. Most already have their software. Some, I was told the other day, are approximately 80% completed, in so far as entering their data. So I think that what we're saying again is encouragement and importance of being able to have our software -- knowing by what time and the biddings that should be coming about. I'm sure you're aware that we did have three (3) vendors that have come to Vanderburgh County to show their software. We had Sabre, Manatron, and CSS. I received also a letter from John G. Clemmshaw last week stating that they also are State Certified and wanted to know just where we are, what we are intending to do, and I will get that letter to all of the Commissioners so you see about this company. I do know that some of the townships in Indiana do have John Clemmshaw and speak very highly of them. I am not promoting any forum, I am just saying here is one other vendor

that was not down at that particular time.

Our data collecting is moving along nicely I should say. Barring the weather, I feel we are out doing a good job. We're on schedule in so far as what State Tax Board had recommended to begin with before Reassessment. So we're reaching a point now to where some of the information can already be entered if we have the proper software. We do have the hardware -- the P.C.'s in place. Those are in the offices. So this basically what we are asking for right now. We have a copy -- that I will get to all the Commissioners and Attorney Kissinger -- signed by the majority of the Township Assessors. These are just specifications for computer software that we would like to see entered into the specifications once they are completed. At the present time I would like to bring up Glen Koob and Shirley Reeder and let them talk about the work they've done -- some of the specifications that they have in their hands -- so if you have questions re specifications and software, these two can handle it -- no doubt in my mind."

Ms. Koob stated, "I just want to say real quickly that the reason we are here is that we want to get these bids let. First of all, we need someone to tell the Commissioners to tell someone to write the specifications. We've got a basic origin beginning of these, but we need the Commissioners to tell someone, 'Okay, start writing these specifications.' As Al said, we did get together with some of the Chief Deputies and some of the Deputies in the offices who actually do the hands-on work of entering the data into the computer and we came up with some additional things we would like, such as a Performance Bond. I think Al is going to give you a copy of it. But that is really what we are here for. We just need somebody to say, 'Okay, you guys go write the specifications.' And I know Cap can do that. Roger can, too -- but he's leaving -- deserting us. But the things we have to put in after we get the software -- we already have the hardware, it's the software that we need -- and this is the thing we have to do, because I think it is over \$25,000 -- I'm not sure. We'll find out when we get the bids. But the things we have to do between now and March 1st are check the conversion of the software -- and that's between 75,000 and 78,000 parcels with all the township assessors. Perry Township and a few of the others had informal hearings with the taxpayers, which means you get your assessment or we finish getting everything converted over to the new 1995 prices. We ask you, as a taxpayer, to come in and look at your field sheet if you would like to. Then we ask if this is right. If you say no, then we make the changes before we send out the Form 11's and that makes for a lot less errors. Okay, the other thing we have is changes in the land. We haven't even gotten -- we've got our preliminary land order from the State, but there's never been a hearing on it. I think there were a few appeals, but there's never been a hearing on it -- so we don't have our land prices yet either. The last reassessment we got those in April 1990 and reassessment was supposed to be over March 1, 1990. But we have those land changes to do also with residential, commercial and agricultural. We have no commercial drawings in our system. I think there are two townships that do have their commercial drawings in. We also have to do the Homestead Credits; we have to figure those. The Auditor takes those and then we have to re-figure them according to the new figures according to the new reassessment figures. The running of the final field sheets which, in our township, that is about 12,000 and the last time it took me about a month and a half just to run the field sheets. And then the Form 11's, that probably takes about three (3) weeks to run those. So if you put all of this together -- the things we have to do yet -- we don't even have our software to do it. Like Al said, we have a State law that says we have to be finished on that date. And I talked to some of the Legislators and there is no extension this time. I think one of the reasons -- I don't know how that Homestead Credit is doing -- it passed the House and I don't know how soon the Senate will vote on it."

Commissioner Borries said, "That is what I was going to ask, Glenn. Aren't there changes that could come about out of this Legislative Session?"

Ms. Koob replied, "You mean extending the reassessment?"

Mr. Borries said, "No, I mean in terms of changes -- technical kinds of things."

Ms. Koob replied, "That has to do with Cindy -- or the Auditor's office and Cindy won't handle that until after all the Form 11's have gone out. So really that doesn't affect us, other than that we have to write down the figures on the Homestead Credit. Say, for instance, your house and one acre or land and a detached garage. That is what you get and we have to write those figures down. But the \$500 -- Cindy puts that on through the Auditor's office later on."

Commissioner Tuley said, "Once the software is in place, how long do you think -- and I realize one township is going to be different from another because of the size, etc. -- what is the biggest township?"

Ms. Koob said Knight Township is the largest.

Mr. Tuley asked, "How long, Al, would it take for Shirley to put that in and go through what she is talking about?"

Ms. Reeder responded, "I'd say four to six months. The Form 11's have to be to the taxpayer as of March 1st -- the assessment date -- and that is the notice to the taxpayer. After they get those they have 45 days to...."

Mr. Tuley said, "I want to be sure I understand the timetable. When -- on or after March 1, you have to have the Form 11 to the taxpayer?"

Ms. Koob said, "Let's put it this way. They won't all go out on March 1st, Pat, because if they did we'd have all these people coming into our office. No, we will send them out in batches. So they may be March 1st; some may be March 15th; and some may be March 30th. But we have to have everything ready by March 1, 1995. And I know that seems like a long time. But the last time I think it took us about six months to get our software in place. Evelyn and I were talking about it today. I think we got it -- well, the practice program in December of 1987; and I think the practice went in January 1988 and we finally got finished with the assessment in April 1990. But that is because it was a year late."

Commissioner Tuley said it is Valentine's Day - and he knows there is no way the County Assessor and the Township Assessors are in agreement as to the process we're supposed to go through from here. I guess where I'm coming from, the County Assessor and the Township Assessors are not going to agree on the methodology, the software or whatever?

Ms. Koob asked if he means the kind of software we want?

Mr. Tuley responded affirmatively.

Ms. Reeder said, "But they have to go out for bids. All we're asking is specifications being written and since Mr. Cappelletti was at all the vendors, viewed it, knows what we need, specifications have to be written so instead of having some outside person write the specs, that is what we're requesting -- then send it out for bids, view the bids and see who is going to give us the best -- not necessarily the cheapest, but the best performance."

Mr. Tuley said, "Okay. You're talking in terms of only software."

Ms. Koob asked, "No. Evelyn, is your server in yet?"

Ms. Lannert responded, "No, what we have won't work on P.C.'s."

Mr. Tuley asked, "Where is Jim (Angermeier) today? Jim's in Indianapolis or someplace looking at what?"

Ms. Lannert said, "He is viewing a County that is writing their own programs -- Marion County."

Ms. Reeder interjected, "They had CLT, they bought their software from CLT and now they are writing their own programs."

Ms. Koob stated, "And it took them two and a half years for Information System Services, which is a computer company like a computer data processor company that maintains their software. And Charlie Coleman, the Township Assessor (I don't know what township up there) said it took them two and a half years to get it in place."

Ms. Reeder said, "It wouldn't be up to us to use their system anyway."

Mr. Tuley said he knows Mr. Angermier wanted them to know he specifically was going there and was going to come back and report to us -- Roger, are you shaking your head? I can't see Evelyn, so I'm not sure what message I'm getting here.

Mr. Hunter said Ms. Lannert is shaking her head "no", too.

Ms. Koob said, "I don't think he is going to adopt that program -- he's just to go up and see how it's run. Tippecanoe County has the same one. Purdue is their data processor people; they come over and run their system for them. What they do -- Manatron sold Tippecanoe County a source book, which is all their language -- so they sold them that source book. Not it's up to Purdue and whoever the County Assessor is up there (Bob somebody, I can't remember who it is) to maintain that database. That is the same thing that Marion County has, except they have this Information Systems agency, or whatever, to maintain their database."

Mr. Tuley apologized to Ms. Koob, saying he didn't mean to cut her off, but requested that Ms. Evelyn Lannert approach the podium.

Ms. Koob asked, "Let me ask you this. Do we have to bid the software? I mean..."

Mr. Tuley said that is more of a legal question.

Ms. Koob said, "Really. I mean, that's what we've been going on about. I didn't mean to open a can of worms. But aren't you understanding it has to be bid or do you know?"

Attorney Kissinger interjected, "There are specific circumstances with software in which we don't have to bid it. But under the present circumstances, if we don't put it out and bid it, is your group going to be able to come to any agreement as to what we do? Isn't that going to be method basically of putting everybody on the same page?"

Ms. Koob responded, "Um, hum, right. Well, we all have to be in the same..."

Mr. Borries noted, "Aren't there State specs for all of this? We talk about State approval. Can't we get a State model on this?"

Ms. Reeder said, "But they don't go with a particular vendor. They have specifications...."

Mr. Borries said, " I wouldn't want a particular vendor."

Ms. Reeder continued, "But all of these vendors who have been to us are certified by the State."

Attorney Kissinger said, "All of these vendors can provide software in compliance with State specifications."

Ms. Koob said, "It's just that some are more user friendly than others. That's what we're looking at. We've looked at...."

Attorney Kissinger continued, "The one thing that needs to be understood by everyone involved -- because I know there has been disagreement in the past -- one thing you must understand, when we get these bids back, we have to select the bid that is the **lowest and most responsive**. It may not turn out to be your favorite program. You need to understand that."

Ms. Reeder asked, "Why couldn't we go with the best?"

Attorney Kissinger responded, "You can't. You can't. You go with the **lowest and most responsive**. The Indiana Supreme Court was recently very specific on that point."

Commissioner Hunter asked, "Alan, what is most responsive?"

Attorney Kissinger replied, "If, for example, you ask for a particular feature in the software that was contained in one bid but not another, the one in which it wasn't contained would not be responsive to the specs."

Mr. Borries said, "In other words, you can't do a job on the specs that immediately line it up in favor of one vendor over another."

Commissioner Hunter said that makes sense.

Ms. Koob said, "Cap was explaining that to us earlier in the hallway."

Mr. Borries continued, "And there are ways -- not from a technical standpoint, but there are ways in which this can be done."

Attorney Kissinger commented, "Sure."

Commissioner Tuley said, "And I think you kind of asked the question. I know sometimes you can or cannot speak for your boss, but can we come to the understanding that if we decide to bid, the chips fall where they may -- excuse the pun there -- "

Ms. Reeder asked, "What other choice do we have?"

Commissioner Tuley replied, "I don't know that we do have, to be honest with you. And I think there is no way we're going to get everybody together. We've been knocking this thing around too long and we're going to have to move and do something or we're going to be sitting here and not be done."

Ms. Koob said, "That's right. That's what we're afraid of."

Mr. Borries asked Ms. Lannert if she has any thoughts on this.

Ms. Lannert said, "Well, I'm going back to the first meeting we had with you -- and I think Alan -- when we met with the Township Assessors -- that it was agreed the County would buy their hardware from Manatron, since that is the system we are on -- and we would stay with the Manatron program and hold them responsible for making

the program work. But now, as we've gone down the line, I don't know where we are -- if we're still holding to that or if we're going to switch in the middle. Do you remember the meeting?"

Attorney Kissinger said, "Yes, I remember the meeting. But that is what I was hoping -- that some consensus among the Township and County Assessor had been met. Because if there is no consensus and we're going to send out Requests for Proposals, we're going to get bids in here and we're going to accept certain bids. Is someone going to come back and say, 'Yeah, that's all fine, but I'm not going to use it.' If that's going to happen, we're still spinning our wheels. And then we reject all of the bids."

(Pigeon Township Assessor David Fox offered comments, as did Ms. Reeder from Knight Township -- but neither was speaking from the podium and same were inaudible.)

Ms. Lannert said she thinks Roger Elliott has some comments which would enlighten the Board.

David Fox approached the podium and stated, "I am David Fox, Pigeon Township Assessor, and I think it's been said (and I can only be redundant and repeat) that we need to get this thing done right. As Township Assessors, we have agreed and looked at all the software -- I know we have looked at all of it and said, 'Boy, this is what we want. Not only have we done it, we have allowed our people who do the actual physical work of data input, our real estate deputies and input people, and they have all agreed -- we eight have come together and agreed. There is only one that doesn't agree. Now, I don't know what the Statute says -- I get a real headache when I try to read those things -- I'm just not adept to reading those kinds of things -- but it seems to me that if there are eight townships that say, 'Hey, we've looked at all three of them; A is the first choice, B is the second choice, and C being Manatron, we don't want to do it with the computer at all -- it makes a lot of sense to me that that should carry some weight in your decisions of what should be done. We don't know what to do here. We do know that we have to get our work out and if we don't get it out, you can betcha that through the screen and the smoke that is put up, it will be our fault again -- like it was the last time -- and I'm not looking forward to that. Now, we've met with Jim and I would love to have a meeting with Jim and agree with him on this situation, but we feel very strongly that Manatron has not served us and, in fact, that we're looking for a new vendor that can serve us. It's as simple as that. We can go through all the little reasons why, but I think that really is not the question. We have agreed that we do not want Manatron period."

Commissioner Borries said, "I don't think you can agree to that if we bid."

Mr. Fox said, "Exactly. So we're looking for your guidance on this."

Commissioner Borries said, "As Pat points out, when you bid -- I mean we can't do a deal here when you bid. You can't do it. I wouldn't agree to that regardless of what...."

Mr. Fox interjected, "Well, we need your guidance and that is why we're here. We're looking to find out what we have to do to get our job done."

Attorney Kissinger stated, "Here's the problem. The problem is the County Commissioners can't give you guidance. They do not dictate to your office. You're bound by State statute. Now, the County Commissioners are saying, 'Okay, you can buy some software. But if you buy that software and the County Assessor says, 'I'm not getting on that boat', the County Commissioners are powerless to do anything about that -- except we have wasted the community's money

by buying that software that is not going to be used. The County Commissioners do not have the authority or apparently the ability to solve the problem. All we can do is authorize you to buy software. That is what the County Commissioners can do."

Ms. Koob said, "Since the County Assessor doesn't really do any inputting of the data -- we do the assessing and all the drawing analyses, the personal property and all that -- I mean, doesn't the law say that he maintains and operates the system? He doesn't get to choose what it is."

Attorney Kissinger replied, "I understand that -- but we have hashed and rehashed..."

Ms. Koob interrupted, "I agree."

Attorney Kissinger continued, "...all those issues and the whole point we're trying to make here is, what we do here tonight -- the decision that the County Commissioners make tonight in reference to sending out Requests for Proposals or bids is not going to solve your problem -- unless everyone agrees up front 'We're going to use the software that comes in with the lowest and most responsive bid' and none of us -- neither the Assessor nor any individual Township Assessors or group of Township Assessors can say, 'Well, we're not agreeing to it unless it is 'X' vendor.' If you're not going to agree to that, then we're going to waste some money by having software that is going to sit in someone's office that someone is not going to use."

David Fox commented, "That is what we are afraid of. That's exactly what we're afraid of. If we get Manatron -- in a lot of cases it will be that. That's what we're afraid of."

Mr. Borries said, "But if Manatron comes in as the low bid and they say, 'Look, we've been responsive; we've been here before; we know your County -- we're the lowest' -- then we've got a problem. You betcha."

Mr. Tuley asked if Mr. Fox is asking for no bid.

Mr. Fox said, "No sir. I'm only making my statement as an Assessor. I want clarification from you all. I mean, this is something that I now know that I did not know before -- that not necessarily the best bid or product is concerned, it's the low bid. Now, I did not realize this. So, yes, there is a thought process...."

Mr. Borries stated, "Well, lowest or most responsive and that is the tricky part of what you have to do. Again, if you hone in on the specifics of the one group, another group could call foul -- and that is why I was asking whether or not there was a State model on this -- so you've got some generic specs out there -- something that doesn't one way or another give codes or stuff that leads one way or another. Because that is really the way you have to bid, as I would see it. But I'd have to defer to our Attorney. I mean, we go through this on so many different things that..."

Ms. Koob said, "There are State specs on it. I mean, the way the State says it is supposed to be ran, the software -- but you can custom make your specs to your account. Say, for instance, Kosciusco County wants all their outbuildings drawn -- we don't think that's particularly necessary, so we would just like a little box on our field sheet -- because we don't want to print all these other field sheets out. So you can custom make your specifications. The State has a particular specification that they want, but you can also custom make them."

Mr. Fox said he is late for another meeting, but he thanks the Commissioners for their time and patience.

Ms. Lannert asked to speak, saying, "The Township Assessors do put the information in, but we also use it. It's not like we don't use it. The State Tax Board is constantly asking for reports that we run off the computer -- so we do use it, too."

Attorney Kissinger commented, "But, Evelyn, the problem is -- if the system that is being used by the Township Assessors does not match up with that one being used by the County Assessor, basically we can't talk to one another."

Ms. Lannert said, "I have mentioned to Manatron some of the fears that they have had after seeing other programs and they have said that they would try to meet their needs in order to make their system more user friendly. The language of the one they like is kind of simply more understandable, where Manatron, I think, (I don't want to say college bound) but is kind of a lot more detailed. And I think that is why they like the other one -- it is simple language."

Attorney Kissinger said, "The only recommendation I can make to the Commissioners is that until we have a consensus among all of the Assessors - that we not do any Request for Proposals for the purchase of software."

Mr. Folz stated, "I'd like to comment here that I think Commissioner Borries hit the nail right on the head when he said we're going to have to bid and then you said the lowest and most responsive. I'm not positive what all the 'responsive' would be -- but let's put it this way, if we had software bids or specifications, and we have the additional specifications -- we're still talking the same thing. Now, if we're getting what we feel is best for Vanderburgh County and the taxpayers of Vanderburgh County in this software when we say 'This is what we need', then if it would come in at the lowest bid, that is basically what we're after. Otherwise, what I think we're going to end up doing is paying rack rates. We say we'll take this person because they've been here before, we'll take that person over here because they have theirs in place, too -- the State has specific specifications and they said, "All right, you have to meet these specifications before we can put you out as Certified" -- so there are specifications. I think all we're saying as Assessors is that these are the specifications we agree upon, these are the add specifications that we would like to see involved -- now, who can meet these specifications? Because we're talking the same thing regardless of what company is going to come in."

Mr. Hunter asked, "Do I hear you saying that if Manatron was the company that did all those things and met the minimum specifications that you all would have no problem with it?"

Mr. Folz responded, "Well, I don't think there is anything else we could do -- because we've had this explained to us and saying that this is what is going to happen -- you're going to have to come in here and say, 'All right, you know, again the lowest bid the most responsive -- but this is what we wanted. Now, if you can meet these specifications, regardless whether it is John Clemenshaw or whatever -- I think what we're saying is that we need to do something -- and if the specifications -- say Mr. Cappelletti has helped us draw these up; he's looked at them; we understand what is there; and saying that these other specifications that were signed by the Township Assessors...."

Mr. Hunter interrupted, "You're talking about customizing -- and this customizing is included in the specs, right?"

Mr. Folz replied, "Why, sure."

Mr. Hunter continued, "And if it goes out for bid then you are going to take where it may fall -- where the chips may fall no

matter who it is."

Mr. Folz said, "Well, if it's got what we want and we say we can use it and everybody has agreed that, by golly, this is what we should be able to do."

Mr. Tuley said, "It is not a problem as long as those specs or those customizations do not automatically eliminate somebody else."

Mr. Folz said, "I think we came here tonight saying, 'Let's bid.'"

Mr. Tuley asked that Mr. Cappelletti approach the podium.

Mr. Folz said he would like to comment on the bill about the Homestead Credit. That is Bill 1927 and this is the one they're going to tack the Riverboat Casino on from Larry Borst. From the Indiana Assessor's Association they have a lobbyist up there -- as to what is going to happen on the boat and how it is taxed. What they are going to do is use this as a rider on that bill and that is what they are tacking this on to, so we have the assessments on the bill. He got a call from the lobbyist in Indianapolis on Friday. He said he was talking to Larry Borst and the other co-sponsor of that bill -- and Bill 1927 is the one they are going to tack this on.

Mr. Elliott commented, "If the desire of the Commissioners is that the specifications that we've been given -- which are in draft form at this time -- be taken and massaged in such manner that they would allow any vendor within the State to respond and respond without having to come back to the Commissioners and claim foul -- because as they are presently written there are cases where that could occur -- and those need to be rectified if, for no other reason, than to protect yourselves."

Mr. Borries interjected, "Absolutely."

Mr. Elliott continued, "Beyond that, there are some very good points in here and some additional very good points that the Township Assessors, themselves, want to see added. That document can, in fact, be massaged in such a manner that that can occur."

Mr. Tuley said it is probably the closest thing --

Mr. Borries asked, "What -- get it out for bid and let...."

Mr. Tuley said, "I don't know that we have any choice. We've kicked this around at I don't know how many meetings and if we can get the specs massaged down -- as you termed it -- and it doesn't eliminate anybody and it is agreeable to the County Assessor and the Township Assessors -- go forth with it and whatever happens, happens."

Mr. Hunter asked, "Al - Glen -- can you two live with that?"

Ms. Koob replied, "We could add something -- just like the Performance Bond we came up with...."

Mr. Borries said, "I don't have any problem with a Performance Bond. But what I have a problem with -- frankly, I think if you're going to do this right and, as like Pat has said, they are almost going to have to operate in a vacuum in the sense that I don't think anybody is going to be able to tell them - the Township Assessors or the County Assessor -- how to write these specs -- up to a certain point. If it gets a little too precise, you run the risk of a foul in terms of how this bid..."

Ms. Koob said, "What I'm talking about is what I told you a while ago about Kosciusko County -- them wanting all the out buildings; we don't want all the out buildings drawn -- that's what I'm

talking about. I don't know the legal jargon of the contract or the specs -- Cap knows those. We're talking about...."

Attorney Kissinger interrupted, "The ultimate question is, after we have developed those specs and we have purchased that equipment, is everyone going to use it?"

Commissioner Tuley said, "They can't do their job if they don't use it."

Ms. Koob said, "We couldn't -- like this last time we had to hand price them and furnish copy machine copies to the County Assessor. That was our problem the last time."

Attorney Kissinger asked, "Do I hear you correctly then that the Assessor is saying and all of the Township Assessors are saying if we choose XYZ software, everyone is going to use XYZ software."

Ms. Koob said, "If the XYZ software performs and does not break down like we have known in the past, yes."

Attorney Kissinger continued, "Because, once we buy that software, everyone must use it. And if anyone says, 'We're not going to use it unless you buy what I want', then I would say to the Commissioners, 'Don't buy anything'."

Ms. Koob said, "Our problem was that it didn't do what it was supposed to do."

Commissioner Tuley said, "But your goal is to protect the County and you guys by putting in a Performance Bond requirement and this kind of stuff?"

Ms. Koob replied, "Yeah. When we get a company that does a recount and we lose all our land or we lose all our buildings or drawings in there, we want that company come in and either financially or themselves re-enter that stuff back in there. I don't know whether they'll do it and be accountable for it. That's up to Cap as to whether that is possible or not. If he's the one you choose to write the specs."

Al Folz said everyone uses what we've got now. They may not like it, but they use it.

Ms. Koob said, "If that's what we get, that's what we use."

Mr. Tuley stated, "So long as it functions, you will do your job. It may not function to the degree that you want it to -- it's not the system maybe you wanted, but if it works, you will use it."

Mr. Folz said, "If it comes at the low bid and meets the specs the Commissioners approved."

Commissioner Hunter asked, "And you want to be sure that company is responsive if there are problems?"

Both Mr. Folz and Ms. Koob responded affirmatively.

Mr. Folz said, "We've got 486's sitting in there -- it's got the memory to it, the hard drive, it's got the whole thing -- so that when the software comes in on this, they know the kind of hardware we have and the software has to be able to perform with what we already have."

Mr. Borries asked, "Evelyn, does the County Assessor's office have all your hardware now -- the 486's and everything?"

Ms. Lannert said they ordered it before Christmas and they've set it up in their warehouse and are running through, making sure everything is performing before they send it down.

Mr. Borries asked Ms. Lannert what her feeling is about this bid process.

Ms. Lannert responded, "We've got to go somewhere. I mean, we're just sitting here. And my deep fear is -- since I'm in the middle and I have to hear from everybody when things don't work -- I want a good system. I want a good software; I want to make sure everything is working and everybody is happy. There are several things added to the software; oil goes in this time for the first time; personal property; and then due to the space in our office we want to load inheritance in there, which is confidential -- it won't be hooked into a main base."

Mr. Commissioner asked, "But are all of these things -- I keep coming back to this -- can all four of those vendors do that?"

Ms. Lannert replied, "It's in the State's software, except for inheritance."

Ms. Koob said, "There is no program made for certifying inheritance."

Ms. Lannert said, "It is all in the State statute."

Ms. Koob remarked, "They would put it all in Word Perfect or something like that -- some kind of program that they can add to their P.C. -- that's what they would put their inheritance in."

Commissioner Tuley asked Mr. Elliott, "Can this reasonably be put together so that....."

Mr. Elliott said that it can be reasonably put together. What is the time frame the Commissioners would desire the information by? That indicates the reasonableness of the request.

Attorney Kissinger said, "If I can answer that -- and don't take this wrong -- I can say this and the Commissioners can't. The Commissioners don't have to care when this occurs. It's these people who have to care. So as soon as it can get done is when they need for it to be done -- and then the Commissioners will act on it from there."

Mr. Cappelletti said, "That was a point I was going to bring up. Considering some of the complexities, although I've written a number of these bids and we pretty well have a defined format for putting these bids together and can define the generic specs well enough that we can preclude any allegations of collusion or whatever you want to call it, I would think that by putting together specs and be given time to get together with all of the Assesors, getting them to agree that yes, this is what we want to say, and then be able to draft a final document to bring forth for the Commissioners' approval, I would probably want to be somewhat optimistic and look ahead and say, hopefully, within a couple of weeks we can have that document done. We're going to have to probably be outside, because if you take into consideration the RFP process, the advertising, the time for preparation of bids, the return, the analysis of bids the negotiation of contracts, the awarding of contracts, the delivery of equipment, the acceptance and then the four to six months they need on top of that to enter their data to reach the March 1 deadline, what they are saying is right -- they have to get moving on it right away. As to what Alan has alluded to, yes, as quickly as possible. If I could get it done and get evernone else to agree and we could come around next Monday night, I can do that. But I would want to say one or two weeks to get all of this done. I don't think that would be

unreasonable."

Commissioner Hunter asked, "It's in your ballpark now. Are you guys willing to work closely with him for ten days to two weeks -- the eight of you and then Evelyn to get this job done?"

Ms. Koob replied, "Well, yeah."

Mr. Cappelletti remarked, "The key on that is to make sure they all agree."

Mr. Hunter asked, "Evelyn, same thing with you? Are you willing to work ten days to two weeks to get this thing completed?"

Ms. Lannert responded, "Yes, I'll work with him."

Mr. Cappelletti said they will have to agree on the final document.

Commissioner Tuley said, "If they can't agree, then they're delaying their own process."

Ms. Koob said they'd just like to get started.

Mr. Cappelletti said, "After reading what they need, it is not just software -- there will be some hardware involved -- and I don't know the exact extent yet, but there will be hardware and software."

Mr. Hunter asked, "In addition to what they already have?"

Mr. Cappelletti responded, "Yes, Sir."

Mr. Tuley asked, "What all else are you talking about?"

Mr. Hunter asked, "Is that something else we put up for bids?"

Mr. Cappelletti replied, "It would all go out in one package."

Mr. Hunter asked, "And it will work with what they already have right?"

Mr. Cappelletti responded, "Correct. That would be part of the specifications -- describe the existing environment equipment they purchased a few months ago, specify that one of the conditions is that it must work within this framework; not a specific solution, but within this framework. That would still allow all vendors who want to participate to come on board."

Commissioner Tuley entertained a motion.

Commissioner Hunter said we're sitting on a keg of dynamite here and we don't want to remain sitting on it.

Mr. Tuley said he is going to entertain a motion to grant SCT, through Mr. Cappelletti, the right and responsibility to put together the RFP for bidding for the software and necessary hardware to allow us the opportunity to go forth with this reassessment, with input from the Township Assessors as well as a representative from the County Assessor's office, that we can all agree upon and be brought back to the Commissioners for actual bid letting within a reasonable time -- as long as those specs are obviously in compliance with the law.

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

Commissioner Borries said we'll let the chips fall where they may -- and he doesn't want any tears if it's the wrong company.

Mr. Folz said, "And when it's finished I'm not going to stand up here and cry. No tears. Just get it done.

RE: COUNTY ATTORNEY - ALAN KISSINGER

In proceeding, Commissioner Tuley noted someone asked him if the Commissioners were having a short meeting -- every time there is a short agenda it always has a way of stretching out and the Commissioners are in trouble. He then asked Attorney Kissinger for his report.

Reading of Bids/Repairs to Burdette Pool: Attorney Kissinger said the bids received were as follows:

Deig Bros. Lumber & Construction Co., Inc. (They bid on Alternate #1)	\$132,700
Insituform Midwest, Inc.	\$ 66,500

Mr. Kissinger said it has been requested by the personnel at Burdette Park that this be deferred for at least one week.

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

In briefly discussing the bid from Insituform, it was noted this bid needs to be viewed carefully. Commissioner Hunter asked if there is any way to ascertain via x-ray or anything the quality of the pipe.

Mr. Abell said they run a T-V through it up front and let you know if you have crushed pipe. If it's crushed and they can't use their liner, he thinks there is a minimum charge of \$4,000, if he read the bid correctly.

Mr. Hunter asked if the \$66,500 bid includes the T-V cameras.

Mr. Abell said that is their total bid if everything is working.

Mr. Tuley said if they run their cameras through there are there are no crushed pipes and they can use their lining, then the bid could be as low as the \$66,500. The bid from Deig apparently includes digging up everything and replacing everything in there.

Mr. Borries asked if we talked about this Alternate Bid thing. He's not sure the bids are for the same thing.

Mr. Kissinger said he did not understand the Alternate Bids either. But Deig listed three Alternates, and they bid only on Alternate #1. They did not bid on Alternates #2 and #3. But that code meant nothing to him.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Request to Advertise for Bids to Purchase Old Rolm Telephone Equipment: Mr. Abell said we have the old Rolm systems which were removed and he worked up a Notice to Bidders. With the Commissioners' permission, he would request that Joanne go about the advertising process and we'll proceed to sell the old telephone system to recoup some money. Normally Daryn Burgdorf would be here doing this, but he is now working at Old National Bank. (Mr. Tuley noted Mr. Burgdorf is going to handle the purchasing for the bank.) Mr. Abell said he put the language in the notice together in accordance with what he would have done were it computer equipment or some specific equipment that has been sold in the past.

Motion to advertise was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Request to Use Vanderburgh Auditorium for SWAT Training Purposes: Mr. Abell said the request from the Evansville Police Department went to Sandy Toten and she forwarded it to the Commissioners.

Commissioner Borries humorously stated this must be a Curt Wortman special -- he wants to blow it up.

Commissioner Hunter said this might not be a bad idea -- at least the SWAT Team will have first-hand knowledge of the Auditorium if we need them.

Mr. Abell said the Auditorium does have a lot of V.I.P.'s and that might be a place where the SWAT Team could someday be involved -- and this is an advance practice.

Motion to approve the request for the SWAT Team to use the facility on February 23rd from 4:00 p.m. to 10:00 p.m. was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Mr. Tuley said he assumes this schedule does not conflict with anything Sandy might have booked.

Mr. Abell said that is true.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Reports: Mr. Morphew submitted the Weekly Progress Report for period of February 4, 1994 thru February 10, 1994 report received and filed.

Mr. Borries said we've consistently had all of that bad weather and it looks like it's going to get better. Hopefully, we're through a lot of that. Again he wants to commend Mr. Morphew for his leadership of all the folks at the garage who have really worked hard to insure that the citizens and motorists of the County have had as safe as possible roads in some pretty tough weather.

Photos of Old Henderson Rd. & Cypress-Dale Rd: Mr. Morphew thanked Mr. Borries and said he has a few photos of Old Henderson Rd. and Cypress-Dale Rd. that he'd like to share with the Commissioners. The Commissioners spent several minutes viewing the photos. Mr. Morphew said among the items found on the road were a boat, a couple of loading docks, refrigerators and a cap.

Harold Stuckey/Discharge Papers: Mr. Morphew said he also has a letter from Mr. Harold Stuckey, along with a copy of his discharge papers from active duty to submit to the County Attorney.

Road Salt: Mr. Tuley said circulating through the office is a paper, asking if Mr. Morphew would like to get in on the State bid for salt. Have we done this in the past?

Mr. Morphew said we are on State bid for salt. There should be a new one for 1995 coming through. We do need to get on the State bid to keep those prices down.

Public Road Hearing/April 4th: Mr. Borries asked if Mr. Morphew is okay with the April 4th date for the Public Road Hearing -- in terms of equipment, material, etc. We don't need to take any action on any roads with this warm up that Mr. Morphew sees right now?

Mr. Morphew said they're still working on the roads in Union Township right now. He was just looking at the agenda for the Purdue Road School in March and there are a couple of sessions he feels would be beneficial to us -- road stabilization and the use of lime and other products. Also, new paving methods and procedures. These sessions would be on Tuesday afternoon and

Wednesday. He sees no need to attend Tuesday morning's sessions or staying for Thursday's session.

Mr. Tuley said as Mr. Morphew looks at the agenda and sees sessions he should attend, then he should go -- if he's willing to.

Mr. Morphew said he and John Stoll are considering going up in one vehicle and staying at the same place.

Messrs. Borries and Hunter said they think he and John should attend.

Mr. Tuley said he doesn't believe any of the Commissioners can go this time.

Mr. Hunter said you get snowed in every year up there.

Mr. Morphew humorously stated that this is where that 4-wheel drive vehicle could come in handy -- the one he doesn't have.

Getting back to the roads, Mr. Morphew said that as of now we're in fine shape material wise and equipment wise. He has asked for Mr. Wortman to come to the County Garage and go over the equipment with him -- things that need to be updated, as well as things which could be put on the auction list this year -- so we would no longer have the liability for same. He has yet to respond, but he is sure that he will be out in the next two weeks. In response to query from Mr. Tuley, Mr. Morphew stated Mr. Wortman is the Council liaison for the County Garage -- he thinks he volunteers. He has been helpful in the past and did help them get their road grader this last time. There have been times when he hasn't been helpful, but he guesses that is probably a matter of opinion.

Commissioner Tuley asked, "It's not a matter of politics, is it?"

Mr. Morphew said, "It could be."

Smiling, Mr. Hunter asked how he could say that -- and Mr. Tuley said, "I know Curt -- and he was real friendly when this seat was occupied by somebody else."

RE: COUNTY ENGINEER - JOHN STOLL

Change Order/USI Interchange/Decrease: Mr. Stoll submitted the foregoing change order for a decrease of \$2,250.

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

Ohio Street Bridge/Preliminary Engineering for Relocation of an Ameritech Telephone Cable: Mr. Stoll said he has a letter from Rick Bennett of Bernardin, Lochmueller & Association concerning this matter. In order to keep this project moving along, we always have to pay for the preliminary engineering for these kinds of things. Rick had asked that the Commissioners sign this letter this evening. He has estimated that the P.E. costs for this relocation of this line will be \$500. In order for them to begin the process of designing that relocation we need to sign off on this. It is his recommendation the Commissioners sign the letter to keep the project moving.

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

SIGECO/Request for an Easement on E.A.R.C Property: Mr. Stoll said he has a request from Bob Gulick of SIGECO for the Commissioners to sign off on an easement at the E.A.R.C. property at 615 W. Virginia Street. They need an electric easement for one of their lines. He doesn't know whether Alan wants to review that easement or not,

in so far as the description goes. He received a letter from Margaret Boarman, President of E.A.R.C. and she states SIGECO has asked them to grant an easement on the northwest corner of the property occupied by the E.A.R.C. Training Center. They have no problem with the approval of this request.

Attorney Kissinger stated he has no problems with it either.

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

Nurrenbern Place: Mr. Hunter asked if there's been anything further on Nurrenbern Place -- the 67 acres without any plans.

Mr. Stoll said he has not seen anything since the last APC meeting.

Mr. Hunter asked, "It was withdrawn then, wasn't it, to be updated?"

Mr. Stoll said it was continued to be updated -- so they could submit a plan of some sort. The engineer came in last Thursday or Friday requesting a set of plans for the Builder's Square development -- so he guesses he is looking over the area, seeing what will work -- he hasn't seen anything yet.

Mr. Hunter asked if this will come before the Commission next week. The reason he is asking is that he will not be here for that part of the meeting next week. He has his last U.E. class. He will be here for the 4:30 p.m. meeting and be here at 5:30 -- but he will have to leave by 6:15 p.m. and rezonings are not until 7:00 p.m.

Mr. Borries said if it has been continued it won't come before the Commissioners next week. The APC has to take some kind of action.

Mr. Hunter said John had questions re the carte blanche type of zoning without any kind of plan for roads or anything else. He suggested to legal counsel that the Commissioners would look a little more favorably at the zoning if there were some kind of plan and he became quite offended by it. Mr. Hunter told him he would vote 'no', then -- and he said he would continue it. He just wanted to be sure it won't slip in the back door next week when he is not here.

Mr. Stoll said he has not seen anything and he would still recommend that it be continued or denied.

Mr. Borries said Mr. Hunter certainly has his commitment that he won't vote on it -- if that will delay it. But it ought to go back to the APC for some kind of recommendation.

Mr. Hunter said there is no development plan of any kind for 60 some acres of probably some of the most potential prime commercial ground in Vanderburgh County right now.

Mr. Borries asked who the developer is.

Mr. Stoll said Joe Hartmann is the property owner's name and Bernardin-Lochmueller is the engineer. There were also a couple of other people involved in the ownership of the property, but he can't remember their names at the moment.

Mr. Hunter said it looked like one of these disasters waiting to happen. What went on in that meeting really concerned him.

RE: CONSENT AGENDA

President Tuley entertained comments or questions concerning the Consent Agenda.

Mr. Hunter said the only question he has concerns Item "f" -- are these the contractual services we committed to a year ago to Waggoner, Irwin, Scheele and Southwest Mental Health? County Council kind of grumbled about some of this. So these are things that have already been before them.

Commissioner Tuley responded affirmatively.

Mr. Borries said he doesn't understand -- particularly under contractual services with this Mental Health (EAP)-- whether we didn't put it in budget or whatever, but we've done that previously on a regular basis. We have employees who regularly use that.

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

RE: SCHEDULED MEETINGS

Executive Sessions: It was noted by Commissioners Tuley and Hunter that the Executive Session at 4:30 p.m. on Tuesday, February 22nd, is not included on the meeting calendar, nor is the 4:30 p.m. Executive Session on Monday, February 28th included. In response to query, Ms. Matthews said legal ads for both have already been prepared and copies distributed.

Commissioner Borries moved to schedule Executive Sessions at 4:30 p.m. on Monday, March 7th, and Monday, March 21st, for purposes of considering any Pending Litigation and Personnel Matters. Seconded by Commissioner Hunter. So ordered.

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board. There were none.

RE: NEW BUSINESS

Acceptance of Checks: Mr. Tuley said he has the following checks for acceptance and endorsement, so they can be given to the secretary for deposit into the proper accounts:

- 1) Mercy Services: Check in the amount of \$1,980.00 -
Response Time Penalties for 4th Quarter
- 2) Kevin Bryant: Check in amount of \$1,419.92/Collections
for period 12-30-93 thru 2-11-94

Motion to accept the checks and endorse same was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

There being no further business to come before the Board, President Tuley declared the meeting adjourned at 7:25 p.m.

PRESENT:

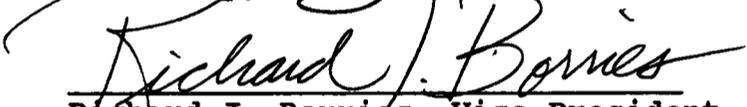
Pat Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member
Cindy Mayo, Chief Deputy Auditor
Alan M. Kissinger, County Attorney
John Stoll, County Engineer
Bill Morphey, Supt./County Highway
Mark Abell, Supt./County Bldgs.
Rick Young/President, Community Corrections Advisory Board
Roger Elliott, SCT
Richard Cappelletti, SCT
Al Folz, Knight Township Assessor

Evelyn Lannert, County Assessor's office
David Fox, Pigeon Township Assessor
Glen Koob, Perry Township Assessor's office
Amelia Tornatta/Perry Township Assessor
Mark Lefkowitz/Insituform Midwest, Inc.
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews



Pat Tuley, President



Richard J. Borries, 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

February 14, 1994

5:30 P.M.

FINAL

1. **CALL TO ORDER** ✓
2. **INTRODUCTIONS** ✓
3. **PLEDGE OF ALLEGIANCE** ✓
4. **ACTION ITEMS**
 - A. **Approval of Minutes** - *Dulmage* ✓
 - B. **Any group/individual wishing to address the commission** - *Judge Young, Comm. Creation*
 - C. **Bid Opening:**
 - (1) **Burdette Park/Pool Repairs**
 - D. **Ordinances for Second Reading:**
 - * **Zoning Code**
 - (1) **Delete Chapter 153.158 (F) (5)**
 - Section 153.158 (I) (1)
 - Section 153.158 (J) (new subsection)
 - (2) **153.003, 153.045, 153.046, 153.048, 153.049**
153.050, 153.052, 153.053, 153.067, 153.071
153.072, 153.073, 153.087, 153.097, 153.097(A) (4)
153.097 (A) (5), 153.097(A) (6), 153.097 (A) (17)
153.097 (B) 153.112 (B) 153.134 and 153.136
 - E. **Contract with Ameritech Leasing** - *Deference*
re: Telephone system with Vanderburgh County
***Needs acceptance/signatures**
 - F. **Al Folz/Knight Township Assessor**
re: Reassessment software

5. DEPARTMENT HEADS

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

6. CONSENT ITEMS

A. Travel/Education Requests:

*County Assessor (5) Burdette Park (1)
*No costs to be incurred by the County

B. Employment Changes:
* see attached

C. Permission to advertise for accept bids for the sale of ROLM telephone equipment

D. Citizens/USI 5K and 10K runs
re: permission to use county roads

E. Claim for payment:

- (1) Given & Spindler Management Co., Inc.....4,241.00
*February 1994 management fee
- (2) Kevin Bryant.....1,097.45
*Recapitulation Fees

F. County Commissioners/Council Call

- (1) 130-3530 Contractual Services.....\$ 11,583.00
Waggoner, Irwin, Scheele and Assoc.
- (2) 130-3530 Contractual Services.....\$ 4,164.00
Employee Assistance Program with SWMH
- (3) 130-3050 Patient and Inmate.....\$ 100,000.00

7. Scheduled Meetings - List attached

8. OLD BUSINESS - None

9. NEW BUSINESS - Checks

10. MEETING ADJOURNED - 7:20 pm

COUNTY ENGINEER'S

CONSENT AGENDA

FEBRUARY 14, 1994

1. CLAIMS:

RENT 203-3600	
Old Courthouse Preservation Society (1994 Rent)	\$ 3,750.00
VOLKMAN ROAD BRIDGE #203-4343	
CCC of Evansville (Inv. #94001B)	\$10,083.20
LYNCH ROAD EXT. 216-4827	
Bernardin Lochaueller & Assoc. (Inv. #8644.75)	\$ 8,644.75
USI & SR 62 430 BOND	
Blankenberger Brothers (Est #11)	\$31,236.95
Bernardin Lochaueller (93-003-2(8))	\$13,478.36

February 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 32 / 333	2 33 / 332 3:30pm County Council	3 34 / 331	4 35 / 330	5 36 / 329
6 37 / 328	7 38 / 327 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Aud. Task Force	8 39 / 326	9 40 / 325	10 41 / 324	11 42 / 323 Pay Day	12 43 / 322 Lincoln's Birthday
13 44 / 321	14 45 / 320 Valentine's Day 4:30pm Solid Waste 5:30pm County Commissioners	15 46 / 319 9:00am Insurance Comm.	16 47 / 318	17 48 / 317 9:00am Steering Comm. 5:00pm Pigeon Creek	18 49 / 316	19 50 / 315
20 51 / 314	21 52 / 313 President's Day	22 53 / 312 Washington's Birthday 5:30pm County Commissioners 7:00pm Rezoning	23 54 / 311 3:30pm Personnel & Finance	24 55 / 310	25 56 / 309 Pay Day	26 57 / 308
27 58 / 307	28 59 / 306 5:30pm County Commissioners 6:30pm Drainage Bnd.					

January

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					

March

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		

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Drug and Alcohol Referral Service *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
137.1-1980	Gilbert Martin Graham	1379 Hatfield Drive	Counselor I	25,040 00	2/25/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
137.1-1980	Gilbert Martin Graham	1379 Hatfield Drive	Counselor I	23,873 00	2/25/94

RECORDER
COMMISSIONER'S RECORD SIGNED BY *[Signature]* DATE 2-8-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department EMA/LOCAL EMERGENCY PLANNING COMMITTEE *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	JANICE SHAR	ROOM 18, CIVIC CENTER 1 N.W. M.L. KING BLVD	Secretary	\$6.00	1/31/94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	JANICE SHAR	ROOM 18, CIVIC CENTER 1 NW M.L.KING BLVD	SECRETARY	\$5.00	1/31/94 ✓

RECORDER
COMMISSIONER'S RECORD SIGNED BY *[Signature]* DATE 2/7/94

VANDERBURGH COUNTY CORRECTION COMPLEX

1505 N. THIRD AVENUE
PHONE (812) 435-5429 • FAX (812) 435-5462
EVANSVILLE, INDIANA 47710

COPY

RICHARD L. YOUNG, JUDGE
VANDERBURGH CIRCUIT COURT

HARRIS R. HOWERTON
DIRECTOR OF COURT SERVICES

DEBORAH MOWBRAY
DIRECTOR OF HUMAN SERVICES

JERRY STECKLER, SR.
ASSISTANT DIRECTOR

KAREN LANGERMEIER
EXECUTIVE ASSISTANT

ROBERT L. HART, JR.
ASSISTANT DIRECTOR

DARREN J. NEWMAN
ADMINISTRATIVE ASSISTANT

February 10, 1994

Mr. Pat Tuley, President
Board of Commissioners of the
County of Vanderburgh
305 Administration Building
Civic Center Complex
Evansville, Indiana 47708

Dear Mr. President,

A quorum of the Vanderburgh County Community Correction Advisory Board (V.C.C.C.A.B.) met on February 8th, 1994. One of the many items on the agenda included the re-appointment and appointment of its members. Six members' (identified as "re-appointments" in the following list) terms will expire on February 16, 1994. Three members (identified as "to be appointed") are needed to fill vacancies left by the retirement from the board by William H. Miller, Al Buck, and Betty Herman.

By unanimous vote, the V.C.C.C.A.B. respectfully submits it's recommendation that the Board of Commissioners re-appoint, and appoint, the following individuals :

✓ K. Allan Henson	(Re-appoint)
✓ John Browning	(Re-appoint)
✓ Harris Howerton	(Re-appoint)
✓ Roy Weightman	(Re-appoint)
✓ William Buckman	(Re-appoint)
✓ Ken Jones	(Re-appoint)
✓ Phil Hoy	(To replace Betty Herman)
✓ Jim Trader	(To replace Al Buck)
✓ OPEN	(To replace Judge W.H. Miller)

Sincerely,


Harris Howerton,
Director of Court Services and
Secretary/Treasurer Vanderburgh County
Community Corrections Advisory Board

11-12-2-2
11-12-2-3.1

BID RECAP SHEET

PROJECT: REPAIRS TO BURDETTE POOL

PROPOSAL OPENING DATE: FEBRURY 14, 1994

* * * * *

<u>Bidder Name</u>	<u>Amount</u>
<u>Deig Bros. Lumber & Constr. Co., Inc.</u>	<u>\$132,700.00 (alternate 1)</u>
<u>INSITIFORM MIDWEST, INC.</u>	<u>\$66,500.00</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

COMMENTS:

ACTION TAKEN:



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for February 14, 1994

1. Change order for the USI interchange for a decrease of \$2,250
2. Preliminary engineering for the relocation of an Ameritech telephone cable for the Ohio Street bridge — RB/DH.
3. SIGECO request for an easement on the Evansville ARC property at 615 W. Virginia Street — RB/DH.

FEB 07 1994

BERNARDIN · LOCHMUELLER & ASSOCIATES, INC.

PLANNERS · ENGINEERS · SURVEYORS
20-24 N. W. FOURTH ST., SUITE 606
EVANSVILLE, IN 47708
TEL. (812) 426-1737
FAX (812) 426-7369

February 4, 1994

Mr. John Stoll
Vanderburgh County Engineering Dept.
Old Court House
Suite 307
201 N. W. Fourth Street
Evansville, IN 47708

Re: Bridge #3C over Pigeon Creek on Ohio Street
Project No. BRM-480()
BLA Project No. 91-68-1

Dear Mr. Stoll:

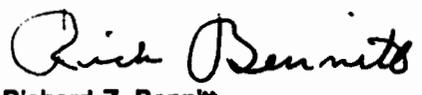
Ameritech has a telephone cable that must be relocated in order to accommodate this bridge project. It appears at this time that their work will be reimbursable, but this will be determined after they develop a relocation plan. Ameritech has estimated their PE cost to be \$500.00.

If you are in agreement with this estimated cost, please so state by signing and dating in the space provided below. I will then notify Mr. Gary Potts of Ameritech that he may begin PE on this utility relocation. I will not request appropriation of federal funds through INDOT at this time because the cost won't be charged until the project is complete.

If you have any questions and or comments, please don't hesitate to call me.

Respectfully,

BERNARDIN, LOCHMUELLER & ASSOCIATES, INC.



Richard Z. Bennett
Project Engineer II

RZB/map

cc: Gary Potts - Ameritech

ESTIMATE ACCEPTED

Signature: 

Title: Co Commission Pres.

Date: 2-14-94



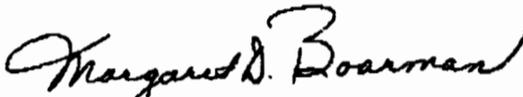
February 10, 1994

John Stoll
County Engineer
201 N.W. 4th Street
Room 307
Evansville, IN 47708

Mr. Stoll:

SIGECO has asked Evansville ARC to grant it an easement on the northwest corner of the property occupied by the Evansville ARC Training Center located at 615 West Virginia Street. Evansville ARC has no problem with the approval of this request. Thank you.

Sincerely,


Margaret D. Boarman
President

MDB:bas

Corporate Offices
615 W. Virginia Street
P.O. Box 4089
Evansville, Indiana 47724
(812) 428-4500
FAX: (812) 421-8537

ARC Industries
2515 Koller Avenue
P.O. Box 4089
Evansville, Indiana 47724
(812) 428-4510
FAX: (812) 426-4833

ARC Child Life Center
615 W. Virginia Street
P.O. Box 4089
Evansville, Indiana 47724
(812) 428-LIFE
FAX: (812) 421-8537

An Equal Opportunity/Affirmative Action Employer

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, FEBRUARY 4, 1994 THRU THURSDAY FEBRUARY 10, 1994

FRIDAY, FEBRUARY 4, 1994

One crew ran barricades.
Patch crew worked on work orders.
Three crews worked on concrete repair in Melody Hills.
Two tree crews worked on Frontage Road.
One crew cleaned trucks.

MONDAY, FEBRUARY 7, 1994

Gradall and one crew worked at 612 Lemay, 2508 Korressel Road
to bury deer parts.
Trash crew ran regular routes.
Grader and two crews cleaned debris off Old Henderson Road.
Two tree crews worked on Old Henderson Road.
One crew cleaned trucks and one crew ran barricades.

TUESDAY, FEBRUARY 8, 1994

Gradall, Grader and two crews cleaned debris off Old Henderson.
Two tree crews worked on Old Henderson.
Payloader and one crew cleaned debris off Lenn and River Road.
Trash crew ran regular routes.
One crew cleaned trucks in the garage.

WEDNESDAY A.M. - Crews called in beginning at midnight and worked
through the day on Wednesday removing snow and ice.

WEDNESDAY, FEBRUARY 9, 1994

All crews ran snow routes.

THURSDAY A.M. - Crews called in beginning at midnight and worked
through the day on Thursday removing snow and ice.

THURSDAY, FEBRUARY 10, 1994

All crews ran snow routes.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, FEBRUARY 4, 1994 THRU THURSDAY, FEBRUARY 10, 1994

FRIDAY, FEBRUARY 4, 1994

Crew #1 - worked on Venetian and O'Hara Drive.
Crew #2 - shovel and clean off bridges on St. Joe Ave, clean weep holes in bridges.

MONDAY, FEBRUARY 7, 1994

Crew #1 & Crew #2 - repair Oak Hill Road bridge with durocrete.

TUESDAY, FEBRUARY 8, 1994

Crew #1 - straighten barn - add rock on top of culverts installed, Meadowbridge, Schissler, Cypress Dale, Agathon Koring, and Baseline.
Crew #2 - install bucket.
Crew #3 - clean drains on Evergreen Acres, put up barricades on Larch Lane and Pine Place washout.

WEDNESDAY, FEBRUARY 9, 1994

All crews hand salted and sanded bridges.

THURSDAY, FEBRUARY 10, 1994

All crews hand salted and sanded bridges.



EVANSVILLE POLICE DEPARTMENT

App'd. 2/14/94

An Giann
Chief of Police

Civic Center Complex
15 N.W. Martin Luther King, Jr. Blvd.
Evansville, Indiana 47708
TX 812-426-5540 • TDD 812-426-5564 • FAX 812-426-5550

February 9, 1994

Sandra Toton, General Manager
Vanderburgh Auditorium
715 Locust St.
Evansville, IN 47708

Sandra;

The Evansville Police Department Special Weapons and Tactics Team (S.W.A.T.) would like to request the use of the Vanderburgh Auditorium for training purposes on February 23, 1994 from 4pm to 10pm. Our S.W.A.T. Team policy is to train in realistic surroundings where there is a likelihood that our services may someday be needed. Given the number of V.I.P.'s who visit the Auditorium and the high profile public exposure, it would benefit both the S.W.A.T. Team and the Vanderburgh Auditorium for us to be familiar with the layout and unique characteristics of the building.

Specifically, we are requesting that our 14 officers have access on the 23rd to as many areas as possible within the building. We also request a tour and briefing on February 22, 1994 at 3pm for two to four of our officers so we may plan our training time before we arrive on the 23rd. We would prefer that an auditorium employee be present in the building while we train in case any questions arise or other assistance is needed. The focus of the training will be team movement and will not involve any live fire or explosive entry. All weapons will be unloaded and safety checked, as per our S.O.P., before any training begins. All our officers are covered by city insurance, however, waiver forms can be signed if necessary.

Please advise us if this arrangement is satisfactory and feel free to call if there are any questions or scheduling conflicts.

Respectfully,

Sgt. Bill Welcher
Evansville Police Department
Special Weapons and Tactics Team
426-5504

in partnership with the Community

REQUEST FOR APPROPRIATION

DEPARTMENT: 1300 - County Commissioners

DATE: 2-3-94

<u>ACCOUNT</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>
130 - 3530	Cont. Services	4,164.00

EXPLANATION OF NEED FOR REQUEST

Employee Assistance Program

**VANDERBURGH COUNTY
REC'D**

FEB. 8 1994

Leon Thompson
AUDITOR

BALANCE OF ACCOUNTS:

<u>ACCOUNT NO.</u>	<u>BUDGET</u>	<u>DISBURSEMENTS</u>	<u>BALANCE</u>	<u>BALANCE AFTER APPR</u>
--------------------	---------------	----------------------	----------------	---------------------------

*Not in 1994 budget

VCC-2

DEPARTMENT HEAD: *Patricia J. Juley*

Bj

REQUEST FOR APPROPRIATION

DEPARTMENT: County Commissioners (1300) DATE: 1/19/94

ACCOUNT	LINE ITEM	AMOUNT
130-3530	Contractual Services	11,583.00

EXPLANATION OF NEED FOR REQUEST

** See attached invoices

**VANDEBURGH COUNTY
REC'D**

JAN 20 1994

Sam Douglas
AUDITOR

BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPROP
** No money was budgeted for this in 1994.				

VCC-2

DEPARTMENT HEAD: *Patrol Julez*

13

REQUEST FOR APPROPRIATION

DEPARTMENT: 1300 - County Commissioners DATE: 2-3-94

ACCOUNT	LINE ITEM	AMOUNT
130 - 3530	Patient Inmate	100,000.00

EXPLANATION OF NEED FOR REQUEST

We have invoices totaling 84,785.00

In 1993 we spent over 600,000.00

VANDERBURGH COUNTY
REC'D
FEB 8 1994

Sam Thompson
AUDITOR

BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPRO

Patrol. Julez

VCC-2

DEPARTMENT HEAD: _____



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

COPIES

RICHARD J. BORRIES
DON L. HUNTER
PATRICK TULEY

February 15, 1994

Mr. Bill Stegemoller
Men's Cross Country Coach, USI
8600 University Blvd.
Evansville, Indiana 47712

Dear Mr. Stegemoller,

This is to inform you that during the County Commissioner's meeting on February 14, 1994 your request to use the roads as outlined in your letter/map was approved.

A copy of this letter and your requests are being forwarded to the office of Sheriff Hamner.

I am glad that we could be of assistance to you and much success to you and your runners.

Sincerely,

Patrick Tuley, President
Vanderburgh County Commissioners

PT/bj

cc: Sheriff Ray Hamner



February 4, 1994

Board of Commissioners of Vanderburgh County
305 Administration Building
Civic Center Complex
Evansville, IN 47708

Gentlemen:

We are currently making arrangements for the 15th Annual Citizens/USI 5K and 10K runs. A map of the proposed 15K route which has been used for past races is enclosed.

I am requesting that we use the county roads shown on the map for this event. The date is March 12, 1994. Runners would begin this loop at 10:00 A.M. and be off the roads by 11:00 A.M.

Units from the Vanderburgh County Sheriff's Department would be at intersections and will be assisted by REACT volunteers.

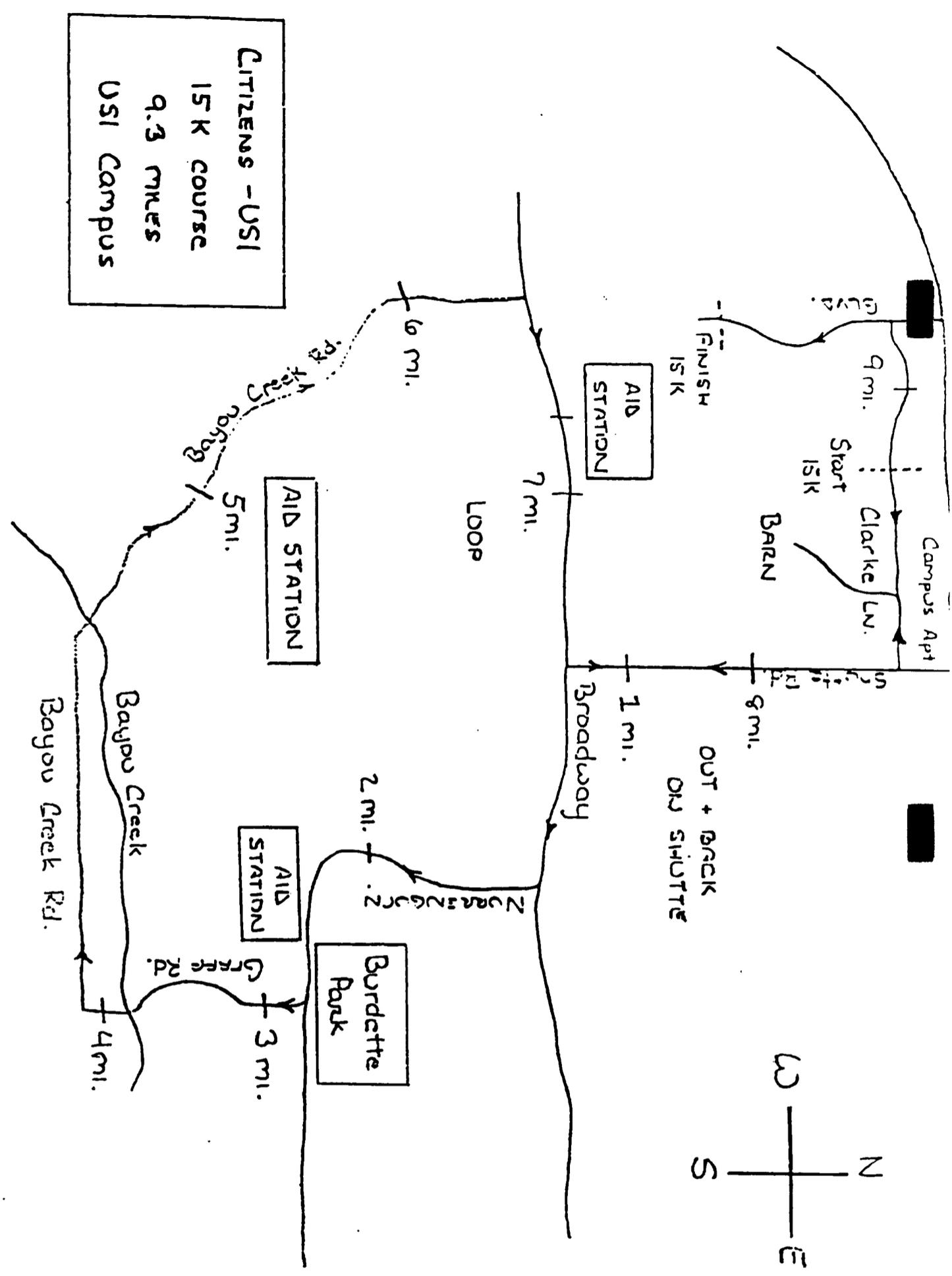
If you have any questions, I can be contacted at 464-1710 between 10:00 and 12:00 A.M. weekdays or at 985-9667 evenings.

Thank you for your consideration of this request.

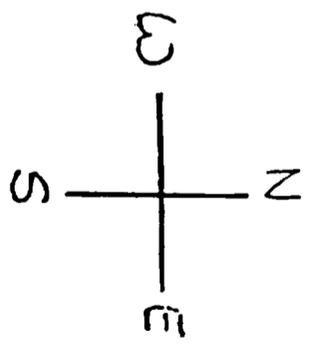
Sincerely,

Bill Stegemoller
Men's Cross Country Coach
University of Southern Indiana

8600 University Blvd.
Evansville, IN 47712
Enc/1



CITIZENS - USI
 15 K COURSE
 9.3 MILES
 USI Campus



500

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 2/8/94 DEPARTMENT: Vanderburgh Co. Assessor

EMPLOYEE(S): James L. Angermeier

Evelyn Lannert; Dorothy Joest;

Ramona Ireland; Bettye Welte

DATE(S) OF TRAVEL: 2/15/94

DESTINATION: Marion County Assessor Office, Indianapolis, In.

PURPOSE: To review the computer operation of their appraisal system

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: no

MEANS OF TRAVEL COUNTY VEHICLE NUMBER: _____
OTHER: personal car

REIMBURSEMENT CLAIMED	<u>-0-</u> Mileage	<u>-0-</u> Parking
	<u>-0-</u> Per diem	<u>-0-</u> Registration
	_____ Air fare	_____ Other

APPROVED: _____
Department Head

APPROVED: James L. Angermeier (EL)
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 14th day of February, 1994

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

COPY

DATE OF REQUEST: FEBRUARY 7, 1994 DEPARTMENT: BURDETTE PARK

EMPLOYEE(S): THOMAS R. GOODMAN

DATE(S) OF TRAVEL: APRIL 13 - 17

DESTINATION: COLUMBUS, OHIO

PURPOSE: WORLD WATERPARK ASSOC. RISK MANAGEMENT COURSE AND WWA ADVANCED LEISURE MANAGEMENT SCHOOL.

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: 4 NIGHTS @ \$62.00 PER NIGHT RAMADA UNIVERSITY HOTEL-COLUMBUS, OH
(PLUS TAX)

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: 1992 CHEVY PICK-UP (LIC.#58182)
OTHER: _____

REIMBURSEMENT CLAIMED

<input checked="" type="checkbox"/> Mileage	<input type="checkbox"/> Parking
<input checked="" type="checkbox"/> Per diem	<input checked="" type="checkbox"/> Registration
<input type="checkbox"/> Air fare	<input type="checkbox"/> Other

APPROVED: Mal Tuley
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 14th day of February 1994

Patrice Tuley
PATRICE TULEY, PRESIDENT

Richard J. Borries
RICHARD J. BORRIES VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

**MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 22, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:50 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes (January 31, 1994)	1
Bid Openings/Multi-Cabling Services	1
(No Respondents; R. Cappelletti to go back to Data Board to go on job request basis and obtain prices from three local vendors and proceed on an as-needed basis)	
Burdette Park/Awarding of Contract for Pool Repairs	1
(Insituform Midwest, Inc. - \$66,500)	
Ordinances/Zoning Code (Third Readings)	2
(Both Ordinances approved; copies attached hereto)	
Voter Registration Cards	4 & 8
(Commissioners want VRC's sent to all registered voters in Vanderburgh County to be notified; M. Abell to so notify Voters Registration)	
Ordinance re County Redevelopment Commission	4
(Commissioners to appoint Board Members next week)	
Proposed Amended Building Code/Roger Lehman	5
(Deferred)	
County Attorney/Alan M. Kissinger	5
Traffic Ordinances/Stop Intersections Opinion re Community Corrections	
Superintendent of County Buildings/Mark Abell	9
Request for Permission to File Release of City Weed Liens Against the New Found Surplus Properties Ameritech Contracts (Actual Hardware, Service and Installation of Cabling and Hardware)	
County Highway Department/Fred Howard	9
Weekly Progress Report Snow Season/Holiday Work Flooding Old Henderson Rd. Request for Medical Leave/Andy Wade Release/Tom Waterman (Changed to 2/28/94)	
County Engineer/John Stoll	12
Revisions to Supplemental Agreement #1 of the Land Acquisition Agreement for Green River Road Sections B & C Road Plans/Stonebriar Subdivision (Approved) Request for Sidewalk Waiver/Mt. Ashley Subdivision (Deferred until D. Hunter is present to discuss any concerns he may have) Stop Sign Ordinance/Adding Nine (9) Intersections Stop Sign Ordinance/Deleting Intersection (Ordinances advertised; Second and Final Readings scheduled at 5:30 p.m. on March 7 and March 14, 1994, respectively) Purdue Road School	

Consent Agenda	13
Scheduled Meetings	13
Old Business ..(None).....	14
New Business ..(None)	14
Rezoning Petitions: VC-19-93/Petitioners, Sylvester Elpers, James Elpers, & Rita Elpers (approved on Final Reading; includes Use & Development Commitment)	
Meeting Adjourned @ 7:05 p.m.	15

MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 22, 1994

The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Tuesday, February 22, 1994 in the Commissioners Hearing Room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Supt./County Bldgs., County Attorney Alan Kissinger, Commissioner Borries, himself, Commissioner Hunter, Chief Deputy Auditor Cindy Mayo, and Joanne Matthews, Secretary). He then asked the group to stand for the Pledge of Allegiance.

Commissioner Tuley asked if there are any individuals/groups present who wish to address the Commission but do not find their particular item of interest on this evening's agenda. He noted copies of the meeting agenda are on the front table. There was no response from the audience.

RE: APPROVAL OF MINUTES

President Tuley entertained a motion for approval of the minutes of January 31, 1994. Those were presented to the Commissioners last week for their review.

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

RE: BID OPENINGS

It was noted that we have a scheduled bid opening for proposals for multi-cabling services.

Mr. Abell noted there were no respondents.

Commissioner Borries asked Mr. Richard Cappelletti of SCT what he will do now.

Mr. Cappelletti said that he will be going back to the Data Board for approval to go on a job request basis and get prices from at least three (3) local vendors and proceed on an as-needed basis.

RE: AWARDING OF CONTRACT FOR BURDETTE PARK POOL REPAIRS

Mr. Tuley said last week we received two bids for the subject project, which were given to Mark Tuley for review and a recommendation. He then recognized Messrs. Mark Tuley and Tom Goodman from Burdette Park.

Mr. Goodman said one of the bids (Deig's bid) was a total reconstruction project which would require a lot of concrete demolition and total replacement of the pipes. The other bid (Insituform Midwest, Inc.) was a fairly new process of inserting a liner inside the pipes without doing any of the demolition -- the latter obviously a very expensive thing to do. Being we are restricted to a certain time frame to get these repairs done, it looks like we only have one viable option and that is the insertion of the liner. They say they can do this work in five day's time. They talked with Deig Bros., who recommended we accept the bid from Insituform, as Deig was concerned about completing their work within the required time frame. It is their recommendation that the Board accept the bid of Insituform Midwest, Inc. in the amount

of \$66,500.

Commissioner Borries said he is glad Messrs. Tuley and Goodman are here to explain this, because the Commissioners were concerned last week about the tremendous difference in bid prices. He guesses his only question is, what happens if it doesn't work? Is there any guarantee involved on this?

Mr. Goodman said they do have a guarantee. There will be a pre-television inspection before they even start the work. They will run a television through the pipe itself to see if there are any collapses. It is very doubtful there are. The system was completely running when it was shut down. Had there been a collapse of any kind, they would have seen an increase in water. They will also run a machine through the pipes to clean them out. They will insert the lining and do another television inspection after it is done to show that there are no breaks in the seams of the liner and they will also do a 120 pound water pressure check to make sure the liner is working.

Mr. Borries said this is angioplasty for Burdette Park -- that is exactly what it is.

Mr. Tuley said Insituform has also been in contact with Gary Leek from the Waterworks. This company has done a lot of work on sewers, using the same process. He also found out they did the same procedure(call Tom) So they feel pretty excited about this project. He realizes they have more money for the project than the \$66,500. They have some site preparation work they're going to have to do that by the time they get finished they will be in the \$80,000 range total for the project, which is kind of where they thought they would be when they prepared the original estimate. They also have some work to do on the pump house and some work on the diving boards.

Commissioner Tuley said they had \$100,000 budgeted. He then entertained a motion.

Motion to approve the repair work to the main drain lines of the pool at Burdette Park and that the bid be awarded to Insituform Midwest, Inc. in the amount of \$66,500 was made by Commissioner Borries. Seconded by Commissioner Hunter. So ordered.

Commissioner Hunter asked if they ever told Commissioner Borries what "insituform" means.

Mr. Borries said he has no idea.

Commissioner Hunter said this means "on site" -- or as it stands. He ran into that term regarding an oil shale years ago out in Colorado.

Mr. Goodman said there were concerns at one time about inserting the liner and then reducing the capacity of the pipe for the flow rate, which is not a concern in this matter. It's a totally seamless system and the liner itself is probably no more than a quarter inch thick. So there is no problem with upgrading our pumping system. We have one pipe that is an 8" line and the other pipe is a 10" line. But the 10" line gets reduced to an 8" line at the pump house. From what he understands in talking to a few engineers, that small amount and it being totally a seamless line mount (which we obviously don't have a seamless line) there are some restrictions in that which make up the difference there.

RE: ORDINANCES RE ZONING CODE

Commissioner Tuley said Ms. Bev Behme from Area Plan is here today

for the Final Readings of two (2) Ordinances concerning the Zoning Code.

With regard to Ordinance (1), Ms. Behme said this amendment falls under the Chapter "Use & Development Commitments". What this Ordinance says is that if after the final filing deadline, you amend that ordinance either by legal description, change of zoning classification -- then it automatically has to come back to Plan Commission before it can go forward to the County Commissioners, which makes it much easier to keep track of it. And, they also know that if they come here and change, they are going to have to come back. We had one last month where they amended their legal description, so they have to come back next month. The old Ordinance read that if you wanted to file a Use & Development Commitment it had to be done within five (5) days and there's no time to advertise the changes.

Commissioner Tuley said that covers the changes. Since this is the Final Reading, he asked if there is anyone in the audience to speak concerning the subject Ordinance.

Ms. Behme commented that this Ordinance was passed by the APC on January 5, 1994 and the City Council passed it January 24, 1994 -- and the APC would like to keep the Ordinance the same. It was unanimously passed by the APC 13 to 0. Same in City Council -- 9 to 0.

Mr. Tuley entertained a motion.

Motion to approve the Ordinance on Final Reading was made by Commissioner Hunter, with a second from Commissioner Borries.

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

With regard to Ordinance (2), Ms. Behme said this is the "Bed and Breakfast" Ordinance. Again, APC passed this January 5, 1994, after many revisions and meetings with the City Council and this is the Ordinance they came up with. It was passed by APC 13 to 0 on January 5, 1994 and City Council approved on January 24, 1994. In brief, what this Ordinance does -- Bed and Breakfast in the County will require both the zoning and a Special Use. The zoning (up to five units) will be an R-3; up to ten units will be an R-4 and R-5, with a Special Use. Anything up to ten units will be a permitted use in the Commercial zones. They wanted to keep these consistent with the City and the County. Again, sign changes -- they reduced the signs to limit it to 6 sq. ft. and there were no changes in the parking requirements. Parking requirements are the same as before. Except, for this change, you do not have to have a commercial zone, it will be in multi-family zone.

Commissioner Hunter said he might add that initially, the concept of accepting the bed and breakfast is fantastic. But he did have some concerns with regard to the County as to the amount of control we would have. And that issue has been addressed. He, personally, feels very comfortable with what they have come up with.

Ms. Behme said they would have to come to this Board to get a zoning change. If it is agricultural ground or R-1, it will have to be zoned to R-3. Then after the zoning is approved, it will have to go back to Board of Zoning Appeals for a Special Use.

Commissioner Tuley entertained a motion for approval.

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

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

RE: DISCUSSION RE VOTER REGISTRATION CARDS

President Tuley said he does not see either Jon Hill or Susan Kirk here. This matter will be deferred until later in the meeting, and we'll come back to this matter if they show up.

RE: ORDINANCE RE COUNTY REDEVELOPMENT COMMISSION - MIKE ROBLING

President Tuley said the next item on the agenda is an Ordinance for consideration in reference to a County Redevelopment Commission. Mr. Mike Robling of the City Department of Metropolitan Development is here to discuss this matter.

Mr. Robling said that as a result of the activities that Vision 2000 and other economic development efforts taking place in the City and the County, it has become apparent that it would be useful for the County to create a Redevelopment Commission that would have certain powers under the Redevelopment Act to develop public improvements, etc., in support of new business enterprises in the County and allow for certain kinds of financing, such as Tax Increment financing which otherwise would not be available in the unincorporated portions of the County.

President Tuley said, "Mike, this is basically being done -- as you just indicated -- in case we need to do any other special taxing for economic development or whatever, correct?"

Mr. Robling said this is correct.

Commissioner Tuley continued, "I talked to Mariann, and in creating this Commission we will just establish the Board Members. We will not be creating a whole new department. I think it would be at a later date when you request the Commissioners that we enter into some inter-local agreement with your staff who is already in place to do whatever paperwork and what have you that we have to do. That is my understanding. And that would be mt recommendation to the other two Commissioners -- that we won't create another whole new department."

Commissioner Hunter agreed.

Commissioner Tuley continued, "Basically this is being done as an economic development tool for the County to use, much as the City has already done."

Commissioner Borries commented, "I tell you -- in certain areas of the County in addition to that -- I like the second part that talks about redevelopment of blighted areas -- since we have been in Court on a few blighted areas."

Mr. Robling stated, "The Redevelopment Commission has authority to create two different kinds of areas, one of those being a redevelopment area which takes the finding of a blighted area and the other one being an economic development area, which is strictly for economic development purposes."

Motion to approve the Ordinance was made by Commissioner Borries, with a second from Commissioner Hunter.

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

In conclusion, Commissioner Tuley said he would ask the

Commissioners to work on coming up with some names for Board Members by next week.

RE: PROPOSED AMENDED BUILDING CODE - ROGER LEHMAN

President Tuley said he does not see Roger Lehman, the Building Commissioner.

Commissioner Hunter said he has made some notes of questions to be directed to Mr. Lehman concerning this matter.

Mr. Abell said Mr. Lehman said he would be here; he talked with him.

Commissioner Tuley said if Mr. Lehman arrives, the Board will ask to defer this matter -- since Commissioner Hunter has to leave and he has several questions.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Traffic Ordinances: Attorney Kissinger said he has prepared two Traffic Ordinances with regard to Stop Intersections. John Stoll will be presenting those during his report.

Opinion re Community Corrections: In response to the request by the Commissioners last week, Attorney Kissinger said he has prepared a memorandum concerning his opinion of the appropriate entity authorized to establish and operate the Community Corrections Program within Vanderburgh County. Basically, he will go through the memorandum and then take questions -- if that is how the Commissioners wish to handle this.

Commissioner Borries said the memorandum is comprehensive. Does Attorney Kissinger have a bottom line summary? The memorandum could be entered into the record. (Copy attached hereto as part of the formal record.)

Attorney Kissinger said he will go through the summary as it appears in the memorandum. There are certain things that the Community Corrections Advisory Board is required to do. Number one, they are required to formulate a Communications Plan, prepare applications for financial aid, observe and coordinate Community Corrections Programs, make annual reports and recommendations regarding those programs, insure compliance with Indiana Department of Corrections Standards, recommend approval or disapproval of contracts, adopt by-laws for the conduct of its own business, hold regularly scheduled meetings, annually update the Community Corrections Plan, and administer the Community Corrections Fund. There are certain other things that the Advisory Board may do and that is to appoint a Community Corrections Program Director, remove a Community Corrections Program Director, and establish personnel policies and procedures and salary classifications for program employees. All of those things that are listed -- the things he has just recited -- may be done only with the specific approval of the County Executive. By statutory definition, the County Executive in this case is the Board of Commissioners of Vanderburgh County.

There are some strictly ministerial acts that they can do without specific County approval, but those are ministerial acts in reference to the Board -- such as adopting by-laws, holding regular meetings, etc.

There are certain other things the Advisory Board may not do. They may not enter into contracts or leases or other agreements which require payment from County funds. They may not establish policy or procedure for employees that is not in compliance with County policies and procedures. They may not hire or terminate any

program employee or establish salary schedules that are not in compliance with County policy. All of those acts may be accomplished only with the specific approval, once again, of the County Executive -- the Board of Commissioners of Vanderburgh County.

Attorney Kissinger said his opinion is based on various statutory authority that he has cited in the memorandum and his opinion is that the Board of Commissioners of Vanderburgh County is the ultimate authority over all programs which are administered by the Vanderburgh County Community Corrections Advisory Board. The Board may not act in any final manner without the prior approval of the County Commissioners and, in some fiscal matters, the Vanderburgh County Council. The conclusion seems unavoidable in consideration of the statutes cited, which indicate that only the County Executive may establish or terminate a Community Corrections Advisory Board, and that most of the Board's functions require the approval of the County Commissioners.

The statute which established the Community Corrections Funds to be administered by the Advisory Board -- which has to be done in accordance with the rules adopted by the Department of Correction is cited. He is not in possession of the Department of Correction rules, however, once again, those rules are basically ministerial acts and it is his opinion that although the fund is administered by the Advisory Board, the County Commissioners control the action of the Board and, therefore, they also control all of those funds. Attorney Kissinger said he will now take any questions the Commissioners may have.

President Tuley asked, "In a nutshell, the Board reports to the County Commissioners?"

Attorney Kissinger responded, "That is correct. It is -- the County Commissioners -- all of the statutes anticipate that the County Commissioners are the final authority over Community Corrections. That is about as much in a nutshell as I can put it. There are many ways of arriving at that point, but ultimately, regardless who runs the program -- if they are County employees or if it is private entity -- still the Advisory Board must develop the plans, programs, etc. -- all of those things -- subject to approval by the County Commissioners. The Advisory Board cannot act without the approval of the Board of County Commissioners, except, once again, in minor ministerial matters. It is the Commissioners' authority."

Commissioner Hunter said he has to excuse himself, but he would suggest that perhaps a copy of this memorandum should be sent to the Community Corrections Advisory Board.

Commissioner Tuley asked if Attorney Kissinger will handle this.

Attorney Kissinger responded affirmatively.

Commissioner Borries said, "Further, Mr. President, I believe that copies of the audits that have been done in accordance with the State Board of Accounts need to be on file in this office. I would further want to suggest for your consideration that just as we have other department heads that routinely and regularly report to this Board with reports -- as evidenced here this evening -- that regular reports and, in some cases, appearances by the department head in charge of this operation should be considered."

President Tuley said, "Let's make sure I understand. In addition to attending the Department Head Meeting we have every first Monday of the month, then you would also like for him to attend the weekly Commission Meeting to give a report of activities?"

Commissioner Borries said, "Well, in cases of need. In other words, that the person be notified that they do have responsibilities to this Board. We regularly hear from the County Attorney and others listed here in some fashion -- generally, every week the Attorney, the head of the County Highway Garage and the County Engineer. We also hear from the Superintendent of County Buildings and Burdette and the Auditorium."

Commissioner Tuley said, "Okay, let me further request that what we're going to do in addition to the Board of Accounts Audit, did you say the Federal government? I understand from last week's report that they do receive a Federal government audit?"

Commissioner Borries said he is not sure -- but if they do we need...

Commissioner Tuley interrupted, "I think that is what he said."

Attorney Kissinger said, "I believe they are receiving some Federal money and if you receive Federal money, you are subject to a Federal audit."

Commissioner Tuley continued, "We'd like copies of that. We're also going to ask for copies of the list of the present Advisory Board Members, as well as the position they are holding, so we may review those appointments to make sure everyone is holding the right position and a copy of the by-laws that you alluded to, if such exist. Because apparently -- I'm in my second year on the Commission, but I don't think I've ever seen a copy of the by-laws for approval."

Attorney Kissinger stated, "I've never seen them."

Commissioner Borries said, "Further -- if it's the Board -- if we need to get this started, hopefully there might be some funding available through some accounts -- I would hope that we could begin to look at some personnel policies, procedures, salary classifications, job descriptions and that type of thing to standardize. I think our Attorney has recommended that -- it needs to be tied in. We have some models with certain Corrections positions and job descriptions on file at the County Jail. However, I guess what makes this such a unique animal is that this is not a Jail. This is a Community Corrections facility. There are some differences and we may have to acknowledge a few minor differences. But certainly the policies, procedures, those things really need to be looked into and, I think, addressed in a timely fashion."

Commissioner Tuley said he is trying to write all of this down -- "Let's see, copies of all audits, copies of the by-laws, Board appointments and the position that they hold to come by the Board appointment, and then you want a review of personnel policies and procedures to make sure they are in compliance with County policies and procedures."

Commissioner Borries stated, "Frankly, I think they are going to have to be developed. In many cases we are dealing with some employees who have not oftentimes been hired on certain bases -- where maybe personnel policies were in place -- and certain procedures and salary classifications are all going to have to be determined."

Mr. Tuley asked, "You want this done probably by an outside source?"

Commissioner Borries responded, "Yes."

President Tuley said, "I think that covers it. Federal and State audits, copies of the by-laws, Board appointments and the role or

position that they fill by virtue of that Board appointment -- be it legal or ex-offender or whatever. I'd like to see the dates, because I was asked that on some of them -- when they were appointed and I'm not sure. And then we want to do a review of all positions, classifications, and probably do this by an outside source. We also want to see Alan send copies of his findings to all Board Members and....."

Attorney Kissinger interrupted, "I'll send a copy to Judge Young and there is another Board Members I've been communicating with. I'll make one available to him and then he can bring it to the next Board Meeting and make copies for the members."

Mr. Tuley said, "Okay. That pretty well sums it up. Alan, I'm not totally surprised by your finding to say the least, because I've been reading over those statutes -- so it doesn't surprise me that this falls back to the County Commissioners. And I think the term "Advisory Board" pretty well sums that up. We have several Advisory Boards working throughout the County and that is exactly what they are -- Advisory Boards."

Commissioner Borries said, "I'd want to say, too -- you know, what makes news, Mr. President, on any given day is the old man bites dog theory -- in other words, if something wrong or bad happens we read about this and sometimes things begin to get a life of their own. So, certainly, in defense of this program, it was started under a previous Judge to meet a community need as somewhat of a alternative to putting them in jail. It has grown. We know it is bigger. Things have changed and we're trying to address this. I don't want to imply in any way at this point that there is something fundamentally wrong with this program. It is meeting a community need. There have been people who have been helped there. We could probably pull out more horror stories if we want to go to that extent -- but there are needs being met in this community. So I don't think we want to imply here that at this point there is any change in direction -- until we've gone through a lot of other stuff."

Commissioner Tuley said, "I don't think there is any implication that there is something wrong out there as much as there has been a question of statutory authority and we're just trying to get a handle on that -- and by virtue of it falling in our lap, I think we have an obligation to review the practices and policies. We may not have to make any changes. But I think we owe it to the public to follow statute and do what we have been elected to do. And in this case it is to observe and follow what goes on out there. I'm like you, I'm not saying there is anything wrong with the program and that the program should not continue. I just think it needs to follow the law. And I don't think you'll get any different opinion from Judge Young on that."

Attorney Kissinger agreed.

RE: VOTER REGISTRATION CARDS

President Tuley said he doesn't think we can wait any longer for Susan Kirk and Jon Hill to show. Voters Registration is waiting for the Commissioners to take some sort of action in order for them to order supplies they need. He does wish they were here for further explanation. He's not sure what they are asking.

Mr. Abell said Susan called the Commission office a few days back and went over this a little bit. He thinks it pertains to the discussion they had the last time she was here when they were changing the boundaries. It got down to a point -- he think no decision was ever made as to whether the Commissioners wanted them to mail out information to everybody who had a number change or whether they wanted to restrict the mailing to those who had a physical boundary change. That is what this pertains to. The

difference in postage....

Mr. Tuley said, "Okay, I'm with you. I remember that conversation. But I don't think I left it very unclear as to my position. If you change anything (and I'm not addressing this to you) -- but we have so many cases where people don't go to vote anyway. Why give them one more excuse for not doing it because they didn't know where they were supposed to go?"

Mr. Abell said, "I remember that now."

Mr. Tuley continued, "We went through that whole thing and my argument was if their card doesn't mean anything to them, why do we go to the trouble of advertising and paying for expensive advertising for where they vote? I realize there is a significant difference in the cost but, at the same time, I don't want to make it hard for people to get to the polls to vote. Because once they go to the wrong place, you don't know how hard it is to get them to go to the right place. And you've got almost 40,000 people out there where you've changed their precinct. I realize not all 40,000 are going to be confused, but how many of them are not going to know?"

Commissioner Borries said, "I agree with you. I don't know if we need to give anybody an excuse at this point. I just think we have to do it this time in view of the changes that have taken place. We've tried to save money in terms of lowering the number of precincts. So in some cases it could be a wash -- because we hope we're going to have lower expenses by getting down to 164 precincts from 185 precincts -- or something in that general area. So we could realize some savings in that area. By not informing people, in effect, kind of shame on us -- because it is one of those things we see as a civic duty. We spent a lot of taxpayers' money here trying to get this office set up. I move that we inform all of the Voters in Vanderburgh County of the actual changes." Seconded by Commissioner Tuley and so ordered.

President Tuley asked Mr. Abell to make sure Voters Registration understands the Commissioners want all 64,883 people notified.

Mr. Abell responded affirmatively.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Request for Permission to File Releases of City Weed Liens Against the New Found Surplus Properties: Mr. Abell said a lot of the subject property had weed liens attached to them. He got a letter from Mike Robling asking that the Commissioners file the releases, because we can do it for free and save them some money. If he can have the Board's permission to do that -- he will do it.

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

Ameritech Contracts: Mr. Abell said he has the Ameritech contracts re the new telephone system which he brought up at last week's meeting and the County Attorney has reviewed them. He'd like to submit them at this time for signatures. Each of the three (3) contracts is a separate entity to the lease, one involving the actual hardware, second the service, and the third the installation of the cabling and hardware.

Motion to sign the agreement was made by Commissioner Borries, with a second from Commissioner Tuley. So ordered.

RE: COUNTY HIGHWAY DEPARTMENT - FRED HOWARD

The meeting continued with President Tuley recognizing Fred Howard, Asst. Superintendent at the County Highway Garage.

Weekly Progress Report: Mr. Howard submitted copies of the Weekly Progress Report for period of February 11, 1994 thru February 17, 1994.....report received and filed.

Holiday Work/Snow Season: Mr. Borries asked if he understood Mr. Howard to say this was the first County holiday during the snow season that he hadn't been out working -- to break up the snow or something.

Mr. Howard said that is correct. He's gotten an omen off his back. Since he was hired March 23, 1992, every winter holiday they've worked. Yesterday was the first holiday during the snow season that they haven't worked. He came in giving Bill Morpew and everybody "high five's" this morning. He wonders if they can go to the County Council now that they don't have all that overtime money and see if they will give them some money for some equipment.

Attorney Kissinger remarked, "You can go -- but you won't get any."

Mr. Howard said that is what Bill Morpew said. He said, "Wake up, Fred."

Flooding: Commissioner Borries asked if we still have high water in certain areas.

Mr. Howard said we're still fighting it, although it is receding. We're having a lot of problems down in the bottoms with people going around taking down the barricades and throwing them out in the water. They don't like to be told they can't drive down there.

Commissioner Borries said that is always the way it is -- then somebody gets stuck.

Mr. Howard said, "But for our liability -- we have to do it."

Commissioner Borries echoed, "You have to do it, absolutely."

Commissioner Tuley said he was out on Old Henderson Rd. the other day -- at least as far as Dogtown goes. They did a good job of getting that road cleaned off.

Mr. Howard said we've lost a lot of roadway -- we've got a lot of work to do down there. He was down there that day and the river drains back -- it drains the opposite way into the ditches away from the river. The next day it was draining in the ditches to the river. He'd hate to be on the Drainage Board. But it took our road away -- pieces of asphalt 10 ft. by 10 ft. -- it took it 30 ft. away.

Mr. Tuley said he had a fellow stop him the other day (a City policeman) and he told him the guys from the County Highway Department do a good job out there during the snows. He said he was amazed at how quickly the road was cleaned to where he could get into work from the County.

Mr. Howard asked that Mr. Tuley express thanks from the County Highway crews -- because they are also real proud of them.

Old Henderson Rd.: Mr. Borries said one item of concern -- in addition to the sad state of the road in spots, along the east side of the road he's noticed it's almost like "ring around the collar" -- almost like black coal dust from those trucks from the Mulzer loading dock down there. The trucks he saw coming out of there looked as though they had a canvas on the top -- he doesn't know what we have to do in terms of coal dust -- in terms of making sure that when those trucks are full -- but after they're full he thinks the dust in those things must fly out and he doesn't know where our Ordinances are, but he can sure see that as a nuisance and a hazard. He's had complaints from people in the Dogtown area as a

result of that.

Mr. Howard stated that it is a mess.

Attorney Kissinger said, "Fred, correct me if I'm wrong -- and I could research this -- but isn't there a State statute that requires a user who causes an unusual -- if they are dragging mud onto the roadway and causing a hazard or something like -- requiring them to clean that up?"

Mr. Howard replied, "Yes, there is. We usually give them twenty-four hours. But what we're concerned about down there -- we've had the Sheriffs down there because we think they're overweight. Where you're taking about -- right there on that "S" curve, it is gone."

Mr. Borries said, "Yes. And President Tuley had mentioned when he was down there that in addition to the trucks, it looks like some of those heavy coal trucks have a 3 ft. extension on them -- to actually put more coal in them. He's wondering if they're not overweight."

Mr. Howard said Bill Higgs has been working on this with the Deputy Sheriffs the past couple of weeks checking their weights.

Mr. Borries said, "It's like so many things. I hate to pull up a problem without a solution - that is why I am asking if there's an ordinance -- or maybe we need to research it -- so we can let them know. I tell you, the coal dust -- this was at a time that probably because of the wetness and everything else it was just kind of pushed along to the side."

Mr. Howard said they have a water truck and they hose it down -- or during the summer they do.

Mr. Borries said most of that road was under water just a week or so ago and you can already see just a trail of coal.

Mr. Howard said Milton Hayden has been at the garage for about 15 years and he said this is the worst he's ever seen the road -- as far as the washouts and everything.

Request for Medical Leave/Andy Wade: Mr. Howard said they are requesting medical leave for Andy Wade for about 4-6 weeks. His angioplasty didn't work, so he had to go back in for by-pass surgery. He is doing okay, but his doctor hasn't released him. He was out at the garage and looks real good -- he's walking and everything.

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

Release of Tom Waterman: Mr. Howard said they are requesting the Commissioners to change the release date from the County Highway Garage for Tom Waterman from February 11, 1994 to February 28, 1994. He was talking to Alan Kissinger and Mr. Stuckey will be coming back on February 28th.

Attorney Kissinger said he doesn't know that he will be returning on February 28th, but he asked to be made eligible on February 21st. However, the Board cannot do it retroactively -- so the earliest we could do it would be February 28th. We would not need Tom Waterman's slot before February 28th. If it would be an accommodation to him, it certainly wouldn't hurt the County at all to make sure he doesn't have a gap in insurance coverage or anything such as that by making the termination date February 28th.

Motion made by Commissioner Borries to make this change on the Employee Status Form, with a second from Commissioner Tuley. So ordered. (Mr. Tuley noted this change on the Employment Status

Change Form.)

RE: COUNTY ENGINEER - JOHN STOLL

Revisions to Supplemental Agreement #1 of the Land Acquisition Agreement for Green River Road Sections B & C: Mr. Stoll said the first thing on his agenda is this agreement, the amount not to exceed from the original agreement was \$5,750. This letter does not change that not-to-exceed amount. It just restructures the way that the parcels are listed on the agreement. For example, we've gone from 27 permanent parcels to 25 parcels; and from 21 temporary parcels to 19. So it is just shuffling around different kinds of right-of-way. They sent it down for him to sign rather than the Commissioners. He checked with Alan Kissinger and he said probably the best way to handle this would be for him to get the Commissioners' permission since it relates to an agreement.

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

Road Plans/Stonebriar Subdivision (Browning Rd.): Mr. Stoll said this is a short 580 ft. road. It will be curb and gutter with asphalt or concrete. These are relatively flat grades in the range of 2%.

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

Request for Sidewalk Waiver/Mt. Ashley Subdivision: With regard to this request, Mr. Stoll said....

Commissioner Tuley interrupted, saying Commissioner Borries pointed out that since Commissioner Hunter is usually the one who raises the questions about sidewalk waivers, etc., the Board would like to defer this matter until next week when he is back.

Mr. Stoll said that is fine. One point he should make is that he received a letter today from Aaron Biggerstaff and he says that Art Fritz's Letter of Credit will expire next week. He does not say what day next week it expires -- but that might create some problems for the developer.

Commissioner Tuley said "Tit for tat".

Mr. Stoll said he is glad Mr. Tuley said that.

Commissioner Borries said, "I don't know. Again, this is one of those classic examples where we had problems with the drainage plan. He doesn't know where we are with that whole project out there.

Mr. Stoll said the way the original minutes read, it said until the streets were in and built properly, that the sidewalk waiver would not be requested. Mr. Stoll said that he had forgotten that provision until Aaron sent him a letter.

Mr. Borries asked if the streets have been inspected and all of that.

Mr. Stoll said they have been inspected and they have been built according to plan.

Mr. Borries asked how many houses are out there.

Mr. Stoll said there are 19 lots, he's not sure how many houses.

Commissioner Borries said out of courtesy to Commissioner Hunter, he doesn't want to do this without him having an opportunity to raise some of his concerns.

Mr. Stoll said he will just bring this request back next week.

Stop Sign Ordinance (Additions): Mr. Stoll said he has the Stop Sign Ordinance prepared by Attorney Kissinger which is adding nine (9) Stop Intersections.

Stop Sign Ordinance (Deletion): Mr. Stoll said the other Ordinance deletes an intersection. Both Ordinances need to be advertised.

Attorney Kissinger stated, "Joanne, as I said, on the Ordinance adding the nine intersections, it needs to be advertised in both papers on two (2) different occasions -- because it has a penalty provision. On the Ordinance with the deletion, the ad needs to be run only once."

Ms. Matthews clarified that he means once in both newspapers.

Attorney Kissinger confirmed that is correct. If we could just get the newspapers to identify which political party they represent...

Commissioner Tuley interjected, "Read their articles -- you can tell."

Attorney Kissinger continued, "It's a requirement of the statute that we advertise with one newspaper representing one political party and one representing the other political party."

Motion to advertise the Ordinances was made by Commissioner Borries, with a second from Commissioner Tuley. So ordered.

(Note: Ordinances advertised with Second and Final Readings scheduled at 5:30 p.m. on March 7 and March 14, 1994, respectively.)

Purdue Road School: President Tuley asked if Mr. Stoll and Bill Morpew plan to attend the Purdue Road School, at least one night and one day.

Mr. Stoll said that is correct. He hasn't seen the agenda yet.

Mr. Tuley said Bill Morpew called him and said he didn't feel it was necessary to attend the full three days.

Mr. Stoll said he will review the agenda to see if there is something relevant on other days for him to attend and get back to Mr. Tuley. As it stands now, he plans to go up with Mr. Morpew.

Commissioner Borries said he would like to go. He has a 22 year old daughter he'd like to see, but he just can't work it out right now.

Commissioner Tuley said he can't get away from home to attend.

RE: CONSENT AGENDA

President Tuley entertained questions, comments or a motion concerning the Consent Agenda.

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

RE: SCHEDULED MEETINGS

It was noted by Commissioner Tuley that a list of Scheduled Meetings is attached to the meeting agenda. There will be an

Executive Session at 4:30 p.m. next Monday, and a Drainage Board Meeting subsequent to the Commission Meeting. The latter will be a humdinger. He's surely glad Commissioner Borries is President of that Board.

RE: OLD BUSINESS

Commissioner Tuley entertained matters of Old Business to come before the Board. There were none.

RE: NEW BUSINESS

Mr. Tuley subsequently entertained matters of New Business to come before the Board. There were none.

President Tuley noted it is 6:56 p.m. and the Board has one (1) Rezoning Petition to hear on Third Reading tonight. He has to leave.

R E Z O N I N G S

VC-19-93/Petitioners, Sylvester Elpers, James Elpers & Rita Elpers: Mr. Tuley said the common known address is 19600 Highway 41 North. Request is from Agricultural to C-4.

Attorney Kissinger said he understands it has been recommended unanimously for approval. There were previously no remonstrators. He said he will personally stay around an extra five minutes to be certain there are no remonstrators -- so President Tuley can waive the four minutes on that.

Motion to waive the four minutes and hear the rezoning petition immediately was made by Commissioner Borries, with a second from Commissioner Tuley.

Mr. Jim Morley of Morley & Associates entered the meeting room -- and the Commissioners urged that he not even remove his coat. Mr. Morley jovially indicated he won't even open his briefcase.

The meeting continued with Mr. Morley saying that on Elpers' commercial subdivision there was a strip of ground on the west side of the property that had not been included in previous rezonings to C-4. This is the strip of ground on the west side of the property to match with the proposed subdivision strip. EUTS had asked that they provide a commitment to set aside the 25 ft. strip off the south side of the one lot in case the property owner to the south would want to extend Schroeder Rd. and develop that property at some time in the future. So the owner did agree to this and placed a condition that if he didn't do it, that the other person would be responsible for the cost of the road. That document has been filed.

All of the Commissioners are familiar with the area and the provisions on the subdivision development call for storm water detention on the lots and everything. He will be glad to answer any questions the Commissioners may have.

President Tuley asked if they agreed to do some extra road improvements, etc.

Mr. Morley said the excel/decel standards out on the highway have been changed over the years and they have to lengthen the approach from the south by another 200 ft. out to the median. They have to add on where Arby's and McDonald's are. The highway wants them to make it one continuous widening lane all the way down from there. So they have about 350 ft. in there that they will have to

widen and they will have to shift a ditch over. The cost estimate for work out on the highway is about \$34,000.

Commissioner Tuley asked, "So it will still make the traffic flow a lot better -- even though the increased traffic flow wasn't related to just this development?"

Mr. Morley said, "No. It's new standards that they changed. They used to have a pretty short decel lane and now as the road speeds have gone up they have gone ahead and increased those. So it's just new standards -- and even though the highway constructed originally is going to be used, they want it brought up to standards -- so that is included.

Commissioner Tuley said, "Good. Good. It's good that you guys wanted to do that."

Ms. Behme noted the Use & Development has been filed.

President Tuley said it is now 7:00 p.m. and asked if there is anyone else present to speak either for or against this petition.

Ms. Karen Heard approached the podium and stated she is representing Attorney Les Shively this evening. Everything Mr. Morley has said seems fine.

There being no further comments a motion was entertained.

Motion to approve VC-19-93 on Third Reading was made by Commissioner Borries, with a second from Commissioner Tuley.

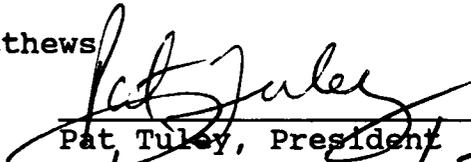
President Tuley then asked for a roll call vote: Commissioner Borries, yes; and Commissioner Tuley, yes. Petition approved by unanimous affirmative vote. So ordered.

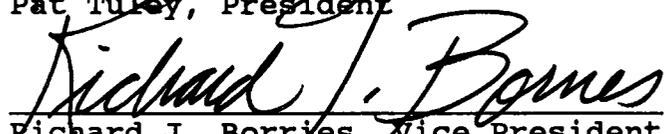
There being no further business to come before the Board, President Tuley declared the meeting adjourned at 7:05 p.m.

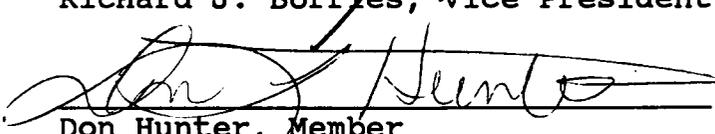
PRESENT:

Pat Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member
Cindy Mayo, Chief Deputy Auditor
Alan M. Kissinger, County Attorney
Mark Abell, Supt./County Buildings
Richard Cappelletti, SCT
John Stoll, County Engineer
Fred Howard, Asst. County Highway Supt.
Bev Behme, Area Plan Commission
Jim Morley, Morley & Associates
Fred Barber, Tucker Realty, Inc.
Others (Unidentified)
News Media

SECRETARY: Joanne A. Matthews


Pat Tuley, President


Richard J. Borries, 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

February 22, 1994

5:30 P.M.

FINAL

1. **CALL TO ORDER** — *5:50 p.m.*
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE** ✓
4. **ACTION ITEMS**
 - A. **Approval of Minutes** — *1/31/94*
 - B. **Any group/individual wishing to address the commission** — *None*
 - C. **Bid Opening:**
 - (1) **Proposals for multi-year cabling services** — *None***Bid Award:**
 - (2) **Burdette Park Pool Repairs** — *Invitation from Midwest, Inc. 66,500*
 - D. **Ordinances for Final Reading:**
 - * **Zoning Code**
 - (1) **Delete Chapter 153.158 (F) (5)**
 - Section 153.158 (I) (1)
 - Section 153.158 (J) (new subsection)
 - (2) 153.003, 153.045, 153.046, 153.048, 153.049
153.050, 153.052, 153.053, 153.067, 153.071
153.072, 153.073, 153.087, 153.097, 153.097(A) (4)
153.097 (A) (5), 153.097(A) (6), 153.097 (A) (17)
153.097 (B) 153.112 (B) 153.134 and 153.136
 - E. **Ordinance for Consideration** *RB/DW YYY*
re: **Redevelopment Commission**
 - F. **Jon Hill, Susan Kirk/Voters Registration** — *All to be notified*
re: **Discussion regarding voter registration cards**

G. Roger Lehman/Building Commission
re: Building Code

5. DEPARTMENT HEADS

Alan Kissinger ----- County Attorney
Mark Abell ----- Superintendent of County Buildings
Bill Morphey ----- County Garage - *Free House*
John Stoll ----- County Engineer (See attached requests)

Community Commission
Release
Annual 1/94

6. CONSENT ITEMS

A. Travel/Education Requests:

County Auditor (1) Area Plan (2)* Health (5)*
* will be paid from their budget

B. Employment Changes:
* see attached

C. Weights & Measures/Council Call
re: purchase of new vehicle

D. County Treasurers Report
re: Month of January

7. Scheduled Meetings - List attached

8. OLD BUSINESS - *None*

9. NEW BUSINESS - *None*

10. MEETING ADJOURNED

REZONINGS - 7:00 PM

Third Reading:

VC-19-93

Petitioner: Sylvester Elpers, Patricia Elpers
 James Elpers and Rita Elpers
Address: 19600 Highway 41 North
Request: Agricultural to C-4

COUNTY ENGINEER'S

CONSENT AGENDA

FEBRUARY 21, 1994

1. CLAIMS:

BRIDGE INSPECTION 203-3540 United Consulting Engineers (Inv. #3)	\$ 4,260.00
VOLKMAN ROAD BRIDGE 203-4343 CCC of Evansville (Inv. #94001D)	\$12,863.61
COLUMBIA/DELAWARE BRIDGE #1C 203-4353 United Consulting Engineers (Inv. #15)	\$ 9,689.02
USI & SR 62 430 BOND VC-R-20697 Blankenberger Brothers (Inv. #12)	\$49,189.10

February 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 <small>32/333</small>	2 <small>33/332</small> 3:30pm County Council	3 <small>34/331</small>	4 <small>35/330</small>	5 <small>36/329</small>
6 <small>37/328</small>	7 <small>38/327</small> 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Ad. Task Force	8 <small>39/326</small>	9 <small>40/325</small>	10 <small>41/324</small>	11 <small>42/323</small> Pay Day	12 <small>43/322</small> Lincoln's Birthday
13 <small>44/321</small>	14 <small>45/320</small> Valentine's Day 4:30pm Solid Waste 5:30pm County Commissioners	15 <small>46/319</small> 9:00am Insurance Comm.	16 <small>47/318</small>	17 <small>48/317</small> 9:00am Steering Comm. 5:00pm Pigeon Creek	18 <small>49/316</small>	19 <small>50/315</small>
20 <small>51/314</small>	21 <small>52/313</small> President's Day	22 <small>53/312</small> Washington's Birthday 5:30pm County Commissioners 7:00pm Remonings	23 <small>54/311</small> 3:30pm Personnel & Finance	24 <small>55/310</small>	25 <small>56/309</small> Pay Day	26 <small>57/308</small>
27 <small>58/307</small>	28 <small>59/306</small> 5:30pm County Commissioners 6:30pm Drainage Bld.					

January

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					

March

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		

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
136-1990	MICHAEL S. BERGER		INTERN	\$4.75	HR	2-2-94 ✓
136.1-1990	MARY E. WILSON		PART-TIME CORRECTION OFFICER	\$5.00	HR	2-7-94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
505.01362-1990	CLINT M. DENTON	EMP.#05278	PART-TIME CORRECTION OFFICER	\$7.00	HR	1-22-94
136-1990	JASON A. DAVIS	EMP.#04909	INTERN	\$5.75	HR	1-29-94 ✓
136-1990	BRIAN L. DURHAM	EMP.#05192	INTERN	\$5.00	HR	1-29-94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

JUDGE, CIRCUIT COURT

DATE Feb 16, 94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 2010 02010 VANDERBURGH COUNTY HWY. DEPT. *sl*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
20101022	THOMAS L. WATERMAN	2768 FOREST AVE. EVANSVILLE, IN 47712	TRUCK DRIVER	11	25	2-11-94
	THOMAS L. WATERMAN IS BEING RELEASED FROM EMPLOYMENT WITH THE VANDERBURGH COUNTY HWY. DEPT. EFFECTIVE 2-11-94					

RECORDER
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 2-11-94

VANDBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105012101050	Kirk Byram		Degree	1000 00	2-14-94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY Ray Hamm

DATE Feb. 18, 1994

VANDBURGH COUNTY EMPLOYMENT CHANGES

Department 2010 02010 VANDBURGH COUNTY HWY. DEPT.

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101068	ANDREW S. WADE	3318 BAYARD PK. DELVE	GAS MAN	11 25	2-23-94
	ANDREW S. WADE IS ON MEDICAL LEAVE OF ABSENCE. LAST DAY WORKED				
	2-22-94. EXPECTS TO RETURN IN MARCH.				

RECORDER
COMMISSIONER'S RECORD

SIGNED BY William J. Douglas

DATE 2-18-94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR Court

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
16201980	Diane K. Scarbrough	(Bailiff on Monday night in MT Court)	Riding Bailiff	Other pay 60.00	2/7/94 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Tim D. Distach

DATE 2/18/94

VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor - REASSESSMENT *ad*

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1150-1990	Ronald J. Underhill	1624 Sweetser	Part Time Data Coll.	Hourly 7.00	2/16/94 ✓

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Dana G. Fox

DATE 2/17/94

BID RECAP SHEET

PROJECT: MULTI-YEAR CABLING SERVICES

PROPOSAL OPENING DATE: FEBRURY 21, 1994

* * * * *

<u>Bidder Name</u>	<u>Amount</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

COMMENTS: *No bids submitted.*

ACTION TAKEN:

**AN ORDINANCE AMENDING CHAPTER 153 (ZONING CODE
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES**

WHEREAS, Indiana law allows local governments to provide ordinances for the purpose of securing adequate light, air, convenience of access and safety from fire, flood and other dangers; lessening or avoiding congestion in the public ways; and promoting the public health, safety, comfort, morals, convenience and general public welfare; and

WHEREAS, on May 22, 1989, the Board of Commissioners of Vanderburgh, Indiana, passed an ordinance amending Chapter 153 (Zoning Code) of the Vanderburgh County Code of Ordinances; and

WHEREAS, the Area Plan Commission of Evansville-Vanderburgh County has recommended that certain changes be made to the Zoning Code;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, AS FOLLOWS:

Section 1. The following Sections of Chapter 153 (Zoning Code) are amended to read as follows:

(a) Section 153.158 (F) (5) Delete

(b) Section 153.158 (I) (1) At the time of filing the petition to amend zoning maps, the petitioner may file a use or development commitment or both, as defined in Section 153.003.

Section 2. A new subsection J is added to 153.158 which new subsection J shall read as follows:

Section 153.158 (J) An amendment to the submitted ordinance documents after final filing deadline shall be cause for automatic continuance of the hearing by Area Plan Commission. The petitioner shall notify the abutting property owners pursuant to subsection 153.158 (F).

VANDERBURGH COUNTY
FII FD

NOV 17 1993

Leon Thompson
AUDITOR

Section 3. This Ordinance shall be in full force and effect from and after its passage and execution by the Board of Commissioners of Vanderburgh County, Indiana.

PASSED by the Board of Commissioners of the County of Vanderburgh, Indiana, on the 22 day of February, 199⁴, 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 Borries Richard Borries, President

Patrick Tuley Patrick Tuley, Vice-President

Don Hunter Don Hunter, Member

ATTEST:

Sam Humphrey *cm*
Sam Humphrey, Auditor

AS AMENDED

AN ORDINANCE AMENDING CHAPTER 153 (ZONING CODE)
OF THE VANDERBURGH COUNTY CODE OF ORDINANCES

VANDERBURGH COUNTY
FILED
DEC 17 1993
AUDITOR *John S. [Signature]*

WHEREAS, Indiana law allows local governments to provide ordinances for the purpose of securing adequate light, air, convenience of access and safety from fire, flood and other dangers; lessening or avoiding congestion in the public ways; and promoting the public health, safety, comfort, morals, convenience and general public welfare; and

WHEREAS, on May 22, 1989, the Board of Commissioners of Vanderburgh, Indiana, passed an ordinance amending Chapter 153 (Zoning Code) of the Vanderburgh County Code of Ordinances; and

WHEREAS, the Area Plan Commission of Evansville-Vanderburgh County has recommended that certain changes be made to the Zoning Code;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, AS FOLLOWS:

Section 1. The following Sections of Chapter 153 (Zoning Code) are amended to read as follows:

(a) Section 153.003 Definitions is amended by the addition of the following:

OWNER-OCCUPIED BED AND BREAKFAST/BOARDING HOUSE: A bed and breakfast facility or boarding house which is individually owned, occupied and managed by the owner-operator who resides in the dwelling as their primary residence.

(b) Section 153.045 (Residential-3 District) is amended by the deletion of (A)(5) Use group 20.

(c) 153.046 (Residential-4 District) is amended by the deletion of (A)(6) Use group 20.

(d) 153.048 (Commercial Office - 1 District) is amended by the insertion of a new (A)(6) Use group 20, and renumbering the remaining sections.

(e) 153.049 (Commercial Office - 2 District) is amended by the insertion of a new (A)(6) Use group 20, and renumbering the remaining sections.

(f) 153.050 (Neighborhood Commercial C-1 District) is amended by the insertion of a new (A)(5) Use group 20, and renumbering the remaining sections.

(g) **Section 153.052 General Commercial (C-4) District** is amended, deleting subsection (A)(2) ("Use Group 6") and by renumbering the remaining subsections (A)(3) through (A)(10) to (A)(2) through (A)(9).

(h) **153.053 (Waterfront Recreational/Residential W-R District)** is amended by the insertion of a new (A)(6) Use group 20, and renumbering the remaining sections.

(i) **153.067 (TABLE of Use groups by District)** is amended by the deletion of the "X"'s on the table designating Use Group 20 as a permitted use in R-3 and R-4, and insertion of "X"'s on the chart indicating Use Group 20 as a permitted use in C0-1, C0-2, C-1, and W-R districts.

(j) **Section 153.071 (Use Group 4)** relating to uses permitted in the R-3, R-4, R-5, C0-1, C0-2, C-1, C-2, and W-R Districts, is amended by deleting the following from the list of permitted uses: "Boarding house."

The list of permitted uses shall read as follows:

Apartment dwelling unit(s)
Multiple dwellings (a dwelling for three or more families)

(k) **Section 153.072 (Use Group 5)** relating to uses permitted in the C0-1, C0-2, C-1, C-2, C-4 and M-1 Districts, is amended by deleting the following from the list of permitted uses: "Bed and breakfast/tourist home."

The list of permitted uses shall read as follows:

Business and professional offices
Child care center
Nursery or nursery school
Photographer studio

(l) **Section 153.073 (Use Group 6)** List of uses permitted in R-4, R-5, C0-1, C0-2, C-1, and C-2 Districts, which meet the requirements and restrictions of that zone.

Group home/community residential facility and similar facilities which provide residential services for persons in a supervised group living program
Sororities and fraternities

(m) **Section 153.087 (Use Group 20)** List of uses permitted in C0-1, C0-2, C-1, and W-R Districts, which meet the requirements and restrictions of that zone.

Owner-occupied/owner-operated bed and breakfast, limited to ten rental rooms
Owner-occupied/owner-operated boarding house limited to ten rental rooms

(n) **Section 153.097 (Amount of Off-Street Parking)**, relating to off-street parking requirements, is amended as follows:

(1) **Section 153.097(A)(4)** is amended by the deletion of Subsection (b): "Boarding house and similar uses - one space per unit"

(2) **Section 153.097(A)(5)** is amended by the deletion of Subsection (b): "Tourist home/bed and breakfast - one space per unit." Subsection (c) will then be re-lettered to subsection "(b)".

(3) **Section 153.097(A)(6)** is amended to read as follows:

(a) **Group home/community residential facility** - one space for each three residents plus one space for each staff member of the largest working shift.

(b) **Sorority and fraternity**: 1.5 spaces for each 2 beds.

(4) **Section 153.097(A)(17)** is amended to read as follows:

Bed and breakfast, boarding house, and similar uses - two spaces per dwelling unit plus one space per rental unit.

(5) **Section 153.097 (B) (Special Uses)** is amended by the deletion of the existing parking requirement for SU-30 and replacing that requirement with a new SU-30 parking requirement, plus the addition of two new parking requirements which read as follows:

SU-30 One parking space for each 200 square feet of gross floor area or one space for each three students, whichever is more restrictive

SU-33 See 153.097(A)(17)

SU-34 See 153.097(A)(17)

(o) **Section 153.112 (B) (Permitted Uses by District - Sign Chart)** is amended as follows:

(1) Under subsection "DISTRICT", "R-3 to R-0" will be deleted therefrom and inserting in lieu thereof "R-3 to C0-2".

(2) Under subsection "SPECIAL RESTRICTIONS" in the newly-designated "R-3 to C0-2" districts, the following will be added: "Bed and breakfast and boarding house limited to a maximum 6 sq. ft. sign; if lighted, must be externally illuminated."

(p) Section 153.134 (List of Special Use designations) is amended as follows:

(1) SU-30 is amended by the deletion of the existing listed use, and new SU-30 designation will be added which reads as follows: "Colleges and universities".

(2) A new SU-33 and SU-34 are added to the list of special use designations, to read as follows:

SU-33 Owner-occupied/owner-operated bed and breakfast facility or boarding house limited to five rental rooms

SU-34 Owner-occupied/owner-operated bed and breakfast facility or boarding house limited to ten rental rooms

(q) Section 153.136 (Limitations on Special Uses - TABLE S.U.) is amended as follows:

(1) The DELETION of the "X" on the chart designating SU-30 approval required in R-1, R-2, and R-3 districts, and addition of an "X" on the chart designating SU-30 approval required in C0-2, C-1, C-2, and C-4 districts.

(2) The addition of SU-33 to the chart, and the addition of an "X" on the chart indicating SU-33 approval required in the R-3 district.

(3) The addition of SU-34 to the chart, and the addition of "X"'s on the chart indicating SU-34 approval required in the R-4 and R-5 districts.

Section 2. This Ordinance shall be in full force and effect from and after its passage and execution by the Board of Commissioners of Vanderburgh County, Indiana.

PASSED by the Board of Commissioners of the County of Vanderburgh, Indiana, on the 25 day of February, 1998, 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 Patrick Tuley, Vice-President

Don Hunter Don Hunter, Member

ATTEST:

Sam Humphrey cm
Sam Humphrey, Auditor

**Ordinance of the
Board of Commissioners of
Vanderburgh County, Indiana
Concerning the Establishment of a Redevelopment Commission**

Whereas, the Indiana General Assembly has empowered cities, towns and counties to establish a department of redevelopment with all the powers set forth in IC 36-7-14 and IC 36-7-25 ("Act"); and

Whereas, the Act states that the clearance, replanning and redevelopment of blighted areas and economic development areas are public uses and purposes for which public money may be spent and private property may be acquired; and

Whereas, the Act declares that each unit shall, to the extent feasible under the Act and consistent with the needs of the unit, afford a maximum opportunity for rehabilitation, redevelopment or economic development of areas by private enterprise;

Now, Therefore, Be It Ordained by the Board of Commissioners of Vanderburgh County, Indiana, that:

1. The Board of Commissioners of Vanderburgh County, Indiana ("County"), now deems it to be in the best interest of the County and its citizens to afford a maximum opportunity for rehabilitation, redevelopment or economic development of areas by private enterprise and the County by establishing a department of redevelopment.

2. The Board of Commissioners hereby establishes the Department of Redevelopment of the County. The Department will be controlled by a board of five (5) members known as the Vanderburgh County Redevelopment Commission.

3. Pursuant to the Act, all of the territory within the corporate boundaries of the County, except territory within any municipality in the County which has established a department of redevelopment, will be a taxing district to be known as the Redevelopment District of Vanderburgh County for the purpose of levying and collecting special benefit taxes for redevelopment purposed as provided in the Act. The Board of Commissioners finds and determines that all of the taxable property within this special taxing district will be considered to be benefited by the redevelopment projects and economic development projects carried out under the Act to the extent of the special taxes levied under the Act.

4. The Board shall appoint, by motion, five (5) commissioners, each of which must be at least eighteen (18) years of age and must be a resident of the County.

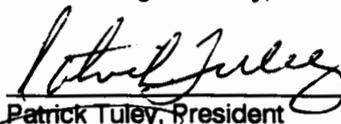
5. The term of office of the members of the Vanderburgh County Redevelopment Commission shall commence on the date of their appointment and ~~expire~~ on January 1, 1995.

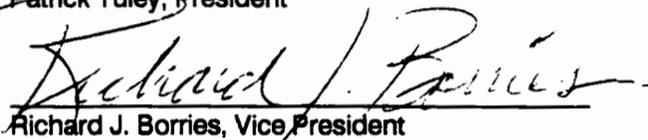
6. All other orders, ordinances, resolutions or parts thereof in conflict with the provisions and the intent of this ordinance are hereby ~~repealed~~

7. This ordinance shall be in full force and ~~effect from~~ and after its passage.

Adopted on first reading this 22 day of February, 1994, by a vote of 3 ayes and 0 nays.

**Board of Commissioners of
Vanderburgh County, Indiana**


Patrick Tuley, President


Richard J. Borries, Vice President

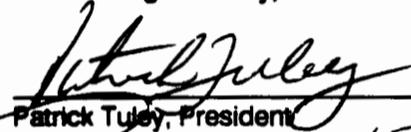

Donald Hunter, Member

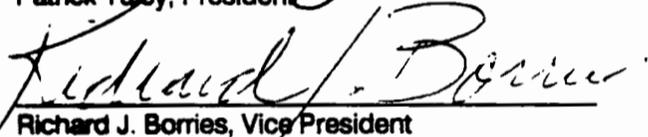
ATTEST:

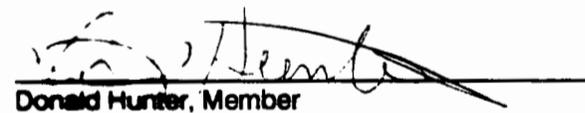

Sam Humphrey, Auditor

Adopted on second and final reading this 22 day of February, 1994, by a vote of 3 ayes and 0 nays.

**Board of Commissioners of
Vanderburgh County, Indiana**


Patrick Tuley, President


Richard J. Borries, Vice President


Donald Hunter, Member

ATTEST:


Sam Humphrey, Auditor

MEMORANDUM

TO: Board of Commissioners of Vanderburgh County
FROM: Alan M. Kissinger, Vanderburgh County Attorney
DATE: February 22, 1994
SUBJECT: Vanderburgh County Community Corrections

A question has arisen regarding the appropriate entity authorized to establish and operate a community corrections program in Vanderburgh County. The following is an overview of the relevant Indiana statutes and my opinion regarding those statutes:

I.C. 11-12-1-2 provides, in part, as follows:
---a county---may establish and operate a community corrections advisory board for the purpose of coordinating or operating community corrections programs. The county, in consultation with the advisory board, shall coordinate or operate community corrections programs---.
(emphasis added).

I.C. 11-12-1-3 provides, in part, as follows:
A county---may acquire premises and facilities for community corrections programs by purchase, lease, or gift. (emphasis added).

I.C. 11-12-2-2 provides, in part, as follows:
To qualify for financial aid---, a county must establish a community corrections advisory board by resolution of the county executive---.
(emphasis added).

The above-cited statute then goes on to list the various qualifications of the members of the advisory board. Twelve (12) of the nineteen (19) members of the advisory board are appointed by the county executive.

I.C. 11-12-2-3 sets out the powers and duties of the community corrections advisory board. Among those powers and duties are formulating the community corrections plan and applying for financial aid, making an annual report to the county fiscal body and the county executive, evaluating community corrections programs, and making recommendations to the county executive regarding programs and the approval or disapproval of certain contracts. The advisory board is also required to adopt by-laws and hold regular meetings and comply with statutory notice requirements, and may contain an office, if that office is designated by the county executive.

I.C. 11-12-2-3.5 provides, in part, as follows:
 (a) The director, if any, of the community corrections program shall be appointed by the community corrections advisory board, subject to the approval of the county executive---. A director may be removed for cause by a majority vote of the community corrections advisory board, subject to the approval of the county executive---. (emphasis added).
 (b) The community corrections advisory board may establish policies, procedures, and salary classifications for its employees. Employees of a community corrections program are county employees. The policies, procedures, and schedules established under this subsection may not be inconsistent with those established for other county employees. (emphasis added).

I.C. 11-12-2-4 sets out the procedure that an advisory board must follow when making application for financial aid, and the necessity for a community corrections plan that must first be approved by the county executive. The community corrections plan annual updates and amendments or modifications must also first be approved by the county executive.

I.C. 11-12-2-6 addresses maintaining eligibility for financial aid, and requires the Indiana Department of Correction to serve notice of any non-compliance on the board of county commissioners, the community corrections advisory board and the chief administrator of the program.

I.C. 11-12-2-10 provides, in part, as follows:
 A county receiving financial aid under this chapter may terminate its participation by delivering a resolution of the board of county commissioners--- to the Commissioner. Upon withdrawal from the subsidy program, the board of county commissioners --- may adopt a resolution stating that it is in the best interests of the county that the community corrections advisory board be dissolved---. (emphasis added).

I.C. 11-12-2-12 provides for the establishment of a "community corrections fund", and directs that the fund be administered by the community corrections advisory board, subject to rules adopted by the Indiana Department of Correction.

In summary, the community corrections advisory board is required to do the following acts:

1. Formulate a community corrections plan;
2. Prepare applications for financial aid;
3. Observe and coordinate community corrections programs;

4. Make annual reports and recommendations regarding programs;
5. Ensure compliance with Indiana Department of Correction standards;
6. Recommend approval or disapproval of contracts;
7. Adopt by-laws for the conduct of its own business;
8. Hold regularly scheduled meetings;
9. Annually update the community corrections plan; and,
10. Administer the community corrections fund.

The community corrections advisory board may do the following acts:

1. Appoint a community corrections program director;
2. Remove a community corrections program director; and,
3. Establish personnel policies, procedures and salary classifications for program employees.

All of the above-listed required and discretionary acts may be done only with the specific approval of the county executive, except for those acts that are strictly ministerial in reference to the board itself, such as adopting by-laws, holding regular meetings, etc.

The community corrections advisory board may not do any of the following acts:

1. Enter into contracts or leases or other agreements which would require payment from county funds;
2. Establish any policy or procedure for employees that is not in compliance with county policies and procedures; or,
3. Hire or terminate any program employee, or establish salary schedules that are not in compliance with county policy.

All of the above-listed acts may be accomplished only with the specific approval of the county executive.

My opinion, based on the various statutory authority cited, is that the Board of Commissioners of Vanderburgh County is the ultimate authority over all programs which are administered by the Vanderburgh County Community Corrections Advisory Board. The Advisory Board may not act, in any final manner, without the prior approval of the County Commissioners and, in some fiscal matters, the Vanderburgh County Council. This conclusion seems

to be unavoidable, in consideration of the statutes cited above which indicate that only the county executive may establish or terminate a community corrections advisory board, and that most of the board's functions require the approval of the County Commissioners.

As mentioned above, I.C. 11-12-2-12 established a community corrections fund to be administered by the advisory board in accordance with rules adopted by the Department of Correction. Although I am not in possession of those rules, it is my opinion that, although the fund is administered by the advisory board, the County Commissioners control the actions of the Vanderburgh County Community Corrections Advisory Board, and, therefore, also control the fund.

If you have any further questions regarding this matter, I will make myself available at your convenience to answer those questions.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, FEBRUARY 11, 1994 THRU THURSDAY FEBRUARY 17, 1994

FRIDAY, FEBRUARY 11, 1994

One crew worked in Melody Hills and Pine Tree Drive.
One crew worked on Hillside, Old Henderson & Cypress Dale.
Gradall and two crews cleaned up Old Henderson Road.
Patch crew worked on work orders.
Tree crews worked on Frontage Road.
One truck hauled sand to yard, and one crew cleaned trucks.

MONDAY, FEBRUARY 14, 1994

Two patch crews worked on work orders.
Grader worked on Maasburg and Waterworks cleaning debris off.
Gradall and one crew built shoulders on Old Henderson.
Two tree crews worked on Frontage Road.
Two trucks hauled sand to yard and one crew cleaned trucks.

TUESDAY, FEBRUARY 15, 1994

Two patch crews worked on St. Joe Ave.
Two tree crews worked on Frontage and Boehne Camp Road.
Gradall and one crew worked on Hillside and Browning.
Gradall and one crew worked on Old Henderson Road.
One crew cleaned trucks in the garage.
Grader worked on Hornby and Fitzgerald.
One crew ran barricades for high water.
One crew spread rock on Maasburg and Hornby.
One crew cleaned paver.

WEDNESDAY, FEBRUARY 16, 1994

Two patch crews worked on work orders.
One crew cleaned trucks at garage.
Grader and one crew graded and rocked Hornby, Hillside and Outer Darmstadt.
Gradall and one crew worked in the bottoms.
Two tree crews worked on Frontage and Boehne Camp Road.
One crew worked on repairing mailboxes.
Tiger mower worked on Middle Mt. Vernon and Boehne Camp.

THURSDAY, FEBRUARY 17, 1994

Two patch crews worked on 5th Ave Bridge and New Harmony Road.
Two tree crews worked on Swope Lane.
Gradall and one crew installed culvert at 2136 Harmony Way.
One crew ran barricades.
Grader and Tiger mower worked on Darmstadt Road and Swope Lane.
Gradall and one crew installed culvert at 612 Lemay.
One crew cleaned trucks in the garage.

VANDEBURGH COUNTY BRIDGE CREW
PROGRESS REPORT
FRIDAY, FEBRUARY 11, 1994 thru THURSDAY, FEBRUARY 17, 1994

FRIDAY, FEBRUARY 11, 1994

Crew #1, #2, & #3 - worked on Old Henderson Bridge.

MONDAY, FEBRUARY 14, 1994

Crew #1 & #2 - repaired Oak Hill Road bridge and Kentucky Ave bridge.

Crew #3 & Backhoe - repaired behind drain on Kiowa Circle and repair and replace guard rail on Hirsch Road.

TUESDAY, FEBRUARY 15, 1994

Crew #1 & #2 - repair Oak Hill Road Bridge.

Backhoe and Crew #3 - installed culvert on Hillsdale.

WEDNESDAY, FEBRUARY 16, 1994

Crew #1 - saw 2136 Harmony Way.

Crew #2 & Backhoe - repair St. George Road Bridge and repair washout at pipe on Korressel Road.

THURSDAY, FEBRUARY 17, 1994

Crew #1 - install pipe under Harmony Way, ditch at 2136 Harmony Way, and install culvert driveway.

Crew #2 - dig out and fill in, rip rap shoulder on Church Road.

Crew #3 - add rip rap to Korressel Road and work on Church Road.

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 INTESECTS</u>	<u>ROAD THAT STOPS</u>
Briar Ridge Road	Browning Road	Briar Ridge Road
Cold Springs Lane	Strawberry Hill Road	Cold Springs Lane
Creamery Road	County Line Road-West	Creamery Road
Dry Branch Road	Strawberry Hill Road	Dry Branch Road
Gun Powder Lane	Dry Branch Road	Gun Powder Lane
Honeysuckle Drive	Woodland Hills Drive	Honeysuckle Drive
Rock Creek Lane	Strawberry Hill Road	Rock Creek Lane
Woodland Hills Drive	Browning Road	Woodland Hills Drive

(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: _____

Patrick Tuley, President
Board of Commissioners of
Vanderburgh County

ATTEST:

Sam Humphrey
Vanderburgh County Auditor

APPROVED AS TO FORM:

Alan M. Kissinger
Vanderburgh County Attorney

ORDINANCE TO AMEND CHAPTER 72,
SCHEDULE II, OF THE CODE OF
ORDINANCES OF VANDERBURGH COUNTY

WHEREAS, it has been verified that a certain traffic control sign within Vanderburgh County is not in compliance with the provisions of I.C. 9-21-3-1, et seq.,

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 delete the following location as a designated stop intersection:

<u>ROAD NAME</u>	<u>ROAD THAT INTERSECTS</u>	<u>ROAD THAT STOPS</u>
Cold Springs Lane	Heather Lane	Cold Springs 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) The Vanderburgh County Highway Department is hereby directed to remove any unauthorized traffic sign that may be located at the above-described location.

(D) This ordinance shall be in effect after it has been signed by the President of the Board of Commissioners of Vanderburgh County and after any non-conforming traffic sign has been removed.

Date: _____, 1994

Patrick Tuley, President
Board of Commissioners of
Vanderburgh County

ATTEST: _____
Sam Humphrey
Vanderburgh County Auditor

APPROVED AS TO FORM:

Alan M. Kissinger
Vanderburgh County Attorney



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for February 22, 1994

1. Revisions to Supplemental Agreement #1 of the Land Acquisition Agreement for Green River Road Sections B & C — *RB/PT*
2. Road design plans for Stonebriar Subdivision — *RB/PT*
3. Sidewalk waiver request for Mt. Ashley Subdivision — *POSTO 4/28*



United Consulting Engineers & Architects

Established 1965



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 Jacob E. Hall, P.E., L.S.
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ARCHITECTS
 Andrew C. Churchill, R.A., A.I.A.
 John K. Harding, R.A., A.I.A.

February 8, 1994

ENGINEERS
 Jerry D. Ritchie, P.E.
 Ronald C. Miller, P.E.
 William E. Hall, P.E.
 William D. Richter, P.E.
 Mark A. Becker, P.E.
 Keith A. Lutten, P.E.
 Anthony W. Jones, P.E.
 Greg L. Rominger, P.E.
 Michael W. Cox, P.E.
 Brad S. Farris, P.E.
 Dale A. Schmidt, P.E.
 Michael J. Obergettel, P.E.

Mr. John Stoll, P.E.
 Vanderburgh County Engineer
 201 Northwest Fourth St. / Suite 301
 Evansville, Indiana 47708

RE: Project M-E340
 Green River Rd. (Sec. B & C)
 Land Acquisition
 Supplement #1

Dear Sir:

We are submitting for your review and approval Supplemental Agreement #1 to our Original Land Acquisition Agreement dated August 5, 1991. During our progression of the original work, we have determined it necessary to revise the total number of parcels and the work items associated with these parcels. **Please be advised this Supplement #1 does not increase the original Not To Exceed amount of \$55,750.**

The following required services are necessary for completing the land acquisition phase of Green River Road.

Work Item	Original Quantity	Required Quantity	Unit Price	Original Total	Required Total
1) Permanent Parcels	27 par.	25 par.	\$ 650	\$17,550	\$16,250
Temporary Parcels	21 par.	19 par.	\$ 500	\$10,500	\$ 9,500
2) R/W Management	1 lsum	1 lsum	\$12,650	\$12,650	\$12,650
3) Value Finding Appr.	7 par.	3 par.	\$ 650	\$ 4,550	\$ 1,950
Short Form Appr.	1 par.	1 par.	\$ 1,300	\$ 1,300	\$ 1,300
Short Form Appr.	4 par.	0 par.	\$ 950	\$ 3,800	\$ 0
* Market Estimate Appr.	36 par.	39 par.	\$ 150	\$ 5,400	\$ 5,850
* Long Form Appr.	0 par.	1 par.	\$ 2,565	\$ 0	\$ 2,565
* Long Form Appr.	0 par.	1 par.	\$ 2,015	\$ 0	\$ 2,015
TOTAL				\$55,750	\$52,080

Note: Items denoted by an asterisk (*) are new work items that were not included in our Original Agreement but are now necessary for determining fair market value on two parcels. All other work items above include revisions to quantities.

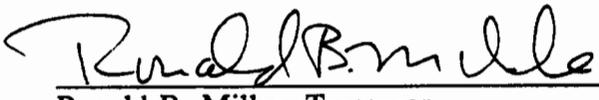
As indicated above the original Not To Exceed amount of \$55,750 is still valid. We anticipate a total fee \$52,080 to complete all the required services on this project.

Now therefore, it is agreed that in order to complete the work, it is necessary to supplement the Original Agreement dated August 5, 1991. Except as herein modified or changed, the Original Agreement shall continue in full force and effect.

APPROVED:

UNITED CONSULTING ENGINEERS, INC.

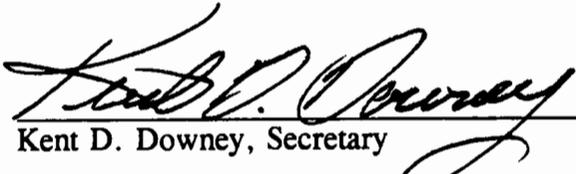
VANDERBURGH COUNTY



Ronald B. Miller, Treasurer



John Stoll, County Engineer



Kent D. Downey, Secretary

RBM/swj
c: 91-508

COPY

TRAVEL REQUEST FORM FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 2/15/94 DEPARTMENT: CD & Hwg (Health Dept)

EMPLOYEE(S): Denise Cary
Connie Block

DATE(S) OF TRAVEL: 4-6-94

DESTINATION: Holiday Inn Jasper IN

PURPOSE: Attend Public Health Regional Training Workshop

Proof (copy of brochure or letter) must be attached.

LODGING REQUIRED: None

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 22nd day of February, 1994

Richard J. Borries
Richard J. Borries, President VP

Patrick Tuley
Patrick Tuley, Vice President *president*

Don Hunter
Don Hunter, Member

COPY

TRAVEL REQUEST FORM

FOR

COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 2.14.94 DEPARTMENT: Health, Environmental

EMPLOYEE(S): Bret Townsend

Dan Wienszapfel

George Thompson

DATE(S) OF TRAVEL: 3.20.94 -> 3.22.94

DESTINATION: Ft. Wayne In. Dan Hall Guest House

PURPOSE: Indiana Vector Control Association annual

Meeting
Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: Yes

MEANS OF TRAVEL: COUNTY VEHICLE NUMBER: 873

OTHER: _____

REIMBURSEMENT CLAIMED	_____ Mileage	_____ Parking
	<input checked="" type="checkbox"/> Per diem	<input checked="" type="checkbox"/> Registration
	_____ Air fare	_____ Other

APPROVED: Sam Elder
Department Head

APPROVED: _____
Office Holder

APPROVED BY: VANDERBURGH COUNTY COMMISSIONERS this 22nd day of February 1994

Patrick Tuley
PATRICK TULEY, PRESIDENT

RICHARD S. BORRIES, VICE PRESIDENT
Richard S. Borries

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

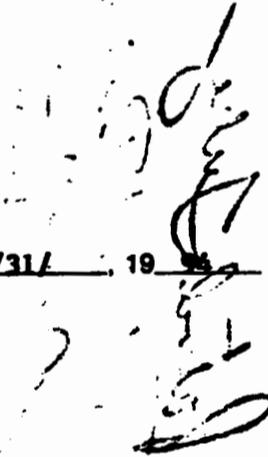
VENDOR NAME United Consulting Engineers, Inc # 1262

On Account of Appropriation for 1625 N Post Road Indpls., IN 46219-1995 203-4353

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% = 6952.84		
	BHZ-E140(001) -----28.24% = 2736.18		
	TOTAL AMOUNT DUE THIS INVOICE # 15	9,689	02

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.


 Date 01/31/ 19 95

United Consulting Engineers, Inc
 Name
William E. Hall
 Title
William E. Hall, Vice President or Jacob E. Hall, President

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 Rd. Indpls., IN 46219-1995
On Account of Appropriation for BRIDGE INSPECTION 203-3540

Invoice No.	Itemized Claim	Amount	
	For Engineering Services on Project No.		
	BRO-NBIS(202), Bridge Inspection - Phase		
	I. in accordance with our Agreement dated		
	August 9, 1993, per our Appendix "D".		
	Work completed thru 02/01/94		
	TOTAL AMOUNT DUE THIS INVOICE NO. 3	4260	00

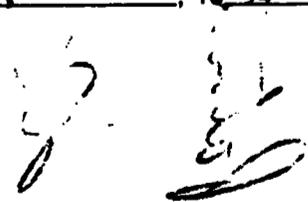
Pursuant to the provisions and penalties of Chapter 155, Acts of 1953,

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.

William D. Richter
Name
Vice President
Title

Date February 1, 1994





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

RICHARD J. BORF
DON L. HUNTER
PATRICK R. TULE

AGENDA REQUEST

NAME OF REQUESTOR: Loretta Townsend

REQUESTOR TITLE: Director

DEPARTMENT: Weights and Measures

REQUEST(S) BEING MADE:

Appear before County Council for Appropriation for funds to
purchase new vehicle for Weights and Measures Department

DATE TO BE PLACED ON AGENDA: 2/22/94

ACTION _____ **CONSENT** x **OTHER** _____

305 ADMINISTRATION BLDG. CIVIC CENTER COMPLEX EVANSVILLE, IN 47708 812-426-5241

NOTICE OF MEETINGS
BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA
EXECUTIVE SESSIONS

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Vanderburgh County, Indiana has scheduled Executive Sessions in Room 307, Civic Center Complex, Evansville, Indiana at 4:30 p.m. on Tuesday, February 22 and Monday, February 28, 1994.

PURPOSE OF SAID MEETINGS is to discuss Pending Litigation and Personnel Matters.

BOARD OF COMMISSIONERS OF
VANDERBURGH COUNTY, INDIANA

Pat Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member

Sam Humphrey
County Auditor

Alan M. Kissinger
County Attorney

* * * * *

Publication Date: Wednesday, February 16, 1994

Publications: The Evansville Courier &
The Evansville Press

**MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 28, 1994**

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:50 p.m.	1
Introductions & Pledge of Allegiance	1
Approval of Minutes	1
Burdette Park - 1994 Rates	1
Rates for Rental Buildings, Campground & Aquatic Center approved as submitted	
Rates for Day Campers, including \$5.00 fee for new Sports Camp, approved; balance of proposal approved, with the exception of field trip to Anderson, IN; trips to Mongtomery, IN and New Harmony, IN were approved; Science Camp to be changed to "Discovery" Camp	
Board Appointments	4
Building Authority - Bill Needler re-appointed Child Protection Team - Rick Paul	
County Attorney/Alan Kissinger	5
County Surplus Properties have now all been identified; M. Abell authorized to use all legal means to remove any remaining tenants on the properties. We will also proceed to review information as to whether any tenants have been paying rent to someone and submit to the Board for a decision as to whether we should pursue this matter	
Superintendent of County Buildings/Mark Abell	5
Full Circle Services/Contract	
County Highway/Bill Morphey	5
Weekly Progress Report (no written report available) Travel Request/Road School at Purdue (approved) Weekly Work Schedule/Damaged Roads Travel Request/Indianapolis (approved) New Association/Road Engineers/County Engineers, etc.	
County Engineer/John Stoll	8
Railroad Crossing Petition for Ohio Street Bridge Project (Referred to A. Kissinger for review prior to action by the Board next week) Mt. Ashley Subdivision/Request for Sidewalk Waiver (approved) Elpers Commercial Subdivision/Request for Sidewalk Waiver (approved) Brookview Subdivision/Section VII/Street Acceptance (approved) Char-Lee Drive/Street Acceptance (Deferred; J. Stoll to check on the insurance and report back prior to action by the Board)	
Consent Agenda (approved)	10
Old Business (None)	10
New Business	10
Executive Sessions on March 7th & 21st (legal ad has gone to the newspaper) Executive Session scheduled on February 28th at 4:30 p.m. (to be advertised)	
Meeting Adjourned @ 7:40 p.m.	10

MINUTES
COUNTY COMMISSIONERS MEETING
FEBRUARY 28, 1994

The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Monday, February 28, 1994 in the Commissioners Hearing Room with President Pat Tuley presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Tuley called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, Supt./County Bldgs., Attorney Alan Kissinger, Commissioner Rick Borries, himself, Commissioner Don Hunter, Chief Deputy Auditor Cindy Mayo, and Joanne Matthews, Secretary) and asked the group to stand for the Pledge of Allegiance.

RE: APPROVAL OF MINUTES

Mr. Tuley said the next order of business is the approval of minutes of February 7, 1994 and February 22, 1994. He said the Commissioners have had a chance to read same. Are there any comments or changes? There being none, a motion was entertained.

Motion to approve both sets of minutes, as presented, was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

Commissioner Tuley asked if there are any individuals/groups in the audience 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: BURDETTE PARK - 1994 RATES

1994 Rates/Rental Buildings, Campground & Aquatic Center: Ms. Joyce Moers of Burdette Park was recognized. She said Mark Tuley had asked her to submit the 1994 Rates for the Rental Buildings & Aquatic Center for approval by the Board or suggested changes. They are the same as the 1993 rates.

It was noted by Commissioner Hunter that these rates were increased in 1993. Commissioner Tuley asked if the Advisory Board has approved the 1994 rates. Ms. Moers said she believes they have, but does not know for sure -- she did not attend the Advisory Board Meeting. Mr. Tuley just gave the rates to her and asked that she submit same to the Commissioners today. He said he does not recommend any changes on anything. He recommends they remain the same.

Following brief discussion among the Commissioners, President Tuley said things never go down -- so if there are no increases, he supposes the Board can go ahead and approve the rates. He then entertained a motion.

Motion to approve the above-mentioned rates, as submitted, was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

1994 Day Camp Program: In continuing, Ms. Moers said she would like to make a few changes with regard to the Day Camp Program. Up to this year this program has always been for ages six to twelve year olds. She would like to increase that to thirteen year olds. We've had several twelve year olds from last year who still want to return. She feels this is a very good program and beneficial to thirteen year olds.

In the past they have had the younger campers (ages 6, 7 and sometimes 8 year olds) at lakeside. She is going to move those campers to the Bishea House and move the older campers to lakeside. She feels this would be safer. She's always been mindful of the safety aspect when the younger campers across the street go to the bathroom. And with the lake being so close to the building, she feels more comfortable with the older campers being lakeside. The older campers can also feel like they are older by being together to themselves a little more. She thinks they would enjoy that better. Facility-wise, she thinks the younger ones playing on the playground and going to the bathroom and not having to cross the street will be safer at Bishea House. And, increasing the age would be a real popular thing -- especially since the older campers will be more to themselves.

They also want to add a Sports Camp to the program. This is not an additional camp, but a choice activity for campers. They want to teach basic fundamentals. Sports Camps are really popular everywhere and are popping up everywhere. Most of them are not beneficial to working parents, as they're from 9:00 a.m. to 11:00 a.m. or 9:00 a.m. to 1:00 p.m. and parents can't always get their kids there. The Burdette program is all day and the Sports Camp would be a part of the regular program. They'd have fundamental instruction from 10:30 a.m. to 12:00 noon every day Monday through Friday. For swim lessons there is a \$5.00 fee and she feels we should put a \$5.00 fee on the Sports Camp -- mainly to make sure that the campers who are really interested are in that, so they don't say they want to go to this program for one day and then not go back to the program or bounce back and forth. She thinks that would assure better control -- because there is going to be very limited enrollment, because we have to be able to use the facilities we have -- and you have to limit the number of participants, plus the staff who can actually teach it and be beneficial. She is going to be out looking for coaches who would like to help us in this program. Mike Gatey from USI has already called and expressed some interest. Mike Madriaga from the School Corporation has given her a couple of names of some coaches he feels would be interested in helping. She will have to buy a lot of equipment -- all of their equipment needs to be replaced and she has to add additional equipment. She doesn't know about the staffing -- they're interviewing and she will try to do as much as she can with the staff they have. They may have to hire some people during that time frame to help -- but she would like to add that to the program. She thinks it's important. All of the kids nowadays are interested in some kind of sports and this would give them basic fundamental instruction. If they're enrolled in the Day Camp they will get it. If they have to go to these other camps, a lot of times the parents just can't get them there. They will have the sports and other activities throughout the day, as well.

With regard to other pricing, she feels the rates should stay the same.

Mr. Borries said he would agree with Ms. Moers about the Sports Camp. It will be very popular. Will she get information together on this, as well?

Ms. Moers said she already has it pretty well worked out. They're going to offer three different sports each session. It may be basketball, volleyball, and soccer. They can pick one of those three. They will have three different ones, and each will be twice during the summer. That way they can break it down. They're trying to do the sports that kind of go along with the summer. For instance, they're doing baseball at the beginning because kids are involved in baseball. They will hit soccer toward the end. And volleyball is a summer sport. So they're trying to incorporate those into the times of the season that they're playing those as well. But she feels three sports is all they can handle at one time, with the facilities.

She's also contacted Mat Cats and they've worked a program where they can take the Day Camp kids to Mat Cats. They've always wanted to offer gymnastics and dance -- but they don't have the mats and she doesn't feel safe with the kids doing gymnastics without mats. So she's never really gotten into this a lot -- or cheerleading or things like that. Mat Cats has offered to let them bring the kids who are interested to Mat Cats. They would pay Mat Cats for that fee. It's not something we'd have to pay for -- they would sign up for that. All we'd have to do is take them there. We're very close to them. That would enable us to offer that, as well. So we're able to offer a lot of different programs.

Commissioner Borries asked how many children Ms. Moers envisions will be out for the Day Camp this year. Seating is limited on the bus transportation to the first 96 campers. Is that pretty well the top?

Ms. Moers responded, "No, we can take 150. That's just in the Day Camp. We can take 50 in the Science Camp and 150 in the Day camp."

Mr. Borries asked what she envisions in the Sports Camp.

Ms. Moers said that is going to be part of the 150. They will enroll in the Day Camp and it will be their choice to choose the Sports Camp. If they don't choose the Sports Camp, they will be offering alternate activities during that time slot. So they have a choice - one of the sports, Mat Cats as gymnastics or dance -- and we'd bus them to the facility for that -- or they will be offered other choice activities, maybe crafts or whatever they have -- during the 10:30 a.m. to 12:00 noon schedule every day. They have swim lessons the first thing (8:30 a.m. to 9:45 a.m.) and then they come back for a snack before participating in one of these activities; they will then have lunch. In the afternoon three days a week they will swim (use the aquatic center) or they'll do a field trip or other activities.

Again, Ms. Moers said she recommends no price change, with the exception of the added \$5.00 for the Sports Camp -- and that is entirely up to the Commissioners. She doesn't think the Sports Camp will bring in a lot of money; \$5.00 is not going to cover the cost. The only thing she sees is for the interest and control for the kids who want to be there and who can learn without distracting from the others. Some may not want to be there -- but their buddy is there and so they will go. They do the same thing with swim lessons -- it helps to control.

Ms. Moers said the matter of the discount also needs to be discussed -- the 10% discussed per session for Bristol-Myers, the City-County and School officials. We did get a sponsorship again from Bristol-Myers.

With regard to the Science Camp, she has decided she'd like to change the name to **Discovery Camp**. She thinks sometimes "Science" camp scares kids away a bit or deters participation. If we change the name to **Discovery camp** and make it known that it is for the older campers -- she thinks that would interest a lot of kids.

She would also like permission to take the **Discovery** campers to Anderson or Montgomery to ...

Mr. Hunter said if Ms. Moers will call him tomorrow, he has a contact he uses for his classes to go to Montgomery. Anderson is too far away. (President Tuley concurred.) There are several hundred Amish families in Montgomery and it is only an hour or so away. Commissioner Tuley said he would agree to the field trip if she limits it to Montgomery.

Ms. Moers said New Harmony was another idea for a field trip. She

did talk to Dennis Feldhaus about insurance and liability, as far as taking them out of Vanderburgh County. He said that we are covered, but recommended they take a maintenance man or two to follow along in a truck -- for safety reasons. But as long as it is something they are not going to do every week or real often, he sees no problem with this whatsoever.

Commissioner Borries said Historic New Harmony and Historic Southern Indiana both have toll free numbers now and they can take care of some arrangements if Ms. Moers is interested.

Ms. Moers said she thinks these field trips are good for the older campers and very educational.

Mr. Hunter said he thinks the change from 'Science' to 'Discovery' is a super idea.

Ms. Moers said they have all new topics this year and have tried to make them more interesting -- so they don't feel they are so science-oriented; yet, they will still be learning a lot. She hopes the "Discovery" will draw them in more. The first one is going to be Archeology/Geology/and Anthropology -- which she thinks will be very interesting and they can practice some of those skills in our area. The second one will be Architecture and the third will be Frontier Exploration. The fourth session will be 'Your Senses and You' and the last one 'Chemistry and Physics'.

Mr. Hunter asked if she's started staffing her Discovery Camp yet.

Ms. Moers said the main two are returning from last year and she will have some openings -- probably at least two, depending upon how many campers are enrolled. She's hoping to draw in more this year. People really don't realize yet that it is out there -- and she thinks the 'Science' turned some kids away. They've also had some sponsorships -- she thinks they now have twelve or thirteen and she hopes to put those kids in Discovery Camp. The 10 to 14 year olds are an important group and she hopes to put some of those in that area.

Commissioner Borries said the Board should probably move to accept the \$5.00 sports camp fee and approve the rest of Ms. Moers' proposal. Does she have funds to buy the equipment she will need for the sports camp to get it going?

Ms. Moers said she is confident she can do it with the budget she has. She's also going to try to get some donations. And she may be able to get some of the equipment from the Bristol-Myers money, too. She hopes to get three computers; Bristol has given her the money and she will be getting either two or three computers, which the Day Camp can use. She already has two -- at the Discovery Building. She hopes to get three for the Day Campers to use -- and that will be a new activity for them this year, as well.

Following further brief comments a motion was entertained.

Motion to approve the Day Camp Program as outlined by Ms. Moers, including the \$5.00 fee to implement the Sports Camp, was made by Commissioner Borries, with a second from Commissioner Hunter. So ordered.

RE: BOARD APPOINTMENTS

Building Authority: Motion to re-appoint Bill Needler to the Building Authority Board was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

Child Protection Team: Motion to appoint Mr. Rick Paul to the Child Protection Team was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

RE: COUNTY ATTORNEY/ALAN M. KISSINGER

County Surplus Properties: Attorney Kissinger said what he has is not so much a report as it is a request from the Superintendent of County Buildings. We have now identified all of the County Surplus Real Estate that the County took as a result of failure to pay taxes. Some of them are still occupied. He would request that the Commissioners consider giving authority to the Superintendent of County Buildings to engage all legal means for removing any remaining residents on any of those County properties. As he said, they have all been identified and most all are vacated. For those people resisting, he would ask the Commissioners to authorize Mr. Abell to remove those people by the appropriate legal means.

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

President Tuley asked Attorney Kissinger if he will give legal advice to Mr. Abell as to what all 'legal means' are?

Attorney Kissinger said that, as a matter of fact, they have discussed it and he thinks he knows what the 'legal means' are at this point.

Commissioner Borries asked if we're also pursuing 'legal means' in so far as looking at options -- if these persons who are occupying these buildings were paying rent to someone -- are we probably going to pursue that at some point?

Attorney Kissinger said he has been informed that information has been gathered in reference to that possibility. So, yes, at least they are going to bring that information to the Commissioners so a decision can be made as to how we proceed.

RE: SUPERINTENDENT OF COUNTY BUILDINGS/MARK ABELL

Full Circle Services/Contract: Mr. Abell said he has a contract from Full Circle Services. We have used them in the past to collect unclaimed funds for us. They seem to do the job. They came up with some funds that we did, indeed, collect. They sent him a letter dated February 21st stating they now have one check that totals \$10,451.35 with the same similar circumstances as last time. If the Commissioners so desire, we could engage their services to try to recoup that money. He has spoken to the Auditor's office about it and they assured him everything ran smoothly the last time we used them.

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

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Mr. Morphew said he did not have his written report ready tonight. They had some work done on their printers today -- a link-up between the computers between the Payroll Clerk's office. Actually, both computers were linked up to their laser printer and they didn't get the reports printed out on time. However, they now have the link-up completed.

Travel Request: Mr. Morphew said he has given the Commissioners a travel request to go to the Road School at Purdue University for March 1st (tomorrow) and returning on March 2nd.

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

Weekly Work Schedule: Mr. Borries asked where the crews have worked this week.

Mr. Morphey replied that basically they have done a lot of work in the Union Township bottoms. The water went down and left debris all over the road and now it is going back up again. He guesses we're fighting a losing battle. They have started patching on Old Henderson Rd. and other places throughout the County, but they have given a lot of attention to Old Henderson Rd. It seems to be falling apart -- a lot to do with water and the coal trucks coming out of Mulzer's there in Dogtown. We have roads closed again all over the County. The river is supposed to be at 39 ft. tonight and he understands it is going to 42 ft., which means it will be over the roads everywhere again.

Commissioner Hunter said he went out to Old Henderson Rd. a week ago Saturday just to take a look at the roads. Not only are the coal trucks damaging the roads, they are also putting a thick blanket of black soot all along the edge of the roads. He thinks we're going to have to ask those folks to wash those roads down. If he lived out there and had to drive his car through that every time to get in and out -- he'd have a duck.

Commissioner Tuley advised Mr. Hunter that this problem was discussed with Fred Howard last week after Mr. Hunter left the meeting.

Mr. Morphey said they've discussed this at the garage -- and he really doesn't know what we can do yet. He's going to try to look into some ordinances. Right now he doesn't know what we can do. He does know that in the summer Mulzer's do wash the road off occasionally for us. We've asked them to do that several times.

Commissioner Borries said it ought to be done on a regular basis -- on the west side of the road.

Mr. Hunter said there is sufficient build-up of coal dust along there to prevent the water from running off the road - and the water just lays right along the edge of the road. This problem really needs to be addressed. We had a similar problem out on Highway 57 with the coal washing plant out there where the trucks come out -- exactly the same thing along the edge of Highway 57.

Commissioner Borries said he was asking Alan about the load limits. He knows when Commissioner Tuley remarked to him that when he had driven down through that area some of these trucks have a 3 ft. extension on top of them. He doesn't know what the posted limit is for some of these trucks, but if that thing is full with the full amount on it -- we're talking a lot of weight on those roads. And it's real obvious when we get these quick thaws we're really going to have some problems.

Commissioner Tuley said that since he said that to Rick, someone told him from the Sheriff's department that more times than not the only trucks they find down there over the load limits are farmers' trucks.

Commissioner Borries reiterated he thinks we need to research the ordinance to see what we have on load limits -- and, it may be a matter of posting.

Mr. Morphey said we can look into that and also see if they are using tarps -- if the loads are covered. A load of coal is only going to weigh about 20 ton. They do use the sideboards so they get more coal in the trucks, but actually the gross weight isn't there. They use that for quantity and the actual load will only way about 20 to 22 tons. We're also looking at some different methods of soil stabilization. We're going to have to do some serious work on Old Henderson Rd. between Dogtown and Bayou Creek -- it's falling apart. We have one other place like that on County Line Rd. West -- the road we paved last year.

Mr. Tuley said he was going to ask Bill about this; he was out there last Friday -- to the north of the railroad tracks there.

Mr. Morpew said that actually that didn't look so bad. He was out there a month ago and it didn't look that bad. Right north of the railroad tracks where Mr. Tuley is talking about, Posey County had built that road up approximately 24 inches there. He doesn't know what happened - whether we got bad asphalt in there or not. Farther down the road there was an area there where the Posey County Engineer had told him they had some problem with the soil stabilization. He and John met them out there and rode the roads twice on day. Right there not far from the bridge they told them it flooded there every year and they had a problem with drainage and also with the road being stable. We're also going to look at that. As thick as that asphalt is it should not have done that. There may be a problem with the asphalt. The other section we did -- solely in Vanderburgh County -- there is absolutely no problem whatsoever and it was done the exact same way.

Mr. Tuley said he was on it from Baseline Rd. north to as far as Schmitt Lane.

Mr. Morpew said he is sure the harsh winter had a lot to do with it. All three departments -- the City, the County and the State -- have had their problems with potholes and roads falling apart this year. We certainly need to take into consideration the weather and also any methods we can come up with to stabilize.

Commissioner Borries said since we certainly get our fair share of good shots or bad shots in the media, he certainly wants to commend WIKY for their morning traffic information on nearly every road. The County Highway must be giving good information to them -- or maybe they're calling the County Highway. But nearly every road that either has some water problems on it or has been closed -- all that information goes out over the radio and he thinks this really helps. Sometimes the river can really rise quickly and in this situation some of those roads can literally be covered overnight. So that information is very helpful. He doesn't recall better information ever getting out telling people which roads are closed and he thinks this is really an excellent communications device.

Mr. Morpew said WIKY has been calling him twice a day -- once in the morning and once in the afternoon.

Continuing, Mr. Morpew said that just to show how fast the river comes up, they checked Waterworks Rd. at 2:00 p.m Friday and at 3:00 p.m. the water was over the road -- it was coming fast.

Road Hearing: Commissioner Tuley said that while we're discussing roads, it was pointed out to him that the legal ad concerning the public road hearing was inadvertently printed with the wrong date. The hearing will be April 4th, not April 14th, as printed. A corrected ad will appear tomorrow and should also be correct when it runs again on March 21st.

Mr. Morpew said Joanne gave him a note on this. He's already had calls about this. He does have a preliminary list of roads made up and they have their paver in and are working on it now -- trying to get it in shape.

Request to Travel to Indianapolis: Mr. Morpew said that he is requesting permission to travel on Monday, March 8th, to go to a Paving Seminar & Equipment Show in Indianapolis, which is being put on by Southeastern Equipment. They're going to have representatives from Gradall and Blaw-Knox and several other equipment companies. Blaw-Knox is the company that has the pavers.

Motion to approve the request was made by Commissioner Borries,

with a second from Commissioner Hunter. So ordered.

New Association: Commissioner Tuley said he received a letter and he doesn't know whether John and Bill have had a chance to read it. But there is a new association for road engineers and County engineers and road supervisors.

Mr. Morphey said there is an Indiana Highway Supervisors Association. At the last meeting they combined it with the County Engineers. They have a meeting at the Road School every year; they have four meetings a year. They have one at the A.I.C; they have one at Road School and he doesn't know the dates of the other two.

Commissioner Tuley asked if we belong.

Mr. Morphey said he does.

Mr. Tuley asked if Mr. Morphey gets a chance to go.

Mr. Morphey said he went to the last two.

Mr. Tuley said it seems like this would be a good way to talk. He knows when he belonged to the Treasurer's Association they learned more sitting in a room talking amongst Treasurers at one of these meetings than they did from the information put out by the Board of Accounts. So he didn't know but what this would work the same way.

Mr. Morphey said it is interesting. Actually he's gotten quite a bit of information as to what some of the other counties do and how they go about doing it -- just from talking to the guys who do the work in the field, an example being we have a county just about 50 miles north of here that builds their own bridges. They don't contract them out. They pour their own concrete box beams and everything inside their yard -- they build their own bridges. Some of the stuff is real interesting as to how they go about doing it.

Mr. Tuley said he is glad to know he belongs and can go to some of those meetings.

RE: COUNTY ENGINEER - JOHN STOLL

Railroad Crossing Petition for Ohio Street Bridge Project: Mr. Stoll said this is the first item he has. He's given Alan a copy of same for review and copies to the Commissioners for informational purposes. Alan will look it over and, hopefully, the Board can take action on this at next week's meeting. We have to have a petition filed with INDOT in order to relocate the railroad crossing in association with the new Ohio Street Bridge. It will take them a while to process the petition and give CSX an opportunity to look it over. If we get it started now, hopefully it won't interfere with the progress of the project.

Commissioner Hunter said he noted Item #11 indicates four (4) trains per day use the CSX Railway tracks. That's all?

Mr. Stoll said it is the spur that goes across the railroad bridge -- not the one that blocks off Ohio Street all the time.

Mt. Ashley Subdivision/Request for Sidewalk Waiver: Mr. Stoll said this matter was brought up last week and it was deferred until Mr. Hunter was present today. Back when the original request was made it was deferred until such time as the streets had been constructed in Mt. Ashley and now that the streets have been constructed, Aaron Biggerstaff requested this matter be brought up again. This is a 19 lot subdivision and the lots are about 3/4 acre. There are no other sidewalks in that area and Mt. Ashley does not tie into any other subdivisions.

Commissioner Hunter asked if this subdivision is put together in

such a way that it will not be added on to later?

Mr. Stoll said it is a cul-de-sac that goes straight east off of Old State Rd. and it does not and will not tie into any other subdivisions.

Mr. Hunter asked, "And this is not a high density subdivision?"

Mr. Stoll said it is not. In this case he feels the waiver should be granted.

A motion was entertained.

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

Elpers Commercial Subdivision/Request for Sidewalk Waiver: Mr. Stoll said this is on Highway 41 North in the vicinity of the McDonald's and Arby's developments. It's a four (4) lot subdivision. As noted in the letter from Jim Morley (which he submitted to the Commissioners) it is projected that it's all going to be commercial and no residential in the area. This is why he is requesting the waiver.

There being no comments, President Tuley entertained a motion.

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

Brookview Subdivision/Section VII/Street Acceptance: Mr. Stoll said this includes Knollview Drive (407 ft.) and Brookview Drive (266 ft.). The streets were constructed according to plan and it is recommended they be accepted.

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

Char-Lee Drive/Street Acceptance: Mr. Stoll said this is the final item he has. This street was originally requested for acceptance back in 1990. At that time the Commissioners had entered into an agreement with the property owners to accept the street. But he found out through a request from a resident along there who wanted some guard rail along the street that it had not been accepted. So this is just a matter of his getting the paperwork together and making sure it finally gets accepted as intended through that agreement.

Commissioner Borries said he does remember seeing the road. He doesn't think there has been any deterioration or any change in it probably since it was constructed with asphalt. He knows it was approved but doesn't know what happened thereafter.

Mr. Stoll said for some reason somebody dropped the ball and nobody followed through with all the paperwork.

Commissioner Borries said it has been approved, so he would think...

Mr. Hunter asked if the insurance is still in force.

Mr. Stoll said it is. They're going to contact the insurance people to make sure it stays current all the time -- make sure they send us a certificate every year that he can keep in his road file.

Commissioner Hunter said he sees an expiration date of 1/91 on the copy he has. Is this the newest one/?

Mr. Tuley asked if the Commissioners want to hold off on this until Mr. Stoll can check this out?

COMMISSIONERS MEETING
February 28, 1994

10

Mr. Hunter said he would like to hold off until we know about the insurance and the other Commissioners concurred. It was the consensus that action on this matter be deferred.

Mr. Tuley asked if Mr. Stoll indicated he is not going to the Road School at Purdue.

Mr. Stoll said that is correct. He didn't see anything on the agenda that seemed to be that pertinent and he has enough here to keep him busy.

RE: CONSENT AGENDA

President Tuley entertained comments or questions concerning the Consent Agenda. There being none, a motion was entertained.

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

RE: OLD BUSINESS

President Tuley entertained matters of Old Business to come before the Board. There were none.

RE: NEW BUSINESS

Commissioner Borries asked Ms. Matthews if the Board has requested advertisements of Executive Sessions for March.

Ms. Matthews said the ad has been prepared and sent to the newspaper for March 7th and March 21st and necessary copies have been distributed internally.

President Tuley said in looking at the list of Scheduled Meetings, March 21st seems to be the last one listed.

Commissioner Borries said he would move that an Executive Session be held at 4:30 p.m. on Monday, March 28th for purposes of discussing Pending Litigation and Personnel Matters.

Commissioner Hunter said he will second the motion. However, at 4:30 p.m. on March 28th, he will be walking up and down the shores of the Gulf of Mexico.

Commissioner Tuley said they will think about him -- not kindly -- but they will think about him.

Mr. Tuley so ordered.

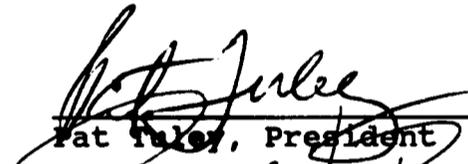
There being no further business to come before the Board at this time, President Tuley declared the meeting adjourned at 7:40 p.m., stating there will be a five or ten minute recess so the Commissioners can complete some paperwork from the Commission Meeting. Immediately thereafter, the Drainage Board Meeting will convene.

PRESENT:

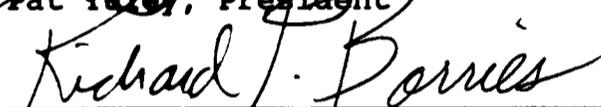
Pat Tuley, President
Richard J. Borries, Vice President
Don Hunter, Member
Alan M. Kissinger, County Attorney
Cindy Mayo, Chief Deputy Auditor
John Stoll, County Engineer
Mark Abell, Supt./County Bldgs.
Bill Morphey, Supt./County Highway
Eric Williams/Deputy Sheriff
Joyce Moers/Burdette Park

Terry Bitz/Utility Pipe Sales
Terry L. Brown/Utility Pipe Sales
Ed Zausch/Concerned Taxpayer
Barbara South/UPSCO
Homer Flood/UPSCO
Tom Walker/Cresline Plastic Pipe Co.
Jeff Algain/Cresline Plastic Pipe Co. (Citizen)
Jerry Noriega/Advanced Drainage Systems
Dave Keaffer/Hancor, Inc.
Jeff Eckels/PVC Plastics Co., Inc.
Jill Buttemier/Hancor, Inc.
William D. "Bill" Smith/PVC Plastics
Terry Noffsinger/Attorney
David P. Law/PVC Plastics
Brian D. Kincaid/PVC Plastics
Les Shively/Attorney
Pam L. Murray/PVC Plastics, Inc.
Cynthia A. Beavin/PVC Plastics, Inc.
JoAnn Beck/Cresline Plastic Pipe
David Beck/Cresline Plastic Pipe
Netann Pore/Cresline Plastic Pipe
Helen Westbrook/Cresline Plastic Pipe
Pat Wilhite/Cresline Plastic Pipe
Floyd Wilhite/Cresline Plastic Pipe
Michael Roark/Town of Darmsdtadt
Maurice Baumgart/Pond Flat Ditch
Sharon E. Baumgart/Pond Flat Ditch
Others (Unidentified)
News Media

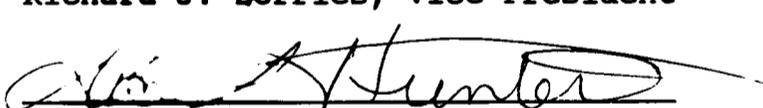
SECRETARY: Joanne A. Matthews



Pat Tuley, President



Richard J. Borries, 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

February 28, 1994

5:30 P.M.

FINAL

1. CALL TO ORDER

2. INTRODUCTIONS

3. PLEDGE OF ALLEGIANCE

4. ACTION ITEMS

A. Approval of Minutes

B. Any group/individual wishing to address the commission

**C. 1994 Rates for Burdette Park
*Discussion and approval**

**D. Appointment of Board Members
1) Building Authority
2) Child Protection Team**

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:

**B. Employment Changes:
* see attached**

C. Claims for payment:

(1) Given & Spindler, Inc.
*reimbursement for expenses per contract \$ 19,647.43

7. **Scheduled Meetings - List attached**

8. **OLD BUSINESS**

9. **NEW BUSINESS**

10. **MEETING ADJOURNED**

DRAINAGE BOARD IMMEDIATELY FOLLOWING

COUNTY ENGINEER'S

CONSENT AGENDA

FEBRUARY 28, 1994

1. CLAIMS:

OHIO ST. BRIDGE #3C 203-4345	
Bernardin Lochaueller (Inv. #93-097-5(2))	\$ 532.57
Bernardin Lochaueller (Inv. #91-068-1(20))	\$3,834.69
CONTRACTUAL SERVICES 216-3930	
Indiana Dept. of Transportation (Inv #IR9400431)	\$2,411.13
LYNCH ROAD EXTENSION 216-4827	
Bernardin Lochaueller (Inv. #92-032-2(6))	\$2,520.72
Bernardin Lochaueller (Inv. #90-038-1(23))	\$1,522.80
BURKHARDT ROAD RR CROSSING 216-4928	
Indiana Dept. of Transportation (Inv #IR9400445)	\$7,180.00
USI OVERPASS 430 BOND	
Bernardin Lochaueller (Inv. #93-003-2(9))	\$8,691.23

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor (REASSESSMENT)

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1150-1990	Steven S. Mohler	2202 W. Illinois	Part Time Data Coll.	Hourly 7 00	2/23/94
2490-1150-1990	Henry E. Outlaw	756 W. Michigan St.	Part Time Data Coll.	Hourly 7 00	2/23/94

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

David A. Fox
DM

DATE 2/22/94

VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Lead 213.1

APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1150	Lynn Hardin	722 S. Barker Avenue Evansville, IN 47712	Clerk	7,345 52	2/28/94
	*This will be a 20 hr. per week Position				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER
COMMISSIONER'S RECORD

SIGNED BY

Sam A. Hill

DATE 2-23-94

March 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 60 / 305	2 61 / 304 3:30pm County Council	3 62 / 303	4 63 / 302	5 64 / 301
6 65 / 300	7 66 / 299 4:00pm Dept. Head 4:30pm Exec. Session 5:30pm County Commissioners	8 67 / 298	9 68 / 297	10 69 / 296	11 70 / 295 Pay Day	12 71 / 294
13 72 / 293	14 73 / 292 4:30pm Solid Waste 5:30pm County Commissioners	15 74 / 291 9:00am Insurance Comm.	16 75 / 290	17 76 / 289 St. Patrick's Day 9:00am Steering Comm. 5:00pm Pigeon Creek	18 77 / 288	19 78 / 287
20 79 / 286	21 80 / 285 4:30pm Exec. Session 5:30pm County Commissioners 7:00pm Rezoning	22 81 / 284	23 82 / 283	24 83 / 282	25 84 / 281 Pay Day	26 85 / 280
27 86 / 279	28 87 / 278 5:30pm County Commissioners 6:30pm Drainage Brd.	29 88 / 277	30 89 / 276 3:30pm Personnel & Finance	31 90 / 275		

February

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					

April

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

DRAINAGE BOARD MEETING
FEBRUARY 28, 1994

AGENDA

1. Meeting opened
 2. Approval of minutes (1-24-94)
 3. Discussion regarding the proposed Drainage Ordinance.
President Borries will ask if anyone in the audience wants to speak on this topic.
 4. Subdivisions for review
 - A. Joseph Elpers Subdivision II
 - B. Broadlawn Estates
 5. 1994 Maintenance Specifications
 - A. General Specifications
 - B. Special Provisions
 - C. Advertising Schedule
 - E. Receive Bids
 6. Review of Bridge #5 (Mann Road) and Bridge #7 (Bixler Road) over Pond Flat Ditch
 7. Request for payment of Blue Claims
 8. Meeting adjourned
-



P.O. BOX 7081
NURRENBERN ROAD
EVANSVILLE, IN 47719
TELEPHONE (812) 435-560

App^{id.}
2/28/94

FEBRUARY 28, 1994

VAND. CO. COMMISSIONERS
ROOM 305 CIVIC CENTER COMPLEX
EVANSVILLE, IN 47708

DEAR COUNTY COMMISSIONERS,

LISTED BELOW IS A COPY OF BURDETTE PARK'S 1993 RATES FOR RENTAL BUILDINGS AND THE AQUATIC CENTER. WE RECOMMEND THAT THESE RATES REMAIN THE SAME FOR THE 1994 SEASON.

PAVILION	\$325 UP TO 300 PEOPLE	\$400 FOR 301-500	\$550 FOR 501 +
BISHEA	\$250		
CLUBHOUSE	\$100		
LAKESIDE	\$ 90		
#7	\$ 40		
#8	\$ 45		
#12	\$ 70		
#13	\$ 70		
#16	\$ 40		
#17	\$ 40		
#18	\$190		
#19	\$ 60		
#4 & #5	\$ 55 LABOR DAY TO MEMORIAL DAY	\$65 MEMORIAL DAY TO LABOR DAY	
#1-3	\$ 35 LABOR DAY TO MEMORIAL DAY	\$45 MEMORIAL DAY TO LABOR DAY	

CAMPGROUND

\$6/DAY \$30/WEEK \$100/MONTH PRIMITIVE CAMPING
 \$9.50/DAY \$45/WEEK \$145/MONTH WATER & ELECTRIC HOOK UP
 \$11/DAY \$54/WEEK \$170/MONTH WATER, ELECTRIC, & SEWER HOOK UP

AQUATIC CENTER

2 YEARS AND UNDER - FREE

3-11 YEARS \$3.95

12 & OVER \$4.95

GROUP RATES

15-200	\$3.50
201-500	\$3.25
501-999	\$3.00
1000-1250	\$2.75
1251-1500	\$2.50
1501 +	\$2.25

SEASON PASSES

CHILDS PASS (AGES 3-11) \$39.95

ADULT PASS (AGES 12 +) \$49.95

FAMILY PASS (UP TO 4 PEOPLE VALID MONDAY-FRIDAY ONLY) \$129.95

FAMILY NIGHT

STARTING JUNE 10TH 3:30 P.M. - 10:00 P.M.

*****FRIDAY NIGHTS ONLY*****

\$3.50 PER PERSON

*Burdette
Park*

P. O. BOX 7081
NURRENBERN ROAD
EVANSVILLE, IN 47712
TELEPHONE 812) 424-9533

February 7, 1994

PLEASE ROUTE TO:

RICK BORRIES RB
PAT TULEY ✓
DON HUNTER ✓
OTHER 2/23/94 Meeting

off 2/23/94

County Commissioners
Civic Center Complex
Evansville, IN 47708

Dear Commissioners,

I have began my preparations for the 1994 Day Camp Programs. I am ready to have the registration forms printed but first I need your recommendation on the rates for this year. I am only making a few significant changes which may effect pricing.

First, I am going to add a sports camp to the day camp. This will be an option that is offered to those already enrolled in the day camp. They will have the opportunity to receive fundamental instruction in various sports such as baseball, football, soccer etc. similar to the other sports camps offered in the area. The benefit to our program will be that they will enroll in our camp in order to qualify and it is an all day program for working parents. I do feel that a fee should be charged to enable us to limit enrollment on a first come/real interest basis such as the swim lesson program. We charge \$5.00/child/session for swim lessons. We will need to purchase additional equipment and possibly additional help if we are unable to give instructions with regular staff. That is yet to be determined.

The next issue of importance will be the discount for city/county/school corporation and Bristol-Myers Squibb employees of \$10.00 per child per session off their total. This is the practice that has been in effect for the past years.

The science camp will not have any significant changes that should affect the pricing. I have decided to change the name to The Discovery Camp for Older Youth. I am hoping this will help attract more campers in this age group. I would like your permission to take the science campers to Anderson or Montgomery Indiana to observe the Amish way of living. They will be exploring the evolution of people and society as well as ancient living. The staff would like to add this field trip to the calendar. I feel it would be very good for the program. We had also discussed the possibility of New Harmony. I have talked to Dennis Feldhaus about coverage and he has told me he has no problems with this. The maintenance staff here has asked to send a couple of people along to follow in a truck in the event of maintenance for the bus. We will be staying in Indiana and I believe it is about 1 hour from Evansville.

Many new topics and structural changes will be made for the programs this year. I am also wanting to increase the age from 6 to 12 in include 13 year olds in the day camp. There were several 12 year olds that want to return this year and will be 13. I will attach last years registration forms so that you can see the fee structure. I will need your decision as soon as possible so that I can get the forms printed by the beginning of March. Please call if you have any questions.

Sincerely,

Joyce Moers

Burdette Park Science Works Camp

Applications will be dated on arrival and processed on a first come basis. Enrollment will be limited.

Cost: \$125.00 per session (2 weeks) for one child. If you have more than one child in the family enrolled for the same session in either camp (Science or Day Camp), there will be a reduced rate of \$10.00 per camper.

The bus transportation system from the Vanderburgh County Auditorium is \$10.00 per session per child, for users. Seating is limited to first 96 campers per session.

A non-refundable deposit of \$25.00 per session/per child will be required along with the application. This will be applied to enrollment cost.

Please be sure to indicate all options listed below when determining cost. Your deposit for each session will be applied toward your cost and the balance for each session is due the first day of each session.

Check sessions and options desired; mark number of campers in family attending the session .

Session Dates	Camp Session \$125/\$115	Bus Service \$10.00	No. of Campers #	Total Cost Per Session/Per Camper \$
Session 1 (June 7 - June 18)	\$ _____	\$ _____	# _____	\$ _____
Session 2 (June 21 - July 3)	\$ _____	\$ _____	# _____	\$ _____
Session 3 (July 6 - July 16) pro-rated for holiday	\$112.50/103.50	\$ _____	# _____	\$ _____
Session 4 (July 19 - July 30)	\$ _____	\$ _____	# _____	\$ _____
Session 5 (Aug. 2 - Aug. 13)	\$ _____	\$ _____	# _____	\$ _____

A non-refundable deposit of \$25.00 per session/per child will be required along with application. This will be applied to enrollment cost.

Total Cost \$ _____
Total Deposit \$ _____
Total Amount Due \$ _____

I hereby give permission for _____ to participate in Burdette Park's Science Works Summer Camp program. I also consent (in case of emergency) to any necessary exams, anesthetic, medical diagnosis, surgery or treatment and/or hospital care to be rendered to the above named minor under the advice of any physician or surgeon licensed to practice in the state of Indiana.

If a specific medical facility is desired, please indicate name on the next line. Special facility choices will be honored whenever feasible. Parents are responsible for medical insurance coverage.

Parent or Guardian _____ Date _____

Bring completed form with necessary payments to Burdette Park Main Office or mail to:
 Burdette Park Science Works Summer Camp
 P.O. Box 7081
 Evansville, IN 47719
 (812) 424-9535

Burdette Park Summer Day Camp

Applications will be dated on arrival and processed on a first come basis. Enrollment will be limited.

Cost: \$120.00 per session (2 weeks) for one child. If you have more than one child in the family enrolled for the same session in either camp (Science or Day Camp), there will be a reduced rate of \$10.00 per camper.

The bus transportation system from the Vanderburgh County Auditorium is \$10.00 per session per child, for users. Seating is limited to first 96 campers per session.

Swim lessons will be \$5.00 per session for users. Swim lessons are optional. An alternative activity will be available.

A non-refundable deposit of \$25.00 per session/per child will be required along with the application. This will be applied to enrollment cost.

Please be sure to indicate all options listed below when determining cost. Your deposit for each session will be applied toward your cost and the **balance for each session is due the first day of each session.**

Check sessions and options desired; mark number of campers in family attending the session.

Session Dates	Camp Session \$120/\$110	Bus Service \$10.00	Swim Lessons \$5.00	No. of Campers #	Total Cost Per Session/Per Camper \$
Session 1 (June 7 - June 18)	\$ _____	\$ _____	\$ _____	# _____	\$ _____
Session 2 (June 21 - July 3)	\$ _____	\$ _____	\$ _____	# _____	\$ _____
Session 3 (July 6 - July 16) pro-rated for holiday	\$108/99	\$ _____	\$ _____	# _____	\$ _____
Session 4 (July 19 - July 30)	\$ _____	\$ _____	\$ _____	# _____	\$ _____
Session 5 (Aug. 2 - Aug. 13)	\$ _____	\$ _____	\$ _____	# _____	\$ _____
Session 6 (Aug. 16 - Aug. 20) pro-rated for 1 week only	\$60/\$55	\$ _____	\$ <u>N/A</u>	# _____	\$ _____

A non-refundable deposit of \$25.00 per session/per child will be required along with application. This will be applied to enrollment cost.

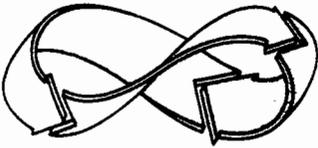
Total Cost \$ _____
Total Deposit \$ _____
Total Amount Due \$ _____

I hereby give permission for _____ to participate in Burdette Park's Day Camp program. I also consent (in case of emergency) to any necessary exams, anesthetic, medical diagnosis, surgery or treatment and/or hospital care to be rendered to the above named minor under the advice of any physician or surgeon licensed to practice in the state of Indiana

If a specific medical facility is desired, please indicate name on the next line. Special facility choices will be honored whenever feasible. **Parents are responsible for medical insurance coverage.**

Parent or Guardian _____ Date _____

Bring completed form with necessary payments to Burdette Park Main Office or mail to:
Burdette Park Summer Day Camp
 P.O. Box 7081
 Evansville, IN 47719
 (812) 424-9535



February 21, 1994

Mr. Mark Abell
Superintendent of County Buildings
Vanderburgh County
305 Administration Building
Civic Center Complex
Evansville, IN 47708

Re: Proposal Regarding Unclaimed Funds
Listed in the Name of "Treasurer of Vande"

Dear Mr. Abell:

Our company is involved in recovering unclaimed assets for the benefit of our clientele. We are proud of the fact that we have been involved in the recovery of assets for our clients totaling over seven million dollars.

In the process of conducting our research, we accessed information which indicates funds totaling \$10,451.35 are listed in the name of the County. Our research also indicates that these funds are available for collection. The funds have been idle in non-interest bearing accounts for some time, and the holder is under no obligation to inform you of the existence and availability of these monies.

Please find enclosed our standard contract for services. This contract is designed to address any questions or concerns you may have regarding our services. Please note the sentence of Paragraph Three which provides that no compensation is owed unless recovery of the funds is successful.

Should you desire further discussion after your review of the enclosed, please contact the undersigned at your convenience. If the terms of the proposal meet with your approval, please sign the enclosed contingency agreement and return it to our office.

Sincerely,

Full Circle Services, Inc.


John F. Maley
President

JFM/mlf

Reunion Center, Suite 900
Mailing: P.O. Box 3388
Tulsa, Oklahoma 74101-3388
(918)582-5522
FAX (918)582-5524

AGREEMENT AND FEE MEMORANDUM

BY AND BETWEEN:

Full Circle Services, Inc. AND
900 Reunion Center
9 East 4th Street
Tulsa, OK 74103-5115

In consideration of the successful efforts of Full Circle Services, Inc. ("Full Circle") to notify ("Claimant") of funds held in its name (the "Funds"), and to which Claimant may be entitled, Claimant hereby agrees, subject to the conditions set forth below, to pay Full Circle twenty percent (20%) of the funds recovered on behalf of Claimant (the "Fee").

It is understood:

(1) Other than the Fee, no other expenses or costs will be subtracted from the Funds for any reason.

(2) Claimant will cooperate by executing documents necessary to recover the Funds.

(3) The Fee will not be payable by Claimant under this Agreement unless a recovery is made.

(4) Should Claimant receive the Funds directly from the holder thereof, Claimant will pay Full Circle the Fee within thirty (30) days of receipt of the Funds. Likewise, should Full Circle receive the Funds directly from their holder, Full Circle will pay Claimant the Funds, less the Fee, within thirty (30) days of receipt of the Funds.

(5) If Claimant is aware of the Funds and is in the process of collecting the Funds on the date of this Agreement, as evidenced by documentation produced by Claimant and sent to the holder of the Funds within the six month period preceding the date of this Agreement, the Fee will not be payable.

(6) The intent of this Agreement is to pay Full Circle the Fee for its services in identifying funds which are not actively being pursued by Claimant, notwithstanding the fact that such amounts may be reflected in the financial books and/or records of Claimant.

This Agreement and Full Circle's authority and entitlement hereunder shall automatically terminate upon Claimant's receipt of the Funds and payment of the Fee.

Dated and Delivered this 22nd day of February, 1994.

Accepted and Agreed to:

Full Circle Services, Inc.

John F. Maley
President
"Full Circle"

Richard J. Barnes
Richard J. Barnes
"Claimant"



VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

Agenda for February 28, 1994

*Reference to a.i.c.
Defer to
3/1/94*

1. Railroad crossing petition for the Ohio Street bridge project
2. Sidewalk waiver request for Mt. Ashley Subdivision — *DB/R3* —
3. Sidewalk waiver request for Elpers Commercial Subdivision — *RB/DB*
4. Street acceptance request for Brookview Subdivision Sec. VII — *RD/DJ*

<u>Street</u>	<u>LFT</u>
Knollview Drive	407 ft
Brookcrest Drive	266 ft
5. Street acceptance request for Char-Lee Drive — *Deferred as income can be checked.*

VANDERBURGH COUNTY ENGINEERING DEPARTMENT
Old Courthouse, Suite 307
201 N. W. Fourth Street
Evansville, IN 47708

DATE: FEBRUARY 28, 1994

Tel. 435-5773

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

RE: Acceptance of Street Improvements in
BROOKVIEW HEIGHTS SEC. VII

Dear Commissioners:

The undersigned have made an inspection of the subject Street Improvements on FEBRUARY 24, 1994. 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	ROW	LENGTH
KNOLLVIEW DRIVE (Continuation)	29' to B Curb	50'	407' (.08 m)
BROOKCREST DRIVE (Continuation)	29' to B Curb	50'	266' (.05 m)

.. 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


Vanderburgh County Engineer

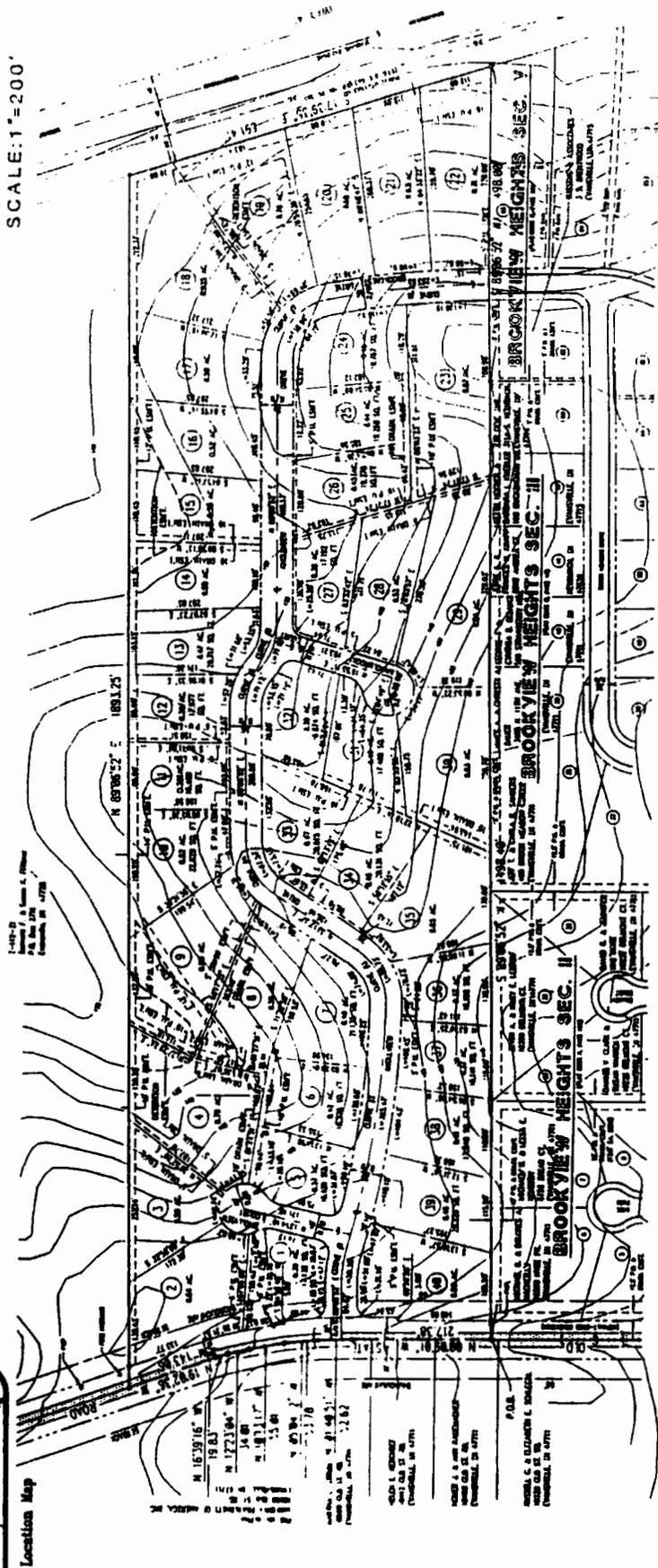
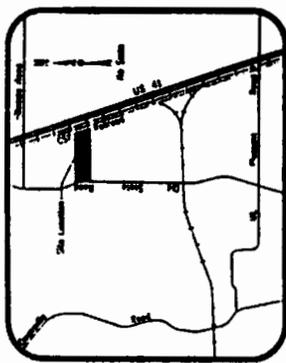
cc: Developer
Design Engineer
A.P.C.
Highway Department
INDOT
Road File


President


Vice President


Member

Brookview Heights Section VII



SCALE: 1" = 200'

TRAVEL REQUEST FORM
FOR
COUNTY OFFICIALS, DEPARTMENT HEADS AND EMPLOYEES

DATE OF REQUEST: 2-28-94 DEPARTMENT: COUNTY HWY DEPT.

EMPLOYEE(S): WILLIAM F. MORPHEW

DATE(S) OF TRAVEL: ~~3-1-94~~ 3-1-94 3-2-94

DESTINATION: W. LAFAYETTE IN

PURPOSE: 1994 ROAD SCHOOL

Proof (Copy of brochure or letter) must be attached.

LODGING REQUIRED: HOLIDAY INN

MEANS OF TRAVEL: _____ COUNTY VEHICLE NUMBER: #1
OTHER: _____

REIMBURSEMENT CLAIMED	_____ Mileage	_____ Parking
	_____ Per diem	_____ Registration
	_____ Air fare	_____ Other

APPROVED: William F. Morpew
Department Head

APPROVED: _____
Office Holder

APPROVED BY:
VANDERBURGH COUNTY COMMISSIONERS this 28th day of February ¹⁹⁹⁴~~1993~~

Richard J. Borries
RICHARD J. BORRIES, PRESIDENT

Patrick Tuley
PATRICK TULEY, VICE-PRESIDENT

Don L. Hunter
DON L. HUNTER, MEMBER

AREA PLAN COMMISSION
EVANSVILLE-VANDERBURGH COUNTY
Room 312 Civic Center Complex
1 N. W. Martin Luther King, Jr. Blvd.
Evansville, IN 47708
Phone (812) 435-5226

February 28, 1994

County Commissioners
Room 305 Civic Center Complex
1 N. W. M L King Blvd.
Evansville, IN 47708

Commissioners:

We would like to request travel for two staff members to meet with the Corp. of Engineers and the Indiana Department of Natural Resources about the Pigeon Creek Floodway determination. This meeting will be within the next two weeks, maybe as early as next week. It will either be in Louisville or Indianapolis. We are sorry this request is so late and so vague. We were notified of the necessity of the meeting this morning.

We request to use the county vehicle.

Sincerely,


Barbara L. Cunningham
Executive Director

Approved by vote 2-28-94

Warrant No. _____

Claim No. _____

Date _____

INDOT

Vendor No. 1114

\$ 2411.13

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name CONTRACTS

Account No. 216-3930

Allowed _____ 19____

In the sum of \$ _____

Richard J. Barnes
John Smith

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

Feb 25, 1994

John Hill
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>IR 9400131</u>	<u>—</u>	<u>2/16/94</u>	<u>[REDACTED]</u>	<u>2411.13</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 2411.13

Warrant No. _____

Claim No. _____

Date _____

BERNARD IN LOCHMUELLER

Vendor No. 985

\$ 2,520.72

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Lynch Co. Ext.

Account No. 216-4827

Allowed _____ 19____

In the sum of \$ _____

Robert J. Jones
Kenneth J. Barnes
W. H. ...

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

Feb 25, 1994

John Hall
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(6)</u>	<u>-</u>	<u>2/23/94</u>	<u>216-4827</u>	<u>2520.72</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 2520.72

Warrant No. _____

Claim No. _____

Date _____

INDOT

Vendor No. 1114

\$ 7180.⁰⁰

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name BURKHARDT RR

Account No. 216-4928

Allowed _____ 19____

In the sum of \$ _____

Richard P. Boris
[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

Feb 25, 1994

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>IR9400445</u>	<u>—</u>	<u>2/16/94</u>	<u>216-4928</u>	<u>7180.⁰⁰</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 7180.⁰⁰

